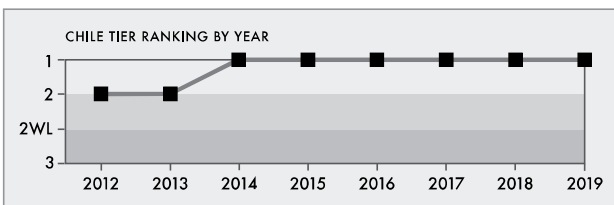


Experts reported prison officials used inmates as forced labor on private projects, separate from the prisoners' sentences for their crimes. According to an international organization, Chad hosts more than 450,000 refugees and more than 130,000 internally displaced persons; populations vulnerable to trafficking based on their economic instability and lack of access to support systems. International organizations report the Nigerian terrorist group Boko Haram and its offshoot Islamic State-West Africa forcibly abducted minors to serve as child soldiers, suicide bombers, child brides, and as forced laborers. Community-based vigilante groups tasked with defending people and property in rural areas may recruit and use children in armed conflict.

CHILE: TIER 1

The Government of Chile fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Chile remained on Tier 1. These efforts included investigating more cases, identifying more victims, improving male victims' care, increasing legal representation for child victims, and sentencing two labor traffickers to the longest prison term to date under the trafficking law. Although the government meets the minimum standards, courts issued lenient sentences, with the vast majority of convicted traffickers receiving only probation with no time in prison, creating potential safety concerns for trafficking victims, weakening deterrence, and undercutting nationwide efforts to fight trafficking. The government did not provide adequate resources for victim protection efforts, and available care was particularly lacking for male victims and victims outside of the capital.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to penalize traffickers with adequate sentences, which should include significant prison terms. • Vigorously investigate, prosecute, and convict all forms of human trafficking, including domestic child sex trafficking, under Article 411 of the penal code. • Increase training on application of Article 411 for judges and prosecutors. • Increase funding and services for victim protection efforts. • Expand access to specialized shelters for victims, including male and minor victims and victims outside the capital. • Develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities to ensure no trafficking victims are penalized for unlawful acts their traffickers compelled them to commit. • Increase legal representation to victims who wish to seek restitution.

PROSECUTION

The government increased prosecution efforts. Article 411 of the penal code criminalized sex trafficking and labor trafficking, prescribing penalties ranging from five years and one day to 15 years' imprisonment, plus fines. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Chilean

officials continued to investigate and prosecute many internal child sex trafficking cases under Article 367 of the penal code, which penalized "promoting or facilitating the prostitution of minors," but penalties for this crime ranged from five to 20 years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

Anti-trafficking police units opened 39 new investigations (23 for sex trafficking and 16 for labor trafficking), compared with 21 cases in 2017 (13 for sex trafficking and eight for labor trafficking) and 23 cases in 2016 (four for sex trafficking and 19 for labor trafficking). Authorities prosecuted 19 individuals (13 under Article 367 and six under Article 411), compared with 17 cases in 2017 (14 under Article 367 and three under Article 411). The government convicted nine traffickers (four under Article 367 and five under Article 411 for labor trafficking), compared with 29 convictions in 2017 (26 under Article 367 and three under Article 411) and eight convictions (three under article 367 and five under Article 411) in 2016. Two labor traffickers received 10-year prison sentences, the longest effective sentences since Article 411's inception; these individuals also received fines of 2.35 million Chilean pesos (\$3,390). However, seven of nine convicted traffickers did not serve any time in prison; three labor traffickers received four years' probation and four convicted child sex traffickers received between three and five years of probation.

During 2018, the National Public Prosecutor's office developed a new protocol for prosecutors and attorney advisors for the investigation of crimes related to the commercial sexual exploitation of children and adolescents, including sex trafficking. The government cooperated with Argentina, China, and Colombia on three investigations. The government provided training to the governments of El Salvador, Guatemala, Honduras, Panama, and Peru to strengthen international prosecutions. The Metropolitan Brigade to Investigate Trafficking in Persons provided specialized training to 440 police cadets, senior officers, and prosecutors across the country. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. In 2018, the government instituted a new software system to track the complicity of government officials in trafficking crimes.

PROTECTION

The government increased victim protection. The government's interagency task force on trafficking (MITP) identified 41 trafficking victims (30 women and 11 men; 33 for labor trafficking and eight for sex trafficking), compared with 21 victims in 2017, 23 in 2016, and 65 in 2015. The National Service of Women and Gender Equality (SERNAMEG) assisted 12 women of the 41 victims of trafficking; the SERNAMEG shelter directly assisted eight female victims and sent the remaining four victims to other shelters due to its capacity limit. SERNAMEG assigned three of the victims with pro-bono attorneys. The MITP's protocol on victim assistance entitled victims to safe housing, health services, psychological services, legal assistance, employment assistance, and regularization of migratory status. However, provision of victim services remained uneven across the country and NGOs reported funding was inadequate to provide necessary services, especially shelters for minors and male victims. The government did not fund most NGOs that provided victim assistance; agencies did not have specific line items in their budgets for victim assistance. Reintegration services such as education and job placement

assistance were insufficient, and officials reported access to adequate mental health services was expensive and limited.

SENAMEG allocated 140 million Chilean pesos (\$202,000) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase compared to 133 million Chilean pesos (\$191,900) allocated in 2017. The government also had domestic violence shelters that housed trafficking victims, although these shelters did not necessarily provide specialized services for trafficking victims. The Ministry of Interior created official agreements on adult men victims' care with the Ministry of Justice; these services were administered by a local NGO. However, there were no shelters for male victims. The National Service for Minors (SENAME) provided basic services to child sex trafficking victims through its national network of 18 NGO-operated programs and opened one additional program during the reporting period. There was an ongoing investigation into mistreatment and abuse leading to death and neglect of children and adolescents at SENAME-affiliated residential and non-residential care facilities. SENAME provided 3 billion Chilean pesos (\$4.33 million) for victim services, compared to 2.95 billion Chilean pesos (\$4.26 million) in 2017. SENAME assisted 1,459 children in 2018, compared with 1,350 children in 2017 and 1,341 in 2016. Although it noted 148 children or adolescents were identified by the Worst Forms of Chile Labor (WFCL) registry as victims of commercial sexual exploitation. The Ministry of Interior increased legal representation for child victims through Chile's "My Lawyer program."

In partnership with an international organization, the Ministry of Health developed a technical guide on victim identification and assistance and trained more than 300 public health and municipality officials. Authorities provided training on victim assistance and identification to more than 1,000 law enforcement, judicial staff, labor inspectors, SENAME staff, and first responders. The Department of Migration continued to provide no-fee visas for foreign trafficking victims and issued 17 in 2018 (nine in 2017). The visa is valid for up to one year, renewable for up to two years if the victim reported the trafficking crime to the prosecutor's office. Foreign victims received the same victim services and methods of participation in court—such as teleconference, witness protection, and video testimony—as Chilean victims. The government reported challenges in encouraging victims to participate in a full trial. The government did not report granting any victims restitution through civil or criminal cases in 2018. An international organization has expressed concern that striking workers in certain industries could be imprisoned and forced to work.

PREVENTION

The government increased prevention efforts. The Ministry of Interior continued to lead the MITP—which included government agencies, international organizations, and local NGOs—and its three sub-commissions. The government created, published, and began implementation of a new national action plan (2019-2022). Instead of continuing a specific line item budget for anti-trafficking efforts, the government authorized MITP and partner NGOs to draw from a transnational organized crime budget line under the government's "Safe Borders Program;" the government claimed this would improve collaboration on prosecutions and increase coordination across agencies. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed. The government conducted multiple awareness campaigns and distributed materials, including brochures,

at various public venues across the country. Several agencies operated hotlines that could take calls on trafficking victims. The government provided training on trafficking for operators of the labor directorate's hotline. The National Tourism Service, in collaboration with SENAME, continued its certification of tourism organizations and establishments that adhere to norms for the prevention of child sex trafficking. The government released its 2011-2017 statistics report on trafficking in Chile. The government made efforts to reduce the demand for commercial sex acts but did not make efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Chile, and traffickers exploit victims from Latin American and Asian countries abroad. Traffickers exploit Chilean women and children in sex trafficking within the country as well as women and girls from other Latin American countries and Asia. Some traffickers may recruit children staying in child protection centers. Traffickers exploit men, women, and children—primarily from other Latin American countries, as well as Asia—in forced labor in Chile in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and domestic service. Traffickers subject Chinese and Haitian immigrants to sex trafficking and forced labor, and Korean women to sex trafficking. Chilean authorities identified a significant number of children involved in illicit activities, including drug trafficking and theft; some of these children may have been trafficking victims. Traffickers subject Chilean men to labor trafficking in Peru and Chilean women to sex trafficking in Argentina, as well as other countries. Police often frequented brothels in small towns, dissuading potential trafficking victims from reporting exploitation.

CHINA: TIER 3

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore China remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by continuing to cooperate with international authorities to address forced and fraudulent marriages in China, a key trafficking vulnerability for foreign women and girls, and by continuing to seek accountability for officials complicit in commercial sex crimes that may have included sex trafficking. However, state-sponsored forced labor intensified under the government's mass detention and political indoctrination campaign against members of Muslim ethnic minority groups in Xinjiang, and authorities reportedly subjected Tibetans and other ethno-religious groups to similar conditions. For the second consecutive year, the government did not report identifying any trafficking victims or referring them to protective services. Authorities detained women arrested on suspicion of prostitution, sometimes for months and without screening for trafficking, and often forcibly returned foreign victims to their traffickers after they escaped and reported their abuses.