

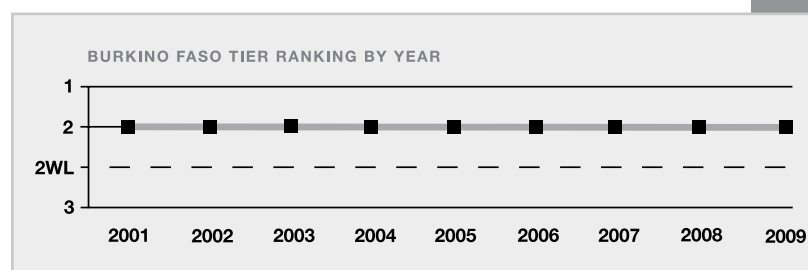
years' imprisonment. Burkina Faso's Penal Affairs Officer reported that in 2008, the government arrested 40 child trafficking suspects, 16 of whom were cleared of all charges and released, and 11 of whom were prosecuted, convicted, and given sentences of one to 12 months' imprisonment. Five of these traffickers were given sentences of far less than one year's imprisonment. Four traffickers received sentences of six months which the court considered completed at the time of sentencing due to lengthy pre-trial detention since 2007. An additional 13 suspects are awaiting trial. The government collaborated with international donors and NGOs to conduct anti-trafficking training for 165 lawyers, magistrates, security personnel, social workers, civil society activists, and local vigilance committee members throughout the country.

Protection

The Government of Burkina Faso demonstrated solid efforts to protect trafficking victims over the last year. Due to limited resources, the government did not provide services directly to victims. When government authorities identified victims, however, they ensured that they received access to necessary services by referring them to NGOs and international organizations. The Burkinabè government reported that between January and December 2008, its security forces and regional anti-trafficking surveillance committees intercepted approximately 691 Burkinabè and foreign child trafficking victims, 438 of whom were boys and 153 of whom were girls. Two hundred forty-five of these children were being trafficked from Burkina Faso to neighboring West African countries, while three of these were being trafficked to Sudan. The remaining children were victims of internal trafficking within Burkina Faso. All of these children received care at one of 23 transit centers jointly funded by the government and UNICEF. In 2008, the government contributed over \$54,000 to these centers. Assisted by donor-funding, government personnel helped to supervise the rehabilitation of 190 trafficking victims and helped to provide their families with micro-credit programs. After victims receive care at transit centers, the government coordinates the repatriation of foreign nationals with counterparts in the victims' countries of origin, processes these victims' travel documents, and collaborates with donors to ensure a safe return. Burkina Faso is a party to the ECOWAS-ECCAS 2006 anti-trafficking agreement and plan of action, through which officials in Burkina Faso in 2008 cooperated with counterparts in nearby countries to intercept and repatriate 248 West African child trafficking victims, including 51 girls. Police do not exhibit any systematic effort to identify trafficking victims among women and girls in prostitution. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Nationals of ECOWAS states, including trafficking victims, however, may legally reside and work in Burkina Faso. Government officials encourage victims to assist in trafficking investigations or prosecutions.

Prevention

The Government of Burkina Faso continued trafficking prevention efforts over the last year. Government-operated media broadcast anti-trafficking and child labor radio and television programs, films, theater, and debates, often in collaboration with NGOs and reportedly targeting over 300,000 people during the year. In collaboration with NGOs and international organizations, the government held workshops and seminars for civil society groups and government officials on child trafficking, primarily on prevention, protection, rehabilitation, and reintegration. The government made a financial contribution to these workshops. The national action plan against trafficking, which the government adopted in 2007, has yet to be implemented due to lack of funding. In the last year, the National Anti-Trafficking Committee met twice. The government made no discernable efforts to reduce demand for forced and child labor in the country. The government took some steps to reduce demand for commercial sex acts in Burkina Faso by closing a number of brothels in Ouagadougou in July 2008.



BURMA (Tier 3)

Burma is a source country for women, children, and men trafficked for the purpose of forced labor and commercial sexual exploitation. Burmese women and children are trafficked to Thailand, the People's Republic of China (PRC), Bangladesh, India, Pakistan, Malaysia, and South Korea for commercial sexual exploitation, domestic servitude, and forced labor. Some Burmese migrating abroad for better economic opportunities wind up in situations of forced or bonded labor or forced prostitution. Burmese children in Thailand are subjected to conditions of forced labor as hawkers, beggars, and for work in shops, agriculture, fish processing, or other small-scale industries. Women are trafficked to China for forced marriage and to Malaysia and China for commercial sexual exploitation. Men and women are trafficked to Thailand and Malaysia for forced labor. Some trafficking victims transit Burma from Bangladesh to Malaysia, and from the PRC to Thailand and beyond.

Trafficking within Burma is a significant phenomenon. Villagers from rural areas move to urban centers and economic hubs along the borders with Thailand and China for labor in industrial zones and agricultural

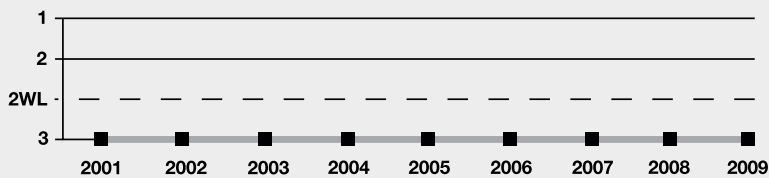
estates, and are trafficked into conditions of forced labor and commercial sexual exploitation. Trafficking in girls for the purpose of prostitution persisted as a major problem, particularly in urban areas. Burma is a destination country for child sex tourism. Government and military use of forced labor remained widespread, reportedly targeting members of ethnic minority groups. Urban poor and street children in Rangoon and Mandalay are at risk of involuntary conscription as child soldiers by the Burmese junta. Thousands of children are forced to serve in Burma's national army as desertions of men in the army rise. Some children were threatened with jail if they did not agree to join the army. Poor villagers in rural regions must provide *corvee* labor on demand as a tax imposed by authorities. Ethnic insurgent groups also used compulsory labor of adults and engaged in the unlawful recruitment of child soldiers. After Cyclone Nargis devastated Burma in May 2008, there were anecdotal reports of trafficking of cyclone victims to other parts of Burma and to neighboring countries. There was also a dramatic increase in the number of unverified reports of forced labor, including of children, and trafficking in persons after the cyclone. The military junta's gross economic mismanagement, human rights abuses, and its continued widespread use of forced labor are among the top causal factors for Burma's significant trafficking problem.

Recommendations for Burma: Criminally prosecute military and civilian officials responsible for forced labor and the conscription of child soldiers; improve efforts to cease the practice of forced labor of Burmese citizens by civilian and military entities; continue to increase prosecutions and convictions for internal trafficking; continue collaboration in addressing forced labor and sex trafficking with international NGOs and international organizations in a transparent and accountable manner; complete development and implementation of formal victim identification and referral procedures to identify victims of trafficking; undertake additional initiatives to prevent trafficking, such as instituting a public awareness campaign to warn at-risk populations of the dangers of trafficking; and focus more attention on internal trafficking of females for commercial sexual exploitation.

Prosecution

The Burmese junta demonstrated a degree of progress to combat transnational trafficking throughout the past year. There were limited efforts to investigate or prosecute cases of internal trafficking. While the government administratively punished perpetrators of some trafficking crimes, criminal punishment remained weak. Burma prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Military recruitment of children under 18 is prohibited by Armed Forces Notification number 13/73 from 1974, but the military has not criminally prosecuted under the Penal Code those who recruit child soldiers, instead reportedly sanctioning them with administrative penalties. The government also failed to criminally punish civilian or military perpetrators of forced labor. Laws prohibiting child prostitution were also not enforced effectively. The Burmese junta rules arbitrarily through its unilaterally imposed laws, but rule of law is absent, as is an independent judiciary that would respect trafficking victims' rights and provide fair justice. The Burmese regime reported that it investigated and prosecuted 127 cases of trafficking, identifying and convicting 342 suspected traffickers in 2008. However, court proceedings are not open and lack due process for defendants. In the past, data claimed to represent trafficking in persons issues has often included individuals caught trying to leave Burma without permission. While the Burmese regime has been known to conflate irregular migration with trafficking, leading to the punishment of consensual emigrants and those who assist them to emigrate, during the reporting period, the police made some efforts to exclude smuggling cases from human trafficking figures. If persons are internally trafficked for labor by a high-level official or well-connected individual, the police can be expected to self-limit their investigations, even if no political pressure has been overtly employed. Burmese law enforcement officers joined PRC counterparts to jointly investigate 11 cross-border trafficking cases. The

BURMA TIER RANKING BY YEAR



In some areas, including in particular the international trafficking of women and children for commercial sexual exploitation, the Government of Burma is making significant efforts. Available data indicated an increase in law enforcement efforts in 2008, a considerable increase in budget allocation for anti-trafficking activities, and the establishment of three anti-trafficking police units. Overall, however, serious problems remain, and in some areas, most notably in the area of forced labor, the Government of Burma is not making significant efforts to comply with the minimum standards for the elimination of trafficking, warranting a ranking of Tier 3. Specifically, military and civilian officials remain directly involved in forced labor and the unlawful conscription of child soldiers, with reported cases of child soldiers increasing annually. Furthermore, the regime has not yet adequately addressed the phenomena of trafficking for commercial sexual exploitation and labor exploitation within the country.

Ministry of Home Affairs continued to maintain that there was no complicity of regime officials in trafficking; however, corruption among local government officials was widespread, and officials frequently engage in corrupt practices with impunity. During the year, the regime reported two officials were prosecuted for their involvement in trafficking cases, and sentenced to three years in prison. The Ministry of Labor in 2008 issued licenses to 108 companies to recruit workers for overseas jobs. Since 2008, the Ministry of Labor cancelled the licenses of 14 companies for legal violations. In 2008, the ILO Liaison Officer accepted 64 formal complaints and submitted all of them to the Burmese government for action. In 2008, the government did not criminally prosecute any cases of forced labor; instead, it dismissed one civilian administrative official who subjected others to forced labor, reprimanded seven others, and reprimanded 21 military officials for subjecting others to forced labor. Three of the 64 cases referred by the ILO are still pending.

Protection

The Burmese regime made some efforts to protect repatriated victims of cross-border sex trafficking, but exhibited limited efforts to protect victims of forced labor and internal sex trafficking exploited within Burma's borders. Over the past year, the Burmese government reportedly assisted 232 victims, 133 of whom were identified and repatriated by the Thai government, 98 of whom were identified and repatriated by PRC authorities, and one who was identified by Jamaican authorities. The government reportedly identified 14 Chinese women and girls who were being trafficked into Thailand for sexual exploitation. The Burmese regime does not have in place formal victim identification procedures to identify victims of trafficking among vulnerable groups. In forced labor cases, victims were sometimes harassed, detained, or otherwise penalized for making accusations against the officials who subjected them into forced labor. In the past, the junta has filed charges against those who assist claimants of forced labor, including their legal counsel and witnesses, though no such cases were reported during the year. Such harassment and punishment discourages others from coming forward to report abuses. Burmese and foreign trafficking victims stayed in government-run shelter facilities for up to one month before being returned to their home communities. The regime does not provide legal assistance to victims. The government encourages internationally trafficked victims to assist in investigations and prosecutions. The government extended for an additional year the 2007 Supplementary Understanding on Forced Labor, which establishes a mechanism for forced labor complaints and provides protections for those who reported cases to the ILO. In 2008, the junta showed some cooperation with international organizations on the issue of the military's conscription of children, resulting in the return of 21 children to their families. However, the regime did not permit UNICEF access to children who were released for

follow-up purposes. Although the recruiting officers were sanctioned with administrative punishments, the military has not criminally prosecuted the perpetrators of child soldier recruitment under applicable Burmese law.

Prevention

The government increased efforts to prevent international trafficking in persons, but made only limited efforts to address the trafficking that occurs within the country's borders. The National Police conducted 238 awareness campaigns reaching over 25,000 people. The Burmese junta reported that it significantly increased spending in 2008 on anti-trafficking efforts, including prevention, educational awareness, funding of additional anti-trafficking police, and protection efforts. Police officials established three new anti-trafficking units, including two in the Irrawaddy Delta in an attempt to deter trafficking cases. The government also established an anti-trafficking office within the Border Liaison Office along the Burma-China border in Kachin State. During the year, the government worked with an NGO and the UN to train officials on differences between smuggling and trafficking, and about Burma's trafficking law and its enforcement. The Ministry of Home Affairs in collaboration with an international organization conducted awareness raising campaigns at bus terminals, targeting drivers, merchants, ticket sellers, and local police. The government posted billboards and notices at hotels aimed at tourists to warn about trafficking.

BURUNDI (Tier 2 Watch List)

Burundi is a source country for children trafficked for the purposes of child soldiering, domestic servitude, and commercial sexual exploitation. The rebel faction National Liberation Force (FNL) remained the only armed group not to have fully implemented a ceasefire agreement with the government, and it continued to unlawfully recruit and exploit children as fighters, manual laborers, and logistical support throughout the majority of the reporting period; the FNL appeared to cease child recruitment in early 2009 after the commencement of the formal demobilization process. Generally, child soldiers and other children were identified, separated from the adults at the demobilization camps and pre-assembly areas, and returned to their homes early to mid-2009. FNL rebels reportedly forced

