

three have since overstayed their visas and are missing, indicating the need for greater law enforcement training on victim identification, quick access to trained, native language trafficking counselors to overcome the distrust of police commonly found in potential victims, and better incentives offered by the Government of Japan to potential victims in terms of retraining and the possibility of legal avenues of employment.

Thirty of the 33 identified trafficking victims in 2008 were housed in government shelters – Women’s Consulting Centers (WCCs). The victims had access to subsidized medical care and some victims received psychological care while in the WCCs. While in shelters or assisting in trials, victims have never been permitted to obtain employment or otherwise generate income. This lack of opportunity to generate income, coupled with the trauma of being a victim of trafficking, are likely factors leading most victims to agree to repatriation to their home country. NGOs report that, although the government encouraged victims to assist in the investigation and prosecution of trafficking crimes, the government did not provide victims with an environment conducive to cooperation. While the government can legally provide incentives for cooperation, such as the opportunity to work, there were no victims who were provided this type of assistance in 2008. To date there have been no reported cases where the government provided legal assistance to a trafficking victim. The government has the capacity to provide long-term residency visas for trafficking victims, but no foreign trafficking victim has been granted such a visa as yet. Japan continued to provide IOM with \$300,000 a year for repatriation and reintegration assistance.

Prevention

The Government of Japan continued to improve its efforts to increase awareness of trafficking during the reporting period. The government continued distribution of approximately 30,000 posters and 50,000 leaflets to local governments, embassies, airports, harbors, and NGOs. The Immigration Bureau continued to distribute trafficking awareness leaflets in five languages. The National Police University began to teach classes and seminars on trafficking during the reporting period. In order to reduce Japanese demand for child sex tourism, the government displayed posters on child sex tourism in airports and at harbor facilities. A significant number of Japanese men continue to travel to other Asian countries, particularly the Philippines, Cambodia, and Thailand, to engage in sex with children. Despite Japanese courts’ extraterritorial jurisdiction over Japanese nationals who have sexually exploited children in a foreign country, the government did not prosecute any Japanese nationals for child sex tourism during the reporting period. This also is an area that is cause for concern. The government conducted periodic police raids of prostitution establishments, including some raids on Internet-based forms of commercial sex, but did not make any other efforts to reduce the demand for commercial sex acts. During the reporting period, the government

began funding a \$5 million project to protect victims of trafficking in Southeast Asia, and continued to fund a number of other anti-trafficking projects around the world. Japan has not ratified the 2000 UN TIP Protocol.

JORDAN (Tier 2)

Jordan is a destination and transit country for women and men from South and Southeast Asia for the purpose of forced labor. There were some reports of women from Morocco and Tunisia being subjected to forced prostitution after arriving in Jordan to work in restaurants and night clubs. Women from Bangladesh, Sri Lanka, Indonesia, and the Philippines migrate willingly to work as domestic servants, but some are subjected to conditions of forced labor, including unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. During the reporting period, the Government of the Philippines continued to enforce a ban on new Filipina workers migrating to Jordan for domestic work because of a high rate of abuse of Filipina domestic workers by employers in Jordan. At the end of the reporting period, an estimated 600 Filipina, Indonesian, and Sri Lankan foreign domestic workers were sheltered at their respective embassies in Amman; most of whom fled some form of forced labor.

In addition, some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women have encountered conditions indicative of forced labor in a few factories in Jordan’s Qualifying Industrial Zones (QIZs), including unlawful withholding of passports, delayed payment of wages, including overtime, and, in a few cases, verbal and physical abuse. In past years, Jordan has been a transit country for South and Southeast Asian men deceptively recruited with fraudulent job offers in Jordan, but instead trafficked to work involuntarily in Iraq. There were no substantiated reports of this, however, during the reporting period.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government amended its labor law to cover agriculture and domestic workers, passed comprehensive anti-trafficking legislation, initiated a joint labor inspector and police anti-trafficking investigation unit, started a Human Trafficking Office within the Public Security Directorate’s (PSD) Criminal Investigation Unit, and improved efforts to identify victims of trafficking and related exploitation among foreign domestic workers, foreign laborers in the QIZs, and foreign women in prostitution. Nevertheless, anti-trafficking law enforcement efforts were nascent and the identification of labor trafficking offenses and related victims was inadequate, with some victims treated as offenders and penalized for acts committed as a direct result of their being trafficked.

Recommendations for Jordan: Use the new comprehensive anti-trafficking law by increasing efforts

to investigate, prosecute, and sentence trafficking offenders, particularly those involving forced labor; complete regulations defining the terms of employment for domestic workers and those governing the operation of recruitment agencies; enhance services available for trafficking victims to include a shelter; implement a comprehensive awareness campaign to educate the public on trafficking and forced labor, focusing on domestic workers and the new anti-trafficking law; and strengthen efforts to proactively identify victims of trafficking and forced labor and ensure victims are not punished for unlawful acts committed as a direct result of their being trafficked.

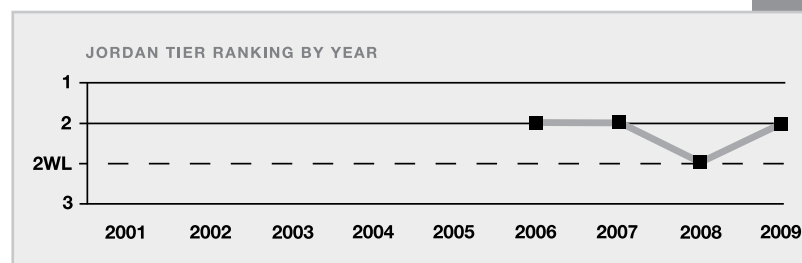
Prosecution

The Government of Jordan made improved efforts to criminally punish trafficking offenders during the reporting period. On March 31, 2009, a comprehensive anti-human trafficking law came into force that prohibits all forms of trafficking. The new law prescribes penalties of up to ten years' imprisonment for forced prostitution and trafficking involving aggravating circumstances such as the trafficking of a child or trafficking involving a public official; penalties prescribed for labor trafficking offenses not involving aggravating circumstances are limited to a minimum of six months' imprisonment and a maximum fine of \$7,000 – penalties that are not sufficiently stringent. Jordan's labor law assigns administrative penalties, such as fines of up to \$1,400, to labor violations committed against Jordanian or foreign workers, including forced labor offenses; these penalties also are not sufficiently stringent. Although the Jordanian government did not provide comprehensive data on its anti-trafficking law enforcement efforts over the last year, it reported investigating at least 19 cases, of which 10 were sent to judicial authorities for prosecution and nine were resolved administratively. During 2008, the Ministry of Labor (MOL) closed seven labor recruitment agencies for offenses that relate to forced labor. The MOL investigated 535 general labor complaints received from Jordanian and foreign workers through the MOL-operated hotline, which included some indicators of forced labor, such as employers withholding workers' passports. In late 2008, the PSD's Criminal Investigation Department (CID) investigated the forced prostitution of two Tunisian women and arrested their trafficker. In early 2009, the CID investigated and forwarded for prosecution two cases, involving seven women, of forced labor in night clubs. The government in October 2008 began prosecuting 75 municipal employees in Karak for abuses of their power that included forging work permits for migrant workers, a potential contributor to forced labor. The government provided anti-trafficking training through the police training academy and a training program for labor inspectors.

Protection

The Jordanian government made improved but inadequate efforts to protect victims of trafficking during

the last year. The government continued to lack direct shelter services for victims of trafficking, though Article 7 of the newly passed anti-trafficking law contains a provision for the opening of shelters. A government-run shelter for abused Jordanian women housed approximately 10 foreign domestic workers who had been sexually assaulted by their employers and subsequently referred to the shelter by PSD's Family Protection Department; these domestic workers may have been trafficking victims. Although Jordanian law enforcement authorities did not employ systematic procedures to proactively identify or refer victims of trafficking, some victims were identified by the PSD and referred to NGOs for care. The government did not ensure that victims were not penalized for unlawful acts committed as a direct result of being trafficked; victims continued to be vulnerable to arrest and incarceration if found without adequate residency documents and some foreign domestic workers fleeing abusive employers were incarcerated after their employers filed false claims of theft against them. The government did not actively encourage victims of domestic servitude to participate in the investigation or prosecution of trafficking offenders. The fining of foreign workers without valid residency documents – including identified trafficking victims – on a per day basis for being out-of-status served as a disincentive to stay in Jordan and pursue legal action against traffickers. Nevertheless, the Ministry of Interior often waived the accumulated overstay penalties levied against "runaway" foreign domestic workers in order to repatriate them.



Prevention

Jordan made limited efforts to prevent trafficking in persons during the reporting period. The Ministry of Labor (MOL) collaborated with local NGOs to raise awareness of labor trafficking through ads on billboards, and public service announcements in the print media and via radio. The MOL continued training labor inspectors on various facets of human trafficking and continued distribution of a guidebook it published on protections for foreign domestic workers, including hotlines to call to report abuse. The PSD provided trafficking-specific training to the thousands of officers it sent abroad for participation in international peacekeeping efforts. The government did not undertake any discernable measures to reduce the demand for commercial sex acts. Jordan has not ratified the 2000 UN TIP Protocol.