REPUBLIC OF LEBANON
Ministry of Justice

Measures to prevent and combat trafficking in human beings:

Lebanon country assessment

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Human trafficking is a crime and can take many different forms; it's dynamic and adaptable as many other forms of criminal activity. Human trafficking is constantly changing due to social conditions, regional geopolitical context and human aspects which could defeat law enforcement efforts. Forms of exploitation include the exploitation of the prostitution of others, sexual exploitation, forced labor, slavery or similar practices, servitude and all related abuse.


In this context, a project was undertaken by the Ministry of Justice in Lebanon, in close cooperation with the Ministry of Interior and with the technical assistance of the United Nation Office on Drugs and Crime (UNODC) aiming to strengthen the legal and law enforcement institutions in their ability to prevent and combat trafficking in human being in Lebanon. This report assess both the trafficking situation in Lebanon and the adequacy of existing legislation on trafficking in accordance with its obligations under the Protocol to Prevent, Suppress and Punish Trafficking in Persons. A national committee was established including representatives from the Ministry of Justice, Interior and NGOs represented by Caritas Migrant Centre.

This assessment report is part of Lebanon's anti-trafficking efforts, and it's the first in the country. The preparation of this report and the final recommendations would not have been possible without the valuable contribution and assistance from various institutions and persons involved in this sensitive subject in order to prevent and combat trafficking in human beings.

The problem of trafficking in Lebanon is small, though existing, and not easy to assess. Fighting against transnational organized crime could be done through providing training related to victim identification, targeting multiple players involved in Trafficking in Human Being issue and by promoting prevention programs and services to victims of trafficking especially during the adopted judiciary procedures.

National Committee for anti-trafficking in human being in charge of coordination and support implementation of the project LEBR61 "Measures to prevent and combat trafficking in human beings in Lebanon".
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Executive Summary

Trafficking in human beings is a global phenomenon of multi-disciplinary nature. In one way or another, it affects all countries of the world. It has become one of the most profitable activities of crime groups worldwide.

In Lebanon, the problem of trafficking in human beings needs to be seen in the cultural, socio-economic and political context. It's a phenomenon that finds its roots in the lack of equal opportunities, in the human desire to improve one's personal quality of life and to escape poverty.

The problem of trafficking in Lebanon appears to be small. There are many reasons for not being able to identify the number of persons trafficked in Lebanon, including the following two: first, as the literature discusses, the crime is hidden and few cases are reported; second, there is currently no law that specifically names a crime of human trafficking, there are therefore no official numbers of cases identified and none prosecuted under this title. This is further complicated by the volatile situation and related developments in the political situation in Lebanon.

Therefore, in order to strengthen the legal and law enforcement institutions in their ability to prevent and combat trafficking in persons in Lebanon, the Ministry of Justice undertook a technical cooperation project in 2005 with the United Nations Office on Drugs and Crime (UNODC) under the project LEBR61 entitled "Measures to prevent and combat trafficking in human beings in Lebanon". In line with the project activities, a country assessment was prepared and divided into two parts; part 1 a legal review and part 2 the situation of trafficking in Lebanon.

This report is intended to make recommendations for Lebanon, provide interregional strategies to combat trafficking in human beings and increase and improve Governmental and non-governmental responses to the problem.

1. Regarding the Law
Currently, all of the individual components of the crime of trafficking are codified in the Lebanese criminal code, but not the crime of trafficking in human beings as such, as required by the Protocol. It is believed that the crime of trafficking exists in Lebanon and is prosecuted under various statutes. Additionally, the current law does not define the victim of trafficking in human beings, does not consider the acts which he or she was obliged to commit by a transnational organized crime group as not punishable and does not mention any special measures to protect the victims or witnesses of trafficking in human beings.

Developing consistent and standardized data collection systems for a crime that has not yet been articulated in the legal code is difficult. The Lebanese law did not stipulate an express provision as such pertaining to victims of trafficking in persons. However, according to article 273, if it is established before the court that the act took place, and that it is a criminal act; and if it is proven that the defendant is guilty, then he is incriminated and sentenced to a determined time. The court shall also rule that compensations shall be paid to the plaintiff if he required that (...).
Only the law no. 422, issued on the 6th of June 2002, in article 26, covered the protection of children (under 18) in danger or victim of criminal offences. It is important to point out to that the Lebanese provisions focused on smuggling persons whereas the Protocol focused on trafficking in persons.

Nevertheless, legislative reforms are urgent to be undertaken on issues involving the identified vulnerable group of potential victims of trafficking, such as domestic workers and artists. Enhancing the labour law with international standards will necessarily have a direct impact on trafficking prevention. Efforts are undertaken especially for domestic workers by the government in close collaboration with UN agencies as well as civil society but the results remain limited.

2. At the Definition Level
There is wide discrepancy among the governmental and non-governmental organization's definition of trafficking in human beings; the trafficking in human beings issue is a new phenomenon related to a convention and a protocol, none of which are listed or identified in the penal reform. It is difficult to garner support for a common definition of something that does not exist in the criminal justice system.

NGOs have a slightly broader definition of trafficking than the protocol related to the convention. Consequently the victim identification appears as a real challenge.

3. Regarding the Routes
It seems that Lebanon is a country of destination for potential victims of trafficking in human beings, especially for women coming from East-European countries and working as "artists" in night clubs, modelling and non-medical massage.

There is no indication in the official or NGO data at this time that indicates Lebanon as a transit country. This may be due to the very strict (even unfair) rules obliging domestic workers/artists to be deported at the end of the contract or in the case of an emergency such as after an abuse/exploitation.

There is no indication at this time specifying Lebanon as a country of origin for potential victims of trafficking.

4. On Victim Identification
Identifying victims of trafficking is a difficult issue. First, Lebanon does not have a crime of "trafficking in persons." Therefore, there can be no official victims. Second, confusion on the definition complicates the victim identification, especially for the NGO community. It is further aggravated by the violation of basic human rights for the identified vulnerable group, such as domestic workers and artists in the clubs. The absence of or poorly related legal provisions for victims results in a label of "potential" victims of abuse and exploitation in general and victim of trafficking in particular.
Based on the research of the country assessment, it is estimated that there are approximately 60 known trafficking cases each year in Lebanon. This number includes known cases - those reported to government officials - and suspected cases - those reported to NGOs and other non-government officials. The missing number is those cases not reported to any open source. The real number, although somewhat higher than 60, is not likely to be significantly higher than 60.

38 children were pointed out as victim of trafficking, however these children may be exploited in the labor market and some could be trafficked but there is no indication of that at this time.

5. On Institutional capacities
The Lebanese Government appears to have recognized human trafficking as a problem requiring immediate attention. Despite the volatile situation in the country, Lebanon made modest progress to prevent trafficking in human beings over the years. The Ministries of Labour, Interior and Justice are all involved in important reform projects, which could decisively improve the situation once the reforms are adopted and properly implemented. Complaints offices have been created within the Ministry of Labor (mainly for domestic workers) and the General Directorate of the General Security\(^1\) (MoI) for the entertainment workers (artist) where abuse and exploitation can be reported.

Concerned by potentially increasing risks of trafficking in human beings during the July war 2006, the Lebanese Ministry of Justice in co-operation with the UNODC launched an awareness campaign targeting foreign domestic workers in Lebanon, in close cooperation with the Lebanese Government (General Security) and Caritas Migrant Centre, the awareness materials were distributed to shelters, embassies, shops and markets.

The official agencies involved in trafficking in human beings cases, are processing and have the capacity to process the 60 (+/-) cases per year. Periodic training to sensitize, educate, and refresh the personnel would continue to enhance this processing.

6. On Victim support services
Civil society is very active in Lebanon: NGOs’ comprehensive program for potential victims of trafficking were identified (such as shelter, legal assistance, social and psychological support), as well as services useful to any victims of any kind of exploitation, especially for women and children. Based on the findings from the NGOs, the victim’s needs during shelter care are met. Future synergy between Lebanon and other countries should be developed to ensure successful prevention and repatriation.

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\(^1\) The General Security is a directorate general under the authority of the Minister of Interior. The GS has many functions such as security function, foreigners services and media censorship.
Introduction

1. Trafficking in the international Context

Trafficking – the modern day slavery – is a multi-faceted, multi-dimensional, and complex phenomenon within the social context. Recently, it has become one of the major concerns in the international context as it has been considered a gross violation of human rights. Trafficking, in many aspects, is found to be a direct threat to a series of fundamental human rights, including the right not to be subjected to torture or inhuman treatment, the right to life, dignity and security, the right to freedom of movement, the right to work (and receive pay) and the right to health are considered as the most related dimensions to the human rights. These violations of rights come in the form of many crimes, such as rape, torture, forced abortion, starvation, murder and/or torture of family members.

Trafficking in persons reflects inter-linkages -beyond human rights- with other important social problems, such as illegal immigration and organized crime. Studies on trafficking have indicated that the linkages between organized crime and trafficking are horizontal as well as vertical. Trafficking in persons consists of chains of individuals that are in vertical relationship with each other committing certain crimes (e.g. corruption, documentation forgery and violation of immigration laws). On the other hand, there are horizontal connections among various different criminal activities perpetrated by the same organization. That is, such trafficking organizations are also involved it sexual exploitation (including prostitution), arms and/or drug trafficking, and money laundering.

Human Trafficking is spread over many different geographic regions in the world in various degrees and intensities. Some countries are primarily a country of origin while others are primarily a country of destination or transit. There are socio-economic characteristics of societies that constitute a fertile ground for human trafficking in selecting countries of origin or destination by the criminal trafficking organizations (e.g. level of extreme poverty, illiteracy rate, and occurrence of nation-wide economic crises) elaborated in the next section. However, nearly every country is involved in the web of trafficking activities, either as a country of origin, destination or transit.

Human trafficking is one of the major attractive sources of income for organized crime groups. This is mainly because trafficking constitutes the first step towards prostitution and forced labour, which keeps the demand for trafficking constant. Human Trafficking is found to be the third largest source of income for organized crime around the world after the drugs and arms trafficking. It is believed that human trafficking continues to grow steadily because of its highly profitable nature and its linkages with other crimes, although the numbers of trafficking victims is unknown. Anti-trafficking policies and effective counter measures need to be implemented in a compatible and consistent way by both individual nations and the international community to develop a clear and concrete transnational tool that is highly effective in prevention of human trafficking. More importantly, nations have to officially recognize and participate in supra-national guidelines and treaties. Currently, the only international legal instrument against human trafficking is the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which has been ratified by 97 countries.

2 Much of the Background is taken liberally from the UNODC (internal working documents began 1999 and finalized 2005/6) "Trafficking in Persons and Smuggling of Migrants in the Middle East and North Africa- A Situation Analysis". Quotations and citations are deleted for reader ease.
2- International Socio-Economic Factors of Trafficking in Persons

There are certain socio-economic factors that constitute a fertile ground for human trafficking. In fact, these characteristics reflect generic social deficiencies that result in degraded livelihood in a society and in turn result in out-migration. The most prominent factors include extreme poverty, illiteracy, national and/or regional economic crisis, lack of state support, and in turn regional and civil conflicts with the related political changes. Women are disproportionately affected by these factors. Along with these socio-economic factors causing out-migration, countries where the livelihood means are better and easier have stringent visa regimes to limit access into the country. Those who are subject to the limiting socio-economic factors strive to migrate. Existence of these two sets of factors establishes a vulnerable circumstance that encourages trafficking in persons. The market demand for the services supported by human trafficking (i.e. prostitution, forced labour) increases steadily.

Overall, the aforementioned factors of human trafficking affect different sets of victims disproportionately. Pertaining to primarily women, socio-economic (i.e. limited educational and employment opportunities) and political status of women are the most significant characteristics that cause vulnerability of women to be subject to trafficking. More generally, high unemployment rate along with underdeveloped economy in a labour-exporting country makes it the country of origin.

3- Cultural and Political Context to Trafficking

The problem of trafficking in human beings needs to be seen in the cultural, socio-economic, and political context. Trafficking in human beings is a phenomenon that has its roots in the lack of equal opportunities, in the human desire to improve one’s personal quality of life and to escape poverty. Internal working documents at the UNODC state, "...international organized crime groups are increasingly engaging in criminal activities linked to trafficking in persons for the purpose of exploitation, including sexual exploitation and forced labor, according to major law enforcement organizations around the world. Most countries in the world are facing problems associated with trafficking in persons, either as source, transit or destination countries. The situation is no different in the [Middle East and North Africa] MENA region, where men, women and children are trafficked e.g. for purposes of forced labor, sexual exploitation or forced marriages. However, little is known about the actual scope and extent of trafficking in persons attributed to this particular part of the world, as the availability of reliable and comparable official data is scarce and no comprehensive research exists." Nevertheless, in recent years, trafficking in persons associated with the MENA region has received increased attention from the international community as significant numbers of men, women and children are believed to be trafficked primarily to countries with a high demand for imported labour – the Middle East alone is home to approximately 14 million foreign workers, the highest concentration (over 10 percent) of migrant workers in the world – or with a significant share of the region’s tourism market.

3 The concepts discussed in this paragraph and the next, as well as others factors involved in trafficking in persons, are found in the Asian-African Legal consultative Organization Establishing Cooperation Against Trafficking in Women and Children report, AALCO/44NAIROBI/2005/SD/S 9.

4 Much of the Background is taken liberally from the UNODC webpage. Quotations and citations are deleted for reader ease.

5 UNODC (internal working documents began 1999 and finalized 2005/6) "Trafficking in Persons and Smuggling of Migrants in the Middle East and North Africa- A Situation Analysis" Pg 27.

Estimates of trafficking have come under recent attack in various forays. Some attack the estimates for their lack of transparency of methods, while others have attempted to develop transparent methods of estimation, only to find that the data necessary are not available. Still others question the usefulness of estimates which can be neither substantiated nor denied. As a result, the US Department of Justice has removed its estimates from its annual report in favor of using existing data, recognizing that it results an under-reporting. However, the US State Department continues to use the annual number of trafficked men, women and children across national borders of 800,000, the majority of which are being trafficked into commercial sexual exploitation.

The UN Transnational Organized Crime Convention is the response of the international community to the need for a global approach towards combating a truly global phenomenon. Its main purpose is to promote cooperation, both for the prevention of and for the effective fight against transnational organized crime. It also seeks to increase the number of States that take effective measures against such crimes, focusing essentially on offences that facilitate profit-making activities of cross-border organized criminal groups. As of November 2007, 13 of the 20 countries from the MENA Region have ratified the applicable international legislative instruments for effectively combating trafficking in persons and smuggling of migrants. Syria and Jordan (the closest neighbour countries for Lebanon) have signed but not ratified yet the Convention and their related protocols.

Lebanon is the first country in this region to undertake a country assessment on the status of trafficking in human beings. The knowledge about trafficking is very limited. The content of this report will provide context and a model for other countries in the region for their respective assessments. In fact, the Ministry of Justice undertook a technical cooperation project in 2005 with the United Nations Office on Drugs and Crime (UNODC) under the project LEBR61 entitled "Measures to prevent and combat trafficking in human beings in Lebanon" which aims to:

- Strengthen Lebanon's capacity to draft and implement legislation in compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children

- Facilitate networking nationally and internationally within the judiciary, the law enforcement and the civil society

- Increase investigation and prosecution capacities and training of personnel of the agencies involved.

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10 (2007). Trafficking in Persons Report. US Department of State. Publication 11407. Pg 10. This estimate does not include the millions of victims around the world who are being trafficked internally within their own national borders every year.  
4- Content and Scope
In this context a country assessment was undertaken with the participation of the United Nations Children’s Fund (UNICEF) to assess both the trafficking situation discussed in this document and the adequacy of existing legislation on trafficking. The report will provide recommendations to improve Lebanon’s capacity to draft and implement legislation in accordance with its obligations under the Protocol to Prevent, Suppress and Punish Trafficking in Persons. Additionally, the report will provide recommendations to increase the law enforcement agencies' capacity to investigate and prosecute cases of trafficking, improve the level of training and encourage enhanced cooperation between the judiciary, the law enforcement agencies and civil society.

The purpose of this research was to conduct an in-depth assessment in Lebanon of the issues of trafficking in human beings, including a legislative and operational review, generally, with particular attention to child issues, as well as governmental and non governmental institutional capacities to address the problem. Accordingly, the research was divided into two parts; a legislative review and an in depth situation. The legislative review, conducted by two national consultants, M. Walid Nakib and Ms. Carla Hanna, compares existing legislation to the Convention and the Protocol, providing a plan of action for legislators and responds to the research question: What is the existing legislation and regulations in Lebanon with regard to criminal activities related to trafficking in human beings?

The in depth situation, undertaken by Statistics Lebanon Ltd, a research company that was recruited for this purpose under the supervision of an international consultant Dr. Cindy Smith, answers the following research question:
What are the current information and trends with respect to the following: demographic variables of victims (age, sex, educational level, family situation), place and method of recruitment, method of travel, routes and experiences during the trip, degree of exploitation and market in which the victims are exploited, information on recruiters / criminal groups, costs and income generated through recruitment, government / criminal justice capacities and responses to trafficking, Government and NGO capacities and response?

The operational review focuses on two phases; an assessment of the country context and an assessment of the state of being.

Phase I: Assessment of the Country Context

- Which are the main national, regional and international patterns of trafficking, including routes, border crossings and destinations?
- What are the main areas of recruitment in the country?
- Why were victims (children and young adults) targeted and how are they exploited?
- What information can be provided on the traffickers and their modus operandi?
- What are the conclusions based on a review of the literature and preliminary inquiry?
Phase II: Assessment of the State-of-Being

- What are the institutional capacities of Government institutions and services provided by NGOs?
- What are the steps involved in, and which are the organizations responsible for the processing of trafficking cases from initial investigation to prosecution?
- Which mechanisms support or hinder the investigation, prosecution and trial of traffickers?
- Which have proved to be the best instruments/practices for successful intervention against trafficking (if any)?

The research questions addressing the operational review were answered using multiple methods. To respond to the first phase of the project, the methods are qualitative, descriptive and exploratory, in nature, given the limited knowledge of trafficking and the complex and sensitive issues involved, and are based primarily on existing literature. The methods for the second phase of the assessment include primary data collection from three sources; 1) official data from various agencies, 2) interviews of multiple stakeholders, and 3) case file reviews.

Limitations
Research in trafficking in persons is plagued with many limitations found in similar emerging research topics, such as lack of consistent definition of the problem, lack of standardized data, and lack of consistent data collection. These issues are particularly relevant in this study, not only because of the emerging nature of the research, but because of the country situation. The lack of a consistent definition is intensified by the lack of legislation determining trafficking in persons as a crime in Lebanon. Developing consistent and standardized data collection systems for a crime that has not yet been articulated in the legal code is difficult. This is further complicated by the recent developments in the political situation in Lebanon. This six month project began in 2006, was interrupted with the war and then refocused to come to conclusion in 2008 demonstrates the readjustment of priorities as other more dire situations took precedence. Finally, the lack of available information on women in prostitution continues to plague this report. The procedures and processes of bringing in entertainment personnel have complicated the ability to identify trafficking in the field of prostitution. The structure limits the ability to fully identify these victims.

Definitions of Terms Frequently Used
Research in the area of human trafficking in Lebanon is fraught with definition difficulties. Therefore, the following definitions of terms used in this paper are provided for reader clarity. For the purpose of this study, definitions and terms were adopted generally from the United Nations documents as indicated.

Trafficking in Persons
Trafficking in persons is intended to include a range of situations where human beings are exploited by organized criminal groups, where there is an element of duress involved and a transnational aspect, such as the movement of people across borders or their exploitation within a country by a transnational organized crime group.12

The United Nations Convention against Transnational Organized Crime, article 2 (a) define the "Organized Criminal Group" as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences in order to obtain, directly or indirectly, a financial or other material benefit.

According to the Protocol:
"Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; (The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Article 3(a)).

Trafficking in persons can be domestic/internal or international. In other words, the Protocol definition does not require movement of the victim across borders. It can occur in the victim's own home village, town or city.

As a conclusion and reference to Article 1, the Protocol to Prevent, Suppress and Punish Trafficking in Persons stipulates that this Protocol shall be interpreted together with the United Nations Convention against Transnational Organized Crime. The provisions of the Convention shall apply to this Protocol and the offences established in accordance with the Protocol shall be regarded as offences established in accordance with the Convention.

Smuggling of Migrants vs. Trafficking in Persons
A basic comparative analysis between trafficking in persons and smuggling of migrants, based on the definitions provided for the aforementioned Protocols, reveals both similarities and differences. Although both phenomena deal with illicit human trade comparable to what historically used to be labelled as slavery, it would be fair to say that there is now a consensus in the international community that the terms 'smuggling' and 'trafficking', in a strict legal sense, differ from each other. It has been argued that while smuggling is an intermediary function that facilitates the illegal crossing of national borders, in most cases with the explicit consent of those smuggled, trafficking is characterized by coercion and the subsequent exploitation of those trafficked. It is further argued that smuggling is an issue of crime and border control as it encompasses the protection of states, whereas trafficking is an issue of migration with human rights implications as it involves the protection of individuals. Hence, the act of trafficking may take place within the borders of a single country.\(^{13}\)

This raises practical problems in cases where accused traffickers raise evidence of victim consent as a criminal defence. Subparagraph (b) of the definition clarifies that consent becomes irrelevant whenever any of the "means" of trafficking has been used. Effectively, the consent of the victim at one stage of the process cannot be taken as the consent at all stages of the process, and without consent at every stage a trafficking offence has occurred.

PART 1: LEGAL REVIEW
Part 1: Legal Review
Comparison of the Protocol and Convention to Lebanese Law

Article 37 of the United Nations Convention against Transnational Organized Crime (hereinafter referred to as the Convention) stipulates that this Convention may be supplemented by one or more protocols and that any protocol to this Convention shall be interpreted together with this Convention, taking into account the purpose of that protocol.

Article 1 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children (referred to hereafter as the Protocol) also stipulates that this Protocol shall be interpreted together with the United Nations Convention against Transnational Organized Crime. The provisions of the Convention shall apply to this Protocol and the offences established in accordance with this Protocol shall be regarded as offences established in accordance with the Convention.

It appears from the abovementioned texts that:
- The Protocol shall be interpreted as a supplement to the Convention.
- The provisions of the Convention shall apply to the criminal offences subject of the Protocol. They shall be considered among the criminal offences established in this Convention as well as those established in articles 5, 6, 8 and 23.
- The undertakings stipulated in the Convention shall include the criminal offence of trafficking in persons.

According to the above:
The preparation of a study concerning the conformity of the Lebanese legislation with the international provisions to prevent, suppress and punish trafficking in persons, especially women and children, shall not be only limited to the provisions of the Protocol. It shall also take into account the provisions of the United Nations Convention against transnational organized crime.

For these reasons it shall be considered:
- That trafficking in persons is an offence committed by an organized criminal group according to the definition mentioned in the Convention.
- The provisions of the Convention related to preventing and combating crime, especially courts jurisdiction, criminal assistance, and extradition of criminals shall apply to the offence of trafficking in persons.
Chapter 1: Criminalizing trafficking in persons

Trafficking in persons according to the provisions of the Convention and the supplementing Protocol

Article 3 of the Protocol defines trafficking in persons:
"Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by the means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the 'prostitution of others and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.'"

Article 3 also stipulates:
- The consent of a victim of trafficking in persons to the exploitation shall be irrelevant where any of the means mentioned above have been used.
- "Child" shall mean any person under eighteen years of age and the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means mentioned above.

It appears clearly that the physical actions which form the criminal offence subject of the Protocol include:

The exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

This exploitation happens by means of threat, use of force or other forms of coercion, abduction, fraud, deception or abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation.

This offence is committed by an organized criminal group according to the definition mentioned in the Convention:
- A structured group of three or more persons that does not need to have formally defined roles for its members, continuity of its membership or a developed structure or any other competent authority.
- It is a structured group for the purpose of committing the offence of trafficking in persons, which means that it is not randomly formed for the commission of this offence.
- It is a group existing for a period of time and acting in concert with the aim of committing the criminal offence of trafficking in persons, trafficking in persons, in order to obtain, directly or indirectly, a financial or other material benefit.
- The criminal shall be every person who recruits, transports, transfers, harbors or receives any persons.
The provisions of the Convention and the supplementing Protocols in the Lebanese legislation

Trafficking in persons according to the Human Trafficking Protocol in the Lebanese Legislation

The current Lebanese legislation does not include a text similar to the one mentioned in the Protocol regarding the criminal offence of trafficking in persons or in the Convention regarding the definition of the organized crime group.

The Lebanese law does criminalize most of the criminal components that constitute the criminal offence of trafficking in persons. However, this criminalization does not respond fully to the provisions as defined in the Protocol, for the crime of trafficking in persons itself does not exist as an infraction in the current Lebanese legal system. Among the crimes to which the Lebanese penal code has included provisions and that may be considered as elements of the human trafficking offence we may mention:

1) Abduction
The Lebanese law includes specific provisions that rule:

- The abduction of a minor
- The abduction of an adult
- The deprivation of liberty

The abduction of a minor
Articles 492 to 495 of the Lebanese penal code criminalize the abduction minors. These articles stipulate offences between victims under 7 and 18:

The abduction of the undiscriminating minor, under the age of seven, which shall be considered a felony and shall be sentenced with temporary hard labor and that means temporary detention, expulsion, house arrest and deprivation of civil rights for 3 to 15 years. The abduction of the discriminating minor, under the age of eighteen, which shall be considered a misdemeanour and shall be sentenced with jail between 10 days and 3 years.

It is worth mentioning that article 495 stipulates that the consent of the minor shall not provide a legal cover for his abduction.

The abduction of an adult
Article 515 of the penal code punishes with temporary hard labour whoever abducts, by the means of deceit or violence, any other person, whether a male or a female for the purpose of committing debauchery, and if he commits this act, the sentence shall not be less than 7 years.

The deprivation of personal liberty
Article 569 of the penal code punishes with hard labour any person who deprives another person of his/her personal liberty by abduction or any other means. The sentence shall be strengthened to life in prison with hard labour, if the period of deprivation exceeds a month or if the person deprived of his/her liberty suffers any physical or moral harm.
2) **Fraud, deceit and abuse of power**

The Lebanese penal code punishes the following acts:

- Whoever forces another person, by the means of violence and threat, to suffer or perform a debauchery shall be sentenced with hard labour for a period that is not less than 4 years. The minimum sentence shall be 6 years if the person subject to the aggression is still under 15 (article 507).

- Whoever resorts to trickery or benefits from a person’s physical or mental disorder to commit a debauchery with him or to force him into such an act shall be sentenced with temporary hard labor for a maximum of 10 years (article 508).

- Whoever commits, with a minor less than 15 years of age, a debauchery or forces him into such an act, shall be sentenced with temporary hard labour. The sentence shall not be less than 4 years if the child is under 12 (article 509).

- If any of those people commits with a minor between 15 and 18 years old a debauchery or forces him into such an act shall be sentenced with hard labour for a period that does not exceed 10 years: the minor’s relatives, whether legal or illegal, or one of the brothers-in-law or any person that has a legal or actual authority over the minor or one of their servants or an employee or a clergyman or a manager of an employment office or a worker in that office (article 510).

- Whoever brings or promises himself any benefit by making up stories or lies in order to force someone to travel or to change his travel destination into another country shall be sentenced with imprisonment from 6 months to 3 years (article 668).

- Whoever resorts (by the means of coercion or violence or threat or exercise of influence or any other means of coercion) to keep a person, against his will and even if he is indebted to the other person, in a brothel or forces him into prostitution, shall be sentenced with imprisonment from 2 months to 2 years (article 525).
3) Exploitation of the prostitution of others or any other form of sexual exploitation
The Lebanese penal code punishes the following acts:

- Any person who forces someone other than his companion, by means of violence and threat into sexual intercourse shall be sentenced with hard labour for 5 years at least, the sentence shall be strengthened whenever the aggressed is under 15 years of age or any person who cannot resist due to a physical or mental disorder or due to the trickery used against him if the sexual intercourse takes place with a minor, the perpetrator shall be sentenced with temporary hard labour or jail according to the age of the aggressed, even if the aggressor does not exercise any trick or violence or deceit and even if he does not resort to trickery or does not benefit from a physical or mental disorder.

- Any person who is used to instigate one person or more, whether a male or a female, under 21 years old, to prostitution or corruption or to facilitate them for him or to help him to do them (article 523).

- Any person who practices secret prostitution or facilitates it shall be sentenced with imprisonment from a month to a year.

- Any person who earns his life or some of it, from the prostitution of others shall be sentenced with imprisonment from 6 months to 2 years.

4) Prostitution
Article 73 of the law to protect public safety from prostitution issued on the 6th of February 1931 stipulates that any person who seduces a woman or a girl under the age of 18 into committing prostitution and embellishes for her the road to wrongdoing and corruption by the means of promises or threats or misleading or coercion shall be sentenced with imprisonment from 3 months to 2 years.
Lebanon did sign a convention to eradicate all kinds of discrimination against women; this convention forces the member states to take all the necessary measures, among them are legislative measures to eradicate all forms of trafficking in women and her exploitation in prostitution.

5) Abandoning a minor for money
Article 500 of the Lebanese penal code punishes the following acts:

- Any person who abandons or attempts to abandon a minor under the age of 18, even if he intends to give him up for adoption, for a sum of money or any other benefit shall be sentenced with imprisonment from 1 year to 3 years and with a fine between 5 and 20 million LL.

- Any person who drives or attempts to drive the parents of a minor or one of them or the father or the mother of an illegal child recognized by them or by one of them or whoever has the authority or the custody over him to abandon the minor for money or any other benefits.

- Any person who drives or attempts to drive, directly or indirectly, the parents of a child who was born or will be born, to pledge to abandon this child or to sign a contract to abandon him; and any person who possesses this pledge or uses it or attempts to use it.

- Any person who drives or attempts to drive another person to have a legal or illegal child in order to sell the baby.

- Any person who offers or attempts to offer his mediation, for a sum of money or any other benefit, in order to get or adopt a child.
This article also stipulates that the sentence shall apply to instigation in any of the cases mentioned, regardless of its result.

6) Threats

Article 573 of the Lebanese penal code punishes the following actions:
Any person who threatens another person with a felony punishable by the capital punishment, life in prison with hard labour or more than 15 years in prison or life in prison, either by the means of a written document, even if it was an implicit one, or through a third party, shall be sentenced with prison from 1 to 3 years if the threats include the order to perform an act, even if it is legal or to refrain from performing it.
If the threat with any of the felonies does not include an order or if it does include it but happens verbally without a third party mediation, it shall be sentenced with prison from 3 months to 2 years.

The threat with a misdemeanour including an order, if it is written or happens through a third party, shall be sentenced with prison a period that does not exceed 6 months.

Any other threat to inflict an unfair harm, whether it happens verbally or through any of the means mentioned in article 209, with the aim of leaving a great impact on the threatened, shall be sentenced, according to a complaint, with a fine that does not exceed 100 000 LL.

7) Money laundering

a. Money laundering according to the Convention

Money and profit laundering should be considered as a subsequent phase in the sequence of trafficking in persons. Therefore it should be addressed as an additional component of Human Trafficking crimes. Article 6 of the Convention related to the laundering of proceeds of crime stipulates that any State Party shall adopt, in accordance with fundamental principles of its domestic law, such legislative and other measures as may be necessary to establish as criminal offences when committed intentionally:

1. The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action;

2. The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime;

3. The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime; and

4. Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling.

Predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question.
However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there.

**Article 7 of the Convention, related to measures to fight money laundering stipulates that each State Party shall:**

1. Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions and, where appropriate, other bodies particularly susceptible to money laundering, within its competence, in order to deter and detect all forms of money laundering, which the regime shall emphasize requirements for customer identification, record-keeping and the reporting of suspicious transactions;

2. Ensure that administrative, regulatory, law enforcement and other authorities dedicated to fighting money laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money laundering;

3. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments; and

4. Seek to develop and promote global, regional, sub-regional and mutual cooperation between judicial authorities and law enforcement agencies and financial monitoring agencies against money laundering.

**b. Money laundering in the Lebanese legislation**

On 20/04/2001 the Lebanese government issued law number 318 related to money laundering. Article 1 of this law defines illegal funds as the funds resulting from committing a number of offences among them the acts committed by the associations of wrongdoers that are specified by articles 335 and 336 of the penal code and internationally identified as organized crime.

**Article 2 of the law against money laundering considers, as such, any act intended to:**

1. Conceal the real source of illicit funds or provide a false statement for this source, by any means.
However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there.

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Article 2 of the law against money laundering considers, as such, any act intended to:

1. Conceal the real source of illicit funds or provide a false statement for this source, by any means.
2. Transfer or substitute funds, known to be illegal, for the purpose of concealing or disguising their source or help a person involved in the commission of the offence to dodge responsibility.

3. Acquire, hold and use illicit funds or invest such funds in purchasing movable and immovable properties or to perform financial operations while being aware of the illicit nature of these funds.

This law punishes any person who commits, interferes and participates in money laundering with prison from 3 to 7 years and a minimum of 20 million LL as fine, (article

**Article 4 of the law** binds the institutions that are not subject to banking secrecy, including individual institutions, mainly exchange offices, financial intermediation companies; leasing companies; mutual funds; insurance companies as well as companies promoting, building and selling of real estate, and merchants dealing with high-value commodities (jewellery, gems, gold, art collections and antiques), to keep records for operations that exceeds in value the amount set by the Central Bank of Lebanon in its regulation. They are also bound to check the identities of the clients and their addresses on official documents that they should keep photocopies of, in addition to the papers related to the operation, for a period of 5 years at least after the transaction has been made.

The law institutes, at the Central Bank, an independent committee that has a judicial character and possesses a legal personality, which is not subject to the authority of the Bank. Its task shall be to investigate task shall be to investigate money laundering operations and ensure the abidance by the rules and regulations stipulated in this law and hereinafter referred to as “the special investigation commission” or “the commission” (article 6). It shall handle investigations in the operations suspected to constitute money laundering offences and determine the seriousness of the evidence and proof related to the commission of these offences.

This “commission” shall have the sole right to decide the lifting of banking secrecy to benefit the competent judicial authorities and the higher banking entity represented by its president and reveals the accounts opened in the banks or financial institutions suspected in money laundering.

The president of “the commission” and any member he delegates directly shall have the right to contact all the Lebanese and foreign authorities (judicial, administrative, financial and security agencies) in order to ask for information or to examine the details of the investigations that might have been conducted in relation with the investigations carried out by “the commission”. The Lebanese authorities shall respond to the request of information in an appropriate time frame.

**Article 14** stipulates that the state shall confiscate all the movable and immovable properties, proven under a final ruling, to be related to any of the offences mentioned in article 1 of this law or resulting from these offences unless their owners prove their legal rights in the courts.
The Central Bank also issued many decisions and circulars related to money laundering, among them:

- Decree number 7551 issued on the 30th of March 2000 and related to licensing papers, annual statements and various provisions of financial intermediation companies.

Article 8 of this decision stipulates that financial intermediation companies shall abide by the provisions of law number 318 issued on 20/04/2001 (fighting money laundering) and by the regulatory provisions issued by the Central Bank of Lebanon in this regard.

- Decision number 7540 issued on the 4th of March 2000 related to the conditions of the establishment and functioning of leasing companies

Article 10 of this decision stipulates that leasing companies have to abide by the provisions of law number 318 issued on 20/04/2001 (fighting money laundering) and by the regulatory provisions issued by the Central Bank of Lebanon in this regard.

- Decision number 7737 issued on the 5th of December 2000 related to internal monitoring in the banks

**Article one** of this decision stipulates that all the banks operating in Lebanon shall establish administrative units and create internal monitoring systems according to the rules provided for here below. The systems must be based upon principles for assessing internal monitoring systems in banks, established by the Basil commission for banks monitoring in 1998 any future amendments.

**Article 3** of this decision defines the tasks of this units, among them verification of operations and financial statements to validate its authenticity as well as the efficiency of the measures taken to prevent money laundering.

**Decision number 7739 issued on the 21st of December 2000 related to the conditions of the establishment of banks in Lebanon**

**Article 4** of this decision stipulates that the central board of the Central Bank of Lebanon shall grant the license to establish a bank when it considers that it indeed desires to serve the public interest determined according to the standards and conditions. Interests include the material and moral competence of the founders and subscribers as well as the persons that shall be entrusted with high administrative duties, namely they shall not be condemned, in Lebanon and abroad, according to the penal or civil code for committing any regular felony or robbery or breach of trust or fraud or money laundering or declaring bankruptcy.
Prosecuting human trafficking

1) Criminal liability

Both the Convention and the Protocol have provisions aimed at determining the criminal liability, including:

a) Definition of criminal groups

The definition stated in the Convention

Article 5 of the convention stipulates that each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

1. Agreeing with one person or more to commit a serious crime for a purpose relating directly or indirectly to the obtaining of a financial or other material benefit and, where required by domestic law, involving an act undertaken by one of the participants in furtherance of the agreement or involving an organized criminal group;

2. Conduct by a person who, with knowledge of either the aim and general criminal activity of an organized criminal group or its intention to commit the crimes in question, takes an active part in criminal or any other activities of the organized criminal group; in the knowledge that his or her participation will contribute to the achievement of the above-described criminal aim;

3. Organizing, directing, aiding, abetting, facilitating or counseling the commission of serious crime involving an organized criminal group.

The knowledge, intent, aim, purpose or agreement referred to in paragraph 1 of this article may be inferred from objective factual circumstances.

Provisions of the Lebanese law

Article 335 of the Lebanese penal code defines “the associations of wrongdoers” as:

Two people or more resorting to the constitution of an association or to the elaboration of a written or a verbal agreement to the purpose of committing crimes against people or funds.

The law states that the constitution of such an association or the participation in it shall be punishable by temporary hard labour; the sentence shall not be less than 10 years if the purpose of the criminals is the life of the others.

b) Criminals

Persons criminally liable according to the provisions of the Protocol

Article 5 of the Protocol stipulates that each State Party shall establish trafficking in persons as a criminal offence when committed intentionally, as well as attempting to commit any act that constitutes a criminal offence of trafficking in persons and participating as an accomplice in these offences or organizing and directing other persons to commit any of these offences.
Persons criminally liable according to the provisions of the Lebanese law

The Lebanese penal code stipulates that:

- The perpetrator of the crime shall be any one who exhibits the elements that constitute the crime or contributes directly to its execution (article 212).

- Any accomplice in the crime shall be subject to the sentence established in the law while strengthening the sentence of whoever organizes the contribution to the crime or directs those participating in it (article 213).

- The effects of the material causes that may strengthen the sentence or reduce it or acquit the person shall apply to all the participants and involved in the crime. The effects of the aggravating or dual circumstances that facilitates the crime shall also apply (article 216).

- According to the provisions of article 219 the instigator is any person who drives or attempts to drive another person by any means to commit a crime. The consequence for the instigator is independent from that of the person incited to commit the crime (article 217). The sentence for the crime shall apply on the instigator when the crime was perpetrated or organized or incomplete. If the instigation does not lead to the commission of a felony or a misdemeanor, the sentence shall be reduced (article 218).

- The involved in a felony or a misdemeanor shall be:
  
  - Any person who gives guidance to commit them even if they don’t lead to their commission
  - Any person who encourages the perpetrator in any way
  - Any person who accepts the offer of the perpetrator to commit the crime, in return of a material or moral interest
  - Any person who helps the perpetrator and assists him in the actions that pave the way for the crime and facilitate it.

- Any person who concurs with the perpetrator or one of the involved before the commission of the crime and contributes to conceal it or hide or dispose of its consequences or hiding one or many participants from justice.

- Any person who is aware of the wrongdoers’ criminal history as bandits or perpetrators of violence against the security of the state or the public safety or against persons or properties, and offers them food or harbour or shelter or a meeting place.

- The person involved without whose help the crime could not have been committed, shall be sentenced as if he was the perpetrator. All the other persons involved shall be sentenced with hard labour for life or temporary hard labour from 10 to 20 years, if the capital punishment shall apply to the perpetrator. If the latter is sentenced with hard
labour for life or life in prison, the same sentence shall apply to the persons involved and last 7 to 15 years. In other cases, the sentence of the perpetrator shall apply on them after being reduced to the 6th or the 3rd; the same precautionary measures shall apply to them as if they were the perpetrators of the crime (article 220)

- Any person who resorts, in spite of his knowledge of the truth, to hide or dispose of the properties of the others, which were taken by force or stolen or received by a felony or a misdemeanour shall be sentenced with prison and a fine. If the things that are hidden or disposed of are the result of a misdemeanour, the sentence cannot exceed the third of the highest sentence for the said misdemeanour (article 221)

- Anyone who hides a person, knowing that he committed a felony, or helps him to elude justice shall be sentenced with jail from 3 months to 2 years

- Shall be exempt from sentence the grandparents of the persons involved in hiding or their children or husbands or wives, even the divorcees, or brothers or sisters or brothers-in-law (article 222)

c) Liability of legal persons

Liability according to the provisions of the Convention
Article 10 of the Convention stipulates that each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in serious crimes involving an organized criminal group and that the liability of legal persons may be criminal, civil or administrative without prejudice to the criminal liability of the natural persons who have committed the offences.

Each State Party shall, in particular, ensure that legal persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.

Liability according to the Lebanese law
Article 210 of the penal code stipulates that legal entities shall be held criminally responsible for the actions of their managers, members of their boards of directors, representatives and workers when they perform these actions on behalf of the said entities or by any of its means. They can only be sentenced with a fine and confiscation and publishing of the judgment.

d) Exemption from punishment

Exemption from punishment according to the provisions of the Convention and the Protocol
Both the Convention and the Protocol provide for the exemption of the victim of trafficking in persons for the punishment. Article 26 of the Convention stipulates that each State Party shall take appropriate measures to encourage persons who participate or who have participated in organized criminal groups:
(a) To supply information useful to competent authorities for investigative and evidentiary purposes on such matters as:
   - The identity, nature, composition, structure, location or activities of organized criminal groups;
   - Links, including international links, with other organized criminal groups;
   - Offences that organized criminal groups have committed or may commit;
(b) To provide factual, concrete help to competent authorities that may contribute to depriving organized criminal groups of their resources or of the proceeds of crime.

Each State Party shall consider

- Providing for the possibility, in appropriate cases, of mitigating punishment of an accused person who provides substantial cooperation in the investigation or prosecution of an offence covered by this Convention

- Providing for the possibility, in accordance with fundamental principles of its domestic law, of granting immunity from prosecution to a person who provides substantial cooperation in the investigation or prosecution of an offence covered by this Convention.

Exemption from punishment according to the Lebanese law

Article 335 of the penal code stipulates that any person who exposes the association of wrongdoers or the agreement and provides the information he has about all the criminals shall be exempt from punishment.
The Lebanese law also includes provisions concerning the cases of exemption from punishment when necessary. In fact, article 229 of the penal code stipulates that any person who commits an action necessary to protect himself or the others or his property or the property of others from a serious danger that he did not cause intentionally shall be exempt from punishment, provided that the action is relevant to the danger.

2) Sentences

Both the Convention and the Protocol have provisions aiming at determining the criminal liability, including:

Article 11 of the Convention stipulates that:

- Each State Party shall make the commission of an offence liable to sanctions that take into account the gravity of that offence.

- Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences covered by this Convention are exercised to maximize effectiveness.

- Each State Party shall take appropriate measures, in accordance with its domestic law and with due regard to the rights of the defence, to seek to ensure that conditions imposed in connection with decisions on release pending trial or appeal take into consideration the need to ensure the presence of the defendant at subsequent criminal proceedings.
- Each State Party shall ensure that its courts or other competent authorities bear in mind the grave nature of the offences covered by this Convention when considering the eventuality of early release or parole of persons convicted of such offences.

- Each State Party shall, where appropriate, establish under its domestic law a long statute of limitations period in which to commence proceedings for any offence covered by this Convention and a longer period where the alleged offender has evaded the administration of justice.

The Lebanese law stipulates that:
1. Offences shall be divided into felonies, misdemeanours and contraventions and sentence shall be established accordingly
2. The time bar for felonies shall be 10 years
3. The time bar shall not apply for serious crimes
4. Precautionary detention for felonies, which are crimes punished by deprivation of liberty for more than 3 years, shall not be limited for a period of time, however the judge shall extend the original detention period according to a justified decision.

3) Jurisdiction of the Lebanese courts

The norms of the jurisdiction according to the provisions of the convention:

According to article 15 of the convention relating to jurisdiction, each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences established when:

   a. The offence is committed in the territory of that State Party; or

   b. The offence is committed on board a vessel that is flying the flag of the State Party or an aircraft that is registered under the laws of that State Party at the time that the offence is committed.

A State Party may also establish its jurisdiction over any such offence when:

   a. The offence is committed against a national of that State Party;

   b. The offence is committed by a national of that State Party or a stateless person who has his or her habitual residence in its territory; or

   c. The alleged offender is present in its territory and it does not extradite such person solely on the ground that he or she is one of its nationals.

   d. The alleged offender is present in its territory and it does not extradite him or her.
The norms of the jurisdiction stipulated in the Lebanese legislation:

Article 15 of the Penal Law provides the following:

- The Lebanese legislation applies to all the offences committed in the Lebanese territory. The offence is considered committed in the Lebanese territory if:
  - A component of an offence and/or a full act of an offence, direct or indirect is committed in the Lebanese territory.
  - The result took place or is expected to take place in the Lebanese territory.

- The jurisdiction of the Lebanese territory in order to apply the Penal Law includes:
  - The territorial sea within 20 kilometres from the coast as of the lowest level of the ebb tide.
  - The airspace which covers the territorial sea.
  - Lebanese vessels and airplanes.
  - Any foreign territory under the control of the Lebanese Army, if the offences committed harms the army’s security or interests.
  - The contiguous territory as well as the economical preventive territory and the continental cliff subject to the Lebanese jurisdiction and the fixed platforms within this continental cliff in accordance with the provisions of the UN convention on Maritime Law, 10/12/1982, Montego Bay, Jamaica.

- The Lebanese legislation shall apply to:
  - Any Lebanese national, whether a perpetrator, an instigator or an accomplice, who committed outside the Lebanese territories, a serious crime or a misdemeanour punished by the Lebanese legislation. This shall remain even if the defendant got or lost the Lebanese nationality after committing the serious crime or the misdemeanour.
  - Any foreigner or stateless person living or found in Lebanon, whether a perpetrator, an instigator or an accomplice, who committed outside the Lebanese territories a serious crime or a misdemeanour if his or her extradition is not requested or accepted.

- The Lebanese legislation does not apply to misdemeanours subject to 3 years imprisonment if the legislation of the state where these offences were committed doesn’t establish any punishments thereon.
4) Extradition

a) Extradition in accordance with the provisions of the Convention

The provisions pertaining to extradition are stipulated in article 16 of the Convention:

- The offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.

- Each of the offences to which this article applies shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties. The latter undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

- If a State Party that makes extradition conditional to the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.

- State Parties that do not make extradition conditional on the existence of a treaty shall recognize offences to which this article applies as extraditable offences between themselves.

- Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition.

- Subject to the provisions of its domestic law and its extradition treaties, the requested State Party may, at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.

- A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offence to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution.

- Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extradition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 10 of this article.
- States Parties may not refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters.

b) Extradition in accordance with the Lebanese legislation
On one hand, it is necessary to point out that Lebanon did not submit a report stipulated in paragraph 5 of article 16 of the Convention.

Moreover, the Lebanese state did conclude a certain number of international conventions with Arab and foreign states including provisions pertaining to extradition.

In any case, the provisions of the Convention and protocol are considered a basis to the provisions of article 30 in the Penal Law, the legal foundation of extradition in the offences of trafficking in persons.

On the other hand, The Penal Law includes provisions (article 30 and the following articles) pertaining to extradition. These provisions stipulate that:

No one is surrendered to a foreign country except in the cases stipulated by the provisions of this law, or in application to a treaty similar to the law.

Surrender can take place if:
- The offences are committed in the territory of the state requesting extradition.
- The offences involve the security and fiscal matters of the state.
- The offences are committed by one of its nationals.

Surrender can not take place if:
- The offences are within the jurisdiction of the territorial, individual and personal Lebanese legislation.
- The offence is not punishable as a criminal sentence by the Lebanese legislation and on the contrary if the conditions are not available in Lebanon because of its geographical position.
- The sentence stipulated in the legislation of the State requesting extradition or the state in which the offences were committed is less than one year of imprisonment from all the offences mentioned in the request. In case of verdict, if the imposed sentence is less than 2 months.
- The offence was tried completely in Lebanon, or if the lawsuit or the sentence becomes null and void in accordance with the Lebanese legislation, the legislation of the state requesting extradition or the legislation of the state in which the offence was committed.

Extradition can also be refused if:
- The extradition request involves a political offence or if it appears to have a political purpose.
- The defendant committed a burglary in the territory of the state requesting extradition.
- The sentence stipulated in the legislation of the state requesting extradition is contrary to the community system.
Extradition measures
The request for extradition is submitted to the discriminatory attorney general who investigates whether the legal conditions are available or not and if the charge is valid. He may issue an arrest note against the person whose extradition is requested after interrogating him or her. Then, he submits the case to the minister of justice with his report attached.

The request for extradition is decided by a decree issued upon a proposal from the minister of justice.

The results of extradition
The defendant who is extradited can not be prosecuted in presence, neither sentenced nor extradited to a third state for any offence prior to extradition other than the offence for which he or she is extradited, unless the government of the requested state approves within the conditions stipulated in the aforementioned article.

5) Confiscation and seizure

a) Confiscation in accordance with the provisions of the Convention
Article 12 stipulates that States Parties shall adopt, to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation of:

- Proceeds of crime derived from offences covered by this Convention or property the value of which corresponds to that of such proceeds;

- Property, equipment or other instrumentalities used in or destined for use in offences covered by this Convention.

- If proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.

- If proceeds of crime have been intermingled with property acquired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessed value of the intermingled proceeds.

- Income or other benefits derived from proceeds of crime, from property into which proceeds of crime have been transformed or converted or from property with which proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.

b) Confiscation in accordance with the provisions of the Lebanese legislation
Article 69 of the Penal Law stipulates that along with maintaining the rights of bona fide parties, confiscation of property resulting from a serious crime or intended misdemeanor or used or destined to commit such offences may be carried out.

The property may be confiscated in a non intended misdemeanor or a contravention if the law stipulates a clear provision thereof.
If the confiscation is not carried out yet, the defendant is given a time limit to deliver the property liable to confiscation; otherwise he shall have to pay the value thereof assessed by the judge.

If necessary, the court may refer to an expert to assess the value to be paid and the assessed value is paid in the same manner as paying a fine.

**Article 98** of the Penal Law stipulates that confiscation shall include all objects made, possessed, sold or used illegally. They shall be confiscated even if they didn't belong to the defendant or the convicted, or if the prosecution didn't lead to a verdict. The defendant or the convicted shall be given a time limit to submit the object liable to confiscation otherwise he or she shall have to pay twice the value thereof as assessed by the judge.

If necessary, the court may refer to an expert to assess the value which has to be paid and the value shall be paid in the same manner as paying a fine.

**Article 14** of the Law, no 318, 20 April 2001, (combating money laundering), stipulates that the state shall confiscate for its own interest any property, movable or immovable which a final verdict shows that it is derived from any of the offences mentioned in article 1 of this law or if the owners did not prove, judicially, their rightful legal ownership thereof.
Chapter 2: Information exchange and training

Information exchange among states is liable to limit trafficking in persons; when two states or more cooperate, criminal organizations shall refrain from doing such acts.

1- Exchange of Information

A) Provisions in accordance with the Protocol
Article 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons stipulates that law enforcement, immigration or other relevant authorities of States parties shall cooperate with one another in order to determine every person contributing one way or another in trafficking in persons as well as the means and methods used by organized criminal groups for the purpose of trafficking in persons, including the recruitment and transportation of victims. Moreover, States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The Protocol also encourages cooperation with non-governmental organizations and other relevant organizations and other elements of civil society.

B) In the Lebanese law
The Lebanese Ministry of the Interior has played an essential role in tracking those who are involved in trafficking in persons; the aforementioned ministry handles Lebanese interior affairs, thus organizing, coordinating, supplementing and maintaining order and security. It also supervises the matters of provinces as well as refugees affairs and civil defense affairs.

The General directorate of the Internal Security Forces, the General Directorate of General Security as well as the airport security are responsible each within its limits of any act resulting from trafficking in persons.

The General Security Forces are requested to control the borders in order to prevent any contravention of the law among entering foreigners and make sure of the validity of their travel documents. Special provisions define the jurisdiction of the General Security Forces which control the entry of foreigners to Lebanon and crossing the Lebanese borders.

2- Border measures

Although human trafficking can take place regardless of whether the act itself was committed on the transnational or national scale, most attention in the Protocol is given to the transnational trafficking. Thus, it is integral for border security agencies to take measures to stop the illegal penetration through the borders in order to contribute in limiting trafficking in persons.
A) Provisions stipulated in the Protocol

By virtue of the Protocol to prevent, suppress and punish trafficking in persons, it is necessary that States Parties strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.

The Protocol also provides that each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, the use of means of transport operated by commercial carriers in committing the offences of trafficking in persons along with other acts such as kidnapping or implication or harbouring or any other act facilitating trafficking in persons.

Such measures shall include establishing the obligation for commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State. Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of this obligation.

Each State Party shall, in accordance with the Protocol, consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas for persons involved in committing offences.

Both the Protocol and the Convention provide that State Parties shall consider strengthening cooperation among border control agencies by establishing and maintaining direct channels of communication.

B) In the Lebanese law

In the Lebanese law, there are many provisions which may be useful in the subject of trafficking in persons, in particular those pertaining to border measures which the state shall establish in order to prevent such acts related to trafficking in persons. By virtue of the law pertaining to entry, residency in Lebanon as well as departing there from, the Lebanese and non-Lebanese may enter Lebanon only through the checkpoints of General Security.

The decree for organizing the work of foreigners no. 17 561 provides in article 2 that each foreigner wishing to enter Lebanon to work therein, with or without wage, shall get an authorization in advance from the Ministry of Labour prior to his or her entry, unless he or she is an artist. Then, the approval is issued by the Directorate of General Security.

By virtue of article 16 of the law organizing entry, residence in Lebanon and departing from there, a person may not leave the Lebanese territory except through the checkpoints of General Security.
As for the decree pertaining to the entry of artists to Lebanon, it provides that foreign artists may not enter Lebanon for work or tourism purposes unless advance approval from the Directorate of General Security.

By virtue of article 3 in the same decree, the owner of any night club, who wishes to bring foreign artists to work, shall submit to the Directorate of General Security, in addition to the required documents, an application along with a work contract for each artist alone unless the latter is a member of a band.

Non-Lebanese individuals may not leave unless accompanied with all the other persons who entered with him or her if it is not established that they got independent residency permits or if they do not submit documents that guaranty their return within a one week period.

3- Legal documents

A) Provisions in accordance with the Protocol

By virtue of the Protocol, law enforcement, immigration or other relevant authorities of States Parties, cooperate with one another, as appropriate, by exchanging information, in accordance with their domestic law, to enable them to determine whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons. This cooperation enables them also to determine the types of travel documents that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons.

The Protocol also provides that State Parties shall adopt measures establishing the obligation for commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State. In case of violation of the aforementioned obligations, sanctions are imposed.

Each State Party shall take such measures as may be necessary, within available means to ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated or issued; and to ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance and use.

By virtue of article 13 of the Protocol, at the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for trafficking in persons.

B) In the Lebanese law

In accordance with article 453 of the Penal Law, falsification is defined as an intentional distortion of the truth in facts or data proven in a check or manuscript constituting a document in order to cause material, moral or social damage. According to article 454, the falsifier and the user thereof, aware of his or her being a falsifier, shall fall under the same sanction.
As to article 463 of the Penal Law, entitled “phoney testimony”, any person who, by material or moral means, falsified an identity card, a register, a passport or an entry visa shall be imprisoned from 6 months to 3 years.

As a complement to the provisions of article 463, article 464 stipulates that an imprisonment sanction from two months to two years shall apply to every person who, by invention, distortion or diversion, falsified a pass, a hunting permit, a weapon permit, a driving license, a voter’s permit, a transport document or a copy of the criminal register, as well as any person who got one of these documents, a falsified identity card or impersonating falsely someone else or any other misleading means.

The aforementioned sanctions shall also apply on any person who used these documents impersonating someone else by name or identity card.

As to the law pertaining to entry, residency in and departure from Lebanon, it stipulates that the non-Lebanese may enter Lebanon only through the checkpoints of the General Security providing he or she has the appropriate documents and legal visas along with a travel document carrying a transit visa or a residency visa granted to him or her by a Lebanese representative abroad or the authority supervising the Lebanese interests or the General Security.

The Lebanese law exempts some persons from travel documents so as the Minister of the Interior determines the type of documents used for entry, residency and departure.

As to decree no. 320, issued on the 2nd of August 1962, pertaining to controlling entry and departure through the checkpoints on the Lebanese borders, the articles thereof are a reminder of the aforementioned laws; i.e. the laws of entry, residency in and departure from Lebanon. By virtue of article one of this decree, each person entering in or departing from Lebanon from shall have in possession a travel document carrying a stamp from the General Security at the borders, an entry or departure card carrying, in particular, his or her first name, family name, place and date of birth, nationality, profession, address in Lebanon, names of the spouse and children mentioned as well in the travel document and the names of the persons accompanying him or her; and in some cases, the features of the travel document and the visa.

**Article 2** establishes that the checkpoint of General Security at the border shall use a special seal to stamp the travel document and the entry or departure card. The seal shall mention the expiry date of the granted residency permit. The card shall be sent to the Directorate of General Security after writing its contents in a special register.
According to article 3 of the same decree, if a non-Lebanese wants to leave the country using a document different than the one he or she used to enter therein, he or she shall then ask the relevant department of General Security to stamp the new document with the necessary seals 24 hours at least before the date of departure.

Chapter 3: Assistance and protection of victims of trafficking in persons

1- Provisions in accordance with the Protocol

The Protocol to suppress trafficking in persons stipulates that in appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, by making legal proceedings relating to such trafficking confidential.

Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases, information on relevant court and administrative proceedings; or assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.

Moreover, each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of trafficked victims, including, in appropriate cases and in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, in particular, the provision of:

a. Appropriate housing
b. Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand
c. Medical, psychological and material assistance
d. Employment, educational and training opportunities

Each State Party shall take into account the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.

Each State Party shall endeavour to provide for the physical safety of victims of trafficking in persons while they are within its territory.

Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.
2- In the Lebanese law

The right of prosecution is secure and guaranteed in the Lebanese laws; and by virtue of article 7 of the criminal court code, the victim may take legal action before the examining magistrate in serious crime or misdemeanour or before a magistrate in serious crime and misdemeanour. The victim may as well join the public lawsuit before the criminal court.

By taking a legal action, the victim starts the common right if it was not started by the public prosecution. The victim may revoke the legal action or get compensation on the damages.

This provision of the criminal court code did not establish that taking legal action is limited to one kind of victims not taking into account the nationality or the type of damage. Article 53 of the aforementioned code guaranteed the confidentiality of the investigation.

According to article 59 of the aforementioned code, the examining magistrate starts the investigation proceedings according to a direct charge by which the victim has taken personal legal action. As to article 68, pertaining to presenting a direct charge before the magistrate, the second paragraph of this article stipulates that if the plaintiff is a foreigner he is required to submit a monetary or real estate guarantee; whereas paragraph three exempts the plaintiff from an advance payment if the offence is a serious crime. Paragraph four stipulates that the plaintiff may be exempted from an advance payment if his financial condition does not allow him or her to pay it if the offence is a misdemeanour. The foreigner plaintiff may be exempted from the advance payment for the same reason. The general prosecutor may, in accordance with article 70, contend with the plaintiff before starting the investigation.

The victim of trafficking in persons may take legal action personally against the offenders. Therefore, the examining magistrate may take the victim’s statement to complete the investigation file.

After the interrogation, the statement is recited to the plaintiff who ratifies and signs each and every page thereof. If the plaintiff does not know Arabic, then a sworn translator is appointed.

It is important to point out that the court listens to the plaintiff’s statement just to collect information. Article 6 of the Protocol of trafficking in persons, clause 6, stipulates that each State Part shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

The Lebanese law does not expressly stipulate a provision pertaining to victims of trafficking in persons. However, according to article 273, if it is established before the court that the act took place, and that it is a criminal act; and if it is proven that the defendant is guilty, then he is incriminated and sentenced to a determined time. The court shall also rule that compensations shall be paid to the plaintiff should he requires it (...).
The Ministry of social affairs shall undertake to establish a social development plan for the country and control its implementation. It shall also undertake to watch over and take care of orphans’ affairs, delinquents and prisoners, as well as emergencies that require social help and aid. The aforementioned Ministry shall also undertake the establishing of rehabilitation and social training programs and controlling the implementation thereof. Since the Protocol to prevent and suppress trafficking in persons mentioned trafficking in children in particular, we are compelled to review the provisions of law no. 422, issued on the 6th of June 2002 which covers the protection of minors who violated the law or who are in danger.

**Article 25** stipulates that the minor is considered threatened if he is present in an environment exploiting him or her, threatening his or her health, security, morals or the conditions of his or her upbringing; or if he or she was the subject of sexual aggression or physical mistreatment exceeding the limits; or if he is found begging or homeless. Trafficking in persons may be found in various forms or it may have different purposes. However, the main acts pertaining to trafficking in persons are exploitation in exhausting labour or prostitution or for the purpose of gaining money through sending trafficking victims to beg.

If these cases apply to minors among the victims of trafficking in persons, then the aforementioned provision has stated these cases and granted the minors legal protection in **article 26**; the judge may take, in any of these cases, and for the minor’s interest, measures of protection or freedom of control or correction if needed.

**Article 27** stipulates the possibility or more exactly the necessity to appoint a person or a social institution to carry out controlling minors providing that this person or institution submit to the judge a periodical report concerning the minor’s progress.

**Article 28** stipulates that in case of delinquency along with the components of a serious crime which may happen with beggars and homeless, and then the judge of minors shall have to take the necessary measures in accordance with the situation.
Part 2: Situation of Trafficking in Lebanon
Chapter 1: Country Context

As mentioned in the introduction, a project entitled “Measures to prevent and combat trafficking in human beings in Lebanon” was undertaken by the Ministry of Justice in Lebanon, in close cooperation with the Ministry of Interior and with the technical assistance of UNODC with the participation of the United Nations Children’s Fund (UNICEF) in order to assess the trafficking in persons’ situation in Lebanon. The Government of Lebanon has a poor record of prosecution of traffickers for domestic servitude or commercial sexual exploitation.\(^{14}\) Although Lebanon lacks a specific anti-trafficking law, it does have laws that pertain to each criminal activity in a trafficking situation.

The purpose of the present part of the report is to highlight the in-depth assessment in Lebanon of the issues of trafficking in human beings generally, with particular attention to child issues, as well as governmental and non governmental institutional capacities to address the problem.

The in-depth assessment, undertaken by Statistics Lebanon Ltd, a research company that was recruited for this purpose with the technical assistance of Dr. Cindy Smith, international consultant, answers the following research question:

What are the current information and trends with respect to the following: demographic variables of victims (age, sex, educational level, family situation), place and method of recruitment, method of travel, routes and experiences during the trip, degree of exploitation and market in which the victims are exploited, information on recruiters / criminal groups, costs and income generated through recruitment, government / criminal justice capacities and responses to trafficking, Government and NGO capacities and response?

Methodology

The research questions addressing the operational review were answered using multiple methods. To respond to the first phase of the project, the methods are qualitative, descriptive and exploratory in nature, given the limited knowledge of trafficking and the complex and sensitive issues involved, and are based primarily on existing literature. The methods for the second phase of the assessment include primary data collection from three sources; 1) official data from various agencies, 2) interviews of multiple stakeholders, and 3) case file reviews.

One of the burning questions in human trafficking today is as follows: How many victims exist? As has been recognized in the general literature of the UN\(^{15}\) and the US\(^{16}\) the numbers are not available and cannot be responsibly estimated. Simply, there are no reliable data. Yet, we continue to ask the question and strive to find an answer. This project is no exception.


To determine if a victim is trafficked according to the UN Protocol against Trafficking in Persons and Convention\textsuperscript{17} we must identify force, fraud or coercion used to recruit, transport etc. a human with the intent to exploit. Simple force (i.e., limiting movement by holding someone against their will) or simple exploitation (i.e., not paying the wage) is not trafficking because it lacks the full act and/or it lacks intent. However, it may be one indicator. It is in this spirit and understanding that the following indicators are identified. The interview protocol for victims provided 20 from 78 questions\textsuperscript{18} (detailed in part 2, chapter 3) that could be indicators of trafficking. Some of these indicators could immediately determine if the victim was trafficked. For example, question number 22 asks what happens to the victim if he or she does not pay back the debt incurred. One response was, "forced into prostitution." This response falls squarely into the trafficking definition of the Protocol and Convention. However, if the answer is, "did prostitution," the victim may have been forced or may have decided this as an option to repay the debt, as situation, which however, can amount to debt bondage. There exists this ambiguity throughout the answers in the survey.

Identifying potential victims through the use of a set of screening questions is not uncommon. The US Department of State developed a brief list of eight screening questions asked of a service provider to help determine if the victim is a victim of trafficking (See Figure 1: Trafficking Screening Questions). The survey instrument used in this study asks these questions in a way that is conducive to a discussion with a victim, asking the following 20 questions:

- Q22 If you had to pay a debt after arrival in the destination country and this was not done on time, what happened?
- Q23 Was passport or other travel documentation taken away (TSQ3) from you during your time in the destination country?
- Q24a If yes (if it was taken away and you were able to get it back), what did you have to do and how much did you have to pay to get it back?
- Q25a If yes (were you forced to take part in criminal activities), please specify:
- Q 27 Were you abducted or did you leave your country on your own free will? If free will, were you deceived about the type of work you would be doing?
- Q 45 At any time was your freedom of movement (TSQ1) or possibility to communicate with others restricted?
- Q 45a If yes, (Q45 above) please explain:
- Q 46 Were you deceived in your recruitment?
- Q 46a If so, which kind of deception was used?
- Q 48 Were you forced to work (TSQ4)?
- Q 48a If yes, where were you forced to work?
- Q 49 Were you at times forced to engage in sexual practices (TSQ2) with customers or other individuals?
- Q 50 Could you please provide us with more information on the actual activities in which you were forced to partake?
- Q 53 Were you subject, at any time, to coercion or actual violence (TSQ7) with respect to your trip to and stay in the destination country?
- Q 54 1-4 If you suffered threats or actual violence (restricted communication, restricted movement, confinement, physical violence, sexual violence) while in source country, while being transported or while in the destination country, or by employers in destination country by whom and where did this occur (TSQ7)?

\textsuperscript{17} Art. 34 (2) of the Convention determines that neither transnationality nor the involvement of organized criminal groups must be made an element in domestic legislation

\textsuperscript{18} Annex 1
• Q 55 Did trafficking practices involve threats against or pressure on your family (TSQ7)?
• Q 63 Once in the destination country, were you rotated or sold between locations and/or criminal groups?
• Q 64 If you were rotated or sold between locations or individuals/groups, please tell us what happened?
• Q 74 Was this the result of a complaint that you made, or were you arrested?
• Q76 Was the person who controls you arrested and charged with a crime?

Simply counting the number of indicators between 0 and 20 is a simplistic way of determining whether a victim is likely to be a victim of trafficking. Arbitrarily dividing these cases into ranges, an individual would probably not be a victim of trafficking if he or she has, for example, only 0 to 3 indicators. However, it is becomes somewhat questionable from 4 to 7 indicators. Finally, 8 to 20 indicators suggest that the person probably is a trafficking victim. It is this definition that is used in this report. In support of this definition, it is reassuring that the indicators found in the 8 to 20 group would also have been flagged in the US checklist.

In an effort to assess the country context of trafficking in persons in Lebanon, a general overview of Lebanon is presented and then the specific questions are addressed to the extent to which the data were available.

Figure 1. Trafficking Screen Questions

<table>
<thead>
<tr>
<th>Trafficking Screening Questions (TSQ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is the person free to leave the work site?</td>
</tr>
<tr>
<td>2. Is the person physically, sexually or psychologically abused?</td>
</tr>
<tr>
<td>3. Does the person have a passport or valid I.D. card and is he/she in possession of such documents?</td>
</tr>
<tr>
<td>4. What is the pay and conditions of employment?</td>
</tr>
<tr>
<td>5. Does the person live at home or at/near the work site?</td>
</tr>
<tr>
<td>6. How did the individual arrive to this destination if the suspected victim is a foreign national?</td>
</tr>
<tr>
<td>7. Has the person or a family member of this person been threatened?</td>
</tr>
</tbody>
</table>
Country Context in Which Trafficking Occurs

Status of Ratification of International Conventions
Lebanon has signed and ratified most major human rights conventions, including the ILO Convention 105 on the Abolition of Forced Labour. In August 2005, Parliament ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; however, it is not fully implemented.

However, the country has not yet approved the International Convention on the Protection of the Rights of all Migrant Workers and their Families and the UN Supplementary Convention on the Abolition of Slavery.

Profile of Lebanon
The profile of Lebanon includes a description of the physical features and the demographic characteristics. This provides the general context which may increase or decrease the likelihood of trafficking in persons.

Physical Features
Lebanon is situated on the eastern coast of the Mediterranean Sea, bounded on the north and east by Syria and on the south by Palestine. From east to west it averages only 50 km and about 225 km from north to south; its land area is 10,452 square kilometres. Two mountains ranges run parallel to each other down the length of the country: the Mount Lebanon and the Anti-Lebanon Ranges.19

The capital is Beirut; other major cities are Tripoli, Sidon, Tyr, and Zahle. Beirut is a mixture of old and new. The fact that Lebanon is a small country makes it readily accessible to traffickers whereby they can freely move from one region to another or change the location of their business or the placement of trafficked victims within the same day due to proximity of various cities. Similarly whenever victims are trafficked from other countries they can be easily and quickly transported farthest away from the borders.20

The centre of the city was heavily destroyed by the civil war. This has resulted in the growth of periphery of the city and the growth of its population as a result of the heavy urban immigration, particularly from the South.21

This population growth constitutes a poverty belt around the cities, which represents a fertile ground for internal potential trafficking.

Demographic Characteristics
The demographic characteristics of Lebanon, percent of the total population in Lebanon by Mohafazat, average household size by Mohafazat, and percent of unemployed by gender, are described in this section. In total, the demographic characteristics depict a country of a household of four living in a large city with an unemployment rate of 7.9% and the majority of these being males.

The population distribution in Lebanon varies by Mohafazat with Nabatиеh (5.9%) having the smallest percentage of the population and Mount Lebanon having the largest (40.0%).

Table 1: Distribution of Population by Mohafazat of residence

<table>
<thead>
<tr>
<th>Mohafazat</th>
<th>Population (#)</th>
<th>Percent (%)</th>
<th>Average family size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beirut</td>
<td>390,503</td>
<td>10.4</td>
<td>3.8</td>
</tr>
<tr>
<td>Mount Lebanon</td>
<td>1,501,570</td>
<td>40.0</td>
<td>4.0</td>
</tr>
<tr>
<td>Northern Lebanon</td>
<td>768,709</td>
<td>20.5</td>
<td>4.7</td>
</tr>
<tr>
<td>Bekaa</td>
<td>471,209</td>
<td>12.5</td>
<td>4.6</td>
</tr>
<tr>
<td>Southern Lebanon</td>
<td>401,197</td>
<td>10.7</td>
<td>4.5</td>
</tr>
<tr>
<td>Nabatиеh</td>
<td>221,846</td>
<td>5.9</td>
<td>4.2</td>
</tr>
<tr>
<td>Lebanon</td>
<td>3,755,034</td>
<td>100.0</td>
<td>4.3</td>
</tr>
</tbody>
</table>

Source: Table 1-1. CAS, MOSA, UNDP, National Survey on Households Living Conditions, 2004

The average household size in Lebanon is 4.3 individuals (see Table 1). It varies by Mohafazat, with Nabatиеh being close to the general average in Lebanon. However, the average family size in the South is (4.5 individuals), Beirut (3.9 individuals), and Mount Lebanon (4.1 individuals) is smaller, while the North (4.8 individuals) and the Bekaa (4.6 individuals) regions are larger. The average family size reflects the socio-economic conditions of the families whereby poverty affected families are more prone to trafficking.

Although the distribution of males and females is very similar in the total population, the definition of being available for work (age 15 and older) and seeking work, but did not do any work results in an uneven distribution of those who can be considered unemployed. The unemployment rate (7.9) is unevenly distributed between males and females (Table 2). Of the 96,353 Lebanese who are unemployed and who are 15 years and older, 71.3% are males.

---

22 Mohafazat is a province
Table 2: Distribution of unemployed residents by sex

<table>
<thead>
<tr>
<th>Sex</th>
<th>Total population</th>
<th>Unemployed population</th>
<th>Percent of total unemployed</th>
<th>unemployment rate by sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>Females</td>
<td>1,885,027</td>
<td>27,259</td>
<td>28.7</td>
<td>9.5</td>
</tr>
<tr>
<td>Males</td>
<td>1,832,456</td>
<td>69,094</td>
<td>71.3</td>
<td>7.3</td>
</tr>
<tr>
<td>Total</td>
<td>3,717,483</td>
<td>96,353</td>
<td>100.0</td>
<td>7.9</td>
</tr>
</tbody>
</table>


Political Determinants
In 1975, war erupted in Lebanon; the government was weak and unable to control the borders with Syria, which constitute approximately 300 km2. In 1976, the Lebanese army was divided, and the war extended to cover various Lebanese areas, and consequently, the General Security (GS) the Internal Security (IS) were no longer competent authorities. Moreover, the Syrian army controlled most of the Lebanese areas, and thus, people passing from Syria to Lebanon began using unofficial borders. This situation continued until 1992 when a new Lebanese government was formed and the war stopped. Bilateral treaties which were signed between Lebanon and Syria regulated the relationship of the countries but they did not stop the smuggling of Iraqis, Kurds, Palestinians and other aliens to Lebanon of which the GS and the IS have no records. This situation lasted until the Syrian army withdrew from Lebanon in April 2005. The borders are relatively more controlled; however the Lebanese-Syrian border still represents the major entry point and smuggling route to Lebanon.

Media Analysis
Human trafficking, migrant smuggling and labour conditions have been widely covered by the media newspaper in Lebanon. From 2002 to 2005, the press has been concerned mainly with the definition and awareness of human trafficking in preparation for the ratification of the UN Convention against Transnational Organized Crime and the related Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air. The media raised its focus on monitoring labour conditions and humans exploitation.

The media's focus has been on general awareness, as opposed to reporting facts and cases issued by the police. In fact, whenever an international publication is released e.g. by the UN, other organizations, or the United States, articles flourish in the newspapers defending or contributing to the awareness: articles covered human trafficking issue; some highlighted the potential victim's situation, especially domestic workers and artists. The media even conduct similar investigations to reveal hidden stories.
What current legislation addresses trafficking in persons or trafficking-related offences?

Lebanon Has Signed All Conventions and Protocols
Lebanon signed and ratified the TOC Convention 24 and its supplementing Trafficking Protocol 25 in October 2005. Article 5 of the Trafficking Protocol requires States Parties to criminalize trafficking in persons when committed intentionally. Lebanon has not yet done so due to the critical situation in the past year in the country.

What Legislations are in Place?
Currently, all of the individual components of the crime of trafficking are codified in the Lebanese criminal code, but not the crime of trafficking in persons as such, as required by the Protocol. It is believed that the crime of trafficking exists in Lebanon and is prosecuted under various statutes. However, enacting legislation to create a criminal offence for trafficking may not change the behaviour of the judicial system unless sufficient training is conducted to demonstrate the process and benefits of using the new criminal provisions. Additionally, the current law does not define the victim of trafficking in persons, does not consider the acts which he or she was obliged to commit as not punishable and does not mentioned any special measures in order to protect the victims of trafficking in persons and the witnesses.

Which are the main national, regional and international patterns of trafficking, including routes, border crossings and destinations?

International Factors for Trafficking to Lebanon
Little preexisting information pertaining to the main national, regional and international patterns of trafficking is available. The official crossing restricted to specific border points, the existence of frontiers between countries often extend through unpopulated, rugged, rural terrain that is difficult to monitor and conducive to lawlessness and relatively small size of Lebanon makes the country an accessible location for human trafficking. These factors give traffickers the opportunity to change course, if necessary, and to access other countries through various routes. 26

Lebanon is a recipient of potential trafficking victims. Factors similar to those mentioned in the previous chapter, lack of employment and economic stability, motivate migration from Sri Lanka, the Philippines, and a variety of other countries into Lebanon. These conditions create the environment which results in a collaborative effort between Lebanese and businessmen from the country of origin to bring legal migrants, illegal migrants, and trafficked victims into Lebanon. It is not uncommon for a woman to leave her husband and family in a country where the conditions are extremely harsh (Sri Lanka) to move to a country where she can find work and send money home to support the family (Lebanon). There is some evidence that even the level of education does not matter when the economic conditions are so harsh. 27

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www.antislavery.org/homepage/resources/Anti-Slavery%20domestic%20workers%20discussion%20paper%2002203.pdf
Potential victims can be domestic, that is from within the country, as well as from other countries. Potential female victims come from countries within Europe, Asia & Africa to Lebanon. The majority of the women working as "artists"\textsuperscript{28} in Lebanon are from countries such as Belarus, Moldova, Romania, Russia and Ukraine.\textsuperscript{29} Other potential victims, especially domestic worker victims come from Sri Lanka, The Philippines, Ethiopia, Kenya, Madagascar.\textsuperscript{30}

More information is needed to establish specific routes in which victims are trafficked. The identification of specific routes will aid in the intervention of trafficking crimes and the apprehension of traffickers.

**What are the main areas of recruitment in the country?**

**General Information on Vulnerable Groups and Situations**
In examining the sub-categories of potential victims of trafficking in persons, Lebanon has four main groups of potential victims; migrant workers, artists, children and organ trafficking.

**Migrant Workers**\textsuperscript{31}
Regulations pertaining to work permits and conditions for entry into Lebanon are existent and enforced on all foreign workers, excluding Syrian workers whose legal status is not yet granted by law. The entry of domestic workers to Lebanon is only possible for adults who are above 18 years of age after passing through a mandated employment agency and signing a contract.

These workers signed a contract with the employment agency in their country of origin before coming to Lebanon. Upon arrival in Lebanon, migrants must sign a second contract in Arabic, a language that they do not understand. Because they must sign this contract in order to stay and work at their new position, they may be under duress. And, because they do not understand Arabic, the second contract may not contain the same conditions as the first. This second contract is considered valid and binding by Lebanese authorities.

\textsuperscript{28} The artists are identified by the General Directorate of the General Security as females working at nightclubs, non-medical massage and modeling.
\textsuperscript{31} Most of this section was summarized from Lebanese law and the following report: -- (2005). Report of the Special Rapporteur on the Human Rights Aspects of the Victims of Trafficking in Persons, Especially Women and Children, Sigma Huda, on Her Mission to Lebanon. UNODC Annex to E/CN.4/2006/62/Add.3.
Table 3- Numbers of female domestic workers who entered Lebanon in the past 5 years

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>2001-2004</th>
<th>2005</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethiopia</td>
<td>5,421</td>
<td>1*</td>
<td>16.60</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>932</td>
<td>19</td>
<td>2.87</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>12,335</td>
<td>13,660</td>
<td>48.22</td>
</tr>
<tr>
<td>Philippines</td>
<td>8,367</td>
<td>15,171</td>
<td>28.08</td>
</tr>
<tr>
<td>Nepal</td>
<td>184</td>
<td>603</td>
<td>1.03</td>
</tr>
</tbody>
</table>

* In 2005 the entry to Lebanon of Ethiopians domestic workers was on hold for one year by bilateral arrangement.

Upon arrival, the employer or the "sponsor" is required to personally meet the employee. The General Security hands the passport and other official documents to the employer. Because of this practice, the employer is able to control and limit the domestic worker's freedom of movement. It is also up to the employer to renew the work permit, residency permit and health insurance. If this is not done, the domestics are effectively rendered illegal in the country. With no money, travel documents or social network, even in cases of exploitation, it is very difficult for the domestic workers to change employers - unless the employer agrees and the Lebanese authorities allow the change to occur.

The sponsor has obligations regarding the domestic worker. He is required to provide the official documents, (i.e. the yearly residence and work permits). He is obliged to provide all the travelling costs to/from Lebanon in any situation; all the fees for the administration of the contract, the entrance visa, the work and residence permits; a suitable place to stay, food, medical care and medication.

Resolution 70 issued in 2003 regulated the conditions of work regarding migrant employment agencies. They must regularly contact the workers and sponsors to ensure that the worker is doing a good job, and that he or she is not mistreated. In case of any breach of this article, the agency should report the breach to the Ministry of Labor. Recruitment agency personnel are strictly forbidden from beating the domestic workers (Articles 13, 14, and 15 of resolution 70/2003). Unfortunately, the Lebanese authorities have not developed policy guidelines to implement Resolution 70. The domestic workers have no rights or protection and are excluded from the 1946 labor code.

Records from the General Security (GS) reveal that 130,657 domestic workers entered Lebanon between the years 2000 and 2005; 30,168 of whom entered in the year 2005. However, the Ministry of Labour records state 109,440 entries to Lebanon for the purpose of working in the year 2005, 89,794 of whom were working as house-servants, 1,186 as labourers, in addition to other categories. The difference between the number of domestic workers entering Lebanon (GS) and the number of migrants working as house servants (MOL) is 59,626. One explanation for the difference is that the workers who had entered before 2005 and had renewed their working permits. In other words, 66% of domestic workers renewed their working permits to continue working in Lebanon. This could be seen as an indicator on the satisfactory conditions of living in Lebanon. Many actions were undertaken by the Lebanese Government to enhance protection. In fact, the contract for domestic workers was adopted with an obligation for insuring medical insurance and a complaint office was established in two ministries (GS/Mol and MOL) where the domestic workers can report to the Ministry of Labor any type of abuse made by their owners.

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32 Data supplied by the General Security
33 Data supplied by the Ministry of Labor
In 2004-2005, 40 complaints were reported to the GS: 28 hitting cases and 12 rape or sexual abuse. After investigations, 24 cases were false allegations, 5 were referred to the court and repatriate measures were undertaken and 11 foreign domestic workers were repatriated. The cases who complained at the GS were all deported to their country.

**Artists**

The second vulnerable group is related to females working as “artists”.

In fact, these women come from Eastern European countries and from broken homes or very poor, underprivileged backgrounds. Their ages range between 19 and 28 years. The majority of these girls are high school, or even university graduates who agreed to sign the alleged “modelling” or “dancing” contract. They were promised incomes higher than what they would only dream of earning at their home country. The majority of these female comes from a number of European countries particularly Ukraine, Russia, Romania, Belarus, and Moldova (See Table 4).

**Table 4- Numbers of women who have entered Lebanon in the past 5 years as artists**

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>2001 – 2004</th>
<th>2005</th>
<th>Percent (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukraine</td>
<td>1711</td>
<td>1882</td>
<td>46.18</td>
</tr>
<tr>
<td>Russia</td>
<td>885</td>
<td>757</td>
<td>18.58</td>
</tr>
<tr>
<td>Belarus</td>
<td>602</td>
<td>573</td>
<td>14.06</td>
</tr>
<tr>
<td>Moldova</td>
<td>580</td>
<td>473</td>
<td>11.61</td>
</tr>
<tr>
<td>Romania</td>
<td>491</td>
<td>192</td>
<td>4.71</td>
</tr>
</tbody>
</table>

*Data provided by General Security.

According to the General Security, there are 5,000-6,000 Eastern European women working in the “artist” sector in Lebanon annually. These women, who are issued artist visas by the General Security, work in nightclubs, massage parlous and other adult clubs.

In addition to the Eastern Europeans, another distinct group of prostitutes consists of mainly illegal Ethiopian and Sudanese former domestic workers, who ran away from their sponsor in search of a search of improved quality of life and legal status is Lebanon, end up in the commercial sex work business. The entry of artists to Lebanon for work is permitted only after signing a contract, upon prior approval by the General Directorate of the General Security and with the possession of an Entry Visa granted by the Arabs, Foreigners and Special Categories Department- Artist’s Section. Upon their arrival, the artists’ signs an employment contract with the owner of nightclub, "the sponsor" for one month renewable for 6 months as long as both parties are agreeable.

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34 This section is taken liberally from Females working at nightclubs, unmedical massage and modeling, written by the General Security of Lebanon.
These workers are subject to strict obligations, such as, respecting the working hours of 22:00 until 05:00; remaining at their hotel from 05:00 until 13:00; being allowed to leave the hotel daily from 13:00 until 19:00; and being prohibited from marrying a Lebanese national.

The duration of employment of foreign female workers as artists cannot exceed six months without interruption. A foreign female who has worked as artist in Lebanon is not permitted to enter the country for tourism or even employment purposes in a different field until 12 months has lapsed since cessation of her artistic activities in Lebanon. Under these conditions and due to the minimum stay in Lebanon, it is difficult to find victims of trafficking related to this vulnerable group, especially when the “artist” complains about sexual exploitation, her contract is ended immediately and she is deported.

It should be noted that even if the prostitution is an offence in Lebanon, when sexual exploitation is reported to the complaint office and after an investigation made by the GS, the “victim” is directly deported to their country of origin without prosecution. Measures are taken for the sponsor; measures can be administrative such as: warning, restriction from (importing) bringing in artists... or orientation complaints to the judiciary. A complaint office was set up in order to receive all their complaints. In fact many cases were reported: 12 in 2004 and 32 in 2005 (2006: the number is not significant due to the deportation of the workers during the July war).

The majority of the 44 complaints are related to sexual exploitation: 3 cases were reported to the court, 2 were determined false allegations and 39 cases administrative measures were undertaken.

**Children**

The trafficking in Persons protocol also has a focus on child issues: article 6, paragraph 4, of the Protocol provides that States parties, in considering measures to assist and protect victims of trafficking, and must take into account the special needs of child victims.

Children can be subjected to various forms of exploitation. This section discusses the three sub-sections: labour exploitation, sexual exploitation and selling babies, knowing that the child according to the Lebanese law is a person under the age of 18.

**Labour Exploitation**

Working children are one of the most pressing social problems in Lebanon. A great number of working children, mostly boys can be found in suburban and poor rural areas. Northern Lebanon has the greatest number of working children in the country.\(^{35}\)

Numerous demand-side causes can be established through studying the Lebanese culture. First, its economic growth has resulted in an increased demand for cheap laborers; the younger the worker is, the less he gets paid. Second, the growth of the informal economy has increased the need for children to do the jobs of grown men.

\(^{35}\) State of children in Lebanon 2000, UNICEF: NY, NY
Poverty creates the desire for a better life. Combined with the lack of educational opportunities, overcrowding, and family disintegration, the supply side becomes available. Many children, particularly in rural areas, take jobs at a young age to help in household expenses. Poor children are often compelled by their parents to seek employment in industries, such as car mechanic shops and carpentry, which often puts their safety at risk. Domestic girls are particularly vulnerable to commercial sexual exploitation.

The rate of working children varies by age group and by Mohafazat. The highest percentage of working children in the 10-14 age group is in the North (3.3%) followed by the Bekaa (1.7%), Beirut (1.3%), Mount Lebanon (1.3%), with the lowest in the South (1.0%). A South (1.0%). A different distribution emerges in the age group of 15-18, with the highest percentage of working children in the North (14.9%) followed by the South (12.9%), Bekaa (10.4%), Mount Lebanon (9.2%) and Beirut (7.3%) having the lowest.

The percentage of female working children is higher for the age group 15-18 years (12.8%) than for the age group 10-14 years (9.7%). It is the opposite for males where the higher percentage is for the age group 10-14 years (90.3%) and for the age group 15-18 (87.2%). One possible explanation could be the high rate of school drop out that starts at 10 years of age and increases until 14 years.

Street children have a unique concept in Lebanon more related to labor exploitation than the street children phenomena as recognized worldwide. In fact, groups of children appear at specific areas, such as squares, churches, clubs, etc. especially during weekends, summer and during special occasions, offering services, such as polishing shoes, selling trinkets or roses or begging. They are forced to do this by their parents or “employers” who take the money from them at the end of the day. Children undergo beatings and physical abuse from their superior, aside from psychological harm, which leads to lack of self-confidence.

The majority of the children are foreigners (Syrian, Palestinian or without identification - e.g. gipsy) and are exploited for long hours in the form of forced labor, menial jobs, and selling trivial items on the streets.

**Sexual Exploitation**

The study of the Ministry of Justice in 2005[^36] on child victim of criminal offences represents the first research on this issue. It indicates that around 150 cases of child victim of criminal offences are reflected at the judiciary level and are under the judiciary protection of the juvenile courts. The study shows that:

- The physical aggressions represent 41%;
- The heavy negligence represents 1%;
- Sexual aggressions represent 58%.

The study also highlights that the 58% of the sexual aggressions were made by members of the family or relatives, 28% were classified as rape cases.

There is still insufficient data and little awareness of the issue of commercial sexual exploitation of children in Lebanon. The issue is regarded as a tragedy suffered by individuals, rather than as a systematic or widespread phenomenon. Commercial sexual exploitation is a taboo subject in Lebanon, which explains why quantitative research of children entrapped in commercial sexual exploitation has not been done. Prostitution is also reflected in the data provided by the youth department of the MOJ. Approximately 7 girls and 15 boys per year are involved in some way in prostitution activities. These cases are handled by juvenile court. Protection measures can be taken, but also deprivation of liberty in some cases.

**Selling Babies**

Lebanese adoptions are complex: adoption is not subjected to a unique civil law, but is governed by the rules of the right of the religious community to which belongs the adopting of Lebanese nationality. Only Christian institutions recognize adoptions as a legal convention and define the conditions, rights and duties thereof. Christian orphanages in Lebanon may have children available for adoption. Islamic family law does not allow for adoption as that concept is understood in the United States or in Europe. However, Islamic family law does allow custody of children to be transferred through guardianship so called "Kafala".

There are no adoption agencies in Lebanon. Churches and church officials care for abandoned children but may not always have the legal expertise to process an adoption. Attorneys who specialize in family law usually handle adoption cases. Lebanese government agencies do get involved in registering the adoption, changing the child's name and issuing a Lebanese passport, only after the appropriate religious body has approved the adoption itself.

Seven NGOs are mandated by the Ministry of Interior (Personal Status Department) to take care of the average eight illegitimate/found babies per year. They provide all related care and services. The adoption possibilities are handled with close collaboration with the Ministry of Interior when it is possible.

According to the Ministry of Interior (Personal Status Department), two cases related to selling babies were reported to the court in 2004. After serious investigations, a license has been retrieved from one association who appears to have been involved in the facilitation of selling babies.

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37 Interview with Personal Status Department personnel. Ministry of interior
38 [http://travel.state.gov/family/adoption/country/country_412.html](http://travel.state.gov/family/adoption/country/country_412.html)
Organ Trafficking

Trafficking in organs is slightly different than the previous three categories. Migrant workers, artists and children comprise vulnerable groups, but referring to the definition of the Protocol, the removal of organs is mentioned as a form of exploitation, and victims are also identified as vulnerable people. It is possible that a person can be trafficked with the expressed intent to remove organs, but that is only organs, but that is only one type of organ trafficking. Trafficking occurs on the level of human organs when a person, or a criminal organization acquires a human organ illegally- either by abduction or in exchange for money- then sells it to a patient in need for a transplant operation.

According to rumours, there were several cases of organ trafficking in Lebanon, but very few cases were reported in court (2 cases in 2005 and 2006). Nevertheless, the media reported a case in 2005, describing the arrest of a network of four Lebanese men practicing the "kidney trade" between Lebanon and Iraq since the year 2000. The group searched for young people living in underprivileged conditions and convinced them to sell their kidney for a sum of $4000, as well as asking them to persuade their friends to sell their kidneys and get a $1000 commission for every person they influence. Then, the traffickers sold the kidneys to patients in need of transplants for $10,000 per kidney, excluding the cost of the operation. The operations were held at three Lebanese hospitals by well-known doctors. Investigations are going on to reveal if the doctors were involved in the process. 39

Why were victims (children and young adults) targeted and how are they exploited?

Push and pull factors vary across victim groups (i.e., children vs. adult, men vs. women) and across type of victimization (i.e., sexual exploitation vs. labor). The following articulates some of the differences.

Many different groups of people become victims of human trafficking. Children and young adults are among the groups that are more susceptible to becoming victims for several reasons. Economic status is the most common factor that contributes to victimization. Traffickers prey upon individuals who are poor, come from dysfunctional families and those who are unable to receive or continue an education. Many victims become easy targets because they are looking for a better way of life. More money would help them achieve the better life that they desire.

The number of children working in Lebanon is a growing concern. They are preyed upon and exploited because of their youth, their economic situation and their inability to achieve means any other way. Many of these children come from poor families who need to work to help support their family. The families’ survival depends upon the work of children within a poor family. For this reason, parents may encourage their children to enter the work force.

39 Al Balad newspaper, 21 September 2005
Another reason children are targeted is because they are inexpensive labor. Employers can pay children a lot less money to perform the same job an adult would perform for more pay. Children are forced to work extended hours. At times, the safety of children is jeopardized. Examples of jobs in which children could be harmed include working on cars and working with carpenters. Some children work on the streets selling various items and services.

Information provided by the General Security indicates that women brought to Lebanon to work as “artists” comprise another group that is vulnerable to victimization. These women are poor, sometimes lack education and desire to have a better life. There are approximately 5,500 women in Lebanon each year working as “artists” with the majority from Belarus, Moldova, Romania, Russia and Ukraine.

The General Security in Lebanon issues for each of these women an artist visa. Women sign contracts which allow them to dance or model. Once they arrive in Lebanon, the “artists” perform massages, work in clubs and model and seems are obliged in some cases to offer sexual services. It is unclear if the women are misled about the type of work they will perform once they arrive in Lebanon. It is, however, clear that the women are enticed to accept these jobs because they are offered a significantly larger amount of pay compared to the amount in which they can earn in their current country. A second group of women who become vulnerable to victimization, “domestic” workers, may be victimized when they leave their sponsor seeking a better life. Instead of finding more desirable working conditions, some become prostitutes and are exploited sexually.

What information can be provided on the traffickers and their modus operandi?

There isn’t a great deal of information about the traffickers’ mode of operation. It is known that they prey upon individuals who are in need of money to survive or care for their family. They seek out their victims and promise them earning potentials that are greater than they could earn if they stay in their current home.

Child trafficking for the purpose of selling babies appears to be minimal in Lebanon. Administrative and judicial measures were taken by the Ministry of Interior regarding the associations who appear involved in the facilitation of this crime. The license was retrieved from one agency and the second one was sent to the judiciary.

A little more is known about the trafficking of human organs. In 2005, four men from Lebanon were arrested for trafficking human organs. For five years, these men had been trafficking kidneys between Iraq and Lebanon. They preyed upon individuals from less fortunate backgrounds who could benefit from obtaining large sums of money, as mentioned below.
Chapter 2: Assessment Methods

This assessment is a descriptive study developing baseline data for future comparison. The methods used to collect these data include structured interviews or surveys with courts (n=29), prosecutors (n=10), INTERPOL (n=2), Border control (n=3), police (n=14), embassies (n=3); relevant NGOs (n=1), possible trafficking in persons victims (n=113), possible trafficking in persons case file data (n=324), and media awareness activities. Details are provided in this section.

Structured Interviews/Surveys

The structured interviews/surveys were conducted with courts (i.e., judges and magistrates), prosecutors, law enforcement (i.e., border control, INTERPOL, police), embassies, NGOs, and potential victims (i.e., adult and child). The following sections outline the methods used to develop the sampling structure to ensure the results can be generalized to the population of each category.

Government Officials' Interviews / Surveys

Interviews were conducted with government officials, including courts, prosecutors, border control, INTERPOL, police, and embassies. The purpose of the interview was to determine institutional capacities of Government institutions, the steps involved in and the organizations responsible for the processing of trafficking cases from initial identification and investigation to conviction, the methods that support or hinder the processing of trafficking cases, and the identification of any known best practices. The aim of this research was to identify strengths and weaknesses in the organizations with respect to their ability to address trafficking issues. (The findings will be presented in part 2, chapter 4) The sample included most actors who have or could have been involved in trafficking cases; courts (n=29), prosecutors (n=10), border control (n=3), INTERPOL (n=2), police (n=14), embassies (n=3).
Courts and Prosecutors

Periodically and in this case by formal decree of 2005, courts (which include both judges and magistrates) and prosecutors are rotated within the system in Lebanon. For example, a respondent may be a judge this year, but a prosecutor next year. Therefore, respondents with similar years of experience would be expected to have similar responses to the questions based on this rotation process, if the question is based on experience. Younger respondents may have only experienced one side of the bench, thus may have differing experiences. The respondents answered the interview questions based on their current position of either a court or prosecutor.

Interviews with 29 courts (judges and magistrates) out of 394 population and 10 prosecutors out of 44 prosecutors were undertaken. The average number of years of experience is 9 years for courts and 16 years for prosecutors. Approximately 50% of the courts had less than 10 years experience. However, none of the prosecutors in the sample had less than 10 years experience. This is a result of selection bias. The list of available interviewees was taken from the formal decree of 2005. Therefore, newly hired individuals, those with less than 2 years, were not included in the study. The result is that more experienced prosecutors and courts were interviewed, while the less experienced perspective is not available in the study.

Law Enforcement Interviews

Interviews with 19 law enforcement officials were undertaken, including Border Control (n=3), INTERPOL (n=2), police (n=14). The head office of the Border Control (n=1 of 3) and the head office of INTERPOL (n=1 of 2) were interviewed as official spokesperson for the unit. Both have many years of experience. The other two and one interviewee, respectively, were working in the unit. This afforded the opportunity to obtain the official position, as well as the practical or operational perspective from the units. Periodically, police are rotated among the various duties within their purview, giving them a broad array of experience, but limiting the availability for specialization.

NGO Interviews/Surveys

Interviews were conducted with 11 local Lebanese NGOs and 1 regional (Middle East, North Africa region) NGO working with or having the potential to work with trafficked victims in Lebanon. The total number of NGOs with ECOSOC status is over 2000, but it is unknown the total number of NGOs active in Lebanon. Twelve self identified as serving potential victims of trafficking in persons.

However, during the interviews, 9 of the 12 were not familiar with the trafficking terminology or the UN definition. The data reported on NGOs are divided into two groups. First, there is a discussion of the responses from Caritas Migrant Centre, known to and having a formal agreement with the government to work with victims of trafficking in persons, and two additional NGOs who have an understanding of the trafficking issue, but have no trafficking specific services at this time. Second, the remaining 9 have general exploitation related programs that could be useful for meeting some of the needs of trafficking victims. Therefore, they are included in the discussion of future capacity.
Victim/Trafficker Interviews

Identifying victims of trafficking is a difficult issue. First, Lebanon does not have a crime of "trafficking in persons." Therefore, there can be no official victims. Lacking official identification methods, the researchers identified two lists of interviewees. First, they asked the 12 NGOs to identify a list of individuals that they believed were trafficking victims (n=55 adults and n=38 children). Both in reviewing the victim responses and in the interviews with NGOs, it was apparent that the definition used by NGOs to select the victims was not the same as the definition used by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons. Therefore, the individuals interviewed were potential trafficking victims, but could have been victims of other crimes (i.e., domestic violence). Second, a list of prisoners whose related crime was one of the 17 crimes related to trafficking in persons was obtained. A stratified sample was selected from each crime category, resulting in a list of potential traffickers.

In-depth interviews were conducted with adults (n=75) and juveniles (n=38) identified using the NGOs' wide definition for trafficking and those imprisoned based on the crime with the objective of obtaining first hand information on their experiences, expectations and needs. See page 8 for a full discussion of how it was decided when these victims were considered trafficking victims.

Case File Reviews

A sample of cases (n=324) was reviewed and analyzed from two different sources.
1. First, in an attempt to quantify the problem, 3500 cases that included a crime in the series that may indicate trafficking were identified over a two year period from all of Lebanon (2005-2006). A sample of 300 cases was proportionately selected at random from the 3500 cases. Data were collected from the case files from the general prosecutor’s office to determine if the case included indicators of trafficking. Of the 300 cases, 506 subjects were involved (2005; n=240; 2006, n=256). For example, one case involved 34 individuals. After sample selection, two cases were identified as 2002 cases and were excluded from the sample. Therefore, 298 cases were reviewed with 504 subjects. Of the 298 cases, there was insufficient information to make a decision about whether 7 were likely to be trafficking, leaving 291 cases and 487 subjects to be analyzed. These are likely to be the traffickers, but could include victims.

For the initial 300 cases, a list of all prosecuted cases was maintained by the general prosecutor’s office during 2005 and 2006. Next, a selection criterion of crime was used to request all cases that involved at least one crime that would be involved in a trafficking case. These 17 crimes include: forgery of documents, corruption, slavery, involuntary servitude, debt bondage, forced marriage, forced abortion, forced pregnancy, torture, cruel, inhumane or degrading treatment, rape, sexual assault, bodily injury, murder, kidnapping, unlawful confinement, and labor exploitation. In other words, if a case was prosecuted for kidnapping, it is possible that the case was a trafficking case.

2. Second, a sample of 24 was selected from 117 domestic worker victims’ files from Caritas Migrant Centre where the case was sent to prosecution. Note that these two sampling frames do not target sex trafficking, and in fact, may limit the ability to detect it. Sample selection was particularly challenging because of the lack of officially identified cases.
Chapter 3: Findings

How big is the problem of trafficking in persons in Lebanon?

The problem of trafficking in Lebanon, based on the sources available, appears to be small. It is estimated that approximately 60 cases per year of those cases that come to the attention of the court are trafficking in persons. Additionally, approximately 10 cases per year that come to the attention of Caritas Migrant Centre eventually are upheld in the courts.

Estimating trafficking based on potential of identified cases

However, there are many reasons for not being able to identify the actual number of persons trafficked in Lebanon, including the following two: first, as the literature discusses, the crime is hidden and few cases are reported. (There are in fact indicators for the assumption that trafficking maybe underreported and maybe more hidden that founded in the study, that foreign migrant workers may not be properly informed about the work deal, may not understand the language, would be deprived of their identity documents, etc. and be deported in the case of complaint, which makes it difficult for victims to report deception, coercion, exploitation, etc. to the authorities and equally for the authorities to identify victims. Second, there is currently no law that specifically names a crime of human trafficking, so there are no official numbers of cases identified and none prosecuted. Those that come to the attention of the officials are currently prosecuted under other crimes, such as kidnapping. A series of 17 crimes were identified as being likely to be a part of trafficking.

Recognizing that although nearly a 10 percent sample of the 3500 cases is a sizable sample, the problem of trafficking according to those sources is a relatively rarely identified event). Therefore, the findings of eight cases of trafficking are such a small number that generalizing the characteristics from this small sample may be misleading. However, it is a beginning point and should be verified as additional cases are identified in the future.

Findings from these files

How many cases of potential trafficking are identified in Lebanon each year?

Approximately, 1.4% per year of the 291 cases during 2005 and 2006 had sufficient indicators to suggest the cases were trafficking. Generalizing to the population of cases (N=3500), Lebanon has approximately 50 cases of trafficking identified and prosecuted per year.

Most of the cases, both trafficking and non-trafficking are from Mount Lebanon Mohafaza.
Is the trafficking internal or external?
A majority (n=6 of 8) of the cases identified were internal cases. This may indicate that internal trafficking is more frequently identified than international trafficking.

Who were the traffickers?
Most traffickers currently prosecuted are males. Trafficking cases had a ratio of 1 female to 22 males; whereas the non-trafficking cases had a ratio of 1 female to 4 males. Four of the eight trafficking cases had only one trafficker and none were more than five persons, but when compared to non-trafficking cases, traffickers were more likely to be caught in small groups.
Traffickers were more likely to be married (n=11). In the non-trafficking cases, only 145 of 392 were married.
Nearly all of the individuals in the sample were literate, both traffickers and non-traffickers.
Of those known foreigners (n=10), most of the traffickers did enter Lebanon legally (n=6), but it was the opposite for non-traffickers.

What did the traffickers use to traffic their victims?
Traffickers were likely to use planning (i.e., prior agreement between employers to physically or sexually abuse the victims) (n=18), deception (n=7), and cheating (n=8) to traffic their victims.
More than half of the cases had no witnesses.

What was the punishment for the crimes successfully prosecuted?
Most of the offenders served less than 6 months and paid less than USD333. Measures are taken against the sponsors include administrative warnings, restriction from bringing artists in Lebanon for a period of time or the complaint may be referred to the judiciary. For example, the most severe fine was approximately $350 USD. Considering that trafficked persons are known to bring over $1000 on average, this fine leaves the trafficker with a significant profit.

Additional cases of victims
The above data collection effort resulted in 8 cases of trafficking in persons with a male dominance among the offenders. Recognizing that this is a biased sampling of only those cases that made it to the courts as a result of one of the 17 crimes related to trafficking, a second sample was requested. This sample was selected from the 117 case files held by Caritas Migrant Centre that had gone through the Lebanese court system. Caritas Migrant Centre assists domestic worker victims. This sample, unlike the first 300, was sampled from victims, not perpetrators. The following summarizes the characteristics of the 24 victims:
- All 24 cases involved a domestic worker from a foreign country (e.g., Pilipino n=13; Sri Lanki n=5, Ethiopian n=3, other n=3). The victimization occurred in Lebanon. The victims had identification and entered Lebanon legally.

- All 24 cases were female, with 20 being between the ages of 18-35. Nearly half are married and almost all are literate.

- 14 of 24 were physically abused, while 9 of 24 were sexually harassed or abused.

- In determining the number of victims likely to be trafficked, 19 had signs of brutality, 18 had signs of being cheated, 16 had signs of planning (i.e., prior agreement between employers to physically or sexually abuse the victims, 17 shows of being deceived) and 22 had signs of disappointment in general by too little salary and poor life conditions.

- The outcomes of the cases included pending (n=14), ended without finding of guilt (n=6); and findings of guilt (n=4). The punishment for these crimes was minimal, such as paying victim's expenses or 48 hours in jail.

If Caritas is serving approximately 200 potential trafficking victims per year for domestic workers, approximately 7 of those cases would be considered trafficking, based on the above analysis. This under-estimates trafficking by some amount because these are only the cases that come to the attention of the service provider.

**Description of identified potential victims of trafficking**

Fifty-five adult males (n=10) and females (n=45) were interviewed using a purposive sample of individuals identified by NGOs. The following profile describes their characteristics, identifies potential indicators of trafficking, and provides some information about the journey from their home country to the destination country. This sample is not representative of all victims and the population from which the sample is drawn is unknown. Therefore, while this information gives us some indication of some portion of the problem, it cannot be generalized to determine the number of victims of trafficking or the proportion of each type of trafficking. It does tell us some of the characteristics of known identified potential victims that could be identified if there was a law that codified trafficking in Lebanon.

There are many reasons for not being able to identify the number of actually trafficked persons. The way the sample was selected is an important part of understanding what the group represents. For the first group – potential victims (n=55) – the NGOs identified those who they believed were victims of trafficking. Understanding that the definitions used by various agencies differ, we would expect that some of the sample do not meet the UN Protocol and Convention definition. The sample selection resulted in 45 female and 10 male potential victims.

For the second group – potential traffickers – 2 females and 18 males were identified and interviewed in prison. The following describes what we know about potential victims and then potential traffickers in Lebanon.
How many of the NGO identified victims have sufficient indicators to meet the criteria for victims of trafficking in persons?

Of the 55 adult potential victims interviewed, 26 were probably trafficking victims, having 8-18 indicators (See Table 5). They represented all of the categories of trafficking (i.e., sex, and labour, males and females). The most common deception resulted in being forced into prostitution.

Table 5: Indicators of trafficking:

<table>
<thead>
<tr>
<th>Indicator</th>
<th>n =55</th>
</tr>
</thead>
<tbody>
<tr>
<td>No documentation used to enter Lebanon</td>
<td>36</td>
</tr>
<tr>
<td>Deceived at recruitment</td>
<td>35</td>
</tr>
<tr>
<td>Subjected to coercion or violence</td>
<td>32</td>
</tr>
<tr>
<td>Threat of violence by employer in destination country</td>
<td>32</td>
</tr>
<tr>
<td>Freedom of movement or communication limited</td>
<td>31</td>
</tr>
<tr>
<td>Forced to engage in sex</td>
<td>30</td>
</tr>
<tr>
<td>Forced to work</td>
<td>28</td>
</tr>
<tr>
<td>Passport taken at destination</td>
<td>25</td>
</tr>
<tr>
<td>Promised employment before leaving home country</td>
<td>19</td>
</tr>
<tr>
<td>Left home on own free will; did not know what the real job was</td>
<td>17</td>
</tr>
<tr>
<td>Forced criminal activity</td>
<td>16</td>
</tr>
<tr>
<td>Threat of violence in destination</td>
<td>16</td>
</tr>
<tr>
<td>Visa used to enter Lebanon</td>
<td>15</td>
</tr>
<tr>
<td>Threat of violence in source country</td>
<td>12</td>
</tr>
<tr>
<td>Threats or pressure on family</td>
<td>9</td>
</tr>
<tr>
<td>Number with fraudulent documents</td>
<td>9</td>
</tr>
<tr>
<td>If debt was not paid, an indicator would occur (i.e., forced prostitution)</td>
<td>8</td>
</tr>
<tr>
<td>Rotated or sold between locations or groups in destination</td>
<td>6</td>
</tr>
<tr>
<td>Rotation between clubs</td>
<td>6</td>
</tr>
<tr>
<td>Threat of violence in transit</td>
<td>5</td>
</tr>
<tr>
<td>Abducted</td>
<td>1</td>
</tr>
</tbody>
</table>

Only two of the sample has none of these 20 indicators. The remaining 53 potential trafficking victims have at least one indicator. It is possible to assume that all 53 of these are trafficking victims. However, based on the adopted methodology, if we accept the simplistic counting method, then 30 of the potential victims meet the criteria of the UN Protocol.

There is some indication that there is a difference between male and female victims; however, the sample size is too small to be definitive. Males tend to have fewer indicators, which may indicate the need to create separate scales for the different genders. For this study, none of the males were identified as trafficked victims.
What are the characteristics of the trafficking victims?
Based on the definition used (i.e., 8-18 indicators), Table 6 provides a profile of the 30 victims identified as probable trafficking victims.

Table 6: Victims profile

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Probable trafficked victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>24</td>
</tr>
<tr>
<td>Male</td>
<td>2</td>
</tr>
<tr>
<td>Age</td>
<td></td>
</tr>
<tr>
<td>Average</td>
<td>27</td>
</tr>
<tr>
<td>Range</td>
<td>18-40</td>
</tr>
<tr>
<td>Nationality</td>
<td></td>
</tr>
<tr>
<td>Lebanese</td>
<td>6</td>
</tr>
<tr>
<td>Syrian</td>
<td>8</td>
</tr>
<tr>
<td>Palestinian</td>
<td>4</td>
</tr>
<tr>
<td>Others Countries</td>
<td>8</td>
</tr>
<tr>
<td>Education level</td>
<td></td>
</tr>
<tr>
<td>Illiterate</td>
<td>16</td>
</tr>
<tr>
<td>Elementary</td>
<td>8</td>
</tr>
<tr>
<td>Secondary</td>
<td>2</td>
</tr>
<tr>
<td>Working when recruited</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>9</td>
</tr>
<tr>
<td>Mother Education Level</td>
<td></td>
</tr>
<tr>
<td>Illiterate</td>
<td>21</td>
</tr>
<tr>
<td>Elementary</td>
<td>4</td>
</tr>
<tr>
<td>Secondary</td>
<td>1</td>
</tr>
<tr>
<td>Father Education Level</td>
<td></td>
</tr>
<tr>
<td>Illiterate</td>
<td>24</td>
</tr>
<tr>
<td>Elementary</td>
<td>2</td>
</tr>
</tbody>
</table>

These cases represent only those are prosecuted in the court. Therefore the foreigners are more likely to be deported without the case being prosecuted.

As for the remaining characteristics, there are large numbers of missing data. Therefore, the results should be taken as indicative or suggestive. Eight of the 30 probable victims entered Lebanon illegally without a visa, while 5 of them entered on a visa. Seven of the 30 had indications that they were willingly smuggled into Lebanon and later became victims of trafficking in persons. Twenty of the 30 were recruited at home through family members and friends. Eight of the 30 traffickers were also family members and friends. Thirteen of the 30 were transported alone with the trafficker. Only four moved with a group of other victims. Finally, 14 of the 30 probable victims had police contact. Of those with contact, 10 were charged with a crime of prostitution or being an illegal foreigner. This suggests that the fears of the victims are founded that they will be harmed by going to the police.
Description of identified potential child victims of trafficking

Thirty-eight child potential victims were interviewed using a purposive sample of individuals identified by NGOs. There was no way to determine if these children were victims of trafficking. However, they are a vulnerable population and these children were identified as being the most likely. Therefore, we have included a brief summary of their characteristics. There are considerable missing data from the interviews and the majority of the male victims have very little information. Therefore, the sample size varies by characteristic. The following profile describes their characteristics and other related information (See Table 7).

Of the 38 child potential victims interviewed, 25 are female with an average age of 14.5. Approximately 50% are Lebanese or Syrian. The children are generally uneducated, come from large families (greater than 6 family members), and their parents are generally uneducated as well. Approximately 50% of the victims, mostly females, reported on the conditions of the probable trafficking. Of this group of victims, most were recruited while in the home with family members actively involved. The potential victim generally knew the conditions of the "deal" and left their home willingly. 25 were moved alone, but upon arrival to the exploitation site, the youths worked in small groups. After leaving home, 18 and 21 respectively were sexually and physically abused. Alleged traffickers were in a 2:1 ratio male to female.

Table 7: Characteristics of child potential victims

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Measure</th>
<th>Number of victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>Female</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>13</td>
</tr>
<tr>
<td>Age</td>
<td>Mean (range)</td>
<td>14.5 (7-17)</td>
</tr>
<tr>
<td>Ethnicity</td>
<td>Lebanese</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Syrian &amp; hidden</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Unknown</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>6</td>
</tr>
<tr>
<td>Education</td>
<td>Illiterate &amp; Elementary</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Higher</td>
<td>8</td>
</tr>
<tr>
<td>Education of parents</td>
<td>Illiterate &amp; Elementary</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Higher</td>
<td>3</td>
</tr>
</tbody>
</table>

In-depth data were collected on less than one-half of the victims. Of the 16 where data were collected on how the child left his or her home, approximately 5 of the children left their homes on their own free will. Also, one-half (19) of the families sought a recruiter and promises were made with the parents. Most of these children were aware of the agreement. 19 of the children were forced into prostitution. 15 of these youth were forced into prostitution by a family member. 21 experienced physical abuse. Traffickers are generally male.

Approximately 50% of the victims, mostly females, reported on the conditions of the probable trafficking. This is a result of the sample selection. The males were generally identified in a juvenile facility, where they were reluctant to discuss in-depth their experiences.
What are the institutional capacities of Government institutions and services provided by NGOs?

National Institutional Frameworks and Capacities

Governmental Institutional Framework
The Lebanese Government appears to have recognized human trafficking as a problem requiring immediate attention. The Ministries of Labor, Interior and Justice are all involved in important reform projects, which could decisively improve the situation once the reforms are adopted and properly implemented. A National Committee has been constituted to deal with the policy level of trafficking in persons. The Committee’s purpose is to facilitate the implementation of anti-trafficking activities and monitor their implementation.
The investigation of criminal acts is generally the responsibility of the Internal Security Department of the Ministry of Interior. In cases involving foreign nationals, the Ministry of Interior’s General Security Department, which is in charge of controlling foreigners, also assumes a role in the investigation and there is an overlap of competences. The jurisdiction to prosecute lies with the Prosecutor-General, who forms part of the Ministry of Justice.

However, the General Security Department informed that assault and ill-treatment of artist’s women and domestic migrant workers have led to arrests and prosecutions in many cases. The Internal Security Department recorded six cases involving the sale of children for the period of January 2002-November 2005.
Lebanon made modest progress to prevent trafficking in persons over the year. Notably, the government signed a Protocol of Understanding with the Sri Lankan Ministry of Labor to establish education centres for domestic workers destined for Lebanon. The government also distributed booklets and brochures on workers’ rights and recourses under Lebanese law, although some NGOs claim that these public awareness materials are not sufficiently disseminated. The General Security Department and the Ministry of Labour have created complaints offices, where migrants can report abuse and exploitation. The General Security Department has also issued a circular to recruitment agencies instructing them to promptly report any complaints about abuse or harassment from domestic migrant workers.
The Ministry of Justice had a pilot experience in 2004 for a short period: a pocket-size brochure in English and Arabic was produced, to inform incoming migrants that forced labour, sexual exploitation, and all forms of deprivation of liberty and violence are criminalized. It also provides telephone numbers of the police, the Red Cross and the Caritas Migrant Hotline. This initiative was not based on sustained procedures and resources.

Under administrative laws, the Ministry of Labour closed down 10 recruitment agencies for violations of workers’ rights, including physical assault. Concerned by potentially increasing risks of trafficking in persons during the July war, the Lebanese Ministry of Justice in co-operation with the UN Office on Drugs and Crime launched an awareness campaign targeting foreign domestic workers in Lebanon.

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In close cooperation with the Lebanese Government (General Security) and Caritas Migrant Centre, UNODC prepared the awareness raising materials to distribute to shelters, embassies, shops and markets.

As for adoption, the Personal Status Department in the Ministry of Interior handles the adoption mechanisms through mandating 7 NGOs in order to prevent any potential trafficking of babies or young children.

Regarding trafficking of organs, a National Committee was created by the Ministry of Health under the decree n°1/509 in the 6th of July 1999, in order to set up formal procedures and rules and to monitor the application of organ donation and transplantation. Raising information and promoting organ donation through congress, conferences, posters, media activities, etc. represents the main objectives of this National Organization with a non specific attention on any potential organ trafficking.

Non-governmental Institutional Framework

Migrant Workers
As the number of migrant workers increased in Lebanon, assistance networks involved in legal, social, and health assistance were established, as well as a hotline and an NGO Committee to establish a set of regulations for the protection of the rights of migrant workers. Many NGOs involved in violence against women are active in the trafficking issue in some way, but only one NGO, Caritas Lebanon's Migrants Centre (hereafter, Caritas Migrant Centre) offers a comprehensive programme for victim's assistance in general and in particular for victims of trafficking.

Caritas Migrant Centre has developed the Project for Protection and Assistance for Victims of Trafficking in Lebanon in collaboration with the International Catholic Migration Commission. The project involves protection, social assistance, and solution options to victims of trafficking, and is financed by the US Department of State. Caritas Migrant Centre provides many services for Afro-Asian workers who face problems in Lebanon. The Project for Protection and Assistance for Victims of Trafficking in Lebanon provides access to a safe house, medical care, trauma counseling, legal aid, in addition to a hotline made available 24 hours a day, seven days a week. Victims of trafficking are assisted in returning to their country of origin or to a safe work-situation in Lebanon. Caritas Migrant Centre initiated a regular protection presence inside the General Security Retention Center for foreign persons, where social and medical assistance is provided.
During the war in 2006, IOM in close cooperation with General Security, Embassies and Caritas Migrant Centre, repatriated approximately 24,000 domestic workers.

Refer to Caritas Lebanon's Migrants Centre brochure
Artists
The civil society is not involved at all with the “artists” identified as the most vulnerable group because the very strict regulations concerning their conditions of stay in Lebanon. They are completely under the supervision of the honor and the life conditions are regulated according to the internal rules issued by the General Security. Even the complaint process is handled by the General security.

Children
Many NGOs are involved in Lebanon to promote the rights of the child and to provide accordingly adequate services especially for the vulnerable group such as street children, children at risk, and children victims of criminal offences. The socio-economic disparities affect also the geographical distribution of NGOs at national level: Beirut and the Mont Lebanon have a huge number of NGOs and services provided whereas the North which represents a real challenge in terms of the basic needs related to the child rights has a lacking of resources from the institutions as well as from the civil society.

Adoption is overseen by religious institutions in Lebanon; Christian institutions recognize adoptions as a legal convention and define the conditions, rights and duties thereof. The adoption procedures is handled only by Churches and church officials care for abandoned children and the decree must then be submitted to the Lebanese Bureau of Vital Statistics so that the Civil Status of the adopted child can be amended in the registry book within the related government institution.

Organ Trafficking
Civil society is advocating time to time for donation of blood and organ within the umbrella of the national committee created by the ministry of Health. Many transplants were done in Lebanon under strict regulations and procedures. Civil society in this regards disseminated information materials aiming to facilitate education about donation but not specifically awareness on trafficking issues.

Courts and prosecutor capacity
In Lebanon, there are approximately 438 judges, magistrates, and prosecutors who rotate positions periodically. They are responsible for all legal cases in the country. Interviews with 29 courts (judges and magistrates) and 10 prosecutors with an average of 11 years experience were undertaken and resulted in the following:
There is no specialization among courts or prosecutors within the Lebanese court system with respect to handling trafficking in persons cases and there has been only one special training seminar taken by three of the respondents. Generally, the remaining courts and prosecutors know that Lebanon needs to draft a specific penal law.

There are laws on the books for all the elements of the trafficking in person’s crimes. Therefore, traffickers may be prosecuted and convicted of these component parts of the crime. Although there is no specific law indicating trafficking in persons, 12 of the respondents recognize they have been hearing trafficking cases over a long period of time. Six respondents have heard 1 to 3 cases and 6 have heard many cases. About half of the respondents’ cases have resulted in conviction.
There are several resource books that would be helpful to courts and prosecutors when hearing a crime of trafficking. For example, the UN Convention on Transnational Organized Crime, along with its supplementing protocol – Protocol to Prevent, Suppress and Punish Trafficking in Persons, as well as the Toolkit\textsuperscript{42} offer guidance. Two respondents indicated that the penal law is the only resource manual available for trafficking in persons cases. One indicated he/she has a copy of the Protocol. One problem with most courts is the full docket. Adding new and unfamiliar cases increases the burden on the court. Therefore, the respondents were asked about the adequacy of resources. Approximately one-half of the respondents indicated they have adequate manpower, expertise, funds, and equipment, leaving the other half under supported.

In summary, the courts are generally under resourced in many ways. For example, there are no specialists in trafficking and almost no training available. The relevant documents are not available for self education. Finally, the respondents indicate that one half perceive a lack of manpower, expertise, funds and equipment. In spite of these limitations, the courts and prosecutors reported that although there are no specific laws on trafficking in persons, there are component laws available that some have been using to prosecute traffickers, with about one half of the cases resulting in a conviction.

**Law enforcement capacity; Police, INTERPOL, Border Control:**

Law enforcement in Lebanon includes the Police Internal Security Forces (ISF), INTERPOL, and General Security (GS). First, ISF has a broad mandate to conduct the routine policing functions, where trafficking is only one activity among thousands of routine daily activities. ISF personnel have a routine rotation policy, similar to many national police forces, which has a limiting impact on specialization.

INTERPOL and the Border Control are specialized units, dealing with trafficking situations on a regular basis. They benefit from the availability of specialized training. INTERPOL's mandate is to receive information on transnational crime. If the Police need additional information from a foreign country, INTERPOL performs that intermediary role as the key actor in transnational crime. Border Control's mandate is to protect the borders of Lebanon.

Trafficking in persons is a complex crime, requiring a multidisciplinary team to successfully bring the case to conclusion. A task force approach, which is at the operations or street level, often includes the courts, prosecutor, law enforcement, and NGOs, which ensures that the victims are treated in such a way that they can be helpful and traffickers can be brought to justice. Approximately 2/3 of the respondents indicated there are law enforcement task forces active in Lebanon to combat trafficking in persons. Border Control and INTERPOL have a specific unit that works solely with trafficking cases, but only 1 of the 14 ISF respondents reported having such a unit and it is associated with foreign trafficking only. When a case is identified in ISF, everyone in the unit works the case. On the other hand, Border Control respondents identified two special units of 24 and 50 officers who work exclusively with trafficking cases. These officers hold a great deal of experience.

There is a wide variety of experiences across varying lengths of time and there are no estimates of the number of cases investigated. Most of the Border Control units have received specialized training from IOM and one of the 14 respondents of general police has had the specialized training. Although the respondents did not identify other organizations, it is known that they do attend training with national organizations, such as Caritas Migrant Centre. These same respondents indicated they have manuals and information available to help them investigate the cases. This indicates that those who are aware have garnered the necessary resources for external and internal education and expertise.

One challenge that law enforcement faces on a daily basis is the prioritization of resources to address the crimes occurring. As new crimes emerge in importance, reprioritization must also occur. Approximately 50% of the respondents indicated they have sufficient manpower to handle trafficking in persons cases, but only 4 out of 14 has sufficient expertise and only 1 has adequate funds and equipment. All respondents proactively investigate human trafficking and respond to complaints filed. With these current conditions, it is likely that trafficking in persons cannot take a high level of priority. Although law enforcement does not have the resources, they do perceive trafficking in persons as a dangerous crime. One measure of commitment and awareness of a crime is to rank it in priority. 9 of the 14 respondents ranked the crime as a dangerous crime. The other 5 suggested that it is in the middle of the important crimes. Correspondingly, the respondents would rank investigative priority of trafficking in persons as middle to first priority.

Interestingly, approximately 50% of the respondents indicate they have laws prohibiting trafficking in persons. But, when probed, they indicate that the penal laws in the country are sufficient.

**NGO capacity**

NGOs, as part of civil society, hold the difficult task of providing the services to the victims. In many countries, interagency task forces have discovered that victim support leads to better investigative information which results in prosecution and conviction of traffickers. Ideally, a victim needs assessment would be used to determine the services necessary for each victim on an individualized basis. Lebanon does not have a victim needs assessment. This may be due, partly, because Lebanon does not have a victim protection clause in the law.

Of the 12 NGOs interviewed, 3 are aware of the UN definition of trafficking in persons, but only 1 is known to have worked with trafficking victims and offer trafficking victim relevant services. Since 2005, Caritas Migrant Centre has had an official MoU with the General Security Forces as the lead agency for domestic worker abuse, enjoying an excellent relationship with the government agencies and the National Committee.

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Caritas Migrant Centre has a slightly broader definition of trafficking than the Protocol. This definition is unique to the legal situation in Lebanon for domestic workers. Because the law requires that the hosting family is legally responsible for the worker, provides all services, such as health care, food and shelter, and the hosting family also presents the domestic worker and his or her legal documents for periodic review – thus holding the documents, Caritas Migrant Centre includes in their definition of trafficking victims all domestic service workers presented to the shelter for any type of abuse. Some of these situations may be exploitation without the other elements of trafficking.

The following is a description of the characteristics of the NGO community of Lebanon, divided into two groups. The first group – the trafficking group – is the 3 NGOs that are knowledgeable about trafficking in persons and the second group – all others – includes those who have services available that could be beneficial to victims of trafficking in persons but are not trafficking specific services. Overall, the NGO community represents a relatively stable and long term presence. This is important for developing trust and awareness of services with victims. The trafficking group varies in length of time since they opened their services, ranging from 1994 to 2005, with Caritas Migrant Centre providing services for 13 years. The other group is similar with a median range of years of service is 10. Caritas Migrant Centre has 80 full-time staff with 9 dedicated to working on trafficking cases; 6 social workers, 1 nurse and 2 part time lawyers. The remaining trafficking group members have approximately five employees each with up to 100 volunteers. Most of the other group of NGOs reported having a maximum of 10 staff, with volunteers ranging from 2 to 200.

In total, the NGO community provides services to all categories of people; men, women, and children. The trafficking group focuses primarily on women. Four NGOs from the second group work with children, male and female. Caritas Migrant Centre has had one male victim and no children. However, Caritas Migrant Center’s mission is to serve all migrant populations, including foreign domestic workers, who by definition are predominantly female and no children. One of the trafficking groups has had contact with two victims, but referred them to Caritas Migrant Centre.

The following services available from the various NGOs could be utilized by trafficking victims if needed. However, it is cautioned that these services are not focused on trafficking victims and there is no needs assessment indicating what is needed or missing for trafficking victims.
Table 8: Services available from NGOs:

<table>
<thead>
<tr>
<th>Service</th>
<th>Number of NGOs reporting providing this service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social follow-up</td>
<td>8</td>
</tr>
<tr>
<td>Psychological</td>
<td>8</td>
</tr>
<tr>
<td>Physical Medical</td>
<td>7</td>
</tr>
<tr>
<td>Social Individual Intervention</td>
<td>2</td>
</tr>
<tr>
<td>Primary needs</td>
<td>3</td>
</tr>
<tr>
<td>Awareness Program</td>
<td>3</td>
</tr>
<tr>
<td>Legal</td>
<td>8</td>
</tr>
<tr>
<td>Employment or loans</td>
<td>4</td>
</tr>
<tr>
<td>Education</td>
<td>5</td>
</tr>
</tbody>
</table>

Caritas Migrant Centre offers a variety of services. Approximately half of the services offered are prevention and awareness, while the other half is victim support services. Although there is no needs assessment of the victims, it is believed that most of the safe house basic needs are being met. Based on Caritas Migrant Center’s self-assessment, medical and basic services are sufficient, but prevention and public awareness services are not adequate and need to be significantly improved.

Caritas Migrant Centre serves approximately 200 potential victims per year from Sri Lanka, Philippines and Ethiopia, with the majority being referred by Embassies, but two NGOs have referred victims to Caritas Migrant Centre also. Although most of the victims were referred, Caritas Migrant Centre reports that victims in need of services hear about the services available through word on the street, advertising, and Police. The remaining two in the trafficking group report that the majority of their referrals come from advertising or other media. Three of the other group of NGOs report that most of their clients (not necessarily trafficking, including potential trafficking related clients) hear about their services through other victims and advertising. The fact that many victims hear about services through other victims and from advertisements suggests that a broad public service campaign would help victims know where to obtain services. Some of the most basic services needed for victims are included in a safe place to live. Caritas Migrant Centre reported having only one victim whose life was in danger. However, having is one victim indicates that services must be available when the need arises. Many victims require a place to live until deportation. Those who are in the shelter have daily contact over an average of 2 to 3 months of services. Services include medical follow-up, legal, social, psychological, entertainment activities and, rarely, but in emergency situations, return tickets.
In summary, overall, the NGO community is a stable and long term part of the Lebanese community, providing services to all groups of people. There are no victims' needs assessments currently used with the approximately 200 potential victims identified per year, which makes it difficult to measure the usefulness of the services provided. Therefore, this section discusses what is available rather than what is needed, albeit the two overlap. Caritas Migrant Centre is the only NGO known to be working with victims of trafficking, albeit a broad definition, most are referred by the Embassies. Services include medical follow-up, legal, social, psychological, and entertainment activities. The other group of NGOs offers services that may be useful to victims. There is wide discrepancy among the NGOs' definition of trafficking in persons. Even Caritas Migrant Center's definition is broader than that of the Protocol.

Embassies
Although embassies frequently play an important role in protecting its citizens on foreign soil, such as the efforts of the Philippine Embassy by opening a temporary safe housing for approximately 90 of the domestic workers during the war in 2006 while awaiting deportation, little information was gathered to measure their institutional capacities. Only three of the Embassies agreed to an interview and only one was particularly relevant to the issue of trafficking in persons. Based on these very limited responses, embassies do work with NGOs in providing services to the victims, but in-depth knowledge was not gained.

What are the steps involved in, and which are the organizations responsible for the processing of trafficking cases from initial investigation to prosecution?

The process of case initiation and processing varies based on the trafficking situation. Cases may be identified by Border Control, referred by INTERPOL, or law enforcement may proactively investigate human trafficking or respond to complaints filed. Four of the law enforcement respondents indicated that there were specialization units that work exclusively with trafficking. The investigation may begin with Border Control and immigration. The case moves next to the prosecutor's office and into the investigating judges' office. From there the case proceeds to court, judgment and then the victim focus moves to the NGO community. In reality, the NGO community is involved from the identification of the victim through repatriation. However, this appears to be an external process with most of their referrals coming from the Embassies, not the police or courts. However, the courts, prosecutors, and law enforcement were generally aware that the cases require cooperation, quick response, and protection for the victims. Additionally, many respondents suggested that training and information sharing is essential.

Which mechanisms support or hinder the investigation, prosecution and trial of traffickers?

As mentioned previously, trafficking in persons is a complex crime, requiring a multidisciplinary team to successfully bring the case to conclusion. A task force approach, which often includes the courts, prosecutor, law enforcement, and NGOs, was mentioned as one possible coordinated response method that is in use in Lebanon currently by law enforcement. Additionally, specialized units are being used effectively in the case initiation phase, but this is not the case further in the process.
Experience and training are the greatest strengths identified in the case processing, but they vary widely among the respondents with some having worked on trafficking cases for many years, having heard a few cases or many. There are no estimates of the number of cases investigated. Training does not vary so widely. Either the respondents have had one course or none. External resource material is available. Those who have a greater level of awareness of the issue have these materials.

The courts and prosecutors lack a wide variety of information. Ten of 39 identified legislation as the most important challenge. However, if the judiciary had legislation, general knowledge (n=3), experience (n=2) and specialization (n=4) would still be a challenge. Six reported lacking sufficient information from the investigations. The remaining two identified lack of general awareness of the issue and communication.

Adequate resources are almost always a problem when moving into a new direction. Approximately half of the courts and prosecutors responded that they had adequate manpower. However, there is a statistically significant difference between those who have served in this capacity for less than 10 years and those who have served more than 10 years. The more experienced group believes that there is adequate manpower. The same relationship is seen when examining adequate expertise. However, most agree that the funding and equipment is insufficient. Law enforcement respondents indicated they have sufficient manpower to handle trafficking in persons cases, but lack expertise, adequate funds and equipment.

The courts and prosecutors identified three general categories of resources. Some of the 27 respondents gave several needs, resulting in a total of resource needs greater than the number of respondents. First, they need more comprehensive investigations (n=15), including cooperation between countries and agencies (n=4). Second, they need support in the judiciary by establishing a law specifically for trafficking in persons (n=6), support in the courts (n=1) and developing a specialization for courts and prosecutors (n=2). Finally, the respondents indicated they needed greater NGO resources (n=6).

There is a general understanding that Lebanon needs to draft legislation to make trafficking in persons a specific crime. Additionally, they know that the laws on the books currently are sufficient to prosecute the elements of the crime. However, they are limited in knowledge on the Convention and related Protocol, as well as how to proceed with trafficking cases. Approximately 50% of the law enforcement respondents indicated they can use current penal laws, for example the 17 crimes that indicate potential trafficking, in the country that are sufficient and they didn’t specify which particular crimes they would apply in investigating/prosecuting/adjudicating trafficking so as to cover the whole scope of the crime. The courts, prosecutors and law enforcement rank trafficking in persons crimes as quite serious. This high ranking should support sustained interest in these cases. However, those with longer employment terms do not rank the cases in the highest priority.
Approximately 75% (n= 28) of the courts and prosecutor respondents indicated that trafficking in persons is more serious than other types of crime. However, only 65% (n=21) of the respondents indicated that the crime is in the group with the highest priority for investigation. Further examination found that those in the judiciary who were in their position for greater than 10 years were more likely to rank investigation priority equal to other crimes (n=8) than highest priority (n=10) compared to those in their position for less than 10 years ranking investigation priority equal to other crimes (n=2) than highest priority (n=11). Law enforcement rankings are similar, but the years in service division does not apply.

Courts and prosecutors have a range of ideas about how to identify victims of trafficking, affirming the literature that indicates victims present with a wide variety of symptoms. Two indicated that they had no idea and two indicated the victim would be a prostitute. Nine suggested that the victim would appear to have lost his or her will or spirit for life. Approximately 10% (n=4) in each category indicated that the victim would be lacking possession of an identification, have physical and/or psychological damage, or live in extreme poverty. The remaining 35% (n=14) did not respond. Again, there is agreement between the courts personnel and law enforcement. Law enforcement suggested an equally wide range of physical and mental characteristics that may indicate trafficking and are aware that there may be no signs at all.

One key to a coordinated response to this complex crime is the relationships developed between the teams involved in the cases. The following table and figure display the strength of the relationships between the courts and prosecutors and the other team members. Generally, the courts and prosecutors enjoy a good to excellent relationship with other courts and prosecutors. This is a positive indication for cross fertilization of knowledge. Additionally, they enjoy a weaker, but good to excellent relationship with the Police. However, the relationship with immigration, customs, and NGOs is poor and the worst relationships are with civil society and community leaders. Garnering public support for resources will continue to be difficult without these stakeholders in support.

Table 9: The strength of relationships between task force members:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Number responding</th>
<th>Poor</th>
<th>Fair</th>
<th>Good</th>
<th>Excellent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immigration</td>
<td>13</td>
<td>5</td>
<td>3</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Customs</td>
<td>17</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Police</td>
<td>23</td>
<td>3</td>
<td>4</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Other Prosecutors</td>
<td>23</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>Other Magistrates</td>
<td>21</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>14</td>
</tr>
<tr>
<td>NGOs</td>
<td>14</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Civil Society</td>
<td>16</td>
<td>5</td>
<td>7</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Community leaders</td>
<td>13</td>
<td>4</td>
<td>6</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>
The judiciary does not enjoy strong working relationships with other necessary actors for trafficking cases, particularly NGOs, civil society and community leaders. These groups provide much of the support to the victim and are key to successful prosecutions. When asked how to improve these relationships, better communication was the primary element. Nearly one-third of the courts and prosecutors wanted meetings of varying types (i.e., agenda setting, information sharing) and five wanted better technology communication systems. Four of the respondents wanted better cooperation or a coordination group assigned to build cooperation. Five wanted interagency cooperation to be legislated. Two wanted formal training.

Only two of the courts respondents indicated that they have had any international cooperation, a situation that should be changed. About half of the law enforcement respondents indicated they have participated in international cooperation or intelligence sharing programs to address trafficking in mostly the Mediterranean region. It is not surprising to find that almost all respondents indicated they work with INTERPOL – through the chain of command of Internal Security Forces, who in turn has the most international contacts, because Lebanon is a founding member of INTERPOL. The law enforcement agencies would like further cooperation with other countries in repatriation efforts, as well as information sharing and more active prosecution efforts.

Sharing information is one of the more difficult issues when investigating complex cases, such as human trafficking, where multiple agencies are involved and essential to a positive outcome. Law enforcement agencies are reluctant and often prohibited from sharing information with those outside the agency.
Yet, the NGO working with the victim often needs some of the information to effectively counsel or provide services to the victim. The respondents indicated that nearly all share information across law enforcement agencies involved in the cases, but only two shares with Caritas Migrant Centre.

The largest challenge facing the judiciary in prosecuting and convicting offenders involved in trafficking in persons is that the crime does not exist in Lebanese law. However, other challenges of concern were identified, such as possible pressure exerted by traffickers, trafficking is not appearing to be present. Any legislative reform must account for these concerns.

One challenge facing Border Control is to identify victims of trafficking at the points of entry and exit. The respondents indicated that there is a lack of technological equipment that can detect fraudulent documents. While this would be an improvement, many victims travel on original documents.

The courts and prosecutors reported needing training in almost every aspect of trafficking in persons cases. However, several mentioned they wanted the periodic training sessions to be integrated with other organizations involved (i.e., police) and provided by international experienced experts. Almost all of the law enforcement respondents indicated that they would benefit from information sharing with individuals from other countries and agencies who have experience with trafficking cases. One specifically mentioned sharing investigative procedures as being particularly helpful. The biggest challenge identified is the lack of case related information.

**Which have proven to be the best instruments/practices for successful intervention against trafficking (if any)?**

Very few people have experience with trafficking cases in Lebanon. Therefore, it is not surprising that no best practices were identified. However, the respondents who had been involved in cases also indicated they had some training and external linkages that helped. During this time of developing a national agenda on trafficking, increasing awareness training and cross pollination of tasks between the various stakeholders would broaden the number of professionals prepared to handle the cases as they arise.
PART 3 - RECOMMENDATIONS
The country assessments provide recommendations to increase the law enforcement agencies' capacity to investigate and prosecute cases of trafficking, improve the level of training and encourage enhanced cooperation between the judiciary, the law enforcement agencies and civil society.

The problem of trafficking in Lebanon appears rather small. This could mean that there are indeed not many victims of trafficking in Lebanon, but also suggest that not all trafficked persons are identified as victims of trafficking. The existing conditions of migrant workers, artists, etc. may well be indicators for potential victims of trafficking. Trafficking needs to be seen in the cultural, socio-economic and political context. It's a phenomenon that has its roots in the lack of equal opportunities, in the human desire to improve one’s personal quality of life and to escape poverty.

Since the Lebanese provisions focused on smuggling persons whereas the Protocol focuses on trafficking in persons, legislative reforms are necessary in order to be in line with the Convention on Transnational Crime and its related protocols. Noting that there is a continuum between developing an entirely new legislation, including all components, and adapting each existing component to meet the needs of legislative reform. Any change along the continuum can meet the intent of the Convention and Protocol. Two options, both of which would have criminalized human trafficking, can be suggested under the current situation of Lebanon.

a) Elaborating a new legislation solution
Through its lawmaking process, Lebanon could enact a special legislation concerning human trafficking. This new law pertaining to trafficking in persons can be introduced covering the aspects of this offence by introducing thereto all the rules to be applied as to unveiling information relative to this offence along with the methods used to expose the groups committing these offences and applying the necessary penalty in each case, along with regulations relating to victims and witnesses of trafficking.

b) The text amendment alternative
Legal provisions may be integrated to different texts of law in order to contribute through codification to implementing the legal process that helps combating human trafficking. When detailed comparison reveals some gaps in the national legislative framework, legislative authorities may amend different laws to make it fully respond to the requirements of the international instruments.

Nevertheless, legislative reform is urgent to be undertaken on issues involving the identified vulnerable group of potential victims of trafficking, such as domestic workers and artists. Enhancing the labour law with the international standards will be necessary to have a direct impact on trafficking prevention. Efforts are undertaken especially for domestic workers by the government in close collaboration with UN agencies as well as civil society but the results remain limited.
1. Recommended amendments of the Lebanese legislation

It is evident that the Lebanese legislation pertaining to the courts' jurisdiction and confiscation is in accordance with the provisions mentioned in the Convention.

However, it is necessary to amend the Lebanese legislation to be in accordance with the provisions of the Protocol and the related conventions to the legislation needs to take into consideration the provisions mentioned in the United Nations Convention against Transnational Organized Crime.

The legal provisions stipulated in the Lebanese legislation are not enough to prosecute and punish the offence of trafficking in persons. The amendment shall:

a. Establish and define the offence of trafficking in persons that criminalizes trafficking in persons in line with the UN Trafficking in Persons Protocol.

b. Define transnational organized criminal group and consider the affiliation to such organization as an offence.

c. Consider trafficking in persons and being affiliated to a transnational organized crime a serious crime.

d. Punish the offence of trafficking in persons and the affiliation to a transnational organized crime by arrest, without adopting the death or hard work penalty because some states do not cooperate and refuse extradition if the offence is punishable by death or hard work penalties which are considered inhuman sentences.

e. Define the victim of trafficking in persons and consider the acts, which he or she was obligated to commit by a transnational organized crime, as not punishable.

f. The trafficking offence should specify that any recruitment of a person under the age of eighteen for the purpose of exploitation constitutes trafficking.

g. Grant the legal system the jurisdiction to take special measures in order to protect the victims of trafficking in persons and the witnesses.

h. Study the possibility, by virtue of the law, of creating a special fund in which the confiscated property resulting from trafficking in persons shall be deposited providing that this property is allocated to help the victims of trafficking in persons.

i. Permit the legal system to appoint specialized associations to help the victims of trafficking in persons within the time limit required by the trial's proceedings.

j. Establish as criminal offences attempting to commit, participating as an accomplice, and organizing or directing other persons to commit human trafficking. When it comes to the attempt of committing an offence, or participating in committing one or organizing it, the Lebanese penal code provides that such acts shall be liable to sanctions.
k. Ensure the amendments targeting victim and witness assistance and protection regulations.

l. When necessary, the identity of victims should be kept private; Judicial assistance should be provided to them so that their views may be considered at different stages of criminal proceedings.

m. Request for extradition should be based on the international treaties that Lebanon has signed.

2- Recommended suggestions for the improvement of the institutional capacities

The findings support the initial impression that the problem of trafficking in Lebanon is small, though existing, and not easy to assess. An estimation based on triangulated data, suggests that the number of identified victims is approximately 60 and the actual number is probably not significantly higher than that at this time. The lack of information about the trafficking issue of the difficulty of victim identification remains the real challenge for the future.

Recommendations were identified as follows:

a) Training is a key issue crosscutting all levels of procedures and targeting multiple players. Specific curricula on trafficking in human beings should be adopted by academics, schools or institutes in charge of law enforcement, magistrates and social workers studies. Training should be provided to assure the prevention of human trafficking as well as the victim's identification and support, for the successful investigation, prosecution and adjudication of trafficking cases. Joint training is recommended in order to ensure direct channels between the different instances involved. Lectures, workshops, and conferences addressing THB are necessary in order to strengthen a comprehensive intervention. Specific training targeting specific issue is also recommended: training on special investigative techniques, for example, might be restricted to law enforcement.

b) Victim identification represents the corner stone of the trafficking issue, especially for the law enforcement. Specific procedures should be drafted and implemented in a transparent way in order to allow the identification of potential victims. A checklist should be provided in order to facilitate the process of identification of victims.

c) Centralizing and computerizing the information related to trafficking in human beings will certainly allow for development of a better understanding of the phenomena in general and in particular on the routes and trends and will permit a regular monitoring and screening on the field level.

d) Amending decrees such as decree 1157, 2nd of May 1991 (defining the organic organization of the interior security forces) article 107 in order to add trafficking in human beings in the list of tasks of the special criminal investigations, which is in charge of terrorism and offences affecting national unity, financial offences, and money laundering.
e) Establishing direct channels between border control agencies. Moreover, there is a need to provide a comprehensive approach for both social and economic measures to prevent human trafficking and eliminate its causes.

f) Giving consideration to establishing a victim support program that deals with the trafficking victims. Grant the legal system the jurisdiction to take special measures in order to protect the victims of trafficking in persons and the witnesses. The Ministry of Social Affairs and Ministry of Health should provide (and support through funding) services allowing physical, psychological and social recovery to victims of trafficking in persons and that the subject stays under the care of private and special institutions has a comprehensive jurisdiction in this sense; whereas it has the task to coordinate with social private institutions, including international organizations, to take whatever necessary appropriate measures pertaining to social and psychological recovery measures within the time required by the trial’s proceedings.

g) Providing services by mandated NGOs. Ministry of Social Affairs or Ministry of Justice Criteria for NGOs should be adopted by the related national authorities, including the financial provision.

h) Watching the situation, especially regarding children, should be also undertaken in order to take necessary action in due time.

i) Creating a victim needs assessment should be undertaken, especially after the adoption of new provisions in the law on victim’s support.

j) Providing counseling and information, in particular in regard to the legal rights of victims of trafficking in persons in a language the victims can understand.

k) Granting prevention through research, information and media campaigns conducted by both governmental and NGOs. The main task of the National Committee to prevent and combat trafficking in human beings should be the establishment of a preventive national policy.

l) Updating policies, programs and measures including cooperating with NGOs, other relevant organizations and other elements of civil society when necessary by the national anti trafficking unit should be possible.
ANNEX

Adult victim survey
UNODC/R61
Measures to combat trafficking in human beings in Lebanon

Victim Survey (Adult Victims)

Date of interview: ________________________  Time started: ________________________
Interviewers: ___________________________  Time ended: ________________________
Place of interview: ______________________  Interviewer: _______________________

The Trafficking Phenomenon: Patterns, Trends and Experiences
A. Demographic information

1. Are you: ( ) male  ( ) female

2. What is your current age? _____________________________

3. What is your tribal affiliation / ethnic background? _____________________________

4. What is your religious affiliation?
   ( ) Catholic
   ( ) Anglican
   ( ) Pentecostal
   ( ) Muslim
   ( ) Traditional
   ( ) None

5. What is your level of education?
   ( ) primary five/six
   ( ) Junior school certificate
   ( ) Senior school certificate
   ( ) university (please identify undergraduate / graduate)
   ( ) other

6. Please identify any formal training that you have had:
   _____________________________

7. Were you attending school or working prior to departure from Nigeria?
   ( ) no
   ( ) yes, please tell us the kind of work you were doing:
   _____________________________

8. How many times, in total, have you traveled abroad (to seek employment)?
   ______

9. To which countries did you travel and when?
   _____________________________

10. How long did you remain abroad each time?
    _____________________________
11. How old were you when you left your country?
   a. For the very first time? __________
   b. On this most recent trip? __________

Note to interviewer: Please have the respondent provide information only for this current trip abroad.

12. What is the highest education level reached by your parents?
   Mother: ________________________________
   Father: ________________________________

13. Were either or both of your parents working prior to your departure? If so, please provide information on the type of work your parents were doing?
   Mother: ________________________________
   Father: ________________________________

B. Costs and debts

14. Did you have a contract for employment in the destination country prior to leaving your country?
   ( ) no
   ( ) yes
   ( ) other:

15. On which type of visa did you enter the destination country?
   ( ) I did not enter the destination country on a visa or document
   (skip to question # 19)
   ( ) tourist visa
   ( ) work visa
   ( ) spousal visa
   ( ) other:

16. Was this visa or the documentation used to apply for the visa legitimate or false?
   ( ) legitimate (skip to question # 19)
   ( ) false; please describe:

17. If you used fraudulent documents for your trip to the destination country, which documents were these and how were they falsified?
   1.
   2.
   3.

18. If you used forged documents, did you pay extra for these forged documents?
   ( ) no
   ( ) yes; how much? __________
19. Did you incur a debt to the recruiter or smuggler prior to leaving your country or did you have to pay everything up front?
   ( ) I paid everything up front.
   Amount: ____________________.
   (Skip to question # 23.)
   ( ) I incurred a debt which I later paid.
   Amount: ____________________
   ( ) I incurred a debt which my family paid.
   Amount: ____________________ __
   other: ____________________

20. If you paid your debt after arrival in the destination country, how much time were you given to pay off the debt?

   ____________________

21. Were you able to pay off your debt?
   ( ) yes
   ( ) no

22. If you had to pay a debt after arrival in the destination country and this was not done on time, what happened?

   ____________________

23. Was your passport or other travel documentation taken away from you during your time in the destination country?
   ( ) no (skip to question # 25)
   ( ) yes

24. If your passport or other travel documentation was taken away, were you able to get it back?
   ( ) no
   ( ) yes; if yes, what did you have to do and how much did you have to pay to get it back?

   ____________________

25. Were you forced to take part in criminal activities?
   ( ) no
   ( ) don’t know
   ( ) yes; please specify:

   ____________________
   ____________________

Note to the Interviewer: If respondent lists “drugs” under illegal activity, please pursue this to determine whether respondent was forced to use, transport or sell drugs. If respondent replies that (s)he was forced to use drugs, please determine whether the individual used drugs in his/her country of origin prior to going to the destination country.
26. If and when you paid off your debt, what happened?

__________________________________________________________________________

Note to interviewer: Here you are trying to find out if the respondent was free to leave and return to his or her country of origin, if the respondent was free to remain in the destination country and work and keep his/her wages or if the respondent was forced to remain working and handing over wages to the "handler" or exploiter.

C. Recruitment practices

27. Were you abducted or did you leave your country on your own free will?
   ( ) I left on my own free will knowing what I would be doing
   ( ) I left on my own free will, but was deceived about the type of work I would be doing
   ( ) I was abducted; (If you were abducted, please answer the following questions with reference to your abduction rather than recruitment; i.e. "from where were you abducted?" rather than "from where were your recruited?").

28. From where were you recruited (what is the main geographic area, i.e. district within a city, a city, town or village)?

__________________________________________________________________________

29. Did you seek out the recruiter or did the recruiter seek you out?
   ( ) I sought out the recruiter
   ( ) the recruiter sought me out

30. How did you come into contact with your recruiter?

__________________________________________________________________________

31. From what place were you recruited?

__________________________________________________________________________

32. By whom were you recruited?

__________________________________________________________________________

D. Routes and experiences during the travel

33. By which means of transportation did you leave the country?

__________________________________________________________________________

34. Please list the port of exit (city, town, area) and/or airport from which you exited your country:

__________________________________________________________________________

35. With whom did you travel to the destination country?
   ( ) alone
   ( ) with another man/woman recruited by the same individual/agency going to work in the destination country
   ( ) with other men/ women recruited by the same individual/agency going to work in the destination country (how many? ______________________)
(  ) other: ____________________________________________________________

36. Did someone from your country who assisted in the organization of the trip accompany you on the trip to the destination country?
   (  ) yes
   (  ) no

37. What route did you take in leaving your country and going to the destination country? Please list all interregional routes and transit and destination countries per route, along with modes of transport for each leg. If you traveled through your country, please include this in your description as well.
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

38. How much time did you spend from the time of departure to the time of arrival in the destination country?
   ________________________________________________________________

39. How much time did you spend in each of the cities / countries from the time of your departure from your country to the destination country? Using the route mentioned in question #37 please provide the information for time spent on the journey. If you traveled through your country, please include this in your description as well.
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

40. Were you subjected to physically dangerous situations during your transport/journey to the destination country?
   (  ) no
   (  ) yes; please explain

41. Were you aware (prior to your departure) of the dangers that faced you during your transport?
   (  ) no
   (  ) yes

42. Were you aware (prior to your departure) of the risk of being exploited or coerced into forced labor once in the destination country?
   (  ) no
   (  ) yes

43. Were you kept in safe houses during your stay in any of the cities / countries prior to or after your arrival in the destination country?
   (  ) no (skip to question # 45.)
( ) yes; if yes, in which countries and for how many days?
1.
2.
3.

Note to interviewer: If respondent was housed in a hotel, please note this on the questionnaire and find out if (s)he was free to leave the premises. If the respondent stayed in a hotel and was not subject to monitoring and constrained to remain in the room, please note this and code the previous question "no".

44. Were you free to leave the premises when you wanted to?
   ( ) yes
   ( ) no; please explain:

45. At any time was your freedom of movement or possibility to communicate with others restricted?
   ( ) no
   ( ) yes; please explain:

E. Deception, Coercion and Exploitation

46. Were you deceived in your recruitment? If so, which kind of deception was used?
   ( ) no, I was not deceived
   ( ) yes, I was deceived:

47. Were you promised a job before leaving your country?
   ( ) no
   ( ) yes; if yes, where were you promised work?

48. Were you forced to work?
   ( ) no
   ( ) yes; if yes, where were you forced to work?

49. Were you at times forced to engage in sexual practices with customers or other individuals?
   ( ) no
   ( ) yes;

Note to the interviewer: The question aims to determine if the respondent was coerced into engaging in sexual activities; if the respondent did this willingly, please mark the response category no.

50. Could you please provide us with more information on the actual activities in which you were forced to partake?
Note to interviewer: We are trying to determine the degree of coercion and exploitation; please try to obtain information on the hours worked, the wages – how much the respondent was allowed to keep and how much (s)he gave to the "handler", overall living and working conditions as well as activities.

51. How much money did you earn (approximately) each week? _________________

52. How much of this money were you allowed to keep (approximately each week) and how much did you have to give to your employer?
   allowed to keep: _________________
   had to give to my employer: _________________

53. Were you subject, at any time, to coercion or actual violence with respect to your trip to and stay in the destination country?
   ( ) no (skip to question # 55).
   ( ) yes

54. If you suffered threats or actual violence while being transported or while in the destination country, by whom and where did this occur? Please place an X in the appropriate box if the type of coercion or violence occurred.

<table>
<thead>
<tr>
<th>Offenders / place</th>
<th>Threat of violence</th>
<th>Restricted communication</th>
<th>Restricted movement</th>
<th>Confinement</th>
<th>Physical violence</th>
<th>Sexual violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smugglers-Traffickers in the source country</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smugglers-Traffickers in transit countries</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Smugglers-Traffickers in the destination country</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employers in the destination country</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

( ) Other: ___________________________________________
(please list by whom) ___________________________________
55. Did trafficking practices involve threats against or pressure on your family?
   ( ) never
   ( ) seldom
   ( ) sometimes
   ( ) often
   ( ) almost always
   Please explain: ________________________________

F. The Involvement of Organized Crime

56. With how many individuals who directly facilitated the smuggling/trafficking process did you come into contact? Please provide this information for each phase of the process.

<table>
<thead>
<tr>
<th>Stage</th>
<th>1-2 persons</th>
<th>3-5 persons</th>
<th>6-9 persons</th>
<th>More than 10 persons</th>
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<tbody>
<tr>
<td>Recruitment</td>
<td></td>
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</tr>
<tr>
<td>Documentation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Settlement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other*</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

*Other: _______________________________________________________

57. Were these the same individuals at each stage or were these different persons?

58. Are the individuals who directly facilitated the smuggling/trafficking process in the various stages usually in contact amongst themselves?
   ( ) don’t know
   ( ) no
   ( ) yes

59. If the answer was yes, do you know if they have worked together in past years?
   ( ) no, they did not previously work together
   ( ) yes
   ( ) don’t know

60. Were the people involved in smuggling / trafficking you only nationals from your country or were individuals from other nationalities involved?
   ( ) only people from my country
   ( ) other nationalities were involved:
<table>
<thead>
<tr>
<th>Country</th>
<th>Nationality</th>
</tr>
</thead>
<tbody>
<tr>
<td>my country</td>
<td></td>
</tr>
<tr>
<td>transit country</td>
<td></td>
</tr>
<tr>
<td>transit country</td>
<td></td>
</tr>
<tr>
<td>the destination country</td>
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</tbody>
</table>

( ) don’t know

Note to interviewer: Please list transit countries individually. Also, please list the nationality of all of the individuals who were responsible for smuggling/trafficking the individual in each country. If there were no transit countries, please write N/A in the blank spaces.

61. When you were smuggled/trafficked out of your country, were you moved individually or as part of a group?
   ( ) individually
   ( ) a group: how many? __________

62. Once out of country and in a transit country, did you eventually join other individuals prior to entering the destination country?
   ( ) no
   ( ) yes, how many individuals? __________

63. Once in the destination country, were you rotated or sold between locations and/or criminal groups?

<table>
<thead>
<tr>
<th>Country</th>
<th>NO</th>
<th>YES</th>
<th>DON’T KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rotation between clubs within same city</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rotation between cities or countries</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rotation between criminal groups</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

64. If you were rotated or sold between locations or individuals/groups, please tell us what happened.

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
65. Are you personally aware of other persons — excluding the persons with whom you traveled - who have been smuggled / trafficked by the same people / group which smuggled / trafficked you from your country?
   ( ) no
   ( ) yes; if yes, how many persons?

Note to interviewer: Please stress the importance of “by the same people or group”.

66. Are you personally aware of other persons — excluding the persons with whom you traveled - who have been exploited by the same people / group which has exploited you in the destination country?
   ( ) no
   ( ) yes; if yes, how many?

Note to interviewer: Please stress the importance of “by the same people or group”.

G. Police and Government Responses

67. Does your government monitor recruitment practices in your village / town / city to prevent recruitment for the purposes of trafficking/smuggling?
   ( ) no
   ( ) yes:
   ( ) don’t know

68. Have you spoken to the police or another government official in your country about your experiences?
   ( ) yes
   ( ) no; why not?

   (skip to # 68)

69. What was the response of the government agency? Please identify the agency:

70. Did you speak to the police or government authorities (government agencies) in the destination country about your experiences?
   ( ) yes
   ( ) no; why not?

   (skip to # 70)

71. Which agency was this and what was the response of the authorities?
72. Did you report your experiences to the Embassy or consulate of your country when you were in the destination country?

( ) yes
( ) no; why not:

73. Have you ever had contact with / been arrested by the police in the destination country?

( ) no
( ) yes:

74. Was this the result of a complaint that you made, or were you arrested?

( ) I went to the police and complained
( ) I was arrested

75. Were you charged with a crime?

( ) no
( ) yes; illegal alien
( ) yes; prostitute
( ) yes; other: ____________________________

76. Was the person who controls you arrested and charged with a crime?

( ) yes
( ) no
( ) don’t know

H. On Connivance and Corruption

77. Did someone from immigration, law enforcement or other government service help you to leave the country without proper papers or did this person help you to leave illegally?

( ) no
( ) yes; if yes, please tell us about the situation; include the place and agency involved:

( ) don’t know

78. Did (an) officials in the destination country help you to illegally enter into or stay in the destination country?

( ) no
( ) yes; if yes, please tell us about the situation; include the agency and country/ countries involved;

( ) don’t know
I. Future Plans

79. Do you plan to or would you like to go abroad again to work?
   ( ) yes
   ( ) no

80. What steps can you take to assure that you will not again fall into the hands of traffickers (someone who harms you)?

Thank you for your participation and patience in responding to this questionnaire.
All information provided will be kept in the strictest confidence.