

THE BAHAMAS (Tier 2)

The Bahamas is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Migrant workers are especially vulnerable to involuntary servitude in The Bahamas, particularly the thousands of Haitians who arrive in The Bahamas largely voluntarily to work as domestic employees, laborers, and in agriculture. Other large, vulnerable, migrant worker communities are from China, Jamaica, and the Philippines. Children born in The Bahamas to foreign-born parents do not automatically receive Bahamian citizenship and face potential discrimination and vulnerability to trafficking due to their statelessness. Groups especially vulnerable to sex trafficking in The Bahamas include foreign citizens in prostitution or exotic dancing and local children under 18 engaging in sex with men for basics such as food, transportation, or material goods.

The Government of The Bahamas does not comply fully with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made tangible progress over the past year, implementing a victim-centered approach to addressing human trafficking. The government achieved results in the proactive identification and assistance of trafficking victims and launched its first prosecution under its human trafficking law. The government has not yet reported a conviction of a trafficking offender.

Recommendations for The Bahamas: Prosecute, convict, and punish trafficking offenders with jail time; use the new victim identification and referral protocol to identify more potential victims of forced labor and forced prostitution from within vulnerable groups and provide them with appropriate protection and assistance; make efforts to involve independent interpreters when conducting inspections of migrant worker labor sites, and conduct private interviews of workers to enhance their ability to speak openly and ensure their rights are protected; and ensure funding to NGO partners is adequate to provide appropriate assistance for human trafficking victims as outlined in the protocol.

Prosecution

The Government of The Bahamas demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. All forms of human trafficking are prohibited through the country's Trafficking in Persons Prevention and Suppression Act of 2008, which prescribes penalties ranging from three years to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported 10 new human trafficking investigations (at least four of which were labor trafficking investigations) during the reporting period, an increase from one human trafficking investigation in the previous reporting period. The government reported one sex trafficking prosecution during the reporting period; this marked the first time the government has initiated a prosecution using its human trafficking act. Authorities placed the suspect in pre-trial detention. There were no convictions of trafficking offenders during the reporting period. The government did not report any investigations or prosecutions of government employees for alleged

complicity in trafficking-related offenses. The government provided funding for several government representatives to attend training provided by a foreign donor. During the reporting period, the Royal Bahamas Defense Force and Royal Bahamas Police Force required all new recruits to undertake a “Trafficking in Persons Awareness Training Module.” Over 240 new officers completed this training in 2012.

Protection

The government demonstrated increased efforts in victim protection during the reporting period. In early 2013, the government implemented a newly developed formal protocol to guide front-line responders in how to identify human trafficking victims and refer them to available services. The protocol provided a step-by-step proactive approach to victim identification and defined the role of key government and NGO entities involved in victim protection for women, men, and children. Immediately after the government published the protocol, officials identified two adult trafficking victims—a positive development as the government had not reported any trafficking victim identifications earlier in the year or in previous reporting periods. Officials then further implemented the protocol and referred the two suspected victims to shelter and provided assistance tailored to their needs. The government’s Public Hospital Authority provided medical and psychological services to victims during the reporting period. Late in the reporting period, the government established a fund equivalent to approximately \$100,000 for the care of trafficking victims. The government encouraged trafficking victims to assist in the prosecution of trafficking offenders and provided foreign victims with legal alternatives to their removal to countries in which they would face retribution or hardship. Experts raised concerns that prior to the January 2013 implementation of its victim identification and referral the protocol, the government was not referring suspected foreign victims to NGOs, and instead penalized and deported them. After January 2013, however, the government worked with IOM to offer safe and voluntary repatriation assistance to foreign victims identified. The trafficking act provided victims with immunity from prosecution for unlawful acts committed as a direct result of their being subjected to human trafficking.

Prevention

The government demonstrated continued efforts to prevent human trafficking during the reporting period. The government’s inter-ministerial committee to coordinate anti-trafficking policy met regularly during the reporting period, as did the government’s trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. Both groups opened formal channels of communication with the diplomatic corps in The Bahamas; diplomats and honorary consular corps members were instrumental in bringing several potential cases to the attention of law enforcement officials. In June 2012, the Ministry of National Security and an international organization launched a six-month trafficking in persons victim awareness program at a restaurant chain. In September 2012, the chair of the inter-ministerial committee addressed local and regional government and law enforcement officials and NGO representatives on trafficking awareness at the Regional Conference of Caribbean Crisis Centers. Labor inspectors

began to incorporate trafficking indicators in inspections of labor sites. The government did not undertake measures to reduce the demand for commercial sex acts. Authorities did not consider child sex tourism to be a problem in The Bahamas during the reporting period and reported no child sex tourism investigations.