



TRAFFICKING IN HUMAN BEINGS IN SOUTHEASTERN EUROPE



**AN INVENTORY OF THE CURRENT SITUATION
AND
RESPONSES TO TRAFFICKING IN HUMAN BEINGS
IN
ALBANIA,
BOSNIA AND HERZEGOVINA,
CROATIA,
THE FEDERAL REPUBLIC OF YUGOSLAVIA AND
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA**

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EXECUTIVE SUMMARY

The countries of Southeastern Europe (SEE) reviewed in this report are Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia. These countries serve as points of transit, origin and destination for the trafficking of women and girls for the purposes of sexual exploitation. Children are also trafficked from Albania into Greece for the purposes of forced labour. The issue of trafficking in human beings has recently become a high priority for the member states of the European Union and other regional bodies. Unfortunately the willingness of most governments in SEE to acknowledge it as a problem has been weak.

This report shows ample evidence of a wide range of national and regional anti-trafficking initiatives being planned and/or implemented. However, there is a distinct lack of co-ordination and cohesion around the number of responses taking place. The most comprehensive policy guidance has emerged from the regional bodies of Organisation for Security and Co-operation in Europe (OSCE), the European Union (EU) and the Council of Europe (CoE) and from the UN Office of the High Commissioner for Human Rights (UNOHCHR). The establishment of the Trafficking Task Force under the Stability Pact for Southeast Europe will hopefully serve to provide the much needed overall co-ordination, support and guidance for anti-trafficking activities in SEE.

A number of areas emerged as providing obstacles to the provision of protection and support for the victims of trafficking. Lack of appropriate legislation and law enforcement remains a major constraint. In SEE, trafficking continues to be viewed by the police and judiciary as illegal migration for the purposes of prostitution rather than a flagrant violation of human rights. Most countries, however, are in the process of reviewing current legislation to include trafficking in human beings in their Criminal Codes. In some countries, this review will include legislation pertaining to the treatment of trafficked minors.

Service provision and support to the victims of trafficking is provided by international agencies and national non-governmental organisations (NGOs) and requires development, capacity building and support. Many victims of trafficking are presently falling back into the trafficking cycle due to the gaps in service and support provision.

Access to reliable data and research is also problematic, particularly information regarding the trafficking of children. More accurate information is needed to assist in the development of appropriate responses. Access to health and reproductive health care and education is almost non-existent. There is no information or education campaigns regarding safe sex, safe drug use and HIV/AIDS for either sex workers or customers.

The political dimensions and complexities in effectively addressing trafficking in human beings mean it will not be an easy task to develop integrated and operational structures to provide an effective solution. However, a number of areas of action are presented for consideration in this report to provide the basis for more effective solutions at the regional and national levels.

INTRODUCTION

This report aims to provide an overview of the situation and responses to the trafficking of human beings from a human rights perspective in Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia (FRY), including Central Serbia and Vojvodina, Montenegro and the UN Administered Province of Kosovo, and the Former Yugoslav Republic of Macedonia (FYROM). The report primarily examines the trafficking of women and girls for the purposes of sexual exploitation and also includes an overview of the trafficking of children for the purposes of forced labour from Albania into Greece and Italy.¹



Trafficking in human beings is a global problem of major proportions. Trafficking in SEE has become a significant problem over the last ten years and is linked to the collapse of communism, increasing poverty, decreasing opportunities for legal migration and conflicts in the region.

Trafficking takes different forms but always aims to exploit the victim, with one of the main forms being for sexual exploitation and forced labour. Trafficking can involve an individual or a chain of individuals starting with the recruiter and ending

with the buyer or receiver of the victim, who holds a person in conditions of slavery or bonded labour. A trafficked person is recruited, transported, purchased, sold, received and/or harboured. This includes children as defined and consistent with the principles in the Convention on the Rights of the Child (CRC), whether the child has consented or not.²

Trafficking in human beings is much more than the organised illegal movement of people for profit, as coercion, force and violence are key elements of the process and many people are tied to their situations through debt bondage. Trafficking does not require the crossing of borders; however, in this region most movement of people is trans-national. Organised criminal networks that operate with impunity dominate this highly lucrative global industry.

¹ According to the CRC, a person is considered a child until the age of 18 years and this is the definition used for this report.

² *Human Rights Standards for the Treatment of Trafficked Persons*, Foundation Against Trafficking in Women, International Human Rights Law Group and Global Alliance Against Traffic in Women, 1999, p.5.

There is still no internationally agreed definition of trafficking and this has long been considered to be an obstacle to effective action. The lack of agreement has revolved around the specific interests of different actors and contested issues around human rights, migration, smuggling, organised crime and prostitution. For the purposes of this report, the following definition proposed by the “Draft Protocol on Trafficking in Persons, Particularly Women and Children” captures the broad understanding of what trafficking is:

“Trafficking in persons means the recruitment, transportation, harbouring or receipt of persons either by threat or use of kidnapping, force, fraud, deception or coercion or by the giving or receiving of unlawful payments or benefits to achieve the consent of a person having control over another person for the purposes of sexual exploitation or forced labour.”³

Trafficking of human beings is a part of international organised crime and is closely linked to trafficking of drugs, arms and other contraband. Modalities of trafficking and recruitment for sexual exploitation vary. In SEE, countries are points of transit, destinations or sources/origins, with some being more than one of these. The main countries of origin in the region are Bulgaria, Kazakhstan, Moldova, Romania, Russia and Ukraine. Albania is also a significant origin and transit country for trafficking into Western Europe and sometimes serves as a temporary destination country. Bosnia and Herzegovina, FYROM and Kosovo are all predominantly destination points, whilst Montenegro, Serbia and Croatia appear to be primarily transit areas. The countries of this region, particularly Croatia and Bosnia and Herzegovina, appear to be transit countries for the movement of illegal migrants into Western Europe, particularly from Iraq, Turkey and increasingly China.

Trafficking for the purposes of sexual exploitation is misunderstood and linked to cultural prejudices and stereotypes around prostitution. The nature of the labour such as is provided in the sex industry is irrelevant to the question of whether or not the victim’s human rights are being violated.⁴ Although the victims may have initially agreed to work as prostitutes, they did not agree to being held in slavery and sexually exploited. The traffickers’ use of violence and deceit to force the victim to work in slave like conditions and deprive the individual of choice and freewill constitutes a flagrant violation of fundamental human rights.

Victims of trafficking for sexual exploitation are often sold and resold several times through organised criminal networks. Victims of trafficking share the universal experiences of isolation, violence, sexual abuse, forced prostitution, intimidation, marginalisation and criminalisation. They face serious health risks from sexually transmitted infections (STIs) or HIV/AIDS infection through sexual contact and/or drug use. If they are fortunate enough to escape from their pimps/owners, they still face difficulties in the countries of destination regarding language, lack of documentation, deportation, status of prostitution, detention, lack of appropriate support, risk to personal and family security and lack of bilateral government agreements to facilitate repatriation. Upon return to the country of origin, there is little or no support to assist these women and girls in their reintegration.

³ Revised Draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Organized Crime, Article 2(2) Option 1 as set out in UN Doc. A/AC.254/4/Add.3/Rev.3 (1999). The purpose of the Protocol should be considered in a manner consistent with Article 35 of the CRC, which calls States Parties to this treaty to take “all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”

⁴ *Human Rights Standards for the Treatment of Trafficked Persons*, Foundation Against Trafficking in Women, International Human Rights Law Group and Global Alliance Against Traffic in Women, 1999, p.6.

Women and girls who are trafficked and sexually exploited appear to fall into three main categories:

- Women voluntarily coming as sex workers who are then exploited sexually and bonded into debt.
- Women deceived and forced into sex work though originally coming to seek employment in various sectors including housekeeping, waitressing and dancing.
- Women forcibly kidnapped, smuggled across borders and forced into prostitution.

Information from official reports, interviews with victims of trafficking and anecdotal sources would suggest that the first and second groups are most widely represented. However, as these are the groups most commonly seeking assistance to return home they may only be presenting one aspect of the total picture.

The scale of the involvement of minors is also unclear, but information from across the region would suggest that a growing number of people, especially adolescent girls, are being trafficked for the purposes of sexual exploitation. From the information available it is impossible to estimate the number of children and minors involved. However, the patterns of trafficking of children from countries such as Albania into Greece, allegedly for the purposes of forced labour are a cause for concern and warrant further investigation.

There are anecdotal reports of the trafficking of boys for the European male pornography market and of children for organ transplants. Apart from existence of a very few newspaper articles, there is no concrete information or data available to substantiate these claims. However, the experience of UNICEF in other parts of the world demonstrates the vulnerability of both boys and girls to trafficking for the purpose of sexual exploitation and for child pornography.

The health issues surrounding trafficking and prostitution are at present not being acknowledged or addressed. The main areas of concern for trafficked women and girls are in regard to reproductive health, use of and access to barrier and other forms of contraception, access to counselling and support on reproductive health, pre- and post-abortion counselling, the effects of physical violence and STIs, including HIV/AIDS.

Across the SEE region, there is a collective denial on the part of the authorities in relation to HIV/AIDS. Experience in other regions of the world demonstrates the extremely high vulnerability of trafficked women and children to HIV/AIDS and STIs, which in turn places the users and their families and communities at risk of infection. Typically, trafficked women working in the sex industry do not have access to health care and many report having to continue working despite having health problems, including STIs. The non-compliance of customers to use the protection of condoms increases the risk of infection. At present, there are no education or information campaigns targeting either sex workers or customers regarding safe sex or harm minimisation for intravenous drug use.

Emerging patterns and understanding of the modalities of trafficking and recruitment reflect information slowly being gathered from victims and a growing body of research into the nature and scope of trafficking in SEE. However, there is still little reliable data or information, particularly at government or official levels. There is no accurate data or figures regarding the numbers of human beings being trafficked, although it is widely agreed to be a growing problem. Although it is acknowledged this is a very difficult area to gather definitive

data, it is important to improve collection and dissemination of information regarding the scale and dimension of the problem.

The reasons why trafficking has grown are linked to political, economic and social transition in the region. The breakdown of social, cultural and legal traditions and the rule of law have increased both the vulnerability of persons to being trafficked and the ease of trafficking people across the borders. Coupled with the growth of poverty in many countries of transition, an increasingly mobile population is looking for work options internationally. Women particularly have few choices and are disproportionately excluded from access to economic resources and the increase in trafficking in women and children is directly linked to the feminisation of poverty as a result of the transition process. As legal labour migration has become more difficult, people look for other means to reach countries where employment opportunities exist. Additionally, the increase in organised criminal networks involved in trafficking is directly linked to the increase in demand for supply, as this is an extremely profitable activity where offenders operate with impunity. There is strong evidence to indicate the increased presence of the international community, mainly comprised of peacekeepers, military, civilian police and humanitarian aid workers, has led to an escalation in the local sex industry in many destination countries in SEE.

Many international agencies and NGOs have codes of conduct governing staff behaviour, though a limited review of these codes revealed no guidelines on behaviour pertaining to procurement or mediation in prostitution. The moral arguments surrounding the difficulties of restricting individual's personal behaviour, to the extent of not engaging in the procurement of sex in their own time, is fraught with differing opinions and positions. However, it is worth noting that it is impossible to determine whether a woman is working in the sex industry by choice and with rights intact, or if she has been forced into prostitution. Most codes of conduct do restrict behaviour that is a prosecutable offence under the criminal code of the country in which the persons work. As prostitution is against the law in all countries of SEE, it would appear to warrant further reflection and attention on the part of international organisations as to how they guide individuals' behaviour as representatives of their agency.

Action needs to be taken at both the national and regional levels in order to combat trafficking in human beings effectively. States have a duty to respect and implement human rights laws and standards, including the responsibility to investigate and prevent violations, to take appropriate action against offenders and to offer protection and assistance, including assistance with reparation to victims. At the Beijing+5 session of the General Assembly in June 2000, governments reaffirmed their commitments to the Beijing Platform of Action to address violence against women and took a step forward with regard to the issues of trafficking in women and girls and the associated forms of violence by addressing them in a holistic manner.⁵

⁵ In the Beijing+5 outcome document, the suggested measures to combat trafficking in women and girls range from addressing the root factors of the phenomenon, to a comprehensive anti-trafficking strategy which includes legislative and preventive measures, exchange of information, assistance, protection and reintegration of victims, and prosecution of offenders. The outcome document further suggests to set up a national rapporteur or an interagency body with the participation of civil society, including NGOs, to collect and exchange information and to report on data, root causes, factors and trends in violence against women, in particular trafficking. The document also introduces the idea of not prosecuting women and girl victims of trafficking for illegal entry or residence in the country. *Report of the Ad Hoc Committee of the Whole of the twenty-third special session of the General Assembly, A/S-23/10/Rev.1*, Further Actions and Initiatives to implement Beijing Platform for Action, paragraphs 104a-e, 131a-c.

UNICEF's global experience, mostly in Asia, has shown that the effects of trafficking and exploitation are profound. It is recognised that there is no single remedy to the complex problem of trafficking and the solutions must arise from the diverse social, economic, political and cultural realities in which this problem is rooted.

This report attempts to provide an inventory of present responses to trafficking both at the regional, national and sub-national levels. There are a significant number of initiatives being taken across the SEE region, and it is therefore recognised that this does not necessarily represent a fully comprehensive list of all activities taking place. The aim of this report is to provide a framework for updating and mapping activities and serve as a useful tool for more effective co-ordination of efforts to combat trafficking in human beings.

SOUTHEASTERN EUROPE REGIONAL INITIATIVES

Although faced with the growth of trafficking in human beings, regional responses and policy development in SEE have been relatively recent, with little activity reported prior to 1994. Specific and limited actions in countries, particularly through interventions by local NGOs and the international community have only been undertaken in the past few years. There are a number of regional initiatives and recommendations that are influencing policy development and action on the ground. However, these remain uncoordinated and without a comprehensive framework to guide activities.

Most countries in the region do not have effective policies or the capacity to combat or deal with the trafficking in human beings. Their legal frameworks do not provide adequate provisions to prosecute trafficking and there is a distinct lack of competence amongst the judiciary. Law enforcement capability is constrained by the very nature of the activities of trans-national criminal organisations and the presence of corruption, bribery amongst local police and judiciary. Moreover, national policies do not provide the tools with which to dismantle these organisations. As the standards and procedures of criminal codes vary significantly in form and implementation across jurisdictions, traffickers continue to act with impunity.⁶ At the international level, frameworks for co-operation among law enforcement and justice authorities are either non-existent or inadequate.

The most comprehensive policy guidance has emerged from the principal regional bodies, the EU, CoE and OSCE and from the UNOHCHR.⁷ Additionally, there have been a number of regional conventions, recommendations and resolutions passed in which trafficking has been identified as a flagrant abuse of human rights.⁸ In SEE, the establishment of the Task Force on Trafficking in Human Beings under Working Table 3 of the Stability Pact for Southeast Europe provides an important mechanism by which to address trafficking regionally, adopting a more coordinated and co-operative approach.

A number of initiatives and projects related to organised crime are addressing trafficking in human beings. This includes the Stability Pact Initiative against Organised Crime (SPOC), the implementation of which will have a positive impact on the capacity of countries in region to cope with trafficking in human beings. Specific reference is made to “trafficking in human beings, in particular for sexual exploitation“. Programmes such as the Programme Against Corruption and Organised crime in SEE (PACO) of the CoE will help countries meet commitments made under SPOC.

A number of anti trafficking proposals have been submitted for funding to the Stability Pact Task Force by international agencies and governments, under Combating Organised Crime

⁶ *Global Program Against Trafficking in Human Beings*, Commission on Crime Prevention and Criminal Justice, 23 April 1999, p.6.

⁷ *Trafficking in Women and Girls*, Notes prepared by the OHCHR for Human Rights and ECE secretariat, December 1999, p.9.

⁸ The regional conventions of relevance are:
European Convention on Human Rights, which binds the majority of ECE member states.
European Convention on Mutual Assistance in Criminal Cases, European Convention on Extradition of Offenders, European Convention Against Money Laundering, Search and Usurpation of Profits by Criminal Means.
See also Council of Europe: *Compilation of legal instruments and analytical reports dealing with trafficking in human beings at international, regional and national levels*, May 2000.

and Drug Trafficking.⁹ Organisations such as Interpol, Europol (European Law Enforcement Organisation) and South East European Co-operative Initiative (SECI) (in the form of a taskforce) have started projects to enhance operational co-operation among judicial and law enforcement agencies against trafficking in human beings.

The levels of poverty experienced in many of the transition countries mean women have few choices and the problem of trafficking is directly linked to the feminisation of poverty. When considering the impact of poverty in transition countries upon the lives of women, it is important to understand the reasons women are making the choices they do and the impact this has on them and their families. These countries have patriarchal systems and attitudes that continue to marginalise women in all aspects of life. Many women and girls throughout Eastern Europe are socialised to see their bodies and sexuality as a resource, particularly in the marital stakes. Gender sensitive education, needed to help break these patterns and educate and inform men and women, boys and girls so as to empower choice and self-dignity, is limited.

There is also little evidence of an awareness or incorporation of a gender analysis into the work of governments, international agencies and international NGOs. Most of the local NGOs working on this issue are women's organisations that base their work regarding trafficking on a gender and human rights analysis.

The effects of conflict, post conflict and political transition, which has characterised SEE over the past ten years has resulted in huge political, social and cultural changes. The emergence and transformation of "civil society" in all countries of the region has been one aspect of these changes and has resulted in the establishment of many non-profit NGOs, of which a great many are women's organisations. It is mainly the women's groups that have concerned themselves with trafficking, as an aspect of their broader work on violence against women and girls. Whilst there are some human rights organisations dealing with trafficking, it appears to still be viewed as a problem concerning women, to be dealt with by women's organisations, rather than a human rights abuse that requires a more generic approach and involvement.

It must be recalled that a number of international human rights instruments already exist, and in their standard setting the international community has demonstrated concern for the sexual exploitation and forced labour of human beings.¹⁰ These include the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which requires all State Members not only to pass and implement appropriate legislation, but also to address the root causes of both the trafficking and exploitation of women. Additionally, the CRC and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography requires all state members to protect children from all forms of sexual exploitation and sexual abuse and all forms of trafficking.

⁹ See Stability Pact web site for summary of submissions.

¹⁰ Convention Against Torture and other Cruel, Inhuman or Degrading Treatment (CAT), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (ICPRMW), Slavery Convention (SC), Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (SCAS), International Labour Convention No. 29 Concerning Forced Labour (ILO No. 290 and No. 105 concerning Abolition of Forced labour (ILO No. 105), International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Cultural and Social Rights (ICESCR), Convention concerning the Prohibition and Elimination of the Worst Forms of Child Labour.

UNICEF's global work on trafficking is guided by the CRC and CEDAW. Using an integrated approach through work with governments, other international agencies and NGOs, UNICEF focuses on four main areas:

- raising public awareness
- improving access to basic education, especially for girls
- providing support to families at risk
- advocating for the rights of the child

In SEE, there are already a significant number of regional and national anti-trafficking initiatives. Many of these are country specific, although they may be a part of a regional strategy or approach. There is much discussion between the key actors regarding the importance of an integrated approach. There has appeared to be some frustration at a number of conferences, seminars, workshops and meetings that have taken place, and written reports that have been produced with little tangible output or resulting concrete action resulting. However, it is extremely challenging to develop an integrated and operational structure, which can accommodate the political dimension and complexities of the problem, whilst providing effective solutions.¹¹

¹¹ OSCE and CoE both hosted seminars in June 2000. Both agencies recognise the difficulty of taking action at both the national and international levels. Within the framework of the Stability Pact for Southeast Europe, it is hoped that the work undertaken at these conferences will provide the beginning of the development of a regional action plan and coordinated national action plans against the trafficking in human beings.

TABLE 1: SUMMARY OF REGIONAL INITIATIVES

<i>Organisation</i>	<i>Mandate</i>	<i>Initiative</i>	<i>Activities</i>	<i>Location</i>	<i>Timeframe</i>
REGIONAL AND GOVERNMENTAL INITIATIVES					
THE STABILITY PACT FOR SOUTHEAST EUROPE	<p>The Stability Pact for Southeast Europe was agreed in Cologne on 10 June 1999.</p> <p>The Stability Pact aims to strengthen countries in SEE to foster, peace, democracy, respect for human rights and economic prosperity in order to achieve stability in the whole region.</p>	<p>Task Force on Trafficking of Human Beings.</p> <p>Working Table 3: <i>Justice and Home Affairs: Combating Organised Crime and Drug Trafficking.</i></p>	<p>Trafficking Task Force: With strong links to Working Table 1 (<i>Human Rights and Democratisation</i>) and Gender Taskforce.</p> <p>Priority for Task Force is to get states to take responsibility. Will advocate for nomination of focal points in each country to be liaison between actors in all sectors.</p> <p>Funding of trafficking initiatives.</p> <p>Plan to launch two main projects in 2000:</p> <ol style="list-style-type: none"> 1. Joint Office for Democratic Institutions and Human Rights (ODIHR)/IOM project to collect accurate data. 2. Joint CoE/ODIHR project on legislative review. <p>SPOC aims to support coordinated action against organised crime including trafficking in human beings in SEE. The international</p>	SEE	<p>OSCE Chairperson has been appointed as of May 2000.</p> <p>September/ October 2000</p> <p>2000-2003</p>
		<p>Stability Pact Initiative on Organised Crime in South Eastern Europe (SPOC).</p>		SEE	

<p>South East European Co-operative Initiative (SECI)</p>	<p>To encourage co-operation among participating states and facilitate integration into European structures. Emphasises co-ordination and region wide planning.</p>	<p>Agreement on Co-operation to Prevent and Combat Trans-Border Crime:</p>	<p>community is to support countries through technical co-operation programmes. Establishment of a Crime Centre in Bucharest in November 1999. The Centre operates on the basis of task forces, presently being established. One of these task forces will target trafficking and include experts from supporting states and other international organisations.</p>	<p>Signed in Bucharest by Albania, Bosnia and Herzegovina, Bulgaria, Croatia, FYROM, Greece, Hungary, Moldova, Romania and Turkey.</p>	<p>May 1999</p>
<p>ADRIATIC SEA INITIATIVE or ADRIATIC AND IONIAN INITIATIVE</p>	<p>To enhance regional co-operation, especially in the fields of tourism and maritime transport, environment, cultural co-operation and combating trans-national organised crime.</p>	<p>Ancona Declaration of 20 May 2000 established the Adriatic and Ionian Council.</p>	<p>Within the framework of the Stability Pact for Southeast Europe will establish National Contact Offices for police, judiciary and customs for more rapid and efficient operative co-operation and exchange of information. Harmonisation of legislation.</p>	<p>Albania, Bosnia and Herzegovina, Croatia, Greece, Italy and Slovenia (with participation of the EU).</p>	<p>May 2000</p>
<p>Federal Bureau of Investigation (FBI)</p>	<p>Government of the United States organisation</p>	<p>Training Academy in Hungary</p>	<p>Regional</p>	<p>Regional</p>	<p></p>

<p>Department for International Development (DFID) and University of North London</p>	<p>Government of the United Kingdom</p>	<p>Project to develop best practices in agencies working on the trafficking of women and girls for the purpose of sexual exploitation. Aim is to contribute to expand awareness and develop 'best practices' in statutory governmental, NGO and voluntary local agencies involved in efforts to combat trafficking of women and girls for sexual exploitation. Will prioritise working with those providing vulnerable women and girls with protection and assistance.</p>	<p>Support advisory groups in each country to advise on current policy, practice and general matters pertaining to the work being done on combating trafficking in women and children.</p> <p>Project is managed by the University of London's Child and Women Abuse Studies Unit (CWASU), with IOM as the coordinating agency in each country/area.</p>	<p>Albania, BiH, FYROM, Kosovo, Montenegro</p>	<p>Autumn 2000</p>
<p>REGIONAL BODIES</p>					
<p>Organisation for Security and Co-operation in Europe (OSCE) /Office for Democratic Institutions and Human Rights (ODIHR)</p>	<p>OSCE missions have a different mandate, which defines their purpose for being in country. However, throughout the region they promote democratic values, monitoring and development of human rights and security building measures.</p>	<p>Action Plan 2000 for Activities to Combat Trafficking in Human Beings</p>	<p>Support to missions in development strategies and actions.</p> <p>Co-operation with governments and international agencies to develop recommendations for national plans of action.</p> <p>Provision of technical assistance and expertise in developing policy, legal and law enforcement reform, assistance to victims, regional and national workshops and seminars.</p> <p>Secondment of Coordinator</p>	<p>All OSCE member states</p>	<p>January 2000</p> <p>May 2000</p>

EUROPEAN UNION (EU)			<p>EU Joint Plan of Action</p> <p>STOP Programme</p> <p>DAPHNE</p>	<p>All member states agreed to improve their national legislation regarding trafficking for purposes of sexual exploitation</p> <p>Supports studies and training in the area of trafficking and sexual exploitation of children</p> <p>Focuses on combating violence against women, children and youth. Will support projects in the field of trafficking.</p>	<p>All EU member states</p> <p>All EU member states</p> <p>All EU member states</p>	<p>Phase 1: 1996-2000 Phase 2: 2000-2005</p> <p>2000-2003</p> <p>1997: ongoing</p>
COUNCIL OF EUROPE (CoE)	<p>The Council of Europe, based in Strasbourg, is a European inter-governmental organisation with a human rights mandate. It has 41 member states, including 17</p>	<p>Plan of Action Against Traffic in Women.</p> <p>National and Regional Action Plan</p>	<p>Organisation and support of workshops, training and seminars. Conducted studies and projects and co-operated with all competent actors at both national and international level.</p> <p>Facilitation of development of</p>	<p>All member states</p> <p>All member states</p>	<p>Since 1991</p> <p>July 2000</p>	

	countries from central and Eastern Europe. ¹²	(Draft). SPOC: Stability Pact Initiative on Organised Crime in SEE PACO: Programme Against Organised Crime in Europe	regional plan of action with member states Organised International Seminar in Athens to develop national and regional plans of action. Involved countries across Eastern Europe with delegates from the government, international agencies and NGOs. SPOC aims to make a significant contribution to the aim of the Stability Pact: to strengthen coordinated capacities against crime in SEE in accordance with European standards. Activities will include policies and strategies against organised crime, multidisciplinary national coordinating mechanisms, legislation, co-operation on data collection and investigation and regional and international co-operation. PACO will support the implementation of the SPOC	states SEE SEE	June 2000 September 2000 Preparatory phase:
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¹² Albania, Andorra, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Slovak republic, Slovenia, Spain, Sweden, Switzerland, FYRO Macedonia, Turkey, Ukraine, United Kingdom.

			and SPAI initiatives. The specific objective is to strengthen capacities against corruption and organised crime in accordance with European standards. PACO is presently in its preparatory phase.			December 1999 - May 2000. Implementation phase to follow
INTERNATIONAL ORGANISATIONS						
UNICEF (United Nations Children's Fund)	UNICEF is mandated by the UN to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential.	Universal ratification of the Optional protocol to the CRC on the sale of children, child prostitution and child pornography	Advocacy with governments	Global	Ongoing	
			Report on Current Situation and Response to Trafficking in Human Beings in the SEE.	SEE	September 2000	
			Support of local NGOs/partners implementing programmes to combat trafficking and support victims.	Global	Ongoing	
UN Office of the High Commissioner for Human Rights (UNOHCHR)	The UNOHCHR is the focal point for human rights within the UN system	Trafficking Programme (Draft)	Activities will work towards the integration of human rights into international, regional and national anti-trafficking initiatives. Special emphasis is placed on legal and policy development.	All UN member states	May 2000	
UN Office for Drug Control	Facilitate and help to coordinate the	Global Program Against Trafficking in Human Beings.	Research and assessment of trafficking and smuggling	Global, in partnership	Launched in March 1999:	

International Organisation for Migration (IOM)	IOM is an inter-governmental organisation committed to the principle that humane and orderly migration benefits migrants and society.	<p>Plan of Action: Trafficking in Migrants</p> <p>IOM has adopted a regional approach to trafficking with the establishment of focal points in all IOM offices. The aim is to ensure monitoring and programme development and implementation at a national level, whilst feeding into regional planning and implementation.</p> <p>In SEE, IOM is implementing counter trafficking plans in Albania, Bosnia and Herzegovina, Bulgaria, FRYOM, Hungary and Kosovo.</p>	<p>Provision of technical assistance, training and expertise to governments with migration systems and legal reform.</p> <p>Provision of temporary accommodation, safe repatriation and supported reintegration and return.</p> <p>Information campaigns and information dissemination regionally and in individual countries.</p> <p>Research into collection of reliable data on trafficking in the 15 EU states.</p> <p>Regional and country seminar activities.</p>	Global	November 1994: ongoing
American Bar Association Central Europe Law Initiative (ABA CEELI)	To provide support to countries to establish and maintain democratic systems governed by the rule of law.	No regional initiative, activities are developed country by country.	<p>Provision of legal and judicial training and professional expertise to governments.</p> <p>Support and training for constitutional, judicial, legal professional and criminal law</p>	Regional: Albania, Bosnia and Herzegovina, Croatia, FRYOM Kosovo,	Ongoing, with different starting dates in each of the countries.

¹³ Albania, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Finland, France, FRY, FYROM, Georgia, Germany, Great Britain, Greece, Hungary, Italy, Kosovo, Netherlands, Portugal, Romania, Russia, Slovak Republic, Spain, Switzerland, Ukraine.

<p>UN High Commission for Refugees (UNHCR)</p>	<p>Is mandated by the UN to ensure the international protection of refugees and to assist governments in finding durable solutions to refugee problems.</p>		<p>reform. Legislative assistance</p>	<p>Montenegro, and Serbia.</p>	
<p>INTERPOL</p>	<p>To ensure and promote the widest possible mutual assistance between all criminal police authorities and to establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes.</p>	<p>Resolution on trafficking of women and children passed by Interpol General Assembly.</p>	<p>To ensure that access to apply for asylum is granted to any individual falling within their mandate. This includes victims of trafficking and ensures they have access to state procedures and systems for asylum seekers.</p> <p>Trafficking in Human Beings Branch established. (This covers trafficking of women for sexual exploitation, children and illegal immigration).</p> <p>In the process of creating a working group on trafficking where members will be selected from national police forces.</p> <p>Raise awareness among police forces as well as increase information exchange and operational co-operation.</p> <p>Interpol organised an international conference on trafficking in 1998 with the EU and the UN. A second</p>	<p>Global</p> <p>Global</p>	<p>1996</p> <p>February 1999</p>

			conference is planned for November 2000.	EU member states.	October 1999
European Law Enforcement Organisation (EUROPOL)	To make a significant contribution to law enforcement action against organised crime with a particular emphasis on the criminal organisations involved. Mandate covers trafficking in human beings including child pornography.	The Tampere Summit of October 1999 strengthened EUROPOLS role in fighting organised crime, including trafficking in human beings. EUROJUST	Establishment of a European Police Chiefs Operational Taskforce to exchange best practice and information, in co-operation with EUROPOL. Establishment of a unit composed of national prosecutors, magistrates and or police officers. Would support the work of national prosecuting authorities around organised criminal activity. Give support to the establishment of national contact points on trafficking. Undertake research and studies to understand the problem. Give support to operational and investigative projects of member states.	EU member states and third countries. EU member states Member states Member states	Pending
NGOs					
International Human Rights Law Group (IHLRG)	A non-profit organisation of human rights and legal professionals engaged	The Initiative Against Trafficking in Persons. Works co-operatively with IHLRG	Co-ordinating work of the Human Rights Caucus, which consists of anti-trafficking NGOs from around the world.	Global	Ongoing

	<p>in human rights advocacy, litigation and training globally.</p> <p>Mandate is to support and empower advocates to expand the scope of human rights protections for men and women and to promote broad participation in creating more effective human rights standards and procedures at the national, regional and international level.</p>	<p>field offices if trafficking is a problem in that country/region. Have worked in SEE with Bosnia and Herzegovina.</p>	<p>The Caucus advocates states to respect human rights standards. Will lobby states to ratify the UN Protocol due for adoption later this year.</p> <p>Creation of interactive databases to support global work of NGOs.</p> <p>Support of field offices work in Bosnia and Herzegovina, Cambodia and Nigeria.</p> <p>Support to local organisations in various countries on projects to promote human rights standards.</p>	<p>Global</p> <p>Global</p>	
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<p>LA STRADA</p>	<p>Prevention of the trafficking in women for the purposes of sexual exploitation through advocacy, influencing legislation, disseminating information, and practical assistance to partner organisations.</p> <p>La Strada regards trafficking in women as a human rights abuse and therefore a violation of women's rights.</p>	<p>Program for the Prevention of Trafficking in Women in Central and Eastern Europe</p>	<p>Advocacy, training, programme support and support to partner organisations.</p>	<p>La Strada International is a network of organisations in 5 countries: Bulgaria, Czech Republic, Netherlands, Poland and Ukraine.</p>	<p>Ongoing since 1998</p>
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<p>Global Alliance Against Traffic in Women (GAATW)</p>	<p>An international alliance of over 150 organisations and individuals, established in October 1994.</p> <p>Mandate is to ensure that the human rights of trafficked and migrant women and girls are respected by the authorities and agencies. It is not to discourage or terminate the migration of women, but to ensure the protection of their human rights.</p>		<p>Training: training to equip women activists with knowledge regarding the use of UN human rights instruments and mechanisms to promote the rights of migrant and trafficked women.</p> <p>Information: the Resource Centre holds a substantial collection of materials relating to trafficking. Produce a biannual publication.</p> <p>Has produced a number of publications.¹⁴</p> <p>Includes collaboration with IHRIG and the Foundation Against Trafficking in Women (STV).</p> <p>Ongoing advocacy for adoption of international human rights standards.</p>	<p>Global</p>	<p>Ongoing since 1996</p>
<p>Foundation Against</p>	<p>A Netherlands based organisation with three</p>		<p>Joint Project with La Strada and women's NGOs in</p>		

¹⁴ See website for updated list of publications regarding trafficking: www.inet.co.th/org/gaatw

¹⁵ Both of these publications hold recommendations for the treatment of victims and trafficking in women. Trafficking in Women: Forced Labour and Slavery like Practices in Marriage, Domestic Labour and Prostitution, 1999. The Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purposes of sexual Exploitation, 1997.

<p>Trafficking in Women (STV)</p>	<p>main aims: 1. Identification and exposure of the trafficking of women. 2. Organisation of care for victims of trafficking. 3. Development of national, European and international strategies to prevent and combat trafficking in women.</p> <p>STV is a member of the Global Alliance Against Trafficking in Women and the European Network on Trafficking in Women.</p>	<p>European NGO Network on Trafficking in Women</p> <p>Human Rights Standard Campaign</p>	<p>Central and Eastern Europe aimed at raising political and public awareness, setting up information campaigns for women at risk and organising support services for victims of trafficking.</p> <p>Consists of 50 NGOs across Europe.</p> <p>A joint project with GAATW aimed at the adoption of Standard Minimum Rules for the Treatment of Victims of Trafficking and Slavery Like Practices.</p> <p>Joint publication with GAATW and IHRLG: Human Rights Standards and the Treatment of Trafficked Persons, 1999.¹⁵</p>	<p>The network was established during the European NGO Conference in April 1997.</p>	
<p>Oxfam Great Britain (Oxfam GB)</p>	<p>To alleviate suffering of the poor and vulnerable.</p>	<p>Eastern European Women's Network</p>	<p>Support to local organisations, particularly in establishment of protection and assistance activities.</p>		<p>Ongoing since September 1999</p>
<p>Kvinna Till Kvinna</p>	<p>To support and work with women in the</p>		<p>Support to local partner organisations, advocacy,</p>	<p>Albania, Bosnia and</p>	<p>Ongoing</p>

Foundation	Balkans to ensure full participation in leadership, politics and civil society. This includes work on violence against women.		research and information campaigns. Education on women's rights and trafficking, as part of induction for Swedish KFOR troops prior to departure.	Herzegovina, Croatia, Kosovo, Montenegro and Serbia.	
Human Rights Watch (HRW)	To conduct research, on human rights violations, including the trafficking of women into prostitution and forced labour. Publication of reports and briefing papers including recommendations to the international community, inter-governmental organisations and governments. Advocacy work based on recommendations from research.		Report: recommendations regarding the Protocols on Trafficking in Persons and Smuggling of Migrants. Involved in negotiations on the Protocols on Trafficking. In the US A has been advocating for the federal legislation, which would provide for the prosecution of traffickers and afford protection and assistance to victims of trafficking.		
Helsinki Federation for Human Rights (IHF)	IHF monitors compliance with the human rights provisions of the Helsinki Final Act and its follow up documents.		Report to the OSCE Supplementary Human Dimensions Meeting in Vienna, "A Form of Slavery: Trafficking in Women in OSCE Member States."	All countries of SEE	June 2000

	<p>39 committees and co-operating organisations operate globally. Criticises human rights abuses wherever they occur and has direct links with human rights activists where no committee exists.</p>		<p>Ongoing research and monitoring of the patterns and Dimensions of trafficking in SEE.</p>		
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ALBANIA

I. BACKGROUND

Over the past 10 years, with the fall of communism and the ensuing problems surrounding the consequent transition, Albania has emerged as a major point for trafficking of women and children. It has the dubious honour of being both a major sending and a transit country for trafficking of Albanian and foreign women for the more lucrative overseas sex markets and to a lesser degree a receiving country for a domestic market in Albania. Prostitution in Albania is hidden and is normally run from motels, private agencies, hotels and bars. Pimps or protectors who are typically part of a larger network usually manage women and girls. The trafficking of children for the purpose of begging and drug dealing is also a major problem with organised networks smuggling children to Greece and Italy. Some of these children are inevitably sold on for the purposes of prostitution, though there is little available information regarding the extent of this problem.

There are three main categories of human beings trafficked to, from or through Albania: Albanian women and girls for the purpose of sexual exploitation, foreign women and girls for sexual exploitation and Albanian children for forced labour.

1. **Albanian Women and Girls:**

It is estimated that over the past 10 years thousands of Albanian women and girls have been working as prostitutes in Western European and other countries in the Balkans. Many of these have been trafficked into prostitution through false promises of marriage or employment, coercion and at times kidnapping. The typical profile presented of a trafficked Albanian woman is a young unmarried woman taken to Italy by a family member, often a fiancée under the promise of marriage and/or employment. Victims typically range in age from 15 to 35 years old, which is younger than trafficked women of other nationalities, but most fall into the 20 to 24 year old age group. However, police and some local NGOs report trafficking of some girls aged between 12 and 14 years and the involvement of older women who have become vulnerable through social and personal circumstances. The young age of some victims appears due to a culture of early marriage, particularly in the rural areas. It is also reported that up to 20 percent of Albanian prostitutes in Italy are minors.¹⁶

Trafficked women and girls come from all over Albania. However, in recent times they have increasingly been coming from rural areas, as women in cities and town have become more aware and better informed about the reality of situation. Furthermore, widespread poverty and unemployment in rural areas has led to immigration to third countries for employment purposes, which is seen as more desirable and lucrative than internal migration.¹⁷ Migration of young men from villages to cities and abroad for work has also had an influence on young Albanian women's desire to leave homes, as there are fewer candidates for marriage. This, combined with a change in younger women's personal aspirations for a better life and independence, makes them vulnerable and easy targets for traffickers. In addition, migration of male family members to work in Greece and Italy has left some families vulnerable and unprotected to possible criminal activities, including kidnapping.

¹⁶ Sala, V., *Albania, a cross trafficking country*, Tirana, June 2000, p.2.

¹⁷ Mirija, S., Bello, M., and Bodinaku, B., *Survey on violence and trafficking of women in rural area of Lezha District*, Tirana, April 2000, p.14.

The most common form of recruitment is through false promises of marriage or work overseas. As many of targeted girls and women are from impoverished and conservative communities and are vulnerable to these offers and seize the opportunity to leave Albania, hoping for a better life.

The protectors or pimps are mainly young Albanian men who are involved in trafficking, but who are part of a larger organised crime network of drug or arms smuggling. They see an opportunity for making easy money through the exploitation of family friends or neighbours. If lured by the promise of a marriage, a woman or a girl is taken overseas on a “honeymoon” and/or in search of a better life. The woman is then usually sold onto a pimp who forces her to work as a prostitute, however, the “husband” keeps her under control, as a wife must do as her husband wishes. A 1996 IOM study involved interviewing 50 trafficked women in Italy, including 26 Albanians. According to this report, Albanian women in Italy were found to be the most subject to the power of their protectors.¹⁸

Gender relations in Albania are still significantly influenced by the law of the Kanun of Lek Dukajini,¹⁹ particularly in the rural areas of Northern Albania. However, whilst giving control of women and children to men, the Kanun does not legitimise their sale and exploitation.²⁰ There have been cases of revenge killings of traffickers by the families shamed by the trafficking of their relatives into prostitution. Police report that this has led to a decrease in the number of Albanian women being trafficked and an increase in trafficking of foreign women.

Although uncommon, kidnapping is also used as method of recruitment. Interpol in Albania has dealt with 103 cases between 1993 and 1998 and only 44 of those women have been traced alive.²¹

According to police sources, the criminal groups involved in the trafficking of women are located in Tirana, Shkodra, Korca (main transit city from Macedonia and to Greece), Berat, Vlora and Fier. Trafficking of women is often associated with the smuggling of drugs and arms, and the routes are often the same as those used via speedboats to Italy. The women are provided with false documents and then transported out of the country. Widespread corruption has led to the complicity of local authorities both in Albania and Italy who are either involved or turn a blind eye to the level of illegal traffic between the two countries.

Upon arrival in Italy or other West European countries, women and girls face force and abuse, which is traumatic and can lead to long-term physical and psychological difficulties. As the woman is an investment, the pimps behave accordingly to ensure a profitable return. Intimidation and fear are used to control them and, as a result, women and girls are often

¹⁸ IOM Report, *Trafficking in Women to Italy for Sexual Exploitation*, June 1996, p.18.

¹⁹ The Kanun still influences the definition of the role and status of women and children in Albanian society, particularly in the northern rural areas. The Kanun grants men complete domination over women and children. Children and women are the property of husband and father until he dies. Women are raised accordingly to be obedient and good wives, as the husband holds the power of life over their wife if she betrays him or dishonours a houseguest.

²⁰ Ballauri, E., Arbana, S., Vojkollaria J., and Egro, F. *Prostitution-society in dilemma*, Tirana, 1997.

²¹ DFID and IOM Report, *Report from Workshop on Trafficking of Women in Albania*, Tirana, Sept 1999, p.2.

subjected to limited freedom, rape, and physical violence and sometimes are murdered. They receive threats directed at themselves and their families at home. Women and girls also face health and other risks to their well being through forced use of drugs and unsafe sexual practices and abuse.

Most women and girls work on the streets in Italy, which is a violent and unpredictable environment, though some are trafficked on to other countries in Western Europe including France, Belgium, Germany, the Netherlands, Switzerland and the UK. The police also report a trend towards trafficking women from Italy further into Western Europe in order to create distance from possible reprisal or revenge killings from the women's families.

The return and reintegration of Albanian women requires the provision of support services and security to ensure that women returning home are not caught up in a cycle of further prostitution. Women are presently being returned, into an environment that has extremely limited available assistance and to the same situation from which they were originally trafficked. They are often re-trafficked by the same networks, or, upon facing ostracisation and rejection at home, they "choose" to return to prostitution either in Albania or abroad.

2. Foreign Women and Girls:

Albania is one of the main transit countries for the trafficking of women and girls from Central and Eastern Europe. The women come mainly from Moldova, Romania, Ukraine, Russia and Bulgaria. The main trafficking routes into Albania follow the arms and drug smuggling routes. These are through Romania, Serbia, and either Montenegro or FYROM, from where women and girls are trafficked onto Western Europe or Greece. Different routes to move women are used, though the main route is from the country of origin such as Moldova or Ukraine to Serbia, Montenegro, Albania and onto Western Europe.

Shkodra is usually the first main transit town in Albania for trafficking from Montenegro and Korca is the main transit city for traffic from FYROM. Women are generally bought and sold in these cities and then sent to the ports of Durres or Vlora bound for Italy. Similar markets are reported to exist in Berat, Elbasan, Durres, Fier, Tirana, Vlora. Albanian police report that a decision is made at this stage as to how "saleable" the woman is: the most attractive ones are sold and trafficked onto Italy, the less attractive women are sold to work in Albania and the least attractive are often abandoned. Members of this group are sometimes arrested and deported or picked up by cheaper local networks that run them into prostitution in Albania. Sometimes foreign women are forced to work in Albania during transit.

According to police statistics from July to November 1999, 126 foreign women reporting to be victims of trafficking were intercepted and returned to their country of origin. These included 97 from Moldova, 19 from Romania, 4 from Russia and 1 from the Ukraine.²²

The extreme poverty faced by these women in their countries of origin make them easy prey for the traffickers. An NGO working in Albania identifies the profile of a foreign trafficked victim as being between 16 to 26 years old, many with 1 or 2 children and a relatively high level of education, most having completed secondary school and many with higher qualifications. They come mainly from villages and small towns in rural areas.

²² *Coordinated action against trafficking in human beings in Albania*, Lavdie Ruci, Chairperson, Committee for Women and Family Albania. Paper presented at the International Seminar on the Trafficking of Human Beings in Athens, June 1999.

According to police, if these women come to their attention either as a result of being arrested or escaping, they fall into two categories. Those who were brought to Albania voluntarily and those who were brought involuntarily. If police determine that the women were brought to the country involuntarily, they are usually held in police station cells for up to one month while travel documents are organised and they are subsequently deported to the border, where they are often picked up again by the traffickers. Often women are not accepted for deportation across the border, from where they entered Albania, due to problems with documentation. In some cases, women have been deported into FYROM, although they entered through Greece.

Given the poor conditions in holding cells, little can be done to protect the rights of women and girls. They are at times forced to share cells with men and are sometimes abused by other inmates or police. Women are also sometimes held on bail, and then often released back to the traffickers. Officers from OSCE field stations monitor police stations, in which case the women and girls are sometimes identified and referred onto a shelter.

With the recent opening of a shelter for trafficked women from third countries in Tirana, police now have a point of referral for foreign victims of trafficking, and women no longer need to be held in cells. If it is clear that a woman has been trafficked and wants to return home, she will be referred to the shelter for assistance and repatriation. There is clearly a greater demand for this type of service than can be met, and so many women are still held in police cells, often for up to two months.

Although the law states that minors should be separated from adults while in detention, this rarely happens. Albania presently does not have a penal code for minors, therefore, they are sentenced and imprisoned as adults. The Committee of Women and Children within the Albanian Council of Ministers is in the process of reviewing the problem associated with juvenile justice together with a group of international experts.

If women are judged to have come to Albania voluntarily and do not want to be repatriated, they can be fined, or charged with prostitution that carries a jail term of up to five years (the same sentence applies to traffickers). These women are usually deported to the border where the trafficking cycle is repeated or granted bail and released back to their protectors.

These categories do not take into account the women who may be traumatised and or extremely frightened, and are therefore unable or unprepared to ask for assistance to return home. There is a gap in the provision of services available for women who do not want to be repatriated immediately but who still require support and protection.

Overall, the victim rather than the perpetrator is targeted in the legal process, with more women being charged and punished than traffickers or customers. The existence of corruption throughout the legal and judicial systems and the lack of resources and capacity to change this make it difficult for the authorities to deal with the problem effectively.

3. Children:

The trafficking of children in Albania, both boys and girls, appears to be mainly for the purposes of forced labour including begging, drug dealing and working in activities such as washing car windows. However, there have been some reports of children being re-sold for prostitution. This is organised by networks of traffickers who move the children into Greece where there is a lucrative market for this activity. Newspaper articles also report children being used for organ donation, but this is unsubstantiated.

These children come from all over Albania but the main areas are Berate, Korce, Fier, Elbasan and Tirana. The age of children ranges from 0 to 15 years. There are reports from a local Albanian NGO that girls as young as 12 years are often re-trafficked into prostitution from these begging rings, though there is limited information in this regard.

Children generally come from impoverished and dysfunctional families. Typically, these children have never attended school or have dropped out in order to work to support the family. These families are known to the traffickers and are groomed to permit their children to travel to Greece to work. Promises of monetary remittances are made, but cease rapidly after a couple of months.

Children are trafficked into Greece either by foot across the mountains, in the back of a lorry or pass the border with false documents and with false “mothers”. Again, it appears that the involvement of authorities in both Greece and Albania is an implicit part of the problem. Once in Greece, children become part of a network and are often subjected to violence, live in squalid conditions and are sometimes mutilated to make them more attractive for begging.

If children are caught and arrested in Greece they are treated differently according to their age. If they are 12 years old or over they are kept in jail, and when there are enough children to warrant using a lorry or bus they are deported back to the Albania border, from where the trafficking cycle is usually repeated. Children below 12 years of age are placed in an orphanage. The National Centre for the Protection of Children in Greece, who try to identify families in Albania to which to return children, report that of 272 children found in this situation in 1999, only 2 had been returned to their families.

II. PRESENT RESPONSES

Following the Kosovo crisis and the establishment of the Stability Pact mechanisms, new possibilities have emerged to deal with the issue of trafficking of women and children. The Stability Pact for Southeast Europe has provided a regional and institutional framework within which the response to trafficking has proved positive for Albania. There have been a number of meetings, seminars and conferences held both at national and regional levels which have assisted in defining directions for plans and actions. However, there is still little overall concrete coordinated activity to combat trafficking. Other regional trafficking initiatives such as those undertaken by the OSCE and CoE bring resources and opportunities for more effective collaboration and co-ordination between all sectors, but these also need further developing in Albania.

Outlined below are the activities taking place. Whilst it may appear that there is a significant response, activities are fragmented and tend to be of an ad hoc nature. Little co-ordination or co-operation exists between the government, international agencies and NGOs, although this is beginning to occur.

1. Government:

Overall, there appears to be a lack of willingness on the part of the government to place trafficking on its agenda. The government defines Albania as a transit country. The government’s view appears to be that the negative effects of trafficking on Albania and Albanians are relatively small, whereas the profits are high both for the criminals and those involved in related activities, which makes it difficult to tackle the problem.

The government also faces problems regarding their capacity to deal with the problem. Lack of expertise, nepotism and a high turnover of key and senior government positions all serve to exacerbate this problem. The government is very politicised and appointments are made generally more on the basis of political affiliation rather than ability or expertise. Low salaries exacerbate a high turnover of personnel with remuneration being better in the NGO and international sectors. These agencies also provide better career development opportunities and are the main service providers. Additionally, given the significant movement of Albanians out of the country, existing public servants need to be re-trained.

In January 2000, new legislation was introduced to ensure that there is competitive recruitment to government positions, though poor salaries will continue to militate against this. The government demonstrates no medium or long-term vision regarding the issue of trafficking and appears to be struggling with the short-term view. They are unable to provide effective services and this falls more to the NGO sector, which receives no state support.

1.1 Prevention

- The Committee on Women and Family, Albanian Council of Ministers, is the named focal point in the government among different departments. However, this department is severely under-funded and appears to lack sufficient political influence to bring about effective change.

1.2 Protection and Assistance

- No service provision.
- Police work with an international NGO to refer women to shelter.

1.3 Law Enforcement

- Present law enforcement agencies and judicial systems lack the capacity, and expertise to deal with this problem effectively. The victim is still more targeted in the legal process than the perpetrator, with more women being charged and punished than traffickers or customers. The existence of corruption throughout the legal and judicial systems and the lack of resources and capacity to change this make it difficult for the authorities to deal with the problem effectively.
- Overall, there is poor training of law enforcement officers and little understanding of the problem. Poor wages and remuneration in the police and judicial systems lead to vulnerability to corruption and there is allegedly widespread corruption at both the police and judicial level.
- The police force, however, has established internal structures to investigate trafficking. This includes an office in the Ministry of Public Order and the appointment of inspectors of criminal police to all police departments in the districts.
- As elsewhere in the region, there is no witness support programme. The decision to give evidence should be a voluntary one. However, there are reported cases from international agencies and local NGOs of women being jailed and then forced to testify in an open court.
- Restructuring of the police force is underway but expected to have little impact upon corruption. A specialised Taskforce for Women and Minors has been established and has been very active in reviewing legislation and drafting and implementing new legislation, which will have an impact upon victims of trafficking, especially minors.

- There has also been quite a significant input from international agencies, such as the Multinational Advisory Police Element (MAPE), to train and sensitise the police force in modern policing techniques, including trafficking.
- The Albanian Penal Code provides in Article 113 that prostitution is illegal and in Article 114 that soliciting, mediating or gaining from prostitution is illegal. However, the code does not give any status to the victims of trafficking. Whilst prosecutions for trafficking have been very small in contrast to the dimensions of the problem, there were 13 people sentenced on charges amounting to trafficking during the first half of 1999.²³

1.4 Legal Review

- There are plans to revise legislation to include trafficking as a separate article in the Penal Code. The difficulty will be in implementation.
- A recent OSCE review of the Criminal Code shows that trafficking can be punished, sometimes severely, depending upon the particular offence. The problem, however, is the lack of knowledge of the law on the part of prosecutors, judges, and police, and the will to implement correctly. Implementation of existing laws often targets the victim rather than the perpetrator.
- There has been a re-drafting of amendments to the Criminal Code concerning minors, upon the initiative of the Italian Bilateral Mission with the participation of the Ministry of Public Order, OSCE and MAPE. Some articles contain provisions on the trade in human beings.
- Proposed amendments to the Penal Code contain two articles concerning trafficking of women for prostitution and trafficking in children. Draft amendments have been approved by the Council of Ministers and will be reviewed by Parliament in autumn 2000.

2. International Agencies

There are a number of international agencies working on this issue in Albania. There have been difficulties with some organisations cutting across mandates of other organisations. However, international agencies have recently come together to coordinate their activities, which should clarify mandates and responsibilities in the future.

2.1 Friends of Albania Anti Trafficking Working Group

This co-ordination group is being facilitated by OSCE and is using the Friends of Albania Group Framework²⁴ to develop plans and draft recommendations to be presented to the Government of Albania. The aim is to contribute to the development of a National Plan of Action. It is envisaged that this working group will become a formal structure and provide a strategic co-ordination role.

There are four sub-groups that are being facilitated by different international agencies:

Prevention	UNICEF
Welfare and Protection	IOM

²³ Sala, V., *Albania: a cross trafficking country*, Tirana, June 2000, p.6.

²⁴ Friends of Albania Group was established in 1998 as an informal forum for consultation and policy co-ordination for donors and international institutions supporting development efforts in Albania. The group is chaired by the OSCE.

Legal Review
Law enforcement

OSCE
MAPE (Multinational Advisory Police Element)

The work of these sub-groups will form the basis for recommendations to the government for the National Plan of Action. As this working group aims to become an effective co-ordinating mechanism, it intends to involve representatives from the three sectors, government, international agencies and Albanian NGOs in the near future.

2.2 Prevention

- Information and awareness raising campaigns.
- Advocacy and lobbying of government.

2.3 Protection and Assistance

- Establishment and management of a shelter for trafficked women from third countries.
- Provision of safe and accompanied international repatriation for victims of trafficking seeking assistance to return home.
- Limited reintegration and rehabilitation services for returning women.
- Support to Albanian NGOs providing direct service assistance.

2.4 Law Enforcement

- Provision of police training around issue of trafficking.
- Human rights monitoring of police cells.
- Development and implementation of legal training courses for judges, prosecutors and police.

2.5 Legal Review

- Support for re-drafting of penal code to include articles on trafficking.
- OSCE has recently prepared a preliminary review of Albanian legislation regarding trafficking.²⁵ The intention of the review is to examine existing laws and review implementation. The tendency amongst the international community would be that the existing laws are weak and need to be replaced. This review aims to ascertain which laws do meet the criteria set by international standards, as opposed to adequate laws, which are not being implemented properly. OSCE is currently attempting to obtain all proposed amendments to the Criminal Code and then will attempt to identify the gaps between Albanian and international law and standards.

3. NGOs:

The Kosovo crisis attracted a great deal of donor funding into Albania, and NGOs in particular have benefited from this. Some of the projects initiated in 1999 continue, though they face the continual difficulty of attracting funds to sustain and develop longer-term programmes. There is no state support and many Albanian NGOs are reliant on donors to survive leading to some competitiveness between organisations.

There are only a handful of women's NGOs who appear to be looking at the issue of trafficking and who would have the capacity to develop and build expertise to respond accordingly. There is an existing network of women's organisations, Network Against Violence, formed in 1998, that focuses on domestic violence, violence against women and trafficking. This network has connections with La Strada and other international NGOs. To

²⁵ OSCE, *Preliminary review of Albanian legislation relating to trafficking*, 13 July 2000.

date, NGOs have mainly focussed their work on prevention and information campaigns, with some limited protection and assistance activities.

NGOs have worked closely with the media on the issue of information and awareness raising. There has been a remarkable increase in the number of articles written about trafficking, from 1994 when there were six articles written to 1999 when there were 376 articles written on the subject. However, there is still some way to go in educating the media in the use of appropriate language, as victims of trafficking are still usually referred to as prostitutes.²⁶

There is one shelter run by an Albanian NGO in Tirana for victims of domestic violence. The NGO is struggling to survive and has been looking for donor funding to finance the shelter project since March 2000. It has and continues to take in women and girls who are victims of trafficking. However, they feel this cannot continue, as the two groups of trafficked women and victims of domestic violence are incompatible, especially in regard to security. In Vlora, one of the major cities for transit, there are two NGOs working with victims of trafficking, though there is no shelter.

3.1 Prevention

- Information campaigns.
- Police training in domestic violence with some attention to trafficking.
- Direct support to children and families at risk.
- Skills training of girls at risk in collaboration with UNOPS (one project).

3.2 Protection and Assistance

- Shelter for domestic violence with some limited capacity for trafficked women.
- Counselling and psychosocial support.
- Legal support.

3.3 Law Enforcement

- Training of police.

3.4 Legal Review

- Advocacy for government to reform laws.

²⁶ Women's Centre, *Outcomes of media monitoring*. Tirana, April 2000.

TABLE 2: SUMMARY OF PRESENT ACTIVITIES IN ALBANIA

A: PREVENTION

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Public Order (MPO)	Creation of new structures within MPO to deal specifically with trafficking. Responsible departments are the Criminal Police and Border Police.		Ongoing
Committee on Women and Family, Albanian Council of Ministers	Responsible for Beijing+5, includes Violence Against Women and trafficking. Taking the lead within government on co-ordination of intra-government actions. Inter-governmental and Agency Seminar on Trafficking, 13-14 December 1999. Follow up meeting in February 2000. Lobbying of other government ministries to coordinate and develop strategies.	CoE and UNDP/UNOPS.	Ongoing One off. No action resulting. No action resulting. Ongoing but with limited influence.
INTERNATIONAL AGENCIES			
CoE	Seminars aimed at raising awareness of police, judges, social workers and teachers. Information campaign on risks of trafficking predominantly aimed at refugees from Kosovo.	Government and NGOs. Government, international agencies and NGOs.	Ongoing since 1996 1999
OSCE	Co-ordination of Friends of Albania Anti-Trafficking Working Group and sub-groups.	Friends of Albania, government, international agencies, NGOs.	Ongoing
UNHCR	Referral to IOM for repatriation if women fall outside their mandate.		Ongoing
International Centre for Migration Policy development (ICMPD)	Monitoring of illegal migration from Italy. Monitoring of trafficking through Rinas international airport.	Ministry of Public Order	Memorandum of Understanding signed July 2000

UNICRI	Creation of a permanent observatory with a databank on trafficking, figures, routes, best practices and successful investigations.	Governments of Albania and Italy MAPE NGOs Italian regional municipalities and administrations	Seeking funding. 18 months duration envisaged.
UNDP/UNOPS	Education and training of girls at risk.	Local NGO	9 months in 1999 – not ongoing
EU/EC	Supported NGO and IOM information campaigns.		
IOM	Public information campaigns: Albania: Stop Trafficking, Italy: You can return to a normal life. Workshop on Trafficking in Women for Purposes of Sexual Exploitation	NGOs and EC UK Government's Department for International Development (DFID)	1999 September 1999
UNICEF	Support for education programmes to NGOs working with street children. Also programmes working with families and children at risk of being trafficked. Heading prevention sub-group of the trafficking working group.	Local NGOs, Terres des Hommes,	Ongoing
NGOs			
Local NGO²⁷	TV and media campaigns on trafficking.		1999
Local NGO	Research planned on use of legislative mechanisms to prosecute perpetrators.		Planned for mid 2000
Local NGO	Research on Prostitution in Albania. Helped facilitate Stop Trafficking Campaign.	EU Phare Democracy Programme European Community and IOM.	Completed 1999

²⁷ For security reasons, local NGOs are not named in this report.

	Public awareness campaign.		
Local NGO	Documentation and information centre from which all media is monitored. Public awareness campaign through TV, radio and distribution of information leaflets.	German Embassy, Tirana.	July 2000
Local NGO	Research on violence against women and trafficking in Lezha District.	Inter SOS, European Commission Humanitarian Office (ECHO), Local NGO	Completed
Local NGO	Produced documentary on Albanian prostitutes in Italy.	Albanian TV	May 2000
Local NGO	Network of women's organisations in Vlora. Public awareness raising on violence against and trafficking of women.	DFID	Ongoing
Local NGO	Public awareness information, leaflets and posters on dangers of trafficking. Distribution in Albania at known transit points of information regarding contacts with NGOs in Italy if they need assistance.	Italian NGOs	Ongoing Ongoing

B: PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Committee on Women and Family, Albanian Council of Ministers	Responsible for Beijing+5, includes violence against women and trafficking. Focal point within government.	NGOs and international agencies	Ongoing
General Administration of Social Welfare	Plan to establish a return and reintegration service for women returning to Albania.	Looking for funding	Not yet started
INTERNATIONAL AGENCIES			
UNDP/UNOPS	Education and training of girls at risk	Local NGO	1999 - not ongoing

IOM	Shelter for trafficked women. Counselling and support in shelter. Assistance with documentation. Interagency referral system. Safe repatriation to country of origin. Leads sub-group on Social Welfare and Services within the Trafficking Working Group.	International NGOs Other international agencies and NGOs Governments and Embassies of countries of origin.	Ongoing
UNICRI	Implementation of witness support schemes	Governments of Albania and Italy MAPE NGOs Italian regional municipalities and administrations.	Seeking funding
UNICEF	Support to NGOs working with street children for education programmes. Also programs working with families and children at risk of being trafficked.	Local NGOs	Ongoing
NGOs			
Local NGO	Free legal advice available.		Ongoing
Local NGO	Planned work on return and reintegration.		Late 2000
Local NGO	Training of social workers. Are beginning to include trafficking in curriculum.		Ongoing
Local NGO	Women's shelter. Psychosocial services.	DFID	2000
Local NGO	Shelter for victims of domestic violence, and has provided accommodation and support to several women victims of trafficking.	Government of Italy, though facing a funding crisis, as they have no donor.	
Local NGO	Take referrals for counselling from IOM as needed. To establish a shelter for trafficked		

	women would need support including for capacity building. At present examining the challenges and constraints.		
Local NGO	In Vlora, support women's health centres that have encountered trafficked women.		Ongoing

C: LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Public Order	Police Training in domestic violence and trafficking. Creation of specialised Taskforce for Women and Minors.	MAPE Local NGOs and CoE	Ongoing since 1996
INTERNATIONAL AGENCIES			
CoE	Seminars aimed at raising awareness of police, judges, social workers and teachers.	Government and NGOs.	Ongoing since 1996
OSCE	Human rights monitoring of police cells in police stations throughout Albania. Ensure cases of trafficking are referred to IOM and international NGOs. Law enforcement training: Policing the human rights of women.	Police, NGOs and IOM MAPE, UNOHCR, ICITAP	Ongoing Training begins October 2000
Multinational Advisory Police Element (MAPE)	Training of police force, including border police. Leads sub-group on law enforcement within the Trafficking Working Group.		Ongoing since 1997 Since June 2000
US Department of Justice/ICITAP	Training of police at supervisory and management level, including border police.	Albanian police	Ongoing
UNICRI	Police Training on trafficking Establishment of a Special Police Taskforce Co-operation among institutional agencies to be promoted for information exchange and	Albanian and Italian governments. MAPE NGOs Italian regional administrations	Seeking funding. Envisioned for 18 months.

	implementation of victim/witness schemes.	and municipalities	
NGOs			
Local NGO	Lobbying on new legislation. Research planned on use of legislative mechanisms to prosecute perpetrators.	Other NGOs.	Ongoing Planned for mid 2000

D: LEGAL REVIEW

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Public Order	New law on State Police passed on 25 November 1999 that restructures the police force. Secondary legislation currently being drafted. Draft law prepared on children and minors - based upon Italian law. Copy of draft is with the Ministry of Justice. Includes a few articles on trafficking. Law aimed at controlling speedboats passed in January 1999. Revised law drafted by Italian Bilateral mission. MAPE and OSCE. Approved by Council of Ministers in July 2000, awaiting Parliamentary approval.	MAPE, OSCE, Criminal Police, Ministry and Interforce.	Met at the end of June to analyse law and make final recommendations.
Ministry of Justice	Revision of 1999 Penal Code to include two articles specifically dealing with trafficking of women as prostitutes and of children. Training of judiciary. Establishment of a Juvenile Justice System.	Working group looking at Penal Code that includes OSCE, MAPE, Interforce and Ministry of Public Order. However, some confusion as there is an updated 1999 Penal Code and this working group is using the 1995 Penal Code. American Public and Legal Researches Government of Italy	
INTERNATIONAL AGENCIES			
CoE	Seminars aimed at raising awareness	Government and	Ongoing since

	of police, judges, social workers and teachers.	NGOs	1996
OSCE	Working group on new legislation of children and minors. Leads sub-group on legal review within the Friends of Albania Anti-Trafficking Working Group.	Government and international agencies. Friends of Albania Network	Ongoing Ongoing
NGOs			
Local NGO	Lobbying and advice on legal reform. Research planned on use of legislative mechanisms to prosecute perpetrators.		Ongoing Planned for mid 2000

III. AREAS FOR ACTION:

A. Prevention:

1. Information campaign targeting general public and individuals at risk of trafficking, particularly in rural areas.
2. A gender analysis needs to be adopted which begins to challenge the status that women and children presently have in Albanian society.
3. Training and sensitisation of media.
4. Awareness raising, sensitisation and training of all public authorities, government representatives, diplomatic representatives and NGOs.
5. Information and education programmes in schools on trafficking for both sexual exploitation and forced labour.
6. Appropriate training for police and other personnel who may come into contact with trafficked victims.
7. Build upon existing training initiatives between NGOs and police force with specific emphasis on trafficking. Strengthen co-operation between NGOs working with victims and the police and judiciary.
8. Develop effective methods of gathering data and information. Establish more effective dissemination and sharing of research and information.
9. Strengthen existing research capacity, particularly within NGOs.
10. Facilitate and support more effective research to analyse the problem and develop appropriate responses.
11. Work with the government to develop a National Plan of Action, which incorporates all the measures and principles ratified under existing conventions and protocols.
12. Encourage government to sign and ratify other conventions relevant to the prevention of trafficking.²⁸
13. National Plan of Action for Women, developed after 1995 UN Conference in Beijing needs to be implemented.

B. Protection and Assistance:

14. Strengthening of services and support offered through existing shelters.
15. Establishment of appropriate shelters and services to support the return and reintegration of Albanian women.
16. Development and implementation of witness protection programmes. These programmes in some cases need to be able to extend to the witness's family. This protection may also need to be extended to organisations and personnel supporting a victim, especially in the event of legal proceedings.
17. Building and strengthening existing expertise to understand how to deal with the problem, especially for Albanian NGOs providing services.
18. Provision of financial support, which enables the development of long-term solutions and responses to the problem. This is particularly relevant for NGOs providing services to the victims.
19. Provision of legal support.

C. Law Enforcement:

²⁸ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (1990), the revised European Social Charter (1996) and the Additional Protocol to the European Convention on the Exercise of Children's Rights (1996), CEDAW (1979), Optional protocol (1999) and CRC (1989).

20. Training of police specifically on issues of trafficking. Policing at national level, training and co-operation between the different parts of the police bodies to be coordinated and developed.
21. Systems for processing of foreign women once arrested need to be improved and standardised, especially outside Tirana.
22. Training of judges, lawyers and prosecutors dealing with the issue.
23. Strengthen international co-ordination of intelligence information and trans-national police responses to the problem.

D. Legal Review:

24. Review and development of new articles under the Penal Code to target trafficking and ensure appropriate prosecution of trafficker's.
25. Reform of legislation to provide adequate protection to victims of trafficking, particularly addressing needs of women and children. Revised law on Children and Minors is before Parliament (as of June 2000).

E. Co-ordination and Co-operation:

26. Establish and support a mechanism that plays an effective coordinating role. This coordinating mechanism needs to be effective in helping to develop a National Plan of Action to combat trafficking. Co-ordination on the part of the international community cannot succeed without active government involvement.
27. Strengthen overall co-ordination of prevention activities between the three sectors.
28. Information and lesson sharing with other countries in the region.

BOSNIA AND HERZEGOVINA

I. BACKGROUND:

Trafficking and prostitution in Bosnia and Herzegovina has increased over the past 5 years, however it only first received significant attention in 1998, with a conference on trafficking held in Tuzla in December 1998. According to statistics and cases cited in a recent report from the UN Mission for Bosnia and Herzegovina (UNMIBH)/UNOHCHR, Bosnia and Herzegovina has emerged as a significant country of destination for trafficked women from Eastern Europe.²⁹ Like other countries in the region, Bosnia and Herzegovina has experienced an increase in organised crime, a large international presence, breakdown of effective legal and law enforcement structures, poor border control and greater illegal movement of people through and to the country. Whilst there was not a great deal of information regarding the transiting of women for forced prostitution, there is more information regarding Bosnia and Herzegovina as a transit country for labour migrants from China, Iran and Turkey. The combination of the above factors together with weak government responses and a lack of political will has resulted in an increase in market factors, which have exacerbated the situation.

As a sovereign territory, Bosnia and Herzegovina is in a unique position. Under the Dayton Peace Agreement, the international community has leverage and influence unlike any other country in the region, apart from the UN Administered Province of Kosovo. Bosnia and Herzegovina is comprised of two entities, Republika Srpska and the Federation of Bosnia and Herzegovina (the Federation). The Federation is further divided into ten districts referred to as Cantons. Both have their own governments and civil structures.

There are a large number of international actors present in Bosnia and Herzegovina and these represent government, international agencies and NGOs. The key international actors in Bosnia and Herzegovina are as follows:

- **OHR:** Office of the High Representative: appointed by the Security Council under the Dayton Peace Agreement. OHR has the authority to coordinate all intergovernmental organisations in Bosnia and Herzegovina and is the principal mediator between the international community and the national authorities. OHR has the authority to intervene and pass decisions that are binding by law in the event of the inability of national parties to resolve difficulties.
- **UNMIBH:** The UN Mission in Bosnia and Herzegovina: mandated by the Security Council, and is the peacekeeping mission responsible for contributing to the establishment of rule of law and human rights. It has two main parts: IPTF (International Police Task Force) and JSAP (Judicial System Assessment Programme).
- **IPTF:** International Police Task Force: responsible for assisting in the restructuring and training of law enforcement agencies, with the aim to create police forces that are democratic, multi-ethnic and adhere to accepted international standards. IPTF is comprised of international civilian police officers from member states of the UN.

²⁹ UNMIBH/OHCHR, *Trafficking in human beings in Bosnia and Herzegovina*, May 2000.

- **JSAP:** Responsible for assessing the judicial system and monitoring those involved in the maintenance of law and order.
- **UNOHCHR:** UN Office of the High Commissioner for Human Rights focuses on discrimination surrounding gender and diversity, protection of minorities and rule of law with an emphasis on social and economic rights. UNOHCHR works closely with UNMIBH and advises on human rights aspects of its work and training of IPTF.
- **SFOR:** Stabilisation Force of the Partnership for Peace. This is the international military authority in Bosnia and Herzegovina, currently with some 20,000 troops in the country.
- **OSCE:** the Bosnia and Herzegovina mission was established in December 1995 under the Dayton Peace Agreement. The mandate includes promoting democratic values, monitoring and furthering the development of human rights, organising and supervising elections as well as implementing arms control and security building measures.

During 1998, the first reports of trafficking emerged. These were from NGOs and from the IPTF who were beginning to file isolated cases. IOM collates and publishes figures for women assisted with repatriation each month. The figures for August 2000 reveal a total of 95 women repatriated since August 1999, and another 5 women in the process of being repatriated. Women are predominantly from Moldova (48) and Romania (34), followed by Ukraine (14), Kazakhstan (2), the Federal Republic of Yugoslavia (1) and Belarus (1) and are between the ages of 16 and 33, including 5 minors.³⁰

Although there is strong evidence of Bosnia and Herzegovina as a destination country for trafficking in women for purpose of sexual exploitation, there is little evidence that it is a transit or source country. Local NGOs in Republika Srpska report that there has been an increase in advertising through local newspapers for young people interested in employment as actors and models, which may well be a technique to recruit women and girls into the sex industry. There is not a great deal of information on local women's involvement in prostitution, however there have been some anecdotal reports of a few Bosnian girls being trafficked out of the country for the purposes of prostitution. There is also some information emerging regarding the trafficking of illegal immigrants from countries like China, Iran and Turkey through Bosnia and Herzegovina into Western Europe.

The same patterns and forms of recruitment used elsewhere in the region are reported by women trafficked in Bosnia and Herzegovina. They are typically lured into prostitution through promises of work as a barmaid, dancer or housekeeper. The main route into Bosnia and Herzegovina is through Serbia and into the Republika Srpska. Border control is weak and corruption at the local level makes movement of women easier. Many women are smuggled in, while others have documentation taken from them once they arrive in Bosnia and Herzegovina. They are then caught up in a cycle of sale, debt bondage and physical and sexual violence and intimidation.

Of the women who were interviewed by the police, IPTF estimates about 33 per cent report they have been trafficked and seek assistance to return home. The other women who say they

³⁰ Returned Migrant Statistics: IOM Pilot Project for the Return of Trafficked Migrants from Bosnia and Herzegovina, August 2000.

are in Bosnia and Herzegovina voluntarily are usually held in the police station, sometimes charged and fined. More often these women are not charged and are released back into the community, usually to their pimps or protectors.

Protection and provision of support for the trafficked women is limited. There is no shelter at present in Bosnia and Herzegovina, though negotiations are under way to establish one. The government, through the Ministry of the Interior has donated some land, but has been unable to provide premises. IOM is working with UNOHCHR to secure funding for building a shelter. Ad hoc support to individuals is provided by NGOs who are presently looking at how to ensure they can support these women more effectively.

Trafficked women are extremely vulnerable to reproductive and sexually transmitted health problems. As this constitutes a public health risk, trafficking is finally attracting some attention in Bosnia and Herzegovina as international agencies begin to look at ways to work with governments to suggest and develop policy and programmes. However, this will require significant advocacy and lobbying work in conjunction with public awareness campaigns and education.

Although the profile and estimates of the customers varies, there is no doubt the international community is providing a significant percentage of the demand in the sex market. IPTF reports that whilst there are areas where the international market is concentrated such as Sarajevo in the Federation, Brcko (Arizona Market) and Banja Luka in Republika Srpska, the greater percentage of the market is local, and bars and nightclubs can be found in towns and villages throughout Bosnia and Herzegovina. Local organisations in the Republika Srpska also report a flourishing sex industry, particularly in Banja Luka and Bijelina, where traffickers and bar owners act with impunity due to the alleged local involvement of police.

Law enforcement is a complex process due to the various levels of government. There is no anti-trafficking legislation in the Federation or the Republika Srpska. There are some provisions in the Criminal Codes of both the Federation and the Republika Srpska which could be applied, including slavery and transportation of enslaved persons, unlawful detention, rape, forced intercourse, sexual intercourse with a minor and recruitment into prostitution. These provisions are, of course, subject to lack of recognition of these crimes in relation to trafficking by the police, interpretation by the judges and sentences are often not sufficient to be a deterrent. Laws relevant to the trafficking that exist at all three levels of state, entity and canton have no explicit reference or article on trafficking.

The state has constitutional responsibility for legal regulation of immigration. However, criminal law and control of foreigners is a matter for the entity, therefore, different codes exist on either side of the entities, in the Federation and Republika Srpska. There is no criminal justice structure at the state level and because of the political situation there is little co-operation.

The trafficked victim may be charged with prostitution or violation of immigration laws. Prostitution is a minor offence punishable by a fine and/or up to 60 days imprisonment. This law does not exclude or protect those who have been trafficked. Until recently, women who were deemed to be illegal aliens were deported. Deportation did not mean from the state, it only meant out of the canton, which left the woman vulnerable to re-trafficking, particularly given the alleged involvement of police at the local level. Women would be deported to the next canton, only to be “recycled” at the border. This was stopped in August 1999 when the IPTF Commissioner issued a directive banning the internal deportation of illegal aliens,

subsequently confirmed by an instruction from OHR. OHR pushed through the Asylum and Immigration law in 1999, which includes a provision for temporary residency based on well-founded fear of persecution (Article 34). Trafficking was not considered during the drafting of this legislation.

The presence of IPTF serves as a monitoring mechanism. The women arrested or detained in bar raids are taken to the IPTF or local police station where they are interviewed by a Human Rights Officer from UNMIBH. If they are deemed to be trafficked and indicate they would like to return home, they are referred to IOM, which also interviews them, organises temporary accommodation, documentation and repatriation. There has been some police training in how to deal with victims of trafficking. Although things have improved, there still needs to more work done on targeting the trafficker rather than the victim and ensuring women's basic legal and human rights are protected when detained.

Overall, law enforcement agencies still face a number of challenges and constraints in carrying out their work effectively.

- At present, Bosnia and Herzegovina has a very new and small specialised border police, which was only established in July 2000.
- A standard protocol for bar raids has been established between IPTF and local police. Before a bar raid, local police are supposed to inform IPTF 48 hours in advance and IPTF then accompany them to monitor the raid. This does not always occur.
- There is no cross entity police or intelligence gathering and sharing for the whole of Bosnia and Herzegovina.
- The collection and gathering of evidence is extremely weak and there is often no consultation with the prosecutor. ABA CEELI has organised training around the relationships between prosecutors and police in Sarajevo.
- There is no provision for witness protection, the identity of a witness is only protected before and during any court proceedings.

The situation in Bosnia and Herzegovina remains challenging. UNOHCHR reports that in general, government authorities do not understand and are unwilling to grasp the scope and dimensions of trafficking of human beings in Bosnia and Herzegovina.³¹ Law enforcement agencies are also failing to co-operate across entities and often fail to act due to complacency, lack of will, or because they are overtly involved. In many cases judges are not co-operative as they are resistant to prosecuting traffickers under other articles of law and provisions that exist apart from prostitution. As there is no witness protection programme, trafficked women will not give evidence. Additionally, this takes time and there is no long-term accommodation for women who may be interested in doing so.

Finally, there is no communication between foreign ministries across the entities, and no method to follow up on women repatriated, apart from contacts through IOM and NGOs. There is no evidence that responsibility is being taken by governments for the safety of women upon return to countries of origin.

II. PRESENT RESPONSES:

There has been a significant amount of work done since 1998, which has resulted in a limited preparedness of authorities and police to engage and target traffickers and organised crime more effectively. However, solutions to this problem will only be found by active

³¹ UNMIBH/OHCHR, Trafficking in Human beings in Bosnia and Herzegovina, May 2000, p. ii.

involvement of the government at a national and local level and effective co-ordination between all sectors: government, international agencies and NGOs.

1. Government

The government to date has demonstrated limited willingness to engage in this issue. State level competency is sought to deal with trafficking, though there is a difference in the level of such, and engagement between the two entities.

1.1 Prevention:

- The Ministries of the Interior in both entities acknowledge that there is a problem with the trafficking of women. There has been a desire expressed at the senior levels to co-operate with the international community, however, this has yet to find a practical application.

1.2 Protection and Assistance:

- The Ministry of Civil Affairs in the Federation has demonstrated a preparedness to support and assist victims of trafficking through the provision of land for the building of a shelter and stated that they would include running costs in their next budget. However, they have yet to apply to the UN for funding to cover construction costs. Internal restructuring and decisions regarding delegation of responsibility with the newly formed Ministry of Human Rights, are yet to be finalised and have led to delays. The Ministry in the Republika Srpska has expressed interest, but has yet to become involved.
- The Ministry of Foreign Affairs should be engaging in bilateral agreements with the countries of origin to help facilitate the smooth repatriation of victims from Bosnia and Herzegovina. To date, this has not occurred effectively and IOM continues to experience obstacles and difficulties with some embassies when organising documentation and travel.

1.3 Law Enforcement:

- Behaviour of local police in both entities indicates at best a lack of awareness about the issues and at worst complicity with local bar owners and traffickers.
- The special border police force is now operational, though it is still small and only able to cover specific points of entry. It is envisaged that it will be strengthened over the coming months and will be able to play a stronger role in monitoring border movements.

1.4 Legal Review:

- The Ministries of Justice also differ in their responses. The Ministry of Justice in the Federation has decided that legislative reform is required, whereas in the Republika Srpska it feels the existing framework is sufficient. Although there has been training made available to judges and prosecutors (ABA CEELI, IHRLG and US Department of Justice), there has been no guidance or instruction provided as to the appropriate approach to be taken.
- In the Federation, the Criminal Law has been passed and also approved by the Council of Europe but includes no specific provision for trafficking. The same applies in the Republika Srpska, however, the Criminal Procedures are yet to be passed. Neither of the Criminal Law Codes makes any provision for witness protection.

2. International Agencies

International agencies in Bosnia and Herzegovina coordinate and collaborate with NGOs, and, to a lesser extent with the government.

2.1 Trafficking Working Group:

The trafficking working group has been established and functioning since December 1998. The Gender Trafficking Sub Group is a sub group of the Gender Co-ordination Group, which is chaired by OHR. The Gender Trafficking Sub Group includes representatives from OHR, OSCE, UNOHCHR, IOM, UNMIBH, with other international agencies and NGOs participating on an ad hoc basis. It works to develop policy, influence government and coordinate work and initiatives undertaken by individual organisations. Unfortunately, there is no government representation to date.

2.2 UNMIBH/UNOHCHR:

In Bosnia and Herzegovina, the lead on trafficking issues lies with UNOHCHR. UNMIBH are responsible for monitoring police and law enforcement. The co-ordination of international agencies and NGOs is very good due to UNOHCHR taking an extremely proactive approach. UNOHCHR has drawn up and devised the legal framework for the protection of victims up to and including safe repatriation.

The CoE and UNOHCHR organised the first conference on trafficking in Tuzla in December 1998, out of which came the recommendations that led to the development of the Trafficking Project. UNMIBH/UNOHCHR launched the Trafficking Project in March 1999. This is a joint initiative to address the trafficking of human beings in Bosnia from an integrated perspective. It aims to assist victims, facilitate prosecution of traffickers and promote law reform and governmental responsibility.

2.3 OSCE:

Three departments of the OSCE deal with trafficking; Human Rights, Media Affairs and Democratisation. The Senior Deputy Head of Mission is also involved with regional organised crime initiatives, which includes trafficking. To date, the involvement of OSCE has been:

- membership of the Gender Trafficking Sub Group.
- referral of cases to IPTF through Human Rights Department.
- co-operation with international agencies and NGOs in identifying necessary legislative reform.
- involvement in regional crime initiative.
- establishment of a trafficking focal point within the mission.

Planned activities include:

- support to NGOs.
- media training and sensitisation.
- monitoring and reporting of trafficking cases.
- facilitation and co-ordination of information between the Stability Pact Task Force on Trafficking in Human Beings and international agencies/NGOs in Bosnia and Herzegovina.

OSCE Human Rights Department has been involved in drafting amendments to the Federation of Bosnia and Herzegovina law, which provides for organised crime to be investigated and tried at Federation level, rather than locally. Once the law is passed, OSCE will work with relevant agencies in education and support to bring these cases to the Federation level for prosecution.

2.4 OHR:

OHR is a member of the Gender Trafficking Sub Group. Their principle involvement has been responsibility for drafting of legislation with UNOHCHR and ensuring the future inclusion of trafficking into the criminal code.

2.5 IOM:

As in other countries, IOM is responsible for the safe repatriation of victims of trafficking. A pilot project for the return of trafficked migrants from Bosnia and Herzegovina has been running since August 1999. Activities IOM are presently involved in include:

- Putting in place mechanisms for the safe and orderly return of trafficked migrants, especially women who have been trafficked for sexual exploitation. This involves temporary accommodation, documentation and transportation. Medical and health care is also offered and reintegration assistance when available.
- Women are interviewed and screened by IPTF and in complicated or unclear cases by both IPTF and IOM. UNMIBH Human Rights Officers are also involved, being responsible for data collection on trafficking.
- IOM and UNOHCHR have been trying to encourage the government to take more responsibility. They had been requesting premises for a shelter from the Ministry of Interior for sometime, and have only recently have been given a piece of land with no buildings. A house will be built but meanwhile a shelter is urgently needed.
- Co-ordination with IPTF, local police and government authorities for referrals and to ensure protection and assistance is given to victims of trafficking.
- Arrangements for reception and support in home country and co-ordination with IOM and country NGOs to assist with reintegration if desired.
- Contributing to the protection and assistance of trafficked migrants and lessening the burden on the government of Bosnia and Herzegovina.
- IOM has launched an information and awareness raising campaign in August 2000 aimed at the general public.
- IOM have created a database for Bosnia and Herzegovina and this is updated regularly. Repatriation figures are collated on a monthly basis with country of origin breakdown.

3. NGOs

Post conflict and political transition have characterised Bosnia and Herzegovina over the past five years. This has resulted in political, social and cultural changes, an aspect of which has been the emergence and transformation of “civil society”. This has also resulted in the establishment of many non-profit NGOs, of which a great many are women’s organisations. Most of these would be primarily concerned with humanitarian work that services their own constituency. However, a number of Bosnian women’s organisations have been addressing the issue of violence against women, particularly sexual assaults and domestic violence. Whilst there are SOS hotlines in both the Republika Srpska and the Federation, there are no domestic violence shelters.

Although actively involved in activities dealing with violence against women, a number of Bosnian NGOs have found that their involvement in anti-trafficking work needs to be considered carefully. Some organisations found they were dealing with an increasing number of trafficked women on an ad hoc basis. As a response to this emerging need, ten agencies came together and formed a coalition called the RING.

The RING includes organisations from both entities of Bosnia and Herzegovina. Quite apart from the need to develop appropriate responses, they also realised the need to consider carefully their capacity to become involved in the work on trafficking. Many Bosnian NGOs

have limited capacity, consequently, a decision has to be taken as to whether working on trafficking will require and/or demand cutting back existing programmes, and/or investment of time and energy into building separate capacity and expertise. Although there is a clear need to become involved, the RING coalition have decided to step back and ensure that they have the capacity and expertise to respond in the most appropriate and effective manner.

To achieve this, the RING has developed an action plan with short, medium and long term goals and activities. These will include research, awareness raising, data collection, training, protection and assistance. In the first year are looking at the following activities:

- Research and data collection to provide information regarding the situation. They have identified a need to understand the problem so as to identify how best to respond. This research will be based in Bijeljina and Sarajevo. Part of this work aims to create a proper database.
- Conduct workshops to better understand the problem and responses.
- Information campaign.
- Media sensitisation and training.
- Looking closely at the requirements to establish a shelter.

There have been separate actions taken by individual agencies that are appropriate to their context. For example here have been connections made between women's organisations in Serbia and the Republika Srpska to coordinate on information gathering and sharing of data. Also a number of women from four organisations attended La Strada training in the Netherlands.

Few international NGOs are involved in trafficking except for limited support being provided for ad hoc services. These include Oxfam GB and Kvinna Till Kvinna. The Soros Foundation (OSFBiH) has recently indicated it will fund activities related to trafficking. A detailed inventory of all activities in Bosnia and Herzegovina will be prepared together with a proposal outlining what is planned and identification of priorities. This is to be completed in August 2000.

TABLE 3: SUMMARY OF PRESENT ACTIVITIES IN BOSNIA AND HERZEGOVINA

A. PREVENTION

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
IOM	Awareness raising campaign aimed at the general public	International agencies and NGOs.	Research for campaign finalised. Planned launch August 2000.
CoE	Workshops and Seminars.		
	Tuzla Conference.	UNMIBH/ UNOHCHR	December 1998
	Neum Conference.	UNMIBH/ UNOHCHR, Local NGO	June 1999
IOM, UNOHCHR and IHRLG	Media Training		Ongoing
NGOs			
The RING – local NGO network	Planned research into data collection and information regarding dimensions and scope of problem.		As soon as funding can be secured. Proposal is prepared.

B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date		
INTERNATIONAL AGENCIES			
IOM, UNOHCHR	Temporary shelter for trafficked victims.	International NGOs, some local NGOs who have provided short term funding.	Ongoing

IOM	IOM work in Bosnia and Herzegovina is part of the Global Trafficking in Migrants Project. Support and assistance to victims whilst waiting for repatriation. Safe repatriation and return of trafficked migrants to country of origin.	IPTF, UNCHR	Ongoing
UNOHCHR/ UNMIBH	Trafficking Project: through collaboration and facilitation, ensure that protection and assistance is given to victims of trafficking.	IOM, IPTF	Ongoing since March 1998
UNMIBH	Civilians in UNMIBH work with IPTF on training and co-ordinating activities. Human Rights officers interview trafficked victims with IPTF. Human Rights office is responsible for collection of data and information on trafficking.		Ongoing under Dayton Agreement.
IPTF	IPTF responsible for training and monitoring local police in all activities pertaining to trafficking. Involved in pre-recruitment checks and screening of local police. Also involved in de-certification of corrupt police.		Ongoing
OSCE	Human Rights monitoring of arrests and detention of women by police.	UNMIBH	Ongoing
UN Fund for Population Activities (UNFPA)	Two Projects: “Reproductive Health Education Through Youth Peer Counselling in Bosnia and Herzegovina” and “Support to Reproductive Health and Family Planning Service in Bosnia and Herzegovina”. Both projects possibly to be developed in the next stage so as to include trafficking and surrounding health issues.	Ministries of and Education	
NGOs			
Local NGOs	Ad hoc assistance given through counselling services and support services. Made available through existing programmes.	International NGOs who provide funding	Ongoing

Kvinna Till Kvinna	Funded temporary shelter.	IOM/UNOHCHR	
	Funded meetings of the RING.	Local women's NGOs	
	Facilitate regional networking.		
	Financed local research project in Zenica. Ongoing support to women's organisations.	Local NGO	

C. LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of the Interior	Police training and implementation on the ground.	IPTF	Ongoing
SECI	Bosnia and Herzegovina has signed the Agreement on Co-operation to Prevent and Combat Trans-border Crime.	No activities to date	May 2000
INTERNATIONAL AGENCIES			
IPTF	Monitoring and training of local police. Monitoring of raids and arrests.	Local police	Ongoing
UNOHCHR/ UNMIBH	Monitoring and human rights training for IPTF and local police. UNMIBH human rights officers interview trafficking victims with IPTF/Human Rights.	IPFT and local police	Ongoing
UNOHCHR	Training for judges, police and prosecutors.	In cooperation with Council of Europe, ABA CEELI	
ABA CEELI (American Bar Association and Central East Europe Law Association)	To date has held 52 training workshops in Bosnia and Herzegovina and has completed 17 legal assessments on topics ranging from foreign investment to judicial organisation. Works on judicial reform, legal profession reform, criminal and commercial law reform and legislative assistance. Work on trafficking has included training with police judges, lawyers		Ongoing

	and prosecutor on relationships between the different parties and evidence gathering for police.		
NGOs			
IHRLG	<p>Training with judges, police, lawyers and international community dealing with trafficking.</p> <p>NGO training for those dealing with trafficking in both entities.</p> <p>Plan to develop work with politicians.</p>		<p>June 1999 and ongoing</p> <p>November 2000</p>

D. LEGAL REVIEW

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date		
INTERNATIONAL AGENCIES			
UNMIBH/ UNOHCHR	<p>Review of legislation related to trafficking, including</p> <ul style="list-style-type: none"> - exploring development of a witness support programme - inclusion of trafficking into the criminal code. <p>Draft legislation for Republika Srpska on trafficking, submitted to OHR</p>	IHRLG	Ongoing
CoE	<p>A representative has been appointed to Bosnia and Herzegovina.</p> <p>Will be working with OHR on drafting legislative framework on organised crime.</p>		August 2000
NGOs			
IHRLG	Plan review of existing legislation relevant to trafficking, including immigration, civil and criminal law, health and social welfare.	UNOHCHR, the Ring Network	Pending

III. AREAS FOR ACTION:

A. Prevention:

1. Conduct research to provide information regarding the scale and dimension of trafficking.
2. Implementation of information campaigns targeting the general public and customers.
3. Media sensitisation and training.

B. Protection and Assistance:

4. The establishment of the shelter for victims of trafficking needs to be finalised as soon as possible.
5. Ensure victims of trafficking have free access to health care.
6. Local NGOs are generally under-resourced, and taking on additional work to address trafficking requires strategic planning around allocation of resources, both human and financial and capacity building. Local NGOs should be given international sponsorship to support them in this process.

C. Law Enforcement:

7. Strengthening of IPTF training of local police to include more effective information on trafficking and protection afforded to victims. This should include relevant policing standards and procedures.
8. Strengthening of the training of judges, lawyers and prosecutors.

D. Legal Review:

9. Both entities, the Federation and the Republika Srpska, need the revision of Criminal Codes, inclusion of separate chapters identifying the crimes committed within the trafficking process (the new Republika Srpska Criminal Code did not include the correct definition of trafficking).
10. Removal of the provisions that criminalise health conditions that make someone who suffers from a sexually transmitted infection automatically criminally liable for infecting another persons.
11. Regularise immigration status of trafficked migrants to enable them to remain in the country long enough to give evidence or to pursue a civil remedy.

E. Co-ordination and Co-operation:

12. International agencies and government to nominate effective focal points.
13. Co-operation between law enforcement agencies across the entities.
14. Communication between Foreign Ministries across the entities.
15. Development of bilateral relationships with the embassies of the countries of origin to ensure follow up on women who have been repatriated.
16. Creation of a Trafficking Task Force comprising relevant ministries, representatives of the international community and NGOs leading to the development of a National Plan of Action.

CROATIA

I. BACKGROUND:

Croatia is a post war country undergoing social, political and economic transition. During the war, structural change, corruption and economic mismanagement and abuses led to an extremely uneven distribution of wealth. Additionally, corrupt privatisation policies saw national wealth falling into the hands of a few elite and resulted in a dramatic decline in industry and employment and a sharp increase in pre-war poverty. Croatia elected a new government in early 2000, which has seen an opening up to the normalisation of foreign relations following the long freeze experienced under Tudjman's party, the HDZ. Croatia faces huge economic difficulties, which has meant the introduction of a tough reform programme that is unpopular locally. Support for Croatia in maintaining its western orientation will require international sponsorship and more concrete international aid.

At present, in Croatia there is little information regarding the dimensions of trafficking of human beings. The information available would indicate it is a transit country and to a very limited extent a destination country for foreign women trafficked for sexual exploitation. The Ministry of the Interior reports that trafficking is not a phenomenon in Croatia, and there is no data or information to support this being otherwise.

It would appear that any cases of trafficking are registered as illegal immigrants. IOM in their analysis of deportation figures for illegal immigrants from 1996 to 1998 found a disproportionate number of Romanian, Ukrainian and Moldavian women represented. Also, according to available data, the number of foreign women that are charged for criminal or for petty offences is increasing.

The Ministry of Interior does report that the use of Croatia as a transit country for illegal immigrants entering Western Europe is a growing problem. The nationalities included in recent deportations have included Bosnians, Iranians, Turks and more recently Chinese. Illegal immigrants who are detained, mainly at the border whilst trying to cross illegally, are held by police in a shelter in Jezevo near Zagreb. They are detained here until their papers are in order and then they are deported to their country of origin.

The Criminal Code of 1998 is presently being re-drafted, though the Ministry of Interior and the Ministry of Justice are not intending to include a specific article on trafficking as they feel there is insufficient evidence to warrant such a provision. If Croatia does sign the UN Optional Protocol on Trafficking, they will have to re-draft the Criminal Code to specifically include an article on trafficking.

The present provisions according to Croatian Criminal Law are:

- Under Article 195, trafficking of women of all ages is defined as procurement. This is punishable from a fine through to one to eight years in prison.
- Under Article 177, an individual can be charged with illegal border crossings. This punishes someone for taking an individual across the border illegally, for purposes of self-interest. This offence usually attracts a fine and deportation to their country of origin. The sentence is a fine or imprisonment up to one year. Also, whoever organises the crime perpetration of the criminal offence can be imprisoned up to 5 years.

- Under Article 178 (international prostitution), whoever leads another person to offer sexual services for profit can be imprisoned up to 3 years. Whoever forces another person to go to the state where he/she has no residence for sexual purposes can be punished by imprisonment up to 5 years. If the criminal offence is committed against the child, the perpetrator can be imprisoned up to 10 years.
- The law on Misdemeanours and Crimes regulates prostitution. Article 12 states that a person who engages in prostitution can be fined up to DM 200 or imprisoned for up to 30 days. Article 7 regulates punishment for the provider or mediator of prostitution who can be fined up to DM 350 or imprisoned up to 30 days.

There is no commitment on the part of police to treat trafficking as a specific issue. However, there is commitment to work on the issue of organised crime. Croatia has signed onto “The Agreement on Co-operation to Prevent and Combat Trans-border Crime” with SECI and is a member of the Adriatic Sea Initiative. There have been bilateral relationships built with the Republika Srpska and FRY around more effective border control.

There has been no systematic research done into the patterns, scale and dimensions of trafficking in Croatia. There has been attention given to individual cases on a need basis. The media has highlighted some recent cases of illegal migrants being trafficked through Croatia, however, there is a need for media training and sensitisation on this issue. IOM plans a more systematic piece of research later in 2000, as there is a distinct lack of understanding and awareness of the problem.

During the war (1991-1995) large amounts of money were channelled into Croatia, a significant amount of which was utilised to support a then flourishing civil society. However, the work of many of these new organisations was not sustainable and many groups vanished after the funding ceased. Organisations that have survived most typically have a strong mandate with a clear constituency. As in other parts of the region, women’s organisations are well represented in this sector, but face the same dilemmas with attracting funding for sustainable long-term work.

NGOs report that whilst the scale of the problem is difficult to ascertain, there is evidence to suggest a larger problem than is being identified by the government. Prostitution exists in Croatia and is conducted from bars, nightclubs and private accommodation. There is also significant activity operated through newspaper advertisements, usually involving individual women working from home to supplement low incomes. The bars are most commonly on the edge of town and are more common in Zagreb, Split and Dubrovnik. There is a mixture of local and international markets in these locations. Prostitution did rise during the war with an increased international presence, however this has since declined.

II. PRESENT RESPONSES:

Government:

- No action to date.
- Whilst there has been informal co-ordination between the government, international agencies and NGOs, no formal working group or co-ordination mechanism exists at the present time. As part of the draft a National Action Plan, there is some talk of establishing such a structure following the International Seminar on Trafficking in Human Beings in Athens in June 2000. It remains to be seen whether this will materialise and who will facilitate it.

2. International Agencies:

2.1 IOM:

In line with the IOM Global Project on Trafficking, activities are planned. However, to date there has been no response apart from assistance given for the repatriation of victims of trafficking who came to Croatia from Bosnia and Herzegovina.

The priorities of IOM Croatia are threefold: partnership building, networking with government and other organisations, and advocacy with the media. In the past, IOM Croatia has been building partnerships with relevant government authorities (Ministry of Interior, Ministry of Foreign Affairs, and Ministry of Labour and Social Welfare) international agencies, especially OSCE, academic institutions, NGOs and the media. There is an evident need for sensitisation of the general public, NGOs and respective authorities to give this issue a higher priority. IOM is aware of needs, and plans a number of activities, which will be developed and implemented with partners. These include:

- Short and focussed research, more systematic investigation to gain a better overview of the scale and dimension of the problem.
- Workshops and seminars to raise awareness and sensitisation to the issue of trafficking.
- Capacity building and technical co-operation (training, policy and legal counselling).
- Analyse existing laws and work to develop new ones.
- Advocacy.

2.2 OSCE:

OSCE is only now beginning to deal with the issue of trafficking and are exploring possible responses through dialogue with the government, IOM and local NGOs. OSCE will work on trafficking as a part of its Global Trafficking Project.

3. NGOs:

NGOs have recently become involved in this issue and a small network of local women's organisations are working together to examine the legal, preventative and support services that need to be provided to victims of trafficking. However, in Croatia, as elsewhere, NGOs are struggling to know how to respond effectively to the problem and to ascertain the level of resources and capacity to invest. They are already over-stretched with existing demands, especially in the area of violence against women and face security considerations. The issue of resources and capacity is also a consideration as there are problems with attracting sustainable funding for existing initiatives, let alone new ones, such as a shelter.

Over the past 12 months, there have been a small number of trafficked women who have been offered support and assistance with repatriation through this network, in collaboration with IOM. They have been accommodated in the shelter for victims of domestic violence and while this has worked with small numbers of women, it is felt this is not a long-term solution.

This network of organisations has suggested a number of initiatives over the next 24 months, which include:

- Education of activists in women's NGOs whilst beginning to provide direct assistance.
- Networking and building relationships with state institutions and international agencies.
- Formation of a Trafficking Coalition and a National Plan of Action.

TABLE 4: SUMMARY OF PRESENT ACTIVITIES IN CROATIA**A. PREVENTION**

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
OSCE	Plan to become involved with work on trafficking through the Global Trafficking Project. Activities are yet to be determined.	Government and IOM	Pending
IOM	Short focussed research and data collection. Workshops and seminars to raise awareness. Information dissemination and media campaign.	Government authorities, international agencies and NGOs.	Pending. All in planning stages from September 2000
NGOs			
Local NGOs	Education of women activists in Croatia whilst beginning to provide direct assistance. Networking and building relationships with state institutions and international agencies. Formation of a Trafficking Coalition and a National Plan of Action.	Government, international agencies and NGOs	Planned project covering a period of 12 months. Starting date is contingent upon funding.

B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date		
INTERNATIONAL AGENCIES			
IOM	IOM may support shelter for trafficked women. Works with local NGOs providing direct assistance to trafficked women in repatriation and return.	Local NGOs.	Pending Ongoing

NGOs			
Local NGOs	Provide assistance on an ad hoc basis to individual trafficking victims. Includes, referrals to shelter and counselling and support.	IOM	Ongoing

C: LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	The present law enforcement agencies and judicial systems deal with illegal trafficking of migrants for forced labour. Do not recognise trafficking of women and girls for sexual exploitation as a problem in Croatia. Police and judiciary training Planned.	IOM	Pending
INTERNATIONAL AGENCIES			
OSCE	Police and judiciary training Planned.		
NGOs			
	No action to date.		

D. LEGAL REFORM

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	Do not believe there is a need to introduce a specific article on trafficking into the Criminal Code.		
INTERNATIONAL AGENCIES			
IOM	Analysis of existing laws and work on development of new ones.	Government, OSCE and local NGOs.	Pending
NGOs			
Local NGO	Review of existing legislation and recommendations for review of laws, especially introduction of specific articles on trafficking. Lobbying and advocacy around Legal reform	IOM, OSCE	Ongoing

III. AREAS FOR ACTION

A. Prevention:

1. More systematic research and collection of information regarding scale and dimension of trafficking.
2. Education, awareness raising and sensitisation of media.
3. Coordinated public awareness campaign which targets general public.

B. Protection and Assistance:

4. Establishment of shelter and services for victims of trafficking. Support local NGOs working on this issue.

C. Law Enforcement:

5. Training of police specifically on issues of trafficking. Training of judicial officers, lawyers and prosecutors.

D. Legal Reform:

6. Review of legislation to include specific article of trafficking. Also, ensure protection is afforded to the victims of trafficking, which includes review of laws regarding prostitution and illegal aliens.

E. Co-ordination and Co-operation:

7. Strengthen international co-ordination of intelligence information and trans-national police responses to the problem.
8. Strengthen overall co-ordination of activities between the government, international agencies and NGOs.
9. Establishment of a working group or co-ordination mechanism, which takes the lead on development of a National Plan of Action.

FEDERAL REPUBLIC OF YUGOSLAVIA

CENTRAL SERBIA & VOJVODINA

I. BACKGROUND

While trafficking as a social issue has gained a little more attention in recent times, it has been a hidden and unrecognised phenomenon in the Federal Republic of Yugoslavia (FRY) especially since the fall of communism.³² FRY as a country under communism enjoyed a higher standard of living, greater freedom of movement and benefits for its citizens. Following the fall of communism, this made it an attractive destination for women seeking employment from other parts of Central and Eastern Europe. Most of these women came from Russia, Ukraine and Romania.

The conflicts of the past ten years coupled with political and economic transition have created a context in which organised crime, including the trafficking of human beings, has flourished. Sanctions and the isolation of the FRY by the international community have resulted in increasing and widespread poverty throughout the country. The NATO bombing campaign of 1999 further destabilised the economy with the destruction of major infrastructure and industry, which resulted in further job losses. The average salary for March 2000 was DM 74, whereas the cost of living was DM 190.³³ FRY is now one of the poorest countries in Europe and this trend will only strengthen with the continuing imposition of economic sanctions and continuing isolation by the international community.

At present, there is little data on the number of women being trafficked into or through Serbia. However, with information mainly from NGOs and increasingly victims themselves, it would appear that Serbia has become a major transit route and to a lesser extent a territory of origin and destination for the trafficking of human beings.

The pattern emerging is the same as other parts of the region, whereby most women and girls initially come voluntarily to work as dancers or waitresses in bars and cafes, but are then forced to work as prostitutes and are sold on and/or trafficked to other countries. A smaller group of women does come to work in the sex industry but are then trafficked against their will.

The geographical position of Serbia makes it a central point for the trafficking of women and girls into Bosnia and Herzegovina, Kosovo, FYROM and Western Europe from Central and Eastern European countries, particularly Bulgaria, Moldova, Romania, Russia and Ukraine. The women are often trafficked through Serbia into Montenegro and onto Italy through Albania. The other major route is through Serbia and/or Montenegro onto Kosovo, Bosnia and Herzegovina, FYROM or Greece. There is anecdotal evidence to suggest that Serbian

³² *A Form of Slavery: Trafficking in women in OSCE member states*, International Helsinki Federation for Human Rights, Vienna, June 2000, p.68.

³³ *Sex trafficking in Serbia*, Background paper prepared by local NGO for La Strada training seminar, the Netherlands, April 2000, p.1.

men based in Hungary are key players in trafficking networks and are taking women from Moldova and Ukraine into Serbia through Hungary, and also into Kosovo and FYROM.³⁴

It has been reported that local women are trafficked for the purposes of sexual exploitation and it would appear that the recruitment patterns are the same. These women are more commonly trafficked into Greece, Cyprus, the Netherlands and Germany with some working during transit in FRYOM. There are also some reports of the specific trafficking of Roma women and girls for the purposes of prostitution, and boys for the purposes of begging.³⁵ As the economic situation in the FRY worsens, it is likely more local women will become involved in illegal migration for the purposes of employment. As a result, they will become vulnerable to trafficking in the same way women from other countries have.

Local women's organisations in both Bosnia and Herzegovina and Serbia report that there has already been an increase in the number of advertisements that disguise trafficking. Escort services are legal in Serbia and are free to advertise their activities. Most prostitution is conducted from bars, clubs and highway motels and restaurants, though street prostitution also exists.

Due to the political situation and the social and economic difficulties faced as a result of sanctions, the government does not view trafficking as a problem warranting priority attention. A network of women's NGOs has been trying to raise awareness of sex trafficking in Serbia for the past few years without any support from the state and very limited support from international agencies and international NGOs.

Although there are only a few actors involved in anti-trafficking activities, there is little co-ordination or a cohesive approach to planning or dealing with cases as they arise. The following example appears to highlight the lack of understanding of what each agency is doing and a lack in co-ordination and communication. In May 2000, La Strada sent a message to local NGOs in the FRY and Bosnia and Herzegovina, saying three trafficked Ukrainian women were stranded in Serbia and were seeking assistance to return to Ukraine. One of the women made her way to the Republika Srpska and was picked up by IPTF and assisted in Bosnia and Herzegovina. The other two women eventually made contact with the Ukrainian embassy, which provided them with train tickets to Ukraine. After this, La Strada lost track of the women. Neither IOM nor international NGOs who would have been able to assist these women with repatriation were contacted.³⁶

As in other countries, remuneration of law enforcement, justice and civil authorities is extremely low and provides little incentive to be involved in anti-trafficking activities. Deteriorating economic conditions have led to an increasing vulnerability to corruption. This is particularly the case at the local level, where coupled with security considerations, corruption can range from turning a blind eye through to active involvement.

There is a denial and lack of interest on the part of law enforcement officials that the problem of trafficking in human beings exists and there is no training being provided on the issue. As a result, there is a lack of co-operation of law enforcement officials with NGOs and/or international organisations. No witness support programmes exist and trafficked women are

³⁵ *A Form of Slavery: Trafficking in women in OSCE member states*, International Helsinki Federation for Human Rights, Vienna, June 2000, p.69.

³⁶ Interview with IOM representative in Belgrade, June 2000.

treated as illegal migrants, arrested, detained and deported. There is no information on the prosecution of users or perpetrators, apart from isolated prosecutions related to involvement in the murder of trafficked women.

According to the Criminal Code of Serbia and FRY, there is no specific criminal offence for trafficking. However, trafficking is covered by the section on slavery, which is covered under Article 155, which pertains to the slavery and transportation of human beings. This crime belongs to the group of crimes against humanity, covered under international law within the chapter on “Criminal Acts Against Humanity and Other Objects Protected by International Law.” FRY ratified the 1926 Convention on Prevention and Combating Slavery and the 1956 Additional Convention on the Elimination of Slavery and Trafficking in Human Beings.³⁷

The punishment for engaging in acts of giving someone the status of slavery, inducing someone to sell themselves or others into slavery, and/or be involved in the movement of people for the purpose of slavery is from 1 to 10 years imprisonment. Prostitution is prosecuted as a misdemeanour and attracts a fine and imprisonment of up to 30 days. Article 251 of the Yugoslav Criminal Code is another relevant provision, as it punishes mediators of prostitution.³⁸ Whilst there is provision under the Criminal Code to prosecute trafficking for the purposes of forced prostitution and labour, unfortunately interpretation and implementation of this is very weak within the judicial system.

As there is no specific article on trafficking, a local NGO proposed an amendment to the Criminal Code in 1998, which defines trafficking in human beings as a specific crime. The proposal was sent to the expert group established by the Federal Government to harmonise the Federal Criminal Code with the Criminal Codes of Serbia and Montenegro. The adoption of the new code is still pending with the Federal Ministry of Justice, partly due to Montenegro’s unwillingness to accept the new code. The Ministry of Justice is also considering a proposal to amend Criminal Procedure Law to protect victims.

Foreign women without legal visas are generally treated as illegal migrants, which means they are detained, usually prosecuted and fined for prostitution or engaging in illegal labour, and then deported. Deportation is the same as in other countries and as there is police complicity at the local levels, women are generally collected and re-trafficked from the border.

II. PRESENT RESPONSES

1. Government

At present there is no Government position or policy on trafficking. Trafficking is not a priority and awareness raising and services falls to the NGO sector, which receives no state support.

³⁷ International Helsinki Federation for Human Rights, Report to the OSCE Supplementary Human Dimension Meeting on Trafficking of Human Beings, *A Form of Slavery: Trafficking in Women in OSCE Member States* June 19 2000, p.68.

³⁸ ‘Whoever recruits, induces incites or lures a female person into prostitution or whoever in any way takes part in turning over a female to another for the exercise of prostitution shall be sentenced from 3 months to 3 years. If perpetrated against a minor the offence carries a sentence from 1 to 10 years’. FRY Criminal Code, Article 251.

1.1 Prevention:

- No action to date.

1.2 Protection and Assistance:

- The government is not involved in any service provision. There is no co-operation between the government and other sectors.
- Trafficked women end up in a shelter or receive ad hoc support through NGO networks. There is no special provision made for the support of minors, they are treated as adults.

1.3 Law Enforcement:

- Remuneration of law enforcement, justice and civil authorities is extremely low and provides little incentive to be involved in anti trafficking activities.
- The police do not refer women to NGO shelters.
- There is a denial and lack of interest on the part of law enforcement officials that the problem of trafficking in human beings exists and there is no training being provided on the issue.
- There is a lack of co-operation of law enforcement officials with NGOs and/or international organisations.
- No witness support programmes exist.
- Victims of trafficking are treated as illegal migrants, arrested, detained and deported.

1.4 Legal Review:

- According to the Criminal Code of the Federal Republic of Yugoslavia there is no specific offence related to the trafficking of women and girls.
- The Criminal code contains an article on the prohibition of “slavery”, buying, selling or transporting and punishment for perpetrators. Trafficking is covered by the Criminal Code of Serbia and Yugoslavia, 1977 under Article 155 “Slavery and Transportation of Human beings Within the Position of Slaves”.
- Inadequate legal framework and remedies.

2. International Agencies

There are few international agencies working on this issue in Serbia and it appears there is limited planning or intention to become involved. UNOHCHR and UNICEF have had an initial meeting with the Yugoslav Commission for Cooperation with UNICEF and for advancement of Women regarding the issue of trafficking, but there has been no follow up. IOM is planning to initiate a dialogue with the Ministry of Foreign Affairs.

2.1 Prevention:

- IOM is considering developing information and awareness raising campaigns.

2.2 Protection and Assistance:

- IOM has no anti-trafficking project in the FRY but can potentially provide safe and accompanied international repatriation for individual victims through access to their global and regional funds.

2.3 Law Enforcement:

- UNOHCHR facilitated the launch of a small project in one police station in Belgrade to train police on domestic violence and violence against women
- UNOHCHR monitors situation of women in prisons/police cells.

- UNICEF to look at the possibility of police training on child rights specifically targeting domestic violence and trafficking of women and girls.

2.4 Legal Review

- No action to date.

3. NGOs:

Participants in NGO sector in Serbia have had a very different experience to their colleagues and counterparts in other parts of the region. Many countries in the region experienced the injection of large amounts of money into civil society activities. Whilst this led to a flourishing NGO sector, it also led to the establishment of many opportunistic organisations. As the level of support and resources declined, so did the number of organisations that were able to survive.

This has not been the experience in Serbia. While limited resources have had a constraining influence on NGOs' capacity and ability to scale up activities, it has also meant organisations have developed sustainable and creative work with limited amounts of money and support. They have also been less subject to the outside agendas of donors and have been able to remain true to their mandates. NGOs in Serbia have also had to operate in a hostile environment with their activities coming under increasing scrutiny and pressure from the government. As isolation from the international community increases, so does the intimidation NGOs experience and to continue working in this environment requires courage and commitment.

There are a number of women's organisations in Serbia that have been addressing the problems around violence against women, including sexual assault and domestic violence for many years. They have also been very prominent in anti-war, anti-conscription and peace activism. Such have been the power of some of the initiatives started by these organisations that we have seen them develop into international campaigns, such as the Women in Black. They have established programmes to support victims of violence and have SOS hotlines and shelters for abused women and have networked with other organisations in the region.

A local NGO is co-ordinating a network of women's NGOs looking at the issue of trafficking in the FRY. The network is very effective and they have co-operated for some time between Montenegro and Serbia. They have good links with women's organisations in other parts of the region and internationally. There has been support provided to local organisations from international NGOs such as Kvinna Till Kvinna and Norwegian People's Aid. There are human rights organisations also involved in monitoring the problem and dealing with individual cases on an ad hoc basis.

In Serbia, local NGOs have come in contact with very few trafficked women due to lack of access and referral. They have identified co-ordination between the small group of actors, international and local, as a priority action.

3.1 Prevention:

- Information campaigns and awareness raising of women's groups and general population. ASTRA, Anti-Sex Trafficking Action Project, organised an awareness raising campaign in 1998. This campaign involved the translation of the movie "Bought and Sold", filmed by Global Survivors Network, and distribution of the film to women's groups throughout the FRY, including Montenegro, Kosovo and Vjvodina, via the women's network

covering 40 women's NGOs. The film was also shown on television and in some high schools.

- Local NGOs have connections with La Strada, international NGOs and local NGOs throughout the Eastern European regions, which are also involved in combating trafficking of human beings.
- In April 2000, local NGO started to gather data and information on trafficking in Serbia and Montenegro through women's group's networks.
- Advocacy and lobbying with policy and authorities has been unsuccessful, as this is not seen as a priority by the government compared to other problems.
- No state support, reliant on outside donors for funding. Despite this, local NGOs have managed to remain independent and self-sustaining for many years.
- Good network contacts with women's NGOs throughout FRY and in the other countries of SEE.
- Another local NGO has also implemented some awareness raising activities. In September 1999, it organised panels to discuss trafficking in Belgrade, Nis and Uzice, for members of the Society, journalists, women activists, judges, psychologists and other professionals. An article was also published in the NGOs journal.

3.2 Protection and Assistance:

- A shelter for victims of domestic violence does exist, however, local NGO is considering the establishment of a separate shelter for victims of trafficking.
- Direct support to children and families at risk
- SOS hotlines, counselling and psychosocial support
- Legal support is available.
- The Helsinki Committee does not have a specific trafficking project but does register cases.

3.3 Law Enforcement:

- Both activists and lawyers have made contacts with police and law enforcement agencies. No relationship of co-operation has developed to date.

3.4 Legal Review:

- In 1998, local NGO after receiving training from La Strada in Ukraine, made a proposal for changes to the Criminal Code to include trafficking in human beings.

TABLE 4: SUMMARY OF PRESENT ACTIVITIES IN SERBIA

A. PREVENTION

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
IOM	May consider supporting awareness raising campaigns.		Pending
NGOs			
Local NGO	<p>Awareness raising – translation, distribution and viewing of “Bought and Sold” filmed by Global Survivors Network, shown to women’s groups, on TV and in some high schools</p> <p>Additional research, information and awareness raising activities are planned.</p> <p>Data collection on scale and dimension of trafficking in FRY.</p> <p>Information dissemination campaigns.</p> <p>Creation and consolidation of firm network of women’s groups involved with trafficking.</p>	<p>Through network of 40 women’s NGOs.</p> <p>Women’s NGOs, international NGOs and government authorities.</p>	<p>1998</p> <p>Action Plan: Duration of the project is 10 months. Phase I: 3 months Phase II: 7 months</p>
Local NGO	<p>Awareness raising through lectures and meetings organised by other women’s groups.</p> <p>Held discussion and awareness raising panel on trafficking.</p> <p>Published article on trafficking in their journal.</p>		<p>September 1999</p> <p>December 1999</p>
Helsinki Committee for Human Rights	<p>No formal projects on trafficking, however, do monitor trafficking, and register specific cases.</p> <p>Closely co-operates with OCHRC.</p>		Ongoing

Kvinna Till Kvinna Oxfam GB Norwegian People's Aid	Support to local partners working on trafficking.		Ongoing
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B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
Helsinki Committee for Human Rights	No specific anti trafficking project, however, do register specific cases.	OCHRC	
IOM	No anti-trafficking project in Serbia, however, can potentially access funds from global or regional levels for repatriation of individual victims.	Local embassies from Eastern European countries.	
NGOs			
Local NGO	Will consider establishing a safe house for trafficking women in the future. This will be separate from the shelter for domestic violence victims, but to be run by the same NGO. Creation of more appropriate and structured support services for victims of trafficking.	Local and international NGOs and state authorities.	Pending Phase II of Action Plan.

C. LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
UNOHCHR	Facilitated the launch of a small pilot project in one police station in Belgrade – training of police on domestic violence and violence against women.	Government authorities and local NGOs.	September 2000
NGOs			
Local NGOs	Attempts to establish contacts with local enforcement authorities unsuccessful.		

D. LAW REFORM

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
	No action to date.		
NGOs			
Local NGO	Presented proposal for change in new criminal code to the expert group established by the Federal Government to harmonise federal and criminal codes of Serbia and Montenegro.	Expert group established by the Federal Government drafting new criminal code.	1998, ongoing.

III. AREAS FOR ACTION

A. Prevention:

1. Coordinated public awareness campaigns which target general public.
2. Training, awareness raising and sensitisation of media.
3. Awareness raising, sensitisation and training of all public authorities, government representatives, diplomatic representatives, NGOs, etc.
4. Develop and implement more effective methods of research and data collection to determine the scale and dimension of trafficking. Establish more effective dissemination and sharing of research and information.

B. Protection and Assistance:

5. Establishment of appropriate shelter and support for victims of trafficking, which includes psychosocial, health and legal support.

C. Law Enforcement:

6. Training of police, judiciary and prosecutors around trafficking.
7. Standardised systems and procedures for police for treatment of women upon discovery, detention and repatriation.

D. Legal Reform:

8. Review and implementation of existing legal frameworks to ensure trafficking is prosecuted.

E. Co-ordination and Co-operation:

9. Strengthen overall co-ordination of activities between the three sectors.
10. Establishment of a working group or co-ordination mechanism. This mechanism needs to be effective in helping to develop a National Plan of Action to combat trafficking.
11. Information and lesson sharing with other countries in the region to be strengthened.
12. Strengthen international co-ordination of intelligence information and trans-national police responses to the problem.

MONTENEGRO

I. BACKGROUND

Montenegro is a Republic of the Federal Republic of Yugoslavia located on the Mediterranean coast. It has a multi-ethnic and multi-religious population of approximately 650,000. The current political situation is very tense between the Federal Government of Yugoslavia and Republican Government of Montenegro. The Montenegrin Government maintains a growing distance from the Belgrade regime and a referendum on independence of Montenegro from the FRY is continually the subject of debate in the political arena. The conflicts in the region have enabled organised criminal networks to flourish, both in Montenegro and across the region. Whilst the government is willing to engage on the issues around trafficking, it is not a high priority in the present political context.

There is little information available regarding the scale and dimension of the trafficking of human beings in Montenegro. However, a similar pattern to other parts of the region is beginning to emerge. This information is coming from the government, international agencies and local NGOs.

Montenegro would appear to be primarily a transit area for the movement of women from Serbia onto Albania and Western Europe, however, it is also a destination country for women trafficked mainly from Belarus, Moldova, Romania and Russia. As documented elsewhere in this report, the usual pattern of recruitment is women and girls responding to advertisements for international employment as waitresses, housekeepers, dancers or models. The sex industry in Montenegro is run from bars, clubs and motels, and reportedly centred in the areas of Podgorica, Berane, Bar, Ulcinj and Budva, the last three being tourist resorts on the coast.

As Montenegro is mainly a transit place, there are middlemen, often working in co-operation with local authorities and police to move the women across the border. Although the women generally have had their documentation taken from them and held by their pimps and protectors, many have also had official documentation and work visas issued. Often, this documentation is issued through local police who are complicit with the work of bar owners and traffickers. Usually, women do not even have to present themselves at the police station and passports and documents are not checked for authenticity.

The information and statistics available from the Ministry of Interior of Montenegro relate to illegal migrants. According to the Ministry of Interior, foreign women are brought to Montenegro mostly from Serbia and either stay to work in bars and cafes as dancers and waitresses or are moved onto Albania and Italy. Most foreign women come legally and are granted one month residence visas in Montenegro as tourists, although some have legal contracts with entertainment business agencies based in Serbia or with bar owners in Montenegro. Upon expiration of legal residency and visas, women are detained by the Montenegrin authorities and are deported back to Serbian border, where they are usually collected by their pimps or protectors.

Figures from January 1999 through to March 2000, reveal there were over 150 cases of women denied residence in Montenegro. Forty-three of these women were from Ukraine, 52

from Moldova, 39 from Romania, 12 from Bulgaria and 8 from Russia.³⁹ Based on interviews, in almost all cases, women were deemed by the authorities to have come to Montenegro voluntarily, although there are no laws against trafficking and no clear understanding of the part of the authorities of the issue. As in other parts of the region, there is suspected widespread involvement of police and judiciary in trafficking of women, particularly at the local level.

There has only been one reported case involving a minor, where a criminal procedure was instigated against the alleged trafficker, but with no resulting prosecution. The minor was returned to Moldova.⁴⁰

At present, Montenegro has two criminal codes, Federal and Republic, both of which can be applied to the prosecution of trafficking. However, neither have specific provision for the prosecution of trafficking, therefore, it is interpreted under other relevant articles regarding slavery, prostitution and juvenile abuse. The FRY Criminal Code has been outlined in the Serbia country report and is similarly interpreted in Montenegro.

According to the Criminal Code of Montenegro, trafficking can be prosecuted under Article 93: "Procuring and Allowing of Sexual Abuse". Under this article, sexual abuse of an adult attracts a punishment of up to three years imprisonment and abuse of a minor or juvenile from 1 to 10 years. Prostitution is prosecuted under federal law and is considered a misdemeanour, which attracts a fine and imprisonment up to 30 days.

III. PRESENT RESPONSES

1. Government

At present, there is no formal government position/policy on trafficking. Given the political situation in Montenegro, the government is quite transparent in its position that trafficking is not a high priority. However, they are not resistant to facing the challenges trafficking presents and are engaging in different ways with both international agencies and local NGOs.

The Ministry of Foreign Affairs and the Ministry of Interior both participated in the "Roundtable on Trafficking in Women" organised by the OSCE and a local NGO in April 2000. Both ministries were very open to co-operation and collaboration with the NGOs and the international agencies. A Montenegrin delegation also attended the International Seminar on Trafficking in Human Beings in SEE in Athens in June 2000 and developed a draft of a National Action Plan.

At the national level, it is the police, international agencies and NGOs dealing with the issue. As Montenegro is not a sovereign country, bilateral relations with other countries do encounter some obstacles, especially negotiations regarding repatriations. Good bilateral relations with Albania have recently been established. Additionally, as the political situation has led to a breakdown in communication, co-operation between the Federal and Republic authorities has deteriorated.

³⁹ Information presented by the Ministry of Interior at the Roundtable on Trafficking of Women organised by the OSCE/ODIHR and a local NGO, Podgorica, April 2000.

⁴⁰ Information presented by the Ministry of Interior at the Roundtable on Trafficking of Women organised by the OSCE/ODIHR and the Women's Lobby, Podgorica, April 2000.

1.1 Prevention:

- The government has not been involved in any action to date.
- The Montenegro government wants to establish a gender and equal opportunity mechanism and stated that this could possibly become the co-ordinating body on trafficking in the future. However, is unlikely to happen in the near future as it is constrained by lack of funding.
- The Ministry of Education has included course work on equality between men and women and violence against women as part of the secondary school curricula. It is hoped trafficking can be incorporated in the future.
- No information campaigns have been initiated.

1.2 Protection and Assistance:

- No service provision on part of the government.

1.3 Law Enforcement:

- The present law enforcement agencies and judicial systems lack the capacity, and expertise to deal with this problem.
- Trafficking victims are dealt with as illegal migrants, detained and deported.
- Traffickers or customers are not punished.
- No police or judicial training
- No witness protection or support.

1.4 Legal Review:

- Priority is to draft new legislation and regulations around trafficking and to establish appropriate specialised bodies with adequate competencies.
- For reform of the FRY criminal code, see country report for Central Serbia and Vojvodina.

International Agencies:

There are a large number of international agencies with a presence in Montenegro, however, only a handful is looking at work on trafficking.

OSCE:

- OSCE/ODIHR has taken on the co-ordination role in Montenegro and is attempting to bring together government, international agencies and NGOs.
- OSCE first became involved in January 2000 when La Strada brought to their attention the case of seven Ukrainian women being forcibly held in a Podgorica night club. OSCE informed the Ministry of Interior and the police took women from the club to a local shelter from where they were assisted in being repatriated to Ukraine. To date, these are the only repatriations that have taken place from Montenegro.
- OSCE and a local NGO organised a Roundtable on Trafficking in Women in April 2000 in which government representatives and NGOs from Ukraine, Romania and Serbia participated.

IOM:

- IOM has recently established its presence in Montenegro, and is planning to develop a project in Montenegro dealing with repatriation and basic assistance to victims of trafficking.
- In collaboration with OSCE/ODIHR, IOM is about to launch a data collection project throughout the Southeastern Europe region that will include Montenegro.

- IOM did indicate that an information campaign in Montenegro could be considered as part of the Global Trafficking Project.

CoE:

- CoE is planning to review legislation in Montenegro with a focus on gender issues. Dates are yet to be confirmed. Trafficking will be covered as a part of the review.

ABA CEELI:

- ABA CEELI/OSCE organised an informal meeting for women's NGOs interested in law reform in the area of violence against women in November 1999. An informal structure emerged from this meeting whereby they meet once a month to focus on areas of common interest, including trafficking.
- Jointly organised a seminar on Violence Against Women, in January 2000 with OSCE and a local NGO in Podgorica. A working group on law reform was formed and ABA CEELI will provide technical assistance to this group, which will look at trafficking.

2.1 Prevention:

- IOM is considering developing information and awareness raising campaigns.
- The Stability Pact Trafficking Task Force is planning to launch a joint IOM/ODIHR project to gather information and figures on trafficking, which will include Montenegro.

2.2 Protection and Assistance:

- IOM may support shelter for trafficked women and local NGOs providing direct assistance to trafficked women.
- IOM plans to develop a repatriation project in Montenegro.

2.3 Law Enforcement:

- No action at present however OSCE is planning to organise training for police and the judiciary.

2.4 Legal Review

- CoE to support legislation review, which will include legislation on trafficking.
- ABA CEELI to provide support to NGO working group on law reform.

NGOs:

There is only one local NGO working on trafficking at present in Montenegro, though another local NGO is planning to become engaged in prevention activities. In April 2000, a new NGO was formed by two local NGOs, which established and manage a shelter for abused women. They also run a SOS hotline with the intention to begin working on the issue of trafficking. Their mandate is to establish appropriate protection, raise awareness in the community and initiate legal reform. A second local NGO is planning to begin a project on the education for vulnerable groups.

NGOs have assisted trafficked women on ad hoc basis, when the police or OSCE referred trafficked women to the shelter for the victims of domestic violence. While NGOs have expertise to deal with domestic violence, their capacity to deal with trafficking needs to be strengthened. Particularly, there is a need for a separate shelter for trafficked women due to security reasons.

3.1 Prevention:

- In co-operation with OSCE, local women's group organised a Round Table on Trafficking in Women.
- Another local NGO is planning to begin a project on the education of vulnerable groups such as the Roma.

3.2 Protection and Assistance:

- Shelter for domestic violence is being used for victims of trafficking on an ad hoc basis.
- Counselling and psychosocial support.
- Direct support to women and children from NGOs on an ad hoc basis.

3.3 Law Enforcement:

- No action to date.

3.4 Legal Review:

- Establishment of NGO Law Reform Working Group, which will look at trafficking as a part of the broader issues of violence against women.

TABLE 5: SUMMARY OF PRESENT ACTIVITIES IN MONTENEGRO**A. PREVENTION**

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Foreign Affairs	Plan to establish a gender mechanism that could provide lead role in co-ordination on trafficking.		No funds available at present time
Ministry of Education	Curricula include work on violence against women that could be extended to cover trafficking.		Pending
INTERNATIONAL AGENCIES			
OSCE/ODIHR	Organised a Roundtable on Trafficking in Women together with a local NGO.	Local NGOs and government representatives from the Ministry of Foreign Affairs and Ministry of Interior participated.	April 2000
	Within Stability Pact Trafficking Task Force, launching a data collection project with IOM.	IOM	September 2000
IOM	May consider supporting awareness raising campaigns.		Pending
	Within Stability Pact Trafficking Task Force, launching a data collection project with OSCE/ODIHR.	OSCE/ODIHR	September 2000
NGOs			
Local NGO	Planning to begin a project on the education of vulnerable groups such as the Roma.		Pending
Local NGO	Organised and participated in the Roundtable on Trafficking in Women.	OSCE/ODIHR	April 2000
	Planning an information awareness campaign.		Pending

B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
	No action to date.		
INTERNATIONAL AGENCIES			
OSCE/ODIHR	Referral to police and shelter of individual cases.		Ongoing
IOM	IOM covers Montenegro from Belgrade. Planning the implementation of project on repatriation and basic assistance to victims of trafficking.		Pending
	IOM may support shelter for trafficked women and local NGOs providing direct assistance to trafficked women.	Local NGO.	Pending
NGOs			
Local NGO	Provide assistance on ad hoc basis to individual trafficking victims. Includes referrals to shelter and counselling and support.	OSCE/ODHIR, IOM, police	Ongoing

C: LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	The present law enforcement agencies and judicial systems lack the capacity and expertise to deal with this problem.		
	Police training planned.	OSCE/ODHIR	Pending
INTERNATIONAL AGENCIES			
OSCE/ODIHR	Police and judiciary training planned		Pending
NGOs			
	No action to date.		

D. LEGAL REFORM

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	Priority is to draft new legislation and regulations around trafficking and to establish appropriate specialised bodies with adequate competencies.		Pending
INTERNATIONAL AGENCIES			
CoE	Legislation review, which will		Pending

	Include legislation on trafficking.		
ABA CEELI	ABA CEELI will provide technical assistance to NGO Law Reform Group, which will look at trafficking.	NGO Law Reform Working Group	Ongoing
NGOs			
NGO Law Reform Working Group	Comprising representatives from NGOs and individuals interested in reviewing legislation and how it pertains to women. Will look at the legislation on trafficking.	ABA CEELI	Ongoing

III. AREAS OF ACTION:

A. Prevention:

1. Coordinate and implement a public awareness campaign that targets the general public.
2. Training, awareness raising and sensitisation of media.
3. Awareness raising, sensitisation and training of all public authorities, government representatives, diplomatic representatives, NGOs et al.
4. Develop effective methods of research and data collection. Establish more effective dissemination and sharing of research and information.

B. Protection and Assistance:

5. Establishment of an appropriate shelter and support whilst awaiting repatriation. This includes psychosocial, health and legal support.

C. Law Enforcement:

6. Strengthen police and judiciary training. Training of police on issues of trafficking and standardised systems and procedures for police for treatment of women upon discovery, detention and repatriation.

D. Legal Review:

7. Priority is to draft new legislation and regulations around trafficking and to establish appropriate specialised bodies with adequate competencies.

E. Co-ordination and Co-operation:

8. Organisations and government are just at the beginning of responding to this problem and are looking at ways to coordinate together more effectively. This needs to be supported.
9. Work with the government to develop a National Plan of Action, which incorporates all the measures and principles ratified under existing conventions and protocols.
10. Strengthen international co-ordination of intelligence information and trans-national police responses to the problem.

THE UN ADMINISTERED PROVINCE OF KOSOVO

I. BACKGROUND

The situation in Kosovo is unique. Since the end of the conflict in June 1999, under Chapter 7 of the UN Security Council Resolution 1244, the United Nations Interim Administration Mission (UNMIK) fulfils the role of government as an interim arrangement. Resolution 1244 vested in UNMIK, under the lead of the Special Representative of the Secretary General (SRSG), the authority over the territory of Kosovo, which includes all legislative and executive powers and administration of the judiciary, police and domestic security. The NATO peacekeeping force (KFOR), operating within the framework of the resolution 1244 but not reporting to the SRSG, is responsible for international security and peacekeeping operations. UNMIK has been directed “to provide transitional administration for Kosovo, whilst establishing and overseeing the development of provisional democratic self governing institutions to ensure the conditions for a peaceful and normal life for all inhabitants of Kosovo”.⁴¹

The tasks of UNMIK are presided over by a Special Representative to the Secretary General (SRSG) and divided into four sectors, known as pillars, as follows:

- 1. Humanitarian Affairs:** led by UNHCR (ceased to exist since June 2000)
- 2. Civilian Administration:** under the UN in charge of civilian police, judicial affairs, public administration and civil affairs.
- 3. Democratisation and Institution Building:** led by OSCE and responsible for developing good governance and democratisation, police and judicial training and human rights monitoring.
- 4. Economic Development:** led by the EU.

Consequently, UNMIK and agencies heading the (now) three pillars are actually administering the territory and are responsible for the development of policies. This is a substantially different role to that which they play in other parts of the region where they are responsible for assisting governments to develop policies and capacities or for monitoring government policy and action. Under this arrangement, the civilian police (CIVPOL) fall under UNMIK control and are responsible for domestic security. CIVPOL is a multi-national police force and works with the newly established Kosovo Police Corps (KPC), which is a long way from taking responsibility for policing in Kosovo.

The recent conflict appears to have exacerbated and increased the phenomenon of trafficking into Kosovo. As elsewhere, there is not a great deal of information regarding the situation on the ground, however, a picture is beginning to emerge with an increasing number of reports from CIVPOL, IOM and NGOs. Media reports also appear to rely upon these sources for their information.

Kosovo has been identified predominantly as a destination and to some extent a transit point. In July 2000, IOM reported trafficked women detained by police have been mainly from Moldova, Ukraine, Romania (75 out of 78 women interviewed since February 2000), whilst the other three were from Kazakhstan and Belarus. Information available suggests that the majority of the women trafficked in Kosovo are over 18 years old, although four minors aged

⁴¹ Security Council Resolution 1244 on Situation Relating to Kosovo, S/RES/1244, June 1999, p.10.

16-17 years old have been rescued and assisted. The average age reported was 22.5 years.⁴² However, these figures only refer to those women and girls who are discovered, and as a sample, perhaps do not accurately represent the ratio of minors to adults that may have been trafficked and are present in Kosovo. Discovery of Albanian women and girls is also more difficult, as it is harder to identify them than women from other countries such as Moldova or Ukraine.

During the crisis there were reports of Kosovar women being trafficked into Western Europe from the refugee camps in Albania and FYROM, however, there appears to be very limited involvement of local women in prostitution and trafficking in Kosovo today.

The causes for the increase of trafficking of women and girls into Kosovo are linked to the recent war and to an exacerbation of similar causes facing neighbouring countries. These include poor economic conditions, vulnerable and sometimes abusive living conditions, gender discrimination, an increase in organised crime, both in Kosovo and neighbouring states. A weak criminal justice system, a huge international presence and a greater movement of people both legally and illegally in and out of Kosovo, weak border control and the absence of visa requirements have also contributed to this problem.

CIVPOL estimates that demand in the sex market is comprised more of local customers rather than internationals, whereas other agencies and NGOs estimate international customers are more highly represented than local demand. It would appear quite evident though that the presence of such a large international community in Kosovo has increased demand and led to an expansion of the sex industry.

The main routes into Kosovo appear to be through FYROM and Serbia. If women are trafficked on from Kosovo it is mainly through Montenegro into Albania, and then onto Italy and Western Europe. Methods of recruitment are identical to those reported elsewhere in this report and the women who have been assisted by IOM and local NGOs are all victims of trafficking and forced prostitution.

CIVPOL have been quite proactive in responding to this problem and have conducted a number of raids on bars and nightclubs where women have been found that were trafficked into forced prostitution. Women discovered by police are taken to the police station to be interviewed so as to ascertain their status. If women express a desire to be repatriated, they are referred to IOM, which can then refer them to the shelter for victims of trafficking. IOM also organises return to country of origin if women are deemed to have been trafficked into Kosovo.

Whilst this may sound straight forward, it is important not to underestimate the difficulty in gaining the trust of a very frightened or traumatised woman. It is often a problematic process to get women to a position where they are able to express a desire to be repatriated as due to fear and trauma, they are often unable to tell the truth, and will give other reasons for being in Kosovo. This is particularly the case for Albanian women. Police indicated that it sometimes takes four or five meetings to build a picture of the extent of the crimes committed against them.⁴³

⁴² *IOM Pilot project for the return of trafficked migrants from Kosovo*, July 2000.

⁴³ Interviews with CIVPOL in Prishtina, June 2000.

If women are deemed to have come to Kosovo voluntarily and/or do not want to return home, the situation is less clear. Women can be arrested and held for 72 hours after which they are released. There is no process for deportation. At present, the capacity and willingness of prosecutors and judiciary to deal with traffickers and pimps is weak. Prostitution is a misdemeanour under current applicable law and the sentence can be imprisonment for up to 60 days. There are major problems with the judicial system overall. Kosovo is faced with a weak capacity of judges, lawyers and prosecutors, who lack an understanding of trafficking. In order to avoid prosecution of trafficked women, the international police try to keep trafficked women out of the judicial system.

Thus, at this time, CIVPOL do not arrest women that come to their attention either through raids or other means. They take the women to the police station for statements and referral for assistance if required. Standard procedures for arrest and referral of trafficked women have been in place for a while, however, not all regions have followed them. However, attention is being paid to co-ordinating responses of CIVPOL across Kosovo to increase effectiveness.

At the present time, trafficking is not a separate offence and there is no effective legal framework to deal with the issue. Apart from Articles 155 of the FRY Criminal Code (see Serbia country report), Article 251, which applied in Kosovo prior to the war is the most relevant provision as it punishes mediators of prostitution.⁴⁴ However, due to political reasons, this code is not presently being used and has been replaced by the Criminal Code of Kosovo dating back to 1974. The most relevant provision is Article 18 (8) of the Kosovo Public Peace and Order Act, which punishes the person who performs the prostitution and the trafficker, procurer or pimp.⁴⁵ This law places equal onus upon the victim and perpetrator.

To address the legal gap, an inter-agency legal working group on sexual violence convened by OSCE has developed a draft for a new regulation. This group comprises Joint Department for Democratic Governance and Civil Society (JIAS), UNMIK Justice, UNMIK Gender Unit, IOM and UNICEF. The draft is currently awaiting the approval of the office of the SRSG, so as to come into force as a regulation.

The draft regulation is consistent with the recommendations made by the UN Commission on Human Rights Special Rapporteur on Violence Against Women, Ms Radhika Coomaraswamy.⁴⁶ It makes provision for the prosecution for trafficking of persons as well as for illegally holding documentation and identification papers. It also protects a victim of trafficking from prostitution charges and provides the option to request victim assistance and emphasises the importance of preventative measures. The draft resolution also foresees higher penalties when the victim of the trafficking is under the age of 18. Trafficking in

⁴⁴ “Whoever recruits, induces incites or lures a female person into prostitution or whoever in any way takes part in turning over a female to another for the exercise of prostitution shall be sentenced from 3 months to 3 years. If perpetrated against a minor the offence carries a sentence from 1 to 10 years.” FRY Criminal Code, Article 251.

⁴⁵ “Whoever performs the prostitution or compels another into prostitution ...or in another way intermediates in the performing of prostitution shall be sentenced to 2 months imprisonment for misdemeanours. If perpetrated against a minor, without consent of parent, carries a sentence of 1 to 10 years.” Kosovo Public Peace and Order Act, Article 18(8).

⁴⁶ Coomaraswamy, R., *Integration of the human rights of women and the gender perspective: Violence against women*, 29 February 2000. E/CN.4/2000/68

children for any purpose and in any form, is explicitly prohibited under Articles 34 and 35 of the CRC.

An administrative directive has also been drafted by the legal working group to facilitate the implementation of the draft regulation on the prohibition of trafficking once this is put into force.

There is no systematic research done on the scale and dimensions of trafficking in Kosovo. No research exists apart from media reports, which use the sources cited above and a report based on research done by UNIFEM on Violence Against Women, including trafficking, which is yet to be released.

II. PRESENT RESPONSES:

1. UNMIK and International Agencies:

As outlined above, the government is UNMIK, comprising three pillars led by international agencies, namely the OSCE, EU and the UN. For the purposes of this section government and international organisations will be combined, as in some cases they are one and the same.

To date, co-ordination on trafficking has been good but needs strengthening to develop more strategic responses to the problem. There are two Working Groups:

- An Interagency Legal Working Group on sexual violence established by OSCE as part of a series of legal working groups on women's issues. Several of the members of this group are local. This group has drafted the new regulation on trafficking.⁴⁷
- An interagency sub-committee of the Gender Task Force (established by UNIFEM in October 1999) co-ordinates on anti-trafficking initiatives (hereafter referred to as the working group on trafficking). This group is chaired by a local NGO and IOM. The group is presently working on awareness raising campaign and lobbying for the implementation of Codes of Conduct in all international agencies in Kosovo. A letter has been sent to the SRSB, Dr. Kouchner, requesting him to send a letter to all heads of agencies requesting action on this point, but as of yet there has been no reply. Membership includes UNMIK Gender Unit, OSCE, IOM, CIVPOL, UNICEF, UNHCR, UNOHCHR, Kvinna Till Kvinna, Medica Mondial and other international NGOs and local NGOS on an occasional basis.

1.1 OSCE:

- Work on trafficking falls under UNMIK's mandate – under pillar III, led by OSCE, on democratisation and institution building, specifically the Department of Rule of Law and Human Rights.
- OSCE is also integrating trafficking into other work on organised crime and is co-operating with CoE on legislative review and IOM on research and data gathering initiatives within the frameworks of the Stability Pact Trafficking Task Force.
- The trafficking focal point for the mission is from the Division of Human Rights on Women and Children, however, this position also has a number of other responsibilities.
- Being part of the UNMIK structure, OSCE has been quite focused on this issue in Kosovo and has been more operational than is usual in the establishment of the shelter for victims

⁴⁷ *Regulation No. 2000 on the Prohibition of Trafficking in Persons in Kosovo*. UNMIK, Prishtina, August 2000.

of trafficking. OSCE has also become involved in victim assistance, network building, review of legal framework, training, co-ordination through advocacy and documentation.

- OSCE is involved in training of judges in the Mitrovica region where an urgent need was identified following the arrest and charging of trafficked women recently.
- Plans are underway to implement awareness raising training for judges and prosecutors throughout Kosovo.
- Involved in review of legal framework development of Regulation 2000 on Trafficking in Persons in Kosovo.

1.2 CIVPOL:

- CIVPOL is proactive in dealing with trafficking through bar raids and checks, however, activities across Kosovo are still to be coordinated and they are suffering from a high turnover.
- There is special investigation unit that monitors the consistent application of standard practice and procedures in relation to trafficking.
- Law enforcement is hampered by a weak criminal justice system as well as lack of knowledge of issues involved in trafficking.
- Co-ordination with KFOR including the Italian Carabinieri has been problematic, but is improving.
- There is police training on sexual and domestic violence for the Kosovo Protection Corps (KPS), but not on trafficking (this is only half a day for each). A training module will be presented/proposed by IOM in the beginning of October 2000. CIVPOL receive no training on either domestic violence or trafficking but are given information regarding standard procedures and practices.

1.3 IOM:

- As of January 2000, IOM has been implementing an integrated anti-trafficking programme, which includes prevention, capacity building, awareness raising and facilitation. This is done in collaboration with local NGOs and youth groups.
- They are presently implementing Phase 2 of information campaign, focusing on prevention.
- Establishment of the shelter for victims of trafficking with CIVPOL, OSCE, UNHCR and an international NGO. Health and legal referrals are provided in the shelter. To ensure the security of trafficking victims and staff working in the shelter, shelter location and management arrangements are confidential. CIVPOL provide support for security.
- IOM interviews and screens women for assistance and referral to the shelter following referral from the police.
- Organises documentation and safe repatriation for trafficked women. This is done through relationships with other IOM offices and organisations, which can facilitate safe border crossings and support to women upon return to countries of origin.
- Actively collecting information from different organisations, and interviewing victims in the shelter to create a clear and detailed picture of the phenomena in Kosovo.
- Convenes and facilitates an inter-agency working group on trafficking.
- IOM in Kosovo has a dedicated trafficking co-ordinator who liaises with other agencies, police and the shelter.
- In accordance with their mandate, IOM cannot become involved in the deportation of women once they have been charged with a criminal offence, including prostitution. This is because their repatriation is no longer considered voluntary which is necessary under their mandate. This has caused some tension between IOM and other agencies in Kosovo.

- A very real gap exists for the care and protection of women who do want to be repatriated and who do not fall under IOM's mandate.

1.4 CoE

- Facilitates institutional building and co-operates with IOM.
- Supporting special seminars on human rights, juvenile justice, criminal justice processes and relationships for the judiciary in collaboration with OSCE. All training is based on Kosovo law and international standards.
- The new Penal Code is being drafted with the CoE expertise and support.
- Will look to supporting other activities within the parameters of the Regional Plan of Action and recommendations emerging from the International Seminar on Trafficking in Human Beings held in Athens in June 2000.

1.5 UNIFEM

- Research into trafficking as part of broader research into violence against women in Kosovo.
- Creation of UNMIK Gender Taskforce was the initiative of UNIFEM to ensure a gender perspective is integrated into Kosovo's political and economic planning. Working group on trafficking is a sub-group of this Taskforce.
- Plan for an education campaign with IOM for students.

1.6 UNHCR

- UNHCR is involved in counter trafficking activities in relation to refugees or IDPs. However, they helped establish the shelter in response to the needs of a group of trafficked women who fell outside their mandate and required support.
- UNHCR will refer cases of trafficking to IOM that do not qualify for UNHCR assistance.
- UNHCR is concerned with access of the individual to State procedures for refugees who are asylum seekers irrelevant of their status and how they came to be in country. Every detained foreigner should be given standardised screening, and this is happening in Kosovo.

2. NGOs:

Established local NGOs in Kosovo are generally still quite welfare orientated and have a strong activist approach to their work. Many organisations in the post conflict phase are overburdened and are dealing with what they see as creating sustainable solutions and approaches to long term problems for Kosovars.

However, there are a number of local NGOs working on issues related to trafficking, but due to security reasons their involvement is confidential. The work takes different forms, but several are involved in information and awareness raising activities with in their own communities, although they would not refer to them as campaigns. Groups and individuals have been threatened for being involved in providing support to trafficked women including a senior judge and a local NGO who spoke about the problem on radio.

There are also a number of reasons as to why local NGOs have not become more involved. They are facing a heavy burden of responsibility and service provision for their own communities following the war. Additionally, many do not understand the issue, as there is a strong societal stigmatisation of prostitution. Coupled with a fear of involvement due to security reasons, there is a great reluctance on the part of many NGOs to become involved, as

being seen to be involved in this work could jeopardise their credibility and long term objectives.

Despite this context, discussion and sensitisation of the issue is taking place amongst women's organisations. This was reflected in the recommendations emerging from the First Kosova Women's Conference held in July 2000. "NGOs should develop programmes of psychosocial help for female victims of violence and trafficking. It is recommended that a regional programme is developed to fight violence against women, trafficking of women for prostitution and sexual slavery".⁴⁸

There are two small local shelters that exist in Kosovo for the victims of domestic violence. Whilst some organisations have the expertise to deal with domestic violence, they do not have the capacity to take on trafficking. In general, NGOs need support to build their capacity and to strengthen their institutional structures. There are examples of groups of women's organisations working to support each other and to extend networking both nationally and regionally with local and international NGOs.

The involvement of local NGOs in raising awareness on trafficking phenomenon has been slow but is increasing. Material has been distributed through them and the youth NGOs (international: youth groups, International Rescue Committee (IRC) youth activities; as well as local Alternativa and Post Pessimists who are relaying the message on trafficking realities). Moreover, all the material of the Phase 2 IOM awareness campaign is designed by and in collaboration with youth groups.

Some NGOs are very receptive to the problem, but given the issues they are dealing with and their present workloads, they see it as desirable at this stage for this work to be done through other international organisations. There is a sense from some women's organisations that the more desirable approach would be to draw this work into mixed organisations such as Human Rights Groups. There is no doubt more NGOs will become more involved in the future but do not have the capacity at present to do so.

⁴⁸ *Minutes of the First Kosova Women's Conference, Prishtina, 7-9 July 2000.*

TABLE 6: SUMMARY OF PRESENT ACTIVITIES IN KOSOVO

A. PREVENTION

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
UNMIK			
OSCE	Not yet active in this area except as a member of the sub-committee.	Members of inter-agency working group	Yet to be determined
Civilian Police (CIVPOL)	Participation in legal working group and interagency working group.		Ongoing
INTERNATIONAL AGENCIES			
IOM	<p>Anti-trafficking Program in Kosovo. This includes:</p> <p>Capacity Building of civil administration, police and civil society through seminars and training.</p> <p>Public Awareness campaign “You pay for one night: she pays with her life”.</p> <p>Two other phases are planned: Second phase will target local community. Third phase will target the decision-makers.</p> <p>Improve baseline data and information on scale of migrant trafficking activities. Working on raising awareness and codes of conduct.</p>	<p>UNMIK, OSCE, UNIFEM, UNICEF, NGOs</p> <p>UNMIK, Local NGOs, OSCE, CIVPOL</p> <p>OSCE, Local NGOs, UNICEF, UNMIK, CPWC, CIVPOL, UNHCR, KTK.</p>	<p>15 months beginning October 1999</p> <p>January 2000</p> <p>Phase 1 May 2000.</p> <p>Phase 2: August 2000</p>
IOM as Convenor of Sub-Working Group on Trafficking	Letter sent to SRSG requesting support for development of Codes of Conduct in all agencies.		Letter sent to SRSG May 2000. Response pending.
UNIFEM	<p>Research on violence against women including trafficking.</p> <p>Plans for an education campaign in schools.</p>		<p>Still in draft, yet to be released</p> <p>Undecided</p>
		IOM	

NGOs			
Kvinna Till Kvinna	Training on violence against women and trafficking, for Swedish KFOR troops as part of pre-departure induction in Sweden.		Ongoing
Local NGOs	Information and awareness raising activities in own communities.		Ongoing

B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
UNMIK			
OSCE and UNHCR	One-off grants for the establishment of shelter.	IOM and International NGO CIVPOL	From February 2000
OSCE	Provides support for services for victims and has repatriated victims who fell outside IOM's mandate.		Ongoing
CIVPOL	Referral of trafficking victims to IOM. Provide assistance in support and repatriation of victims.	IOM , OSCE and shelter	Ongoing
INTERNATIONAL AGENCIES			
IOM	Provide rapid operational response for repatriation and reintegration of trafficked women to their countries of origin. Interview, referral, support and safe repatriation of victims	NGOs in countries of origin and IOM OSCE, CIVPOL.	Ongoing
NGOs			
Local NGOs	Small domestic shelter and ad hoc assistance to trafficked women.		Ongoing
Kvinna Till Kvinna	Support to partner organisations.		Ongoing
International NGO	Management of shelter.	IOM, CIVPOL, OSCE	Ongoing

C. LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
UNMIK			
OSCE	Training of judges, prosecutors and police.	CoE, ABA CEELI	
CIVPOL	Police training. Implementation of standards and procedures.		Ongoing

	Regular bar checks and raids.		
NGOs			
	No action to date.		

D. LEGAL REFORM

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
UNMIK AND INTERNATIONAL AGENCIES			
Legal Working Group	Draft of new Regulation 2000 on the Prohibition of Trafficking of Persons in Kosovo. Still in draft form and awaiting approval. This is still yet to be approved.	OSCE, UNMIK Judicial Affairs, UNMIK Gender Affairs, UNICEF, UNOHCHR	August/September 2000
NGOs			
	No action to date.		

III. AREAS FOR ACTION

A. Prevention:

1. More information and awareness raising campaigns, particularly targeting the general public and young people.
2. Media to be sensitised and encouraged to be more active in bringing trafficking into awareness of the public.
3. More effective and accurate data and information collection on scale and dimensions of trafficking so as to help guide appropriate responses.
4. More effective information and research on the trafficking of children and minors.

B. Protection and Assistance:

5. Care of women who fall outside of the mandate of IOM. This includes those who do not want to be repatriated and those who are in danger.
6. International agencies to review Codes of Conduct to include guidelines on behaviour pertaining to the procurement of sex workers.
7. Provision of alternatives as part of reintegration, and establishment of a network for monitoring/follow up of women repatriated to their country of origin.

C. Law Enforcement:

8. Law enforcement and judicial response needs to be strengthened through reform and training.
9. Establishment of more effective border controls and appropriate training for border police.

D. Legal Reform

10. Trafficking Regulation 2000 be approved and enforced as soon as possible.

E. Co-ordination and Co-operation

11. The establishment of a reliable and sustainable co-ordination mechanism, to include both local and international actors.
12. Development of activities that are linked to organisational policy and not individual interest of representatives of agencies.

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

I. BACKGROUND

Like other countries in the region, the Former Yugoslav Republic of Macedonia (FYROM) reports an increase in the trafficking of and presence of foreign women in the country. The problem has exacerbated over the past five to six years due to the transition, the Kosovo crisis, an increase in organised crime and a breakdown of border control and legal organs throughout Eastern Europe. An increase in the presence of the international community has also been linked to the increase in prostitution, particularly in tourist areas such as Ohrid, however, police report the main sex market is still domestic.

Trafficking is a recognised problem in FYROM, particularly in the tourist areas of Struga and Ohrid in the south and the predominantly Albanian towns of Tetova and Gostivar in Western FYROM. Police report that in Tetova alone, 326 foreign women were expelled in 1999 by the FYROM authorities for working illegally. Of these 265 were Bulgarian, 33 Albanian, 19 Romanian, 6 Moldovan, 2 Yugoslav and 1 Czech.⁴⁹ Whilst it is unclear how many of these women have been trafficked, sources such as OSCE and the Romanian Embassy indicate many would have been involved in prostitution against their will and that at least 20 per cent are minors.

FYROM is a country of both transit and destination, with most women and girls entering from Bulgaria, Montenegro and Serbia. If transiting, they are trafficked into Albania and Kosovo or onto Western Europe or south into Greece. Most women are trafficked by organised networks stretching between the Balkans and countries of origin. These groups are invariably involved in arms and drug trafficking. As elsewhere in the region, it is reported by most sources working on trafficking that many of these women were deceived by promises of work and were lured and forced into prostitution. However, police maintain that the majority of women working as prostitutes in FYROM are here by choice.⁵⁰ This does not correspond with other sources or with patterns elsewhere in the region, which indicate a much higher percentage of women being in FRYOM against their will.

Police indicate that FYROM is also used as a transit country for trafficking of children from Albania to Greece for the purposes of forced labour. Police reported isolated instances of minors being trafficked, though no one has been charged with involvement in prostitution of minors to date. The legal age of consent is 18 years in FRYOM.

II. PRESENT RESPONSES:

Until recently, there was little attention paid to trafficking by government, international agencies or NGOs. International agencies and NGOs are only just beginning to develop strategies to respond to the problem. A working group convened by OSCE to discuss co-ordination of response amongst international agencies has now had several meetings, but is

⁴⁹ *Trafficking Working Group Minutes*, May 2000. (Source cited Chief of Police, Tetovo)

⁵⁰ Meeting with the Ministry of the Interior in Skopje, June 2000.

still embryonic. It is envisaged this mechanism will become more formalised and include government and NGO representatives in the near future.

As with other countries in the SEE, the Stability Pact mechanisms will hopefully provide new possibilities for anti-trafficking responses, however these are yet to be developed fully.

1. Government:

Until recently, the FYROM government has not prioritised the issue of trafficking. However, recent initiatives indicate an increased preparedness to develop anti-trafficking measures particularly through the Ministry of the Interior and Ministry of Labour and Social Policy. The latter in particular has put trafficking on the agenda, along with women and children, following the International Seminar held in Athens in June 2000.

1.1 Prevention:

To date, the government has done no work on prevention, however, following the Athens Seminar, a number of activities are planned. These include the development of an awareness raising campaign and the establishment of an information resource centre. The Ministry of Labour and Social Policy also plans to facilitate a workshop with government, international agency and NGO representatives to develop a coordinated plan of action to work on trafficking.

1.2 Protection and Assistance:

Ministry of the Interior recently has agreed to provide premises for IOM to establish a shelter for victims of trafficking in Skopje. This is urgently needed and will be established in partnership with an international NGO or local NGO. IOM and the NGO, in collaboration with OSCE will base responses upon needs and refer to models from other parts of the region. Police have agreed to provide security, of which 50 per cent will be female officers, and additional training will be provided as needed. A local NGO has also approached the government for support to establish a shelter for trafficked women.

1.3 Law Enforcement:

A Trafficking Taskforce has been established in the Organised Crime Unit. One of their present priorities is to look at ways to co-operate and coordinate with other countries in the region. Macedonian police co-operate with Interpol and in May 1999 ratified the Agreement on Co-operation to Prevent and Combat Trans-border Crime with SECI. Police are working with SECI on developing intelligence sharing and effective trans-national database mechanisms, but report they face real restrictions with lack of resources.

As in other countries, remuneration of criminal justice personnel and civil authorities is extremely low and provides little incentive to be involved in anti-trafficking activities. On the contrary, it leaves the way open for involvement in corruption. This is particularly the case at the local level, where coupled with security considerations corruption can range from turning a blind eye through to active involvement.

There are standard procedures for the deportation of illegal aliens, but unfortunately to date, there has been little co-operation between police and international agencies such as IOM in identification of trafficked women and ensuring their safe repatriation to the country of origin. Engagements with embassies on the issue of illegal aliens is difficult as most are not interested in trafficked women. The Romanian embassy, however, is actively involved in the repatriation of Romanian and Moldovan women and works in co-operation with the government, international agencies and NGOs in a very proactive manner. Police try to report

and inform embassies of the presence of their nationals who have been trafficked in country, but the reported response is generally one of disinterest.

In regards to deportation, women are arrested and deported generally to the Bulgarian border, where they are simply dropped by police and where many are re-trafficked. Little attempt appears to be made in interviews to ascertain whether the women have been trafficked against their will. Police report they do not usually fine women, but simply deport them. Obviously, many women find their way back, however, the police analysis of this movement was one of voluntary return. Police reported they do not presently co-operate with IOM in cases of repatriation of women who have been trafficked. Illegal immigrants are treated no differently and are deported in the same way.

If taken into the police station, women can be held in custody for only 24 hours after being arrested and must leave the country after three days. If they have a visa they are entitled to remain for up to the three months specified from date of entry. If a woman wants to give evidence, this must be taken within 24 hours in presence of a judge and Public Prosecutor. Evidence is then submitted in the court proceedings as written testimony. No prosecution has occurred to date with a woman present as a witness. There is no witness protection program.

Police corruption and involvement, particularly at the local level, compound the problem in FRYOM. It is difficult for victims or informants to report to the police as there are no mechanisms to communicate with police outside of local jurisdictions, or at a higher level. There is some restructuring of the police department taking place and introduction of modern policing methods through training and education programmes, however, this is a long term proposition. Police training is planned for later this year with ODHIR and the Constitutional and Legal Policy Institute (COLPI).

FYROM does not have a specialised police unit for border control, which is handled by regular police. The Ministry of the Interior signed a protocol with the Bulgarian Minister of the Interior in June 2000 aimed at enhancing border control. A tripartite meeting was scheduled between FYROM, Albania and Bulgaria in July 2000 to look at the same.

1.4 Legal Reform:

The lack of legal framework to prosecute trafficking limits the ability to charge offenders. Prosecution is presently covered by Penal Code, Article 191, Mediation in Conducting Prostitution, and Article 140, Unlawful Deprivation of Freedom. The Ministry of the Interior is working with the Republic Prosecutor to add another article to specifically cover the prosecution of trafficking as they are only able to prosecute traffickers and bar owners under the above articles and classification is often difficult. There have been 20 prosecutions of bar owners to date during 2000 under Article 19, though these arrests usually only result in fines.⁵¹

There is a significant need for training for lawyers, prosecutors and judges. ABA CEELI is planning a high profile conference with key government officials, lawyers, prosecutors, police and judges in late 2000, in which anti-trafficking measures and required legal reform will be promoted.

⁵¹ Figures reported in an interview with the Ministry of the Interior, Skopje, June 2000.

2. International Agencies:

International agencies have only recently begun working together and have formed a working group to attempt to coordinate activities and work in a more cohesive and strategic manner.

2.1 OSCE:

- OSCE is presently taking the leading role in FYROM and convening a working group on trafficking.
- Involved in negotiations with government for support on protection and assistance support for victims, legal and criminal justice reform and planning an awareness raising campaign.
- OSCE is also working with IOM on the establishment of a shelter for trafficked women.

2.2 IOM:

- IOM has been recently involved in repatriations from Kosovo. They are working hard to establish the shelter for trafficked women and have identified a partner NGO to manage the operational aspects of support to women.
- IOM is establishing repatriation processes for trafficked women and working with OSCE and other support agencies in countries of origin to assist women upon return.
- Building better relationship with police around repatriations, security and referrals. IOM becomes involved when people have no documentation and need assistance to return home. IOM cannot become involved in deportations of women if they have been charged with being an illegal alien and/or prostitution.

2.3 SECI:

- SECI have ratified an agreement with FRYOM and are working with the local police to establish an effective database.
- Looking for financial assistance to support IOM with the repatriation costs of women.

2.4 ABA CEELI:

- ABA CEELI is not intending to advocate for the introduction of a separate law on trafficking. Instead they will integrate the prosecution of trafficking under the laws regarding organised crime.
- In late 2000 they will be organising a high profile conference with key government officials, judges, lawyers, prosecutors and police in which the issue of trafficking will be addressed.

Clearly, there is attention being paid to training of police and law enforcement officials by international agencies. The Government of USA funds some of these training activities and are also willing to fund other protection, assistance and prevention activities. This includes training of police and judiciary. At present, the Government of USA supports the annual training for about 60 law enforcement officers at the International Law Enforcement Academy in Budapest. This training is for one to two months with a plan to incorporate a component of trafficking in the near future.

Additionally, International Criminal Training Assistance Programme (ICITAP) plans to address trafficking as a component of their training in better policing, due to begin toward the end of 2000. The International Narcotics and Law Enforcement Affairs, which is a part of the US State Department, offers a variety of seminars throughout 2000 for police enforcement development. These seminars are held at both the regional and national level and include components on organised crime and trafficking.

In October 2000, it is also planned for a resident legal advisor from the Department of Justice to work with Macedonian prosecutors, which will include work on the prosecution of trafficking offences.

3. NGOs:

Women's NGOs in FRYOM, as elsewhere in the region, are the principal organisations involved with issues of trafficking and are only beginning to look at trafficking as an area of engagement. To date, there has been little involvement. Two NGO representatives attended training with La Strada in the Netherlands with other colleagues from the region.

Local NGOs are examining the provision of shelters, public campaigns and research into the scale and dimension of trafficking within FRYOM.

Women's organisations are involved in work on violence against women, particularly domestic violence. However there is limited capacity around provision of services and support to women who have been victims of domestic violence, and whilst there is an SOS hotline there is no shelter for local women. Similar to other organisations throughout the region, decisions have to be made regarding capacity and priorities, and what activities they are able to effectively involve themselves in.

One local NGO has indicated that it is planning the establishment of a shelter for trafficked women and are seeking funding. IOM tried to identify a local NGO to work in partnership with them in managing a shelter, however, for reasons of security and capacity this has not proved possible.

TABLE 7: SUMMARY OF PRESENT ACTIVITIES IN FYROM

A. PREVENTION

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Labour And Social Policy	No activities to date, though planning a public awareness campaign.		Pending
	Plan the establishment of an information resource centre.	UNDP	Pending
INTERNATIONAL AGENCIES			
OSCE	Convenor of newly established working group on trafficking.	UNICEF, IOM, International Catholic Migration Commission (ICMC), NGOs, UNDP, SECI, KFOR, ABA CEELI, Embassies	May 2000. Ongoing
	Provision of expertise and technical advice through ODHIR as required for development of anti trafficking planning and strategies.	Members of working group and US Embassy	Ongoing
	Public awareness campaign planned.		Pending
NGOs			
Local NGO	Work with Roma population in Shuto Ozizari on outskirts of Skopje.	.	Ongoing
	Provide information on safe sex, health education, identification of sex workers.	La Strada Bulgaria	
Local NGO	Have started becoming involved in working on domestic violence and prostitution, and will look toward incorporating sex trafficking into these programmes. Planning to conduct research and collect data and information on dimensions of trafficking in FYROM.	Centro Regionale d'Intervento per la Cooperazione (CRIC)	

B. PROTECTION AND ASSISTANCE

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of the Interior	Support and provision of premises for a shelter for trafficked women. Security through police.	IOM, OSCE	June 2000
INTERNATIONAL AGENCIES			
OSCE	Shelter for trafficked women. Primary negotiator with government on the establishment of the shelter.	IOM, Ministry of Interior	Autumn 2000
IOM	Establishment and management of shelter		September 2000
	Screening and interviewing of women for repatriation.		Ongoing
	Provision of documentation, negotiation with embassies and safe repatriation.		Ongoing
	Networking with support groups in country of origin upon return.		Ongoing
NGOs			
Local NGO	Shelter management.	IOM	Pending as some difficulties in locating a suitable partner.
Local NGO	Plan an awareness raising campaign, targeting students in the university.		Project is prepared and will begin as soon as a donor is identified
	Run an SOS hotline counselling and legal support service for domestic violence victims. Plan to build on this expertise to deal with trafficking as they are already receiving calls.		Project is being prepared to seek funding
	Shelter: have prepared a proposal for a local shelter for trafficked women.		Project prepared; seeking funding and government support through

			provision of land.
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C. LAW ENFORCEMENT

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	Establishment of Police Trafficking Taskforce within Organised Crime Unit.		Ongoing
	Police training to cover organised crime and trafficking.	SECI, ODHIR, ICITAP, Constitutional and Legal Policy Institute (COLPI), US State Department	Planned for late 2000
	Agreement with Bulgaria to enhance border control between the two countries.	MOI from Bulgaria and FYROM.	June 2000
	Ratified "Agreement on Co-operation to Prevent and Combat Trans Border Crime" SECI agreement.	COLPI, SECI	May 1999
INTERNATIONAL AGENCIES and OTHER			
OSCE	Police training planned for later in the year. Some training components to be developed around organised crime and trafficking.	ODHIR, MOI, ICITAP, COLPI and Open Society Foundation	Late 2000
SECI	Establishment of database in Bucharest to support activities of police in FRYOM.		Late 2000
ABA CEELI	Judicial and police awareness raising and training – trafficking may not be a separate component, but will be addressed.		High Level Conference planned for late 2000 in FYROM.
International Law Enforcement Academy: Budapest	1-2 month training on annual basis for up to 60 law enforcement officials. Component on sex trafficking to be included in near future.	Funded by Government of USA	Ongoing
International Criminal Training Assistance Program (ICITAP)	Training in better policing methods by several US police experts and will include trafficking. This will be done through the Macedonian Police Academy.		Towards end 2000

International Narcotics and Law Enforcement Affairs	Seminars for police enforcement development, which will include organised crime and trafficking.	A section of the US State Department	Throughout 2000
US Department of Justice	Resident legal advisor will work with FYROM prosecutors and will include training on prosecution of trafficking offences.		October 2000
NGOs			
	No action to date.		

D. LEGAL REFORM

	<i>Activity</i>	<i>Partner</i>	<i>Timeframe</i>
GOVERNMENT			
Ministry of Interior	Re-drafting penal code to include an article specifically to prosecute trafficking.	Police, Republic Prosecutor, OSCE ABA CEELI	Start process July 2000
INTERNATIONAL AGENCIES			
OSCE	Technical expertise and support for legal reform process.	ODHIR, MOI and COLPI	Ongoing
NGOs			
	No action to date.		

III. AREAS FOR ACTION :

A. Prevention:

1. Coordinated public awareness campaigns which target general public.
2. Training, awareness raising and sensitisation of media.
3. Awareness raising, sensitisation and training of all public authorities, government representatives, diplomatic representatives, NGOs et al.
4. Develop more effective methods of research and data collection. Establish more effective dissemination and sharing of research and information.
5. Develop strategies to deter the customers of victims of trafficking (KFOR etc.) and , if possible, include authorities (such as parking police vehicle in front of bar).
6. Mobilise civil society institutions (e.g. religious groups) and groups working with domestic violence to serve as a “moral authority” for further awareness of hazards of trafficking.

B. Protection and Assistance:

7. Establishment of appropriate shelters for victims of trafficking that provide psychosocial, health and legal support.
8. Building and strengthening of existing expertise and understanding to deal with the problem, especially for local NGOs providing services.
9. Implementation of standardised systems and procedures for police regarding the treatment of women upon discovery, detention and repatriation.
10. Development and implementation of witness protection programmes.

Law Enforcement:

11. Strengthen co-operation between police, judiciary and agencies working with victims.
12. Strengthening of police training. Policing at national level, training and co-operation between the different parts of the police bodies to be coordinated and developed.
13. Strengthening of training of judges, lawyers and prosecutors.

D. Legal Reform:

14. Review of existing legal frameworks to ensure trafficking can be prosecuted. Review of legislation to ensure better protection is afforded to the victims of trafficking. This includes review of laws regarding prostitution and illegal aliens.

E. Co-ordination and Co-operation:

15. Strengthen co-operation between police, judiciary and agencies working with victims.
16. Strengthen international co-ordination of intelligence information and trans-national police responses to the problem.
17. Establish co-ordination of activities between the government, international agencies and NGOs. The working group needs to be formalised and used as a mechanism that plays an effective co-ordinating role. This co-ordinating mechanism needs to be effective in helping to develop a National Plan of Action to combat trafficking.

CONCLUSION

South Eastern Europe has experienced a growth in activities connected with the trafficking of human beings in recent times, a major activity of organised criminal networks that continue to operate with impunity. The trafficking and illegal movement of people is a trans-national crime that requires a trans-national response while ensuring the relevant legislation of participating countries are harmonised and effectively applied.

The trafficking cycle involves a number of events, which include a wide range of actors. Anti-trafficking responses therefore require the involvement of a wide range of actors and solutions. Countries in Southeastern Europe with the support of the EU member states and other governments and regional bodies are beginning to recognise the critical human rights, economic and legal dimensions of the problem of trafficking in human beings.

Some governments in the region have demonstrated a willingness to address this issue but the level of commitment and concrete participation is generally weak. This seems to be linked to a collective denial of the fact that their women and children may be victims of trafficking or that their own nationals are involved in such activities inside and outside their national borders.

In some countries, preparedness to review policy and legislation will strengthen the protection afforded to victims, increase punishment to traffickers and look to repatriation rather than deportation. However, the present lack of appropriate legislation and its implementation remains a constraint. Legal responses continue to focus on treating victims of trafficking as illegal migrants involved in prostitution. This leads to further vulnerability to abuse and ostracisation of victims. There is still a very poor understanding of trafficking amongst the judiciary and law enforcement officers, who demonstrate a resistance to treat it other than as prostitution. Additionally, there are still few services or structures to support victims of trafficking, so even if a woman is discovered, it is not uncommon for her to fall between the gaps of the services that are provided and end up in the trafficking cycle once again.

Trafficking is not seen as a priority by the government of any country in Southeastern Europe and most current responses are initiated by international agencies, national and international NGOs. Many of these activities involve practical support such as shelters, counselling, legal support, health care and repatriation. International agencies are also actively involved in legal reform and law enforcement initiatives. Policy development is also fragmented amongst international agencies and NGOs. Individual interest, motivation and enthusiasm often appear to drive organisational responses rather than the implementation of a clear and shared policy.

National NGOs across the region are evaluating the most appropriate ways to become involved in work around trafficking, so that it is sustainable and does not jeopardise their current activities. It must be recognised that national NGOs are central in providing services and support to victims of trafficking. To be able to do this effectively, they require committed support from the international community for capacity building and funding.

Access to reliable data and research is also problematic, particularly information regarding the trafficking of children. Much of the information being shared is anecdotal or extrapolated from interviews with a small sample of victims. It is important to gain a more accurate

picture of the scale and dimensions of trafficking in the region to be able to develop the most appropriate responses.

Access to health care, reproductive health, health education and psychosocial support is almost non-existent. There is both limited information dissemination and education campaigns regarding safe sex, safe drug use and HIV/AIDS for either sex workers or customers.

The political dimensions and complexities of this problem mean it will not be an easy task to develop integrated and operational structures to provide effective solution. However, a number of areas of action are presented below for consideration to provide the basis for more effective solutions at the regional and national levels.

AREAS FOR NATIONAL AND REGIONAL ACTION

The following identify the areas where there appear to be gaps in anti-trafficking responses across the region. In some countries, some of these measures are already being implemented but need to be strengthened, in other countries, they are only in the planning stages and in others they are yet to be addressed. The development of effective solutions to trafficking will depend greatly upon a clear understanding of the root causes, the scale and dimension of the problem and a multidisciplinary and integrated approach at both the national and regional levels.

I. PREVENTION

1. Development of an internationally accepted definition of trafficking in human beings.
2. Information and awareness campaigns on the risks of trafficking to be developed and implemented in all countries. Audiences should include the general public, those at risk of being trafficked, customers of the sex industry, government authorities diplomats, humanitarian workers, students and health workers.
3. Dissemination of information regarding legal means of migration and employment, in all countries where there are populations at risk.
4. Media training and sensitisation, to encourage appropriate reporting and influence.
5. Information campaigns around health risks associated with sexual exploitation, particularly HIV/AIDS and STIs. Condom use should be promoted as a means of safe sex and protection both for the sex workers and customers. Education regarding safe drug use should also be included.
6. Implementation of gender education that promotes equality between men and women with a focus on human rights, self-empowerment and dignity.
7. Incorporate an awareness of gender relations and aim to bring a gender dimension into the work of agencies involved in anti-trafficking responses. To examine the best ways to support organisations to achieve this.
8. Inclusion in school and university curricula information regarding the risks sexual exploitation and trafficking.

9. Review of the Codes of Conduct of all international organisations, to include guidelines prohibiting the procurement of women, men or children for the purposes of prostitution. Organise briefing sessions on trafficking and sexual exploitation as a part of induction for personnel coming to the area.
10. Develop more effective means of data collection and empirical research regarding the scale and dimension of trafficking. This is important in enabling appropriate responses to be developed. Establish more effective means to disseminate information. Research regarding the scale and dimensions of the trafficking of children warrants specific attention.
11. To look at means of supporting countries of origin with aid packages and economic development with particular attention to the issues leading to the feminisation of poverty and the choices being made around social and economic migration.
12. Encourage all governments to sign onto and ratify conventions relevant to the prevention of trafficking. Implementation of obligations under all conventions to which they are signatories.

II. PROTECTION AND ASSISTANCE

13. The establishment and support of shelters for victims of trafficking. These should offer counselling, health care, including reproductive health, legal support and assistance in repatriation. Services should be provided as much as possible in their own language.
14. Establishment of services and support, including accommodation for victims of trafficking who do not want to be repatriated, or who do not meet the criteria for repatriation. This includes the rights to access state procedures and structures to seek asylum in a third country.
15. Establishment of services for women and children who need support in return and reintegration.
16. Provision of support to local NGOs to provide practical services to victims of trafficking. This includes training, building upon existing expertise, capacity building and appropriate financial support to be able to provide sustainable support and services.
17. Access to health care, education and reproductive health needs to be provided for women working in the sex industry. There is a need for lobbying and advocacy from the relevant international agencies to ensure that women are receiving appropriate health care and education.
18. Education on HIV/AIDS, safe sex and drug use practices needs to be widely promoted amongst sex workers and customers.
19. Development and implementation of witness protection programmes. These programmes in some cases must be able to extend to the family of the victim. These may sometimes also need to be extended to staff and organisations working with a victim, especially in the event of legal proceedings. In accordance with national legislation, ensure that victims have temporary residence status during legal proceedings. Also, ensure victims have

legal, medical and social assistance and the capacity to seek compensation from the courts.

III. LAW ENFORCEMENT

20. Provision of training for law enforcement officers on trafficking. Development and training in the implementation of standard policing procedures and practices. This needs to be monitored throughout the region with specific attention to non-urban areas.
21. Provision of training for judges, lawyers and prosecutors.
22. Establish mechanisms for the involvement of NGOs in police and judiciary training and ways to improve communication between the two sectors.
23. Improve policing at the national level. Co-ordination and co-operation between all parts of the police bodies to be strengthened. Ensure consequences exist at a national level so as to hold police accountable for involvement in trafficking.
24. Creation of specialised border police units in countries where they do not exist. Specific training in trafficking for border police and customs and immigration officials on trafficking.
25. Strengthen national and international co-ordination and sharing of intelligence information. Improve data collection and sharing regarding trans-national activities.
26. Establish an operational law enforcement body, which has the capacity to co-ordinate law enforcement responses for Southeastern Europe.

IV. LEGAL REFORM

27. Review of existing legislation and Criminal Codes to include articles to ensure the prosecution of trafficking and an effective framework for prosecution of crimes committed within the trafficking cycle.
28. Review of existing legislation to ensure the prosecution and punishment of traffickers, pimps, mediators and others involved in the trafficking cycle.
29. Review of legislation to ensure provision of adequate protection to victims of trafficking.
30. Ensure there is special provision for the care and protection of minors involved in trafficking. Review of juvenile justice systems and laws governing offences against minors.

V. CO-ORDINATION AND CO-OPERATION

31. Establishment of national co-ordinating mechanisms that integrate a multi-disciplinary approach. These mechanisms should include government, international agency and NGO representatives. Use this mechanism to develop a National Plan of Action and to monitor its implementation.

32. Strengthen relationships between NGOs providing services and support, and the police and judiciary.
33. Support the role of the Stability Pact Trafficking Task Force in providing regional co-ordination, guidance and support to anti-trafficking activities in Southeastern Europe.
34. Appoint a lead agency in each country to be the co-ordinator of this mechanism. This would preferably be a regional body (such as OSCE) in collaboration with a government representative.
35. Governments, international agencies and NGOs to appoint trafficking focal points in each country.
36. Governments, international agencies and NGOs to ensure clear policies on trafficking, which are implemented universally.
37. Develop and encourage co-operation between the governments and NGOs of the countries of Southeastern Europe and the countries of origin.