

IOM Counter-Trafficking Service

**CHANGING PATTERNS AND TRENDS
OF TRAFFICKING IN PERSONS
IN THE BALKAN REGION**

Assessment carried out in
Albania, Bosnia and Herzegovina,
the Province of Kosovo (Serbia and Montenegro),
the Former Yugoslav Republic of Macedonia and
the Republic of Moldova

July 2004



IOM International Organization for Migration

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* Hereinafter referred to as Kosovo.

CORRIGENDUM

References to “Province of Kosovo” or “Kosovo” as a country in the text are inaccurate. Kosovo is a province of Serbia and Montenegro.

PREFACE

In the second half of 2003, IOM and other agencies were confronted with a marked decline in the number of victims referred for protection and assistance in the Balkan countries. The visible aspect is that trafficking in persons was decreasing in the region.

IOM took the strategic decision to gather more detailed information and intelligence on how trafficking was operating and on the real causes for the apparent decrease in the number of victims. Subsequently IOM intended to adapt its counter-trafficking activities and to advise governments and institutions in the countries concerned.

The results are revealing and give rise to concern: in a word, trafficking is on the increase, but has become less visible as criminal organizations have changed their methods of operation. In the case of sexual exploitation, trafficking has moved into private apartments, more use is made of Internet or telephone communications. A more subtle exploitation through small payments to the victims to avoid denunciation and the participation of women as traffickers and pimps also contribute to making this crime less visible.

Further, new trends involving increased trafficking in children for sexual and other forms of exploitation, use of legal travel documents, the emergence of organ harvesting as a new objective for trafficking, increased use of corruption of government and diplomatic officials, coupled with the permanence of traditional root causes of trafficking, all make this crime even more serious.

The international criminal organizations operating in trafficking of persons have modified their strategies to adapt their methods to measures taken by governments and institutions. Trafficking is also the first link to other criminal activities such as drugs, weapons and other illicit trade.

This situation deserves a clear response from all concerned, including greater awareness of new trends and patterns and new strategies better adapted to meeting these challenges. The objective of this IOM publication is to inform and raise the awareness of governments and institutions.

It is not possible to generalize the results obtained in this first assessment since the methodology of data collection does not facilitate comparisons. However, general indications can be made on the basis of information gathered in the field through interviews and discussions.

IOM wishes to express its thanks to the Swedish International Development Cooperation Agency (Sida) for its support in implementing this assessment and to Ms Tal Raviv and Mr Alberto Andreani, the consultants who carried out the research.

Marco Gramegna
Director, Counter-Trafficking Service
IOM

June 2004

INTRODUCTION

Trafficking in persons, especially women and children, for the purpose of forced prostitution has been recognized as a major area of concern in the Balkans for years.

The region has served for illegal transit of trafficking victims¹ from Eastern to Western Europe. Now there are new indications of trafficking victims being brought to or passed via the Balkans from Asia, the Middle East and Africa (alongside migrant smuggling from these regions).

Many of the ex-Yugoslav states are also major destination countries for trafficking in persons, primarily for forced prostitution.

Albania has been recognized for years as a major country of origin as well. However today there are an increasing number of reports that nationals from almost all the Balkans states are being trafficked internally or across international borders. These reports show that all countries are involved.

Since 1999, IOM has focused its efforts on combating trafficking in persons in the Balkans. A substantial proportion of these efforts are concentrated on operating direct assistance return and reintegration programmes for victims of trafficking. Over the same period, Sida has sponsored these activities on a regional basis as a sustainable and comprehensive regional response to the phenomenon. IOM has worked closely with local governments, especially law enforcement entities, NGOs and international organizations to reach and assist as many victims as possible. Referral mechanisms have been established and implemented in most countries in the region.

Various sources, including information received from the victims themselves, suggest that patterns and trends in trafficking in persons are changing, both internally among Balkan countries and externally in transit routes through and migration routes to the region. It appears that, in response to the action taken by governments and organizations, traffickers have adjusted their methods of operation in order to avoid detection and increase profit. As a result, trafficking has become less visible and the number of victims identified in some parts of the region has decreased.

IOM, law enforcement entities and other concerned stakeholders have had to re-assess the situation and adapt to the new circumstances of trafficking in persons. In this context, IOM was asked to gather information and report on the changing patterns and trends of trafficking in persons. On the basis of this information, recommendations could be made for tackling the new dimensions of the problem, in terms of response and of prevention, to the relevant authorities, including IOM, law enforcement agencies and government.

The assessment was conducted on two separate but interlinked dimensions:

- Victims of trafficking and victims' assistance and protection;
- Organized crime and law enforcement reaction.

¹ Although IOM shares the opinion that the use of the word "victim" is controversial because of its emphasis on vulnerability and powerlessness, it is used in parts of this report to describe the reality faced by those caught in trafficking and who find themselves at the mercy of traffickers as well as of authorities. However, it does not suggest that trafficked persons remain vulnerable, nor that they should be patronized or looked down on. For the purpose of this report, the term "trafficking victim" should also be interpreted as meaning any trafficked person.

This phase of the assessment targeted Albania, Bosnia and Herzegovina (BiH), the Province of Kosovo, the Former Yugoslav Republic of Macedonia (FYROM) and the Republic of Moldova – the latter being a major source country for trafficking in human beings to the Balkans region as well as to many other parts of the world.

STRUCTURE

During the assessment, it became apparent that there are significant differences in the trafficking activities in the five countries. For this reason, major findings, analysis and recommendations are provided in a country-by-country format.

Each country report includes two separate sections:

- *Trafficking victims and victims' assistance and protection:*

This section analyses the recent numbers, profiles and situations of trafficking victims in the respective country, as well as changes and the possible causes of change, and their implications. It also describes current assistance programmes for trafficking victims in each country and recommendations for adjustments of existing activities in light of the new trends identified.

- *Organized crime and law enforcement reaction:*

This section analyses recent information on the presence and activities of organized crime groups in connection with trafficking in persons, on developments in their activities and modes of operations, with a review of the law enforcement agencies and their response in each country. It also includes recommendations for the strengthening of law enforcement agencies' ability to combat trafficking in persons.

Observations of the overall situation are also included and the report makes a number of recommendations of a more general nature. However, these general sections are not intended to replace the country reports. For a comprehensive analysis, the report should be read as a whole. The report is written in a way that also allows the reader to focus only on one country or on only one of the two aspects of each assessment.

METHODOLOGY

Victims of Trafficking and Victims' Assistance and Protection Assessment

Between January and March 2004, visits were made to all designated countries. In each location, the consultants interviewed relevant stakeholders and, in particular, those working directly with victims of trafficking, in order to receive first-hand information and impressions. Shelters and reintegration programmes were visited and, where possible, referral procedures were observed. IOM, NGOs, government bodies and international organizations also provided written information.

The *IOM Mimosa Counter Trafficking Database*, which contains detailed information on victims assisted by IOM and their trafficking experiences, was consulted. All IOM missions in the region contribute to the database, some from as early as 1999, using a uniform format. The database is a unique tool for identifying possible changes in victim profiles, new trends in trafficking, treatment of victims while trafficked, and their rescue.

Full lists of people and organizations met in each country and a bibliography can be found at the end of the report.

Organized Crime and Law Enforcement Reaction Assessment

All designated countries were visited between January and March 2004. In each location, interviews were held with relevant law enforcement agencies including various sections of police forces, border police, representatives of the ministry of justice, lawyers representing trafficking victims, representatives of the ministry of interior, and members of international police missions and military forces, and, in some cases, embassy personnel were consulted.

Police stations, border posts and some locations suspected of being bases for trafficking and prostitution were also visited. Contacts were made with criminal informants and, in some countries, it was possible to make direct contact with members of organized crime groups active in trafficking in persons.

Much of the information collected was provided off the record or is highly confidential, therefore is therefore treated in general terms in this report.

GENERAL OBSERVATIONS

The Victims

The majority of identified international victims trafficked to and within the Balkan states covered by this report come from Moldova, Romania, Ukraine and Bulgaria, with a minority of victims from other countries in Eastern Europe or from within the Balkan region.

However law enforcement intelligence reports suggest that victims from Turkey and some countries in Asia, the Middle East and Africa are trafficked **through** the Balkans, mainly via Kosovo and BiH, to different destinations in Western and Central Europe. Information regarding victims of trafficking from these regions is very scarce, perhaps because groups of travellers from these destinations are usually considered illegal migrants.

Trafficking of victims across a single border, e.g. from Kosovo to Albania, or from Moldova to Romania, (internal trafficking), is on the increase. There is clear evidence of trafficking of nationals inside the country in Kosovo, though only a few cases have been observed in FYROM and BiH so far and further research is required. In Moldova and Albania, where national victims have been trafficked abroad for many years, the phenomenon of internal trafficking is relatively new, but no less evident. In some cases, victims subject to internal trafficking are later trafficked outside the country after gaining some “experience”.

Victims trafficked to and within the Balkan states covered by this report generally come from similar conditions of low socio-economic situations and grim personal circumstances to those which have driven victims to leave their home countries in the past. This is not surprising, since the root causes – dire poverty and lack of opportunities in the home countries – remain unchanged. With the exception of minors, the majority of victims have some middle- or high-school education and a history of unemployment in the home country, and consequently left home in search of work. Some adult victims are mothers, often single mothers. Many victims were abused by their parents or partners or grew up without parental support.

One of the recent concerns raised in Moldova is the danger for the second generation: children of trafficked or migrant workers growing up alone or in a children’s home. Many thousands

of children are increasingly at risk of being trafficked. Local NGOs in Moldova are already assisting a few such cases.

The average age of repatriated international victims trafficked for prostitution has risen somewhat, due to several factors. For example, more international victims are repatriated only after several years of being trafficked, and are therefore older than victims assisted in the past who were recruited in the same age group. There are also reports of an increase in internal trafficking and prostitution of many victims as minors and it is possible that they are recruited in preference to international victims.

Notwithstanding the above comments, it should be mentioned that the new trend of trafficking from Moldova to Russia involves many minors: teenage girls trafficked for forced prostitution or boys and girls trafficked for begging and petty crime.

NGOs assisting children trafficked for begging from Albania to Greece have seen a decline in numbers, but are concerned that children are now trafficked for more secret purposes. There are also new indications of children trafficked for begging and petty crime from other Balkan countries. Police intelligence reports point to the alarming possibility of children being trafficked for organ harvesting in the Balkans, as well as for illegal adoptions.

Newly identified trafficking patterns in Moldova have drawn attention to an older group of victims, women in their thirties, wives and mothers from rural areas, who travel to Turkey for domestic labour and are trafficked there.

Another possible new trend may be the trafficking of men and boys for prostitution. Police intelligence reports suggest that men and boys are trafficked for sexual exploitation from Albania. In Moldova and FYROM, newspaper reports mention the trafficking and possibly sexual exploitation of two Moldovan men in FYROM.

The Trafficking Experience

According to information collected from IOM and NGOs assisting victims of trafficking, it can be stated that international victims are still mainly recruited by means of false job promises. However, false marriage proposals or false travel arrangements are also used. Some victims are recruited by newspaper advertisements or through travel or job agencies. Interestingly, although a growing number of victims to the Balkans are aware of the real destination of their journey, they appear to travel willingly to BiH and to some extent to Kosovo. Many victims agree to travel to Yugoslavia in general.

Most victims are still unaware that they would be forced into prostitution but, according to IOM statistics, the percentage of those who have an idea about the possibility is growing, mainly due to greater awareness in their home countries. However, these victims explain that they had no choice but to take the risk. In the cases of victims trafficked for the second or third time, they are well aware of the risks involved. In some cases they are being trafficked against their will by the same traffickers, but in other cases they decide to take a calculated risk. This is especially true if they were returned by deportation, which is the way that most Albanian victims are sent back home. Also of interest is the fact that, although figures remain small, there was an increase in 2003 in the number of cases where the victim was trafficked by force, kidnapped or sold by his/her family.

From interviews with victims, there emerged two contradictory trends relating to the nationality of recruiters and traffickers. A large number of Albanian and Moldovan victims were recruited and trafficked by individuals of the same nationality, and who then exploited them in the destination country. For example, Moldovan victims trafficked to Russia or the

United Arab Emirates reported that their “owners” and guards were Moldovans. On the other hand, some victims, trafficked to Kosovo, FYROM and especially BiH, report that they were recruited in their home countries by a national of the destination country (i.e. Kosovo, FYROM or BiH respectively).

In Kosovo and BiH, victims are reported to have better living conditions and to receive some pay, encouraging them to stay in the situation. However, this does not alleviate the level of intimidation and abuse.

The victims repatriated by IOM in 2003 generally suffered greater restrictions on their freedom of movement, were more abused and had less access to medical care.

Participation of female traffickers and pimps continues to increase. They are usually of the same nationality as the victims and were often ex-victims themselves. They control the victims and guarantee their cooperation. In some instances, it is the female trafficker who recruits victims in her home country. Her methods for controlling the victims may be more subtle, but her influence is just as great, as she knows their hometowns and addresses and can make more realistic threats of locating them and their families, should they escape. The victims fear such women, but also develop a sense of loyalty.

In all locations, assisted international victims reported that they had been sold several times between countries in the region. The movement of victims is also a way of preventing their detection and of disorienting them.

Longer stays in the country of destination can have several outcomes on victims. While some manage to escape and find the means to stay in the country of destination; many remain in the same situation of abuse and conform to it. Psychologists working with these victims report that they suffer severe personality changes and have great difficulty in responding to treatment. IOM and NGOs have already assisted several victims addicted to drugs or alcohol in all countries covered by this report. Drugs are usually first forced on them by the traffickers as a long-term investment to guarantee dependency and submissiveness, whereas alcohol is part of the victims’ work.

Another result of longer stays is the growing number of victims who live with a man, sometimes as a couple even if he usually has another family. The victim sees the man as her protector and will not “betray” him, even in cases where physical abuse and humiliation are part of the relationship. In other cases, victims are considered to be no more than a private sex slave to serve their “owner”, who may also prostitute her from time to time. Some of these cases involve particularly cruel treatment.

In 2003, IOM has seen a dramatic increase in the number of victims who were repatriated with babies born during the period of trafficking or in an advanced stage of pregnancy. This group of victims demands new and extensive types of assistance.

Rescue and Referral

The number of victims rescued by police and referred to IOM and NGOs has decreased significantly, though the causes for this decline vary from one country to another, as will be discussed later in the report.

Although in most countries there are formal Standard Operational Procedures (SOP), or at least informal practices, for screening and assistance which regulate referral from police to IOM and/or other partners, it appears that implementation of these procedures is weakening in almost all countries visited.

In some countries, a growing percentage of assisted victims managed to escape on their own, although the total numbers are lower than in previous years. Alternative referral mechanisms, where they exist, such as use of a hotline or direct access to victims, have proved very important, but they are usually used more by national victims than by international victims.

In both the major countries of origin covered by this report, Albania and Moldova, a large number of national victims assisted by IOM and/or NGOs were returned to Albania or Moldova not by assisted repatriation, but by deportation, or (for Moldovans in particular) by their own means. While Albanian police are able to identify and refer such cases, in Moldova victims tend to hear about the possibility of being assisted only from the community or from local NGOs.

For detailed information on victim assistance and protection, please see country reports.

Organized Crime

According to the analysis of organized crime, criminal activities linked to trafficking in persons are in continuous expansion, evolution and specialization. Nevertheless, there is a lack of precise figures for evaluating the exact scale of the phenomenon. It seems that criminal groups are able to adapt rapidly and effectively to changing conditions in the various countries, making the collection of data difficult. At the same time, this creates uncertainty about the scope of the phenomenon, with specific reference to low numbers of victims referred in recent years by law enforcement agencies to aid organizations, including IOM.

Trafficking for forced prostitution is the most visible manifestation of the phenomenon, but other serious forms of exploitation are widespread, including begging, concealed and forced labour, organ trafficking and illegal adoptions.

The distinguishing features of successful criminal structures – such as segmentation, flexibility and specialization – remain unchanged.

The main elements allowing the continuance and growth of criminal groups operating in the Balkans are their ability to act in one or more territories and in several markets, their ability to use a variety of legal and clandestine routes, their managerial approach to trafficking, and their ability to supply whatever the market demands.

Trafficking in persons in the Balkans began as an initial and archaic phase of interregional development, as in Kosovo and Serbia, and then passed to a second and more modern “international” phase, during which the Balkan states became involved as places of origin, transit and destination.

In the Balkans, and in Kosova, Bosnia and Macedonia in particular, criminal groups have been able to change both their structure and their operating strategies to adapt very effectively to anti-trafficking programmes put in place by law enforcement agencies and legislators.

Criminal groups operating in this sector use a network based on effective collaboration and joint ventures with other criminal groups as well as with other entities, such as government employees.

In countries such as Moldova and BiH, there is growing evidence of new and younger criminal managerial figures who invest large sums of money in the sector. They open dangerous channels of corruption at all levels, which allow them to change their modus operandi of trafficking radically and, in Moldova, to test new and more secure routes for reaching new markets. The new criminal managers often prefer to invest money in legitimate modes of transport, such as arranging for travel with proper documents and visas, using legal

routes, and at times travelling to countries from which the return route is virtually impossible (such as the Gulf states).

Complex structured protective rings have been conceived and established to obtain maximum economic return from the human trade. These protective rings allow consolidation and growth in trafficking activities. The first and most effective of these rings is the protection provided by corruption of state functionaries and officers in police forces and armed services, of politicians, or even personnel in foreign embassies and consulates. This allows trafficking to survive without obliging criminal groups to modify the form or methods of their operations. A second ring can be defined as the emergency protection ring consisting of the presence of a logistical structure capable of moving the victims from visible places, such as nightclubs and bars, to private premises, such as apartments, saunas or escort agencies. The third and final protective ring operates by raising the standard of living for the victims, guaranteeing them some pay and a better working environment, and thereby providing a new way of ensuring total control over victims and their cooperation.

The Structure

Generally speaking, the criminal structure in which the various actors in trafficking in persons operate can be described as an integrated criminal system. It may involve individuals acting alone, in small local groups of criminals or well-organized criminal networks. Groups involved in organized crime can be subdivided into three types for a better understanding of their organizational structure: high, medium and low levels.

High level

These groups usually oversee sophisticated international trafficking. They usually set prices and finance the cost of transfers, but usually do not participate directly in the transport of the victims or in the organization of border crossings. They establish trade relationships with other high-level groups (in the same country or in other countries), and cooperate in the exchange of victims who are often sold more than once. These groups contact medium-level groups, such as suppliers of specific illegal services, establishing their relationships on precise contractual conditions. The leaders of high-level groups may live abroad, almost never come into contact with their victims, and reinvest the income from trafficking in persons in other illegal markets, such as trafficking in drugs or arms. Given their entrepreneurial coloration and the availability of large sums of money, high-level groups may develop relationships with personalities in political, diplomatic, administrative and financial circles, especially through the use of corruption, where necessary.

Medium level

This classification covers groups operating in strategic geographical areas, such as areas close to national frontiers of countries of origin, transit or destination. Medium-level groups are usually entrusted with tasks in the operative stages of the trip, commissioned by high-level groups. Their preparation and excellent knowledge of the local territory and the availability of tested criminal networks, for example, for production of false documents or corruption of people involved in issuing travel papers, make them very good interlocutors.

Low level

This third class includes criminal groups of lesser importance. They operate under a type of mandate, either granted by medium-level groups, or in some cases acting on orders from individual traffickers. Usually there are greater numbers of low-level criminal groups than of medium and high-level groups, especially by virtue of the fact that they constitute the fundamental component of low-level unskilled criminality. It has been empirically demonstrated that their main activities consist of receiving the victims, ensuring the logistics

of border crossings (setting up bases for departure and assembly points on arrival), but they may also be involved in other activities. The role of these criminals in the trafficking process ends with the delivery of victims to emissaries from the group which commissioned the trafficking.

Cooperation between groups belonging to the different levels is on-going and increasing, especially in areas where measures taken for preventing and repressing trafficking apply greater pressure. In Kosovo and FYROM, groups of victims are transferred from one country to another and back again, when police activities in either country become more acute.

Modes of Transfer

A complex mixture of migrants passes through the Balkans. The organizations engaged in the traffic rely on tested routes, which can be modified as needs arise. As these routes make it necessary to cross numerous countries, there are two ways to guarantee passage in a relatively secure manner:

Legal or apparently legal form

This methodology has only become the preferred system for high-level groups in recent times. Victims are provided with legal temporary visas, valid passports or entry papers. The reason given for entering or transiting through a country is usually tourism, or to carry out a certain type of work, often associated with the world of entertainment.

Depending on their geographical position, transit and destination countries are entered using scheduled ferries, by air, or by land using traditional border crossing points.

This “legal” method is very costly, considering the high cost of obtaining valid documents, and it appears therefore that it is only used by organized crime groups for high-level trafficking for sexual exploitation.

This mode of trafficking has generated the complete “invisibility” of the passage and presence of victims in many Balkan countries. Travelling with regular documents at all times and transiting through legal border posts means avoiding the traditional countermeasures used by law enforcement agencies in Balkan countries. It was therefore only possible to discover this bleak situation from the testimony of victims and of criminal sources, and not from police files.

Illegal form

In this case, victims do not have identity papers or they carry documents that are clearly false. This method is more often used by low-level criminal entities, which do not have sufficient funds for obtaining genuine documents or for the production of high-quality counterfeit documents.

The journey is much longer and the victims face very dangerous situations compared to those who enter the countries with legal documents. Victims obliged to undertake this type of journey are generally subjected to various forms of violence and constraints, including rape, beatings, physical torture and malnutrition.

Routes are established on the basis of the geographical distance between the countries of origin and destination, taking account of transit countries and calculating the level of controls at the various frontiers. The collaborative relationships between the criminal organizations located in the different locations are also taken into consideration, along with the level of effectiveness of countermeasures implemented by law enforcement agencies in each place.

Law Enforcement

To date, countermeasures put in place by institutions responsible for investigations or border control activities have revealed inadequate preparation in the specific sector of trafficking in persons. Law enforcement agencies have been unable to identify fully the new modes of trafficking, or to adjust their response to changes in the modus operandi of criminal groups.

Lack of technical means, lack of proper systems for collection, storage and dissemination of intelligence information, high levels of corruption, swift rotation of police officers in charge of anti-trafficking activities in some countries, and insufficient bilateral and multilateral cooperation between law enforcement agencies are the main constraints identified during this assessment.

ALBANIA

GENERAL

For many years Albania has been a major route for the illegal transit of migrants as well as for trafficking in humans, drugs and weapons by sea. Albania's strategic geographical location and impoverished population have made it a target for traffickers since the fall of the communist regime in the beginning of the 1990s. In the past, well-equipped organized crime groups mainly used speedboats from ports in Vlora and Durres and other coastal locations to make dozens of trips to the Italian coast every week. Thanks to massive police operations during the summer of 2002, the number of speedboat trips has decreased dramatically. With substantial international and bilateral support, Albanian authorities, and in particular law enforcement bodies, have made considerable efforts to combat the phenomenon. However, this does not mean that Albania has stopped functioning as a country of origin, transit and, to a certain extent, destination for trafficking in persons. Organized crime groups are quick to adjust to new circumstances and to develop new methods for trafficking from and through Albania. Traffickers are increasingly using passports, visas and other legal means of transit or illegal land routes to transport their victims.

Since 2001, IOM Tirana has seen a decline in the number of referrals of international victims. The 2003 caseload (17) was 10% of the number of cases assisted in 2000 (165). Various explanations for the decline in referrals will be explored in this report.

The number of Albanian victims referred for assistance, after being exploited for prostitution, was somewhat lower in 2003 than in previous years but there are no indications that this phenomenon has been reduced. Similarly, there are no indications that the circumstances that lead to trafficking of Albanian women and girls for prostitution have changed, but the number of Albanian women and girls forced into prostitution through internal trafficking has increased.

Trafficking of Albanian children for begging and forced labour to Greece has been less apparent. However, NGOs working with children trafficked to Greece express concern that children might now be trafficked for purposes much harder to detect than begging on the streets.

IOM has assisted international victims since 1999 (in collaboration with the International Catholic Migration Commission, ICMC until October 2002) and Albanian victims since 2001. The Vatra NGO in Vlora has also provided assistance to both groups, since 1999. Activities to combat child trafficking in Albania are coordinated by the Coalition Against Child Trafficking (BKTF) which includes NGOs providing direct assistance.

TRAFFICKING VICTIMS AND VICTIMS' ASSISTANCE AND PROTECTION

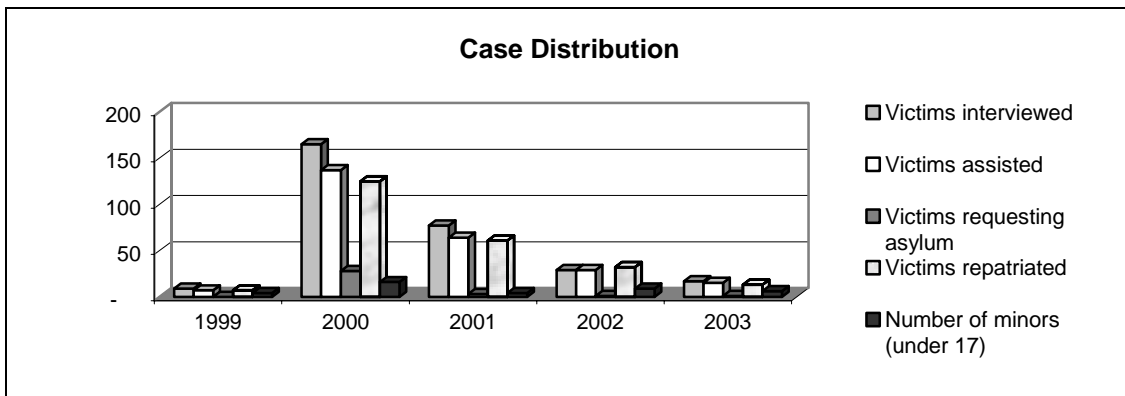
International Victims

Figures

Since 2001, the number of international victims referred for assistance have decreased constantly by, on average, 50% per year:

TABLE 1
INTERNATIONAL VICTIMS REFERRED FOR ASSISTANCE

| Year | 1999 | 2000 | 2001 | 2002 | 2003 |
|---------------------------|------|------|------|------|------|
| Victims interviewed | 9 | 165 | 77 | 29 | 17 |
| Victims assisted | 7 | 137 | 64 | 29 | 15 |
| Victims requesting asylum | 0 | 28 | 3 | 1 | 1 |
| Victims repatriated | 7 | 125 | 61 | 32 | 15 |



There has also been a shift in international victims' countries of origin:

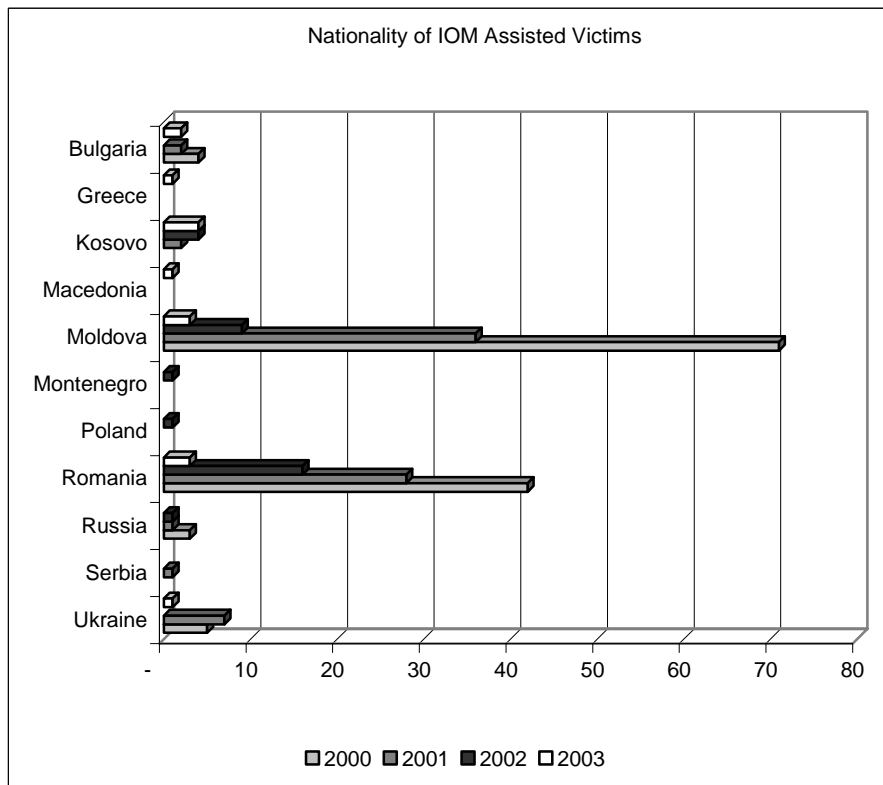


TABLE 2
NATIONALITY OF ASSISTED VICTIMS

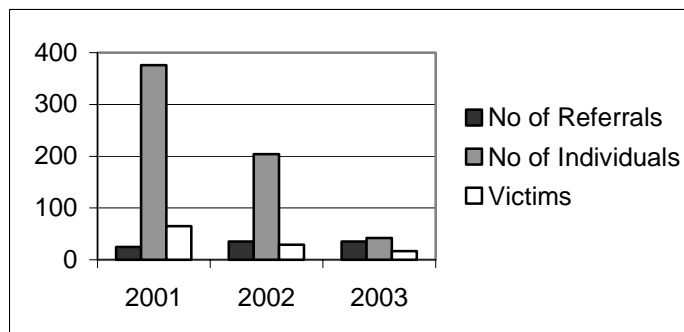
| Nationality/Year | 2000 | 2001 | 2002 | 2003 |
|-----------------------|------|------|------|------|
| Moldova | 71 | 36 | 9 | 2 |
| Romania | 42 | 28 | 16 | 2 |
| Ukraine | 5 | 7 | 0 | 1 |
| Bulgaria | 4 | 2 | 0 | 2 |
| Russia | 3 | 0 | 1 | 0 |
| Kosovo | 0 | 2 | 4 | 0 |
| Serbia and Montenegro | 0 | 1 | 1 | 4 |
| Poland | 0 | 0 | 1 | 0 |
| FYROM | 0 | 0 | 0 | 1 |
| Greece | 0 | 0 | 0 | 1 |
| Total | 125 | 77 | 29 | 15 |

The Vatra Psycho-Social Centre, the national NGO which manages a shelter in Vlora and accommodates both Albanian and international victims of trafficking, has also reported a decrease in referrals of international victims. In 2002, Vatra reported assisting 13 international victims, a decrease of almost 40% compared to 2001.² In 2003, the NGO reported assisting only three international victims (of which one was Greek and another Italian).³

The number of **irregular migrants** interviewed by the IOM-UNHCR pre-screening team has decreased since 2001. This is consistent with the decrease in the number of international victims. Interestingly, the number of referrals in 2003 is the same as in 2002, but each referral included a much smaller group of irregular migrants. Foreign migrants are no longer found travelling in large groups.

Figures Provided by UNHCR

In 2001, there were 25 referrals of 376 people (including 65 victims of trafficking), while in 2002, there were 35 referrals of 204 people (including 29 victims) and in 2003, 35 referrals of 42 people (including 17 victims).



² Vatra Psycho-Social Centre, *The Girls and the Trafficking Review of Trafficking in Human Beings for the Year 2002*, p.28 (Vatra Report, 2002).

³ Vatra Psycho-Social Centre, *On Trafficking in Human Beings*, Annual Report 2003, p.29 (Vatra Report, 2003).

International Victims: Profile and Identification

In previous years, most international victims assisted were young women and girls (aged between 14 and 32) trafficked from Central and Eastern Europe and driven primarily by poverty and lack of opportunities at home, often in combination with difficult personal and family circumstances. Many of the international victims were stopped, abandoned or found in Albania while en route to Western Europe. Interestingly, while in 2000 and 2001 the primary final destination was Italy, in 2002 only 60% of victims named Italy as the final destination, the remainder cited other countries, including Greece and former Yugoslavian states.⁴

An increasing percentage of international victims were referred to IOM after being deported to Albania from a Western European country. In 2002, 24% of the caseload involved victims deported to Albania from Italy, France, Sweden and Greece. **In 2003, 47% of the caseload were international victims deported to Albania from Italy, Greece and Austria.** These victims, if they had been probably identified as such when found, would have not been sent to Albania at all, and would not have suffered the unnecessary delays in repatriation: They might have benefited from assistance in the departing country. It is worth mentioning that this target group – international victims deported from other countries – is characteristic only of Albania among the countries covered by this report.

In contrast to previous years, in 2003 only two international victims were identified in Albania, while en route to other countries. Both were travelling with fake documents on their way to Italy and Greece – one was identified on the Greek border and the other escaped and sought help from the Romanian embassy in Tirana.

Some international victims assisted in 2003, especially those deported to Albania, came from similar backgrounds and were trafficked in similar ways as international victims in previous years. It is impossible to build a profile of the international trafficking victim referred and assisted in 2003. Too many international victims either do not fit the classic profile or arrived in Albania under unique circumstances. From the small caseload of 15 assisted international victims, it was found that:

- Two Kosovar victims were 14-year-old boys possibly en route to Greece (trafficking of boys, especially of Roma and Egyptian descent is common in Albania, but no other cases of trafficking of Kosovar boys have been reported so far).
- One Bulgarian victim was actually deported from Italy by mistake even though she informed the Italian police she was Bulgarian. The woman said she was deported to Albania as she had an “Albanian face” and she had to leave a two-month-old baby behind in Italy.
- One Greek minor was deported from Greece by mistake because she was travelling with an Albanian boyfriend (Vatra and IOM provided her with shelter and her trip home was organized by the Greek consulate).
- Four international victims stayed in Albania for a long period of time – between one year and several years. They were forced into prostitution in Tirana, Durrës and Seranda. One victim was discovered by police while being trafficked in Kosovo after a year’s stay in Albania. This group included two mothers (both Moldovans) who were repatriated with their babies born in Albania under a false Albanian family name, the father being the married trafficker/“boyfriend”. In these cases, it was necessary to re-register the birth under the mother’s real name to allow them to be repatriated with their babies.

⁴ IOM annual report: *III Research Report on Third Country Nationals Trafficking Victims in Albania, 2002* (IOM Report, 2002).

Possible Causes of Decline in Figures

This diverse picture suggests that the large-scale phenomenon of trafficking foreigners via Albania has decreased. The reasons suggested for this situation include:

- Massive operations by Albanian police and international forces, primarily the Italian Interforce Mission during the summer of 2002, to eliminate the use of speedboats carrying trafficking victims and smuggled migrants to Italy.
- Since 2002, citizens of Romania (in the past, a primary source country) and Bulgaria do not now need a visa to enter the Schengen area. As a result, citizens of these countries no longer need to pass through Albania illegally to enter the EU.
- Changes in routes for trafficking women from Central and Eastern Europe, which no longer involve transit through Albania.
- New trafficking methods – use of fake documents and real visas – which allow use of legal modes of transport, such as ferries and airplanes, and which make it harder to detect cases of trafficking.

However, IOM and most other organizations involved are reluctant to say that the phenomenon has been wiped out. They remain concerned that the present monitoring by law enforcement agencies is too low and that international victims possibly go undetected.

While police capacity has improved, thanks to international technical support and training, the effectiveness of these efforts is often limited, as police officers are continuously rotated and police priorities are constantly changing. It was reported that the Albanian police often move from one “hot issue” to another and focus on a single major area of crime at a time.

The “open” border between Albania and Kosovo enables easy illegal movement and victims being trafficked in both directions. IOM Tirana assisted four Kosovar victims in both 2002 and 2003. At present, there is no way of estimating whether, or how many, Kosovars are trafficked to or through Albania.

Referral

Thirteen out of 17 international victims were referred to IOM by the police in 2003. This does not mean that they were all found as a result of a police investigation. Seven were handed to police after being deported from elsewhere, and one victim was rejected at the Greek border. Four, who had stayed in Albania for long periods of time, were found by police through intelligence work, three international victims were referred by NGOs and one, who escaped from her traffickers, was referred by the Romanian embassy. The victims are said to provide very limited information, and most deny having been trafficked.

Since 2001, IOM, UNHCR, OSCE and the Ministry of Public Order have implemented, through an MOU, a pre-screening procedure whereby the police call IOM and UNHCR whenever they find an irregular foreigner. IOM and UNHCR jointly interview the person within 24 hours to determine whether the case involves an asylum-seeker, a victim of trafficking, or an irregular migrant. However, this MOU does not cover border points where the border police may simply deny entry into Albania.

An amended MOU is expected to come into effect in the near future. Under the provisions of this MOU, border police will also be required to call upon the pre-screening team when suspected cases are detected at the border checkpoints. IOM efforts in building waiting and interview rooms (“comfort suites”) at border points should assist the border police and enable

them to provide a comfortable waiting area for irregular foreigners, and to ensure that they are not sent away.

Sheltering

IOM closed its shelter for international victims of trafficking and irregular migrants stranded in Albania in July 2003. Meanwhile, the government-owned National Reception Centre for Victims of Trafficking (NRCVT) was opened outside of Tirana. This centre also welcomes irregular migrants awaiting voluntary repatriation in a separate building but on the same premises. IOM funds the centre and three IOM social workers with experience at the previous IOM shelter are members of the centre's staff. At present, the centre is also used to host Albanian high risk victims of trafficking and witnesses in need of protection. As a result of the low case flow of international victims at the time of the visit, there were only Albanian victims and witnesses at the centre. It can accommodate up to 100 beneficiaries (including irregular migrants) and is a closed facility protected by police. Outside activities are organized and the victims must be accompanied if they wish to exit the site.

International Victim's Legal Status

The legal status of international victims awaiting repatriation is not regulated. While some international victims have applied for refugee status, procedures for temporary visas are not yet in place.⁵

International victims are interviewed by the pre-screening team and immediately receive information about the possibility of requesting asylum. Since the beginning of 2003, the Albanian Citizen's Advocacy Office (CAO) has provided legal assistance and representation for both Albanian and international victims. IOM signed an MOU with the CAO in June 2003.

Re-trafficking

In 2003, out of a caseload of 17, two international victims had been previously trafficked and assisted by IOM missions. A Moldovan victim, who left the shelter 18 months earlier, was assisted again and repatriated. A Kosovar victim was repatriated in 2002. In 2003, after being trafficked again, and deported a second time to Albania, she was referred by police to IOM but she rejected IOM assistance.

Albanian Victims (Trafficking for Sexual Exploitation)

Trafficking of Albanian women and girls is the result of chronic economic conditions together with traditional gender imbalance and inequalities. Long-term and sustainable interventions are required to tackle these root causes. At present, there are no indications of change in Albania, such as an improvement in the economic status of the general population which would decrease the vulnerability of Albanian women and children to trafficking. Awareness-raising efforts in the last five years have alerted sections of Albanian society to the dangers of trafficking and therefore they are more careful. However, IOM and Vatra report that, whereas in the past the vast majority of victims were not aware of the dangers of trafficking, an increasing percentage of the victims assisted in recent years were in such a desperate situation that they were willing to take a calculated risk. It has been reported that in some cases,

⁵ Albania is one of the countries where the IOM Temporary Visa project is being implemented, so this issue is being addressed.

especially in rural areas, parents have stopped sending their daughters to school for fear of kidnapping and trafficking. Educating girls is generally a problematic issue in Albania, especially in rural districts and there is evidence that lack of education makes girls and young women more vulnerable to trafficking.

Between 2001 and the end of 2003, IOM Tirana had assisted 163 Albanian victims of trafficking. Since the opening of the IOM Reintegration Centre in the beginning of 2002 and until March 2004, 147 Albanian victims were accommodated in the IOM centre and given long-term reintegration assistance. The IOM Reintegration Centre focuses its efforts on long-term reintegration assistance rather than short-term accommodation, and assists Albanian women and girls who were trafficked internally and out of Albania. Figures for 2003 compared to 2002 show a decline of approximately 30% in referrals.

The Vatra Centre in Vlora, which has provided assistance to victims of trafficking since 1999, reports that 112 Albanian victims were interviewed or reported in 1999, 219 Albanian victims in 2000, 392 in 2001, 358 in 2002, 231 Albanians in 2003. In 2003, 82 of the 231 Albanian victims were not interviewed by Vatra, but the Centre received information about them from contact points.⁶

Decrease in Figures

The decrease in numbers can be attributed to a reduction in deportations from Italy. Illegal migrants already in Italy were allowed to apply to legalize their status until December 2003 and are presently allowed by law to apply for this status. According to Vatra's reports, 174 victims assisted in 2002 were deported by the Italian police, in 2003 only 100 victims were referred to Vatra in this way.

There is also a decrease in the numbers of Albanian victims identified and referred by police prior to their departure from Albania. In 2002, Vatra reported that the Albanian police had referred 115 victims rescued before leaving the country. It appears that most victims were found before being trafficked to Italy in speedboats from Vlora. In 2003, only 33 victims were identified by the Albanian police and referred to Vatra, in circumstances other than deportation.

Of course action taken by the Albanian police during the summer of 2002 to stop the movement of speedboats has to be commended. It is not clear to what extent the Albanian police has taken action to prevent other and new means of trafficking from Albania, such as the use of fake documents and travel by land and crossings through the mountains.

IOM has also seen a decrease in referrals by IOM missions: this will be discussed below in the section on Referral in this chapter.

Internal Trafficking and Prostitution

Albania itself is reportedly a growing market for voluntary and forced prostitution and the use of Albanian women and girls for the local sex market is said to be on the increase. Currently **33% of the IOM caseload between June and November 2003 were Albanian victims trafficked internally**. This trend points to a serious economic situation and represents a break with tradition, as the Albanian culture does not consider prostitution as a legitimate way of earning a living. It can also be attributed to substantial migration from the villages to the big cities over the last decade, creating a new and extremely impoverished urban population.

⁶ Vatra Report, 2002: 28-29.

Women and girls involved in prostitution or being trafficked in Albania are clearly an easy prey for international trafficking as well.

On the other hand, because routes of trafficking from Albania are changing and taking a victim out is becoming more expensive, traffickers are holding victims in Albania for longer periods of time and are using them for prostitution prior to departure.

Albanian Victims – Changes in Profile

Age

Trafficking of Albanians for prostitution often involves minors. Girls from rural areas are recruited by a false marriage proposal and are usually very young. Older women are also trafficked and many have repeatedly fallen into the hands of traffickers, often as minors the first time. Vatra reports that 80% of adult victims accommodated in its shelter during 2003 had first been trafficked as minors. Of Albanian victims assisted by IOM between June and November 2003, 79% were under the age of 25. ISS reports that it receives fewer referrals of minors from Italy and considers that awareness programmes with Albanian parents have made them less willing to send their children there. Vatra also reports a decrease in the referral of minors from Italy but has expressed concern that these victims are now being left in Italy, according to reports from adult victims that they knew of minors who were not deported with them.⁷

Background

There appears to be little change in the socio-economic background of Albanian victims, most of whom still come from impoverished and often dysfunctional families and broken homes. Many have not finished primary school and a few are totally illiterate.

Of the Albanian victims assisted by IOM, 70% are originally from rural areas. Vatra, on the other hand, notes that since 2002, more victims say they come from urban areas, although the vast majority of the victims had been raised in rural parts of Albania.⁸

Vatra reports 48 to 50% of Albanian victims they assist are from the Roma community, while the remainder are ethnic Albanians. Only 15.6% of cases referred to IOM are Roma.

IOM reports no noticeable differences in the profile of victims trafficked internally compared to those trafficked internationally.

Recruitment

Both IOM and Vatra Centre report that, since 2002, more Albanian victims are not totally unaware that they are being taken abroad for the purpose of prostitution. While false marriages and engagements remain the main means of recruitment and usually involve victims who are totally unaware, there are a growing number of reports indicating that more victims receive different forms of offers to go abroad and are fully or partially aware of the risks involved. However, once trafficked, there seems to be no difference in the amount of force and violence used against victims.

This change can be attributed to the following factors:

⁷ Vatra Report, 2002: 31, 33.

⁸ Vatra Report, 2002: 36-37. In its 2003 Report, Vatra noted that 50% of victims in 2003 came from urban centres.

- As previously mentioned, the growth of local prostitution, forced local prostitution and internal trafficking. This trend, which is alarming in itself, also creates new hunting grounds for traffickers. Women and girls can be trafficked and forced into prostitution in Albania to “prepare” them for being trafficked abroad. Albanian women and girls preferring, out of desperation, to become prostitutes in Albania to being trafficked are very easy prey for traffickers.
- An increase in the number of victims interviewed who have been trafficked several times. The Vatra centre reports that in 2003, it sheltered 91 victims who had been trafficked more than twice.⁹ When these victims are re-trafficked, they usually have few illusions about the situation they face abroad, but they agree to return because of the lack of opportunities at home, their inability to return to their families or to escape their traffickers, or simply because, after being deported against their will, they would like to return to the destination country. Many of these victims could have been recruited years ago, initially by false promises of marriage or by kidnapping, but they now feel that they cannot start a new life in Albania.

A small number of victims are sold by their families. In 2003 Vatra reported assisting four Albanian victims who were sold by their husbands.¹⁰

False Documentation and Trafficking Methods

IOM reports that, of Albanian victims assisted recently, many more are being trafficked with false or real passports and visas and land or air tickets. The use of speedboats has declined. At present, both modes of trafficking – in speedboats or using of false or real documents – are costly. In general, it is thought that, since operation Puna in September 2002, trafficking from Albania has become a more expensive operation. Minors trafficked for prostitution inside Albania are given false birth certificates and are instructed to lie about their age to the police.

Destination

While deportation and repatriation from Italy are on the decline, there is an increase in Albanian victims being returned from other Western European countries, such as Greece, Belgium, the Netherlands, Norway, UK, France, Germany and Finland. Albanian victims trafficked to these destinations appear to have travel with valid documents and visas or on foot, crossing the mountain borders with Greece or Kosovo.

Duration

Albanian victims are either returning home immediately after being trafficked or after many years following their forced departure from Albania. IOM has assisted three Albanian victims who returned six to seven years after being trafficked to Greece. Victims who return after several years present special difficulties in assisting their reintegration.

Referral

Cases are referred to IOM Tirana by:

1. Police – this is still a primary source, although the number of referrals is declining.

⁹ Varta Report, 2003: 30.

¹⁰ Vatra Report, 2003: 35.

2. NGOs and international organizations based in Albania – including the Vatra Centre. Some NGOs receive referrals from police and send them to IOM, other NGOs receive cases without referral from the police. Referrals by NGOs are increasing constantly, thanks to networking, NGO mapping, and awareness raising programmes carried out by IOM. This is a good example for the creation of an alternative referral system.
3. IOM missions abroad – primarily IOM Rome and IOM Pristina. There has been a steep decrease in the number of referrals by IOM missions (from an average of four cases in six months to only two cases). The decrease in referrals from Italy can be explained by the reasons given above for the decline in the number of deportations from that country. The decrease in referrals from Kosovo is linked to changes specific to that area, as will be discussed in the chapter on Kosovo. An increasing number of cases are reported to be deported from other Western European countries (see the above section on destination) without IOM involvement.

NGOs and police also contact IOM if they suspect a trafficking case or have identified a high risk case. It is worth mentioning that, since the signing of cooperation agreements, police now refer deported, identified or suspected cases of trafficking to NGOs and IOM.

Re-trafficking

As mentioned above (see section on Recruitment), many Albanian victims trafficked internationally repeatedly fall back into the trafficking cycle. Similar information regarding internal trafficking was still unavailable at the time of writing this report.

The Vatra Centre reported that 91 out of 243 Albanian victims sheltered during 2003 had said that they had been trafficked more than twice previously and had not been referred for assistance when deported in the past. Vatra points out that victims repatriated against their will and without proper preparations are more vulnerable to be re-trafficked. Of 179 Albanian victims sent back by Western European police forces and interviewed by Vatra, only 70 remain in Albania.¹¹ Vatra confirmed that no victims deported from Western Europe received information regarding the possibilities of assistance and reintegration support in Albania before their deportation.

Returning home is hard on all victims of trafficking, but especially on those who were trafficked over a long period of time. The shame and mental scars, including very low self-esteem, create great challenges for reintegration, even when all possible assistance is available. Reintegration is well nigh impossible if a victim is not even aware of such assistance. Albania, with its poor economy and traditional culture, is an especially difficult place for reintegrating a trafficking victim. Family reunification is difficult and at times impossible. In addition, job opportunities are limited, especially for victims who left young and are uneducated. A victim who has been deported is once again being displaced against her will, and is often treated as a criminal. She usually does not receive any counselling or psychological support prior to departure and may even be contacted by her trafficker threatening to come after her and bring her back. As a result, her chances of reintegration are even smaller than those of a victim who has agreed to be repatriated.

Most victims are deported back to Albania but it is unknown how many of these are not referred to organizations such as IOM and Vatra for assistance. It is therefore not surprising that many of them fall back into the same cycle of exploitation.

¹¹ Vatra Report, 2003: 30.

IOM reported that 12 out of 168 Albanian victims assisted by IOM were re-trafficked. None of the 12 cases was accommodated at the IOM reintegration shelter. This figure (7%) is relatively low compared to reintegration programmes in other countries, and is the result of a strong investment in each case.

IOM Reintegration Centre¹²

IOM Tirana has accommodated 147 Albanian victims in its reintegration centre to date, 70% of them are still in contact with the centre. Twenty-one are presently living in the shelter and 13 are living in semi-independent accommodations (rented apartments in Tirana), while five, including three minors, are living with foster families.

Since most beneficiaries were deported back to Albania, they require a lot of convincing that, with the right assistance, they can rebuild their lives. They are invited to stay in a shelter located in a private house with a homely environment. The shelter is open and victims are allowed to come and go freely if there are no concerns about security. A full array of services is provided including medical, psychological and social support, vocational training, job placement and family reunification, where appropriate. Group and individual activities are planned according to individual needs and each beneficiary is monitored by an assigned case manager (social worker).

Peer support and role models are tools used to encourage and support beneficiaries. In particular, it is important to mention the Association of Albanian Girls and Women (AAWG),¹³ a relatively new and unique initiative created by ex-victims with the assistance of IOM and a dedicated volunteer. The association is chaired by an ex-victim and has a selected leadership council. It holds monthly meetings and has a website that includes awareness information, as well as a mission statement written by the members. The AAWG's activities include making and marketing handicrafts. Each member is paid for her labour, but the profits go to the association. The association has already repaid the initial donation for its establishment.

The approach taken by the reintegration centre's management involves providing each victim with personal attention and the best possibilities to reintegrate. Victims who leave the programme are allowed to return at any time and IOM keeps in close contact with beneficiaries reunited with their families. Experience has shown that longer and more professional training courses produce better results and therefore are an appropriate investment. IOM employs a Job Coordinator who constantly explores training and work opportunities. Despite the complexity of the task, 72 beneficiaries have been placed in jobs, 56 beneficiaries have received extensive training or education.

Minors, who are a significant group of beneficiaries, are obviously not placed in jobs, but rather are enrolled in schools or in long-term vocational training courses. As a result of this close attention, many beneficiaries keep in contact with the centre, even after completion of their reintegration plan. They regularly visit the staff at the shelter and the IOM office. Special assistance is provided in specific cases such as a mentally challenged beneficiary who needed housing after her marriage and the birth of a baby.

IOM is supporting one victim who has AIDS and whose condition is sadly quite serious. She only agreed to be tested after her trafficker, who was tracked and jailed in Albania, was diagnosed with the disease. He has since passed away. There is no treatment for AIDS in

¹² Management of the Reintegration Centre will be transferred from IOM to a local NGO which will employ the staff currently working at the Centre.

¹³ See AAWG website at: www.aagw.org.

Albania but IOM has managed to guarantee the supply of her medication as a donation from a German company, thanks to the German embassy.

Victims and Witness Protection

There have been cases of threats and attacks on trafficking victims in Albania: for example, a victim was murdered three years ago before testifying.¹⁴ A draft law on witness protection is presently being discussed in parliament. The National Reception Centre and the Vatra Centre both have accommodation for high-risk cases including witnesses. The IOM Reintegration Centre is able to accommodate witnesses, but at times beneficiaries have to be moved to other centres due to concerns about security. In five cases, victims had to be resettled to another country. A witness protection task force (consisting of representatives from relevant ministries, international and non-governmental organizations) meets to discuss each individual case and makes contact with embassies in search of solutions.

Albanian Victims (Trafficking of Children for Begging and Forced Labour)¹⁵

Albanian children, mainly from the Roma and Egyptian communities, are trafficked abroad, primarily to Greece but also to Italy for illegal activities such as begging and street peddling. All activities to fight child trafficking in Albania are coordinated by the Coalition Against Child Trafficking (BKTF) in which IOM is a member. There are two NGOs assisting children victims of trafficking – International Social Service (ISS) and Terre des Hommes (Tdh). They report a decrease in the number of children being trafficked to Italy (according to ISS) and to Greece (according to Tdh).

These organizations assist trafficked children in different ways. ISS receives referrals from ISS offices around the world, mainly in Italy and Greece. These concern needy cases, usually pending repatriation, and include trafficked children. ISS Albania assesses the possibilities for returning children to their families and, in some cases, recommends that the child should not be repatriated. Tdh is operating in southern Albania to prevent child trafficking by working with children, families and communities at risk. Tdh is also working with partners in Greece to locate and repatriate Albanian children. Its local partner, Help the Children (NPF), is working to reintegrate children who are repatriated from Greece. If the child cannot return home immediately, there is a possibility of foster care but this is usually a temporary arrangement and most children are eventually reunified with their families.

ISS explained that higher awareness in Albania has led more families to refuse sending their children, mainly girls, to Italy. Tdh has been working with Albanian children trafficked to Greece since 2000 and considers that the recent decrease is due to reduced demand in Greece. Since the local population became more aware that children begging and peddling on the streets were victims of trafficking, the Greek police have acted more quickly to remove them from the streets, especially if they appear to be ill. According to Tdh, the number of Albanian children found in the streets of Thessalonica and Athens has decreased by 80%. Still, Tdh is concerned that trafficking of children has gone undercover and that children are trafficked for reasons that keep them undetected. It is planning to undertake professional investigation of these suspicions in the near future. TdH has also expressed concern that trafficking of Albanian children will increase for the 2004 Olympic Games in Athens.

¹⁴ Information received from CAO.

¹⁵ Due to limitations on size and focus of this report, this section concentrates on changes in the trafficking of Albanian children for illegal activities, and will not go into the wide array of prevention and assistance activities and partnerships existing in Albania.

Both NGOs are worried about the methods used by the Greek police for deporting children. According to ISS, children are deported, usually unescorted, even if the assessment of their families in Albania confirms the child should not be sent back. On the other hand, many children have disappeared, either because they are integrated into the Greek society, having been placed in children's homes with a Greek nationality, or having reached adulthood. They may also have been drawn into more covert means of exploitation, such as stealing, drug dealing and forced prostitution.

According to Tdh, trafficking of babies and trafficking for organ harvesting have not been investigated, although there are rumours these might exist. Tdh has found cases of trafficked babies, while ISS has signalled the problem of illegal adoptions of Albanian children outside of Albania.

ORGANIZED CRIME AND LAW ENFORCEMENT REACTION

Data collection of the Albanian law enforcement system is, in many cases, such that the only statistics and analysis available relate to occasions involving prosecution or conviction. Details of incomplete investigations or of associated or suspected, but unconfirmed, cases of trafficking are not kept or are unavailable.

Organized Crime Groups

The majority of Albanian groups involved in trafficking in the country can be classified as medium- or low-level groups, though there are some individuals acting alone.

The medium-level groups are generally composed of six to eight persons. Cohesion is not very strong, so that a group is easily created or dissolved. Groups are made of individuals able to provide particular services, such as providing shelter or border crossing documents, advising on the best routes or making connections to organized crime groups in other countries.

The low-level groups are numerically larger than other groups. They manage local victims as well as foreign ones and operate in close cooperation with other small groups working in countries of destination. They deal in various forms of trafficking, such as forced prostitution, begging and forced labour.

Individual traffickers usually travel, live with and exploit victims throughout their journey and closely controlling their movements in the country of destination. The typical individual trafficker from Albania often gains the trust and control of the victim (who is usually Albanian though, in a few cases, a foreigner) by promises of marriage, jobs, better living conditions or accommodation, but, once in the country of destination, victims are forced into compliance by use of violence.

Recent cases suggest that use of "couples" of trafficker and victim, a typical form of Albanian trafficking in the past, continues but could be giving way to a more organized network, in which victims are recruited by individual traffickers but "managed" collectively.

If the first step in the trafficking process, which binds the victim to the trafficker, is loosely structured, this is no longer the case with the next phase. Although the entire operation for each victim involves a small group of Albanian criminals (one or two victims, one trafficker and a few criminals assisting with control and collection of money), behind each criminal, there is a well-organized network of services, which guarantees the existence and operations of criminal groups.

High-level organized crime groups in Albania have changed the way they manage the “business of trafficking”. Often, to avoid the risks involved in journeys to Western Europe via illegal and dangerous sea or land routes, traffickers have developed other methods. Increasingly, victims and traffickers travel with valid documents using legitimate routes and crossing official border points using vehicles, airplanes and ferryboats.

These methods have been facilitated by corruption, which is now growing to alarming levels, even though there are more stringent controls and tighter law enforcement. There are more sophisticated methods for obtaining and producing forged and genuine passports and visas, through corruption. In 2003 alone, Albanian police identified 32 Albanian criminal groups able to counterfeit a significant number of critical and useful documents, such as Schengen visas, Italian residence permits, and German, Belgium and UK passports.

Such organized crime groups have started to reinvest profits from trafficking in persons in arms sales and drugs, as well as legitimate business ventures. This strengthens their capacity to create and maintain criminal connections with corrupt officials in local authorities and foreign embassies.

Albanian Organized Crime Groups Outside Albania

In Western European countries of destination, Albanian criminal groups are highly mobile and cover a wide range of territory. In the case of trafficking of Albanian or foreign victims for prostitution, the traffickers can move them quickly to another city, usually with an incredible amount of violence, if there is suspicion that they might run away. Often threats to the girls’ families force them into silence and the frequent use of false names, imposed on the victims and used by traffickers, adds a further obstacle to investigations in the countries of origin, transit and destination. Another technique for intimidating a victim involves showing her that the trafficker has friendly relationships with a member of the police force in the country of destination. Thus the trafficker ensures that the victim will not think of reporting her situation or asking for help from the police. In many Western countries, the victim will be aware of animosity towards or dislike of illegal immigrants from the local population, reinforcing feelings of isolation and contributing to the victim’s perception that no official assistance would be available, should she attempt to escape.

The phenomenon of Albanian-controlled trafficking in Western countries has evolved over recent years. From street prostitution, which has become more common especially in Italy, there has been a shift to less visible forms of prostitution. Unlike other groups of foreign victims operating in destination countries, Albanians have always worked as prostitutes in areas near where they live and under close scrutiny from their controllers.

Because of numerous police raids in Western countries, street prostitution has become more risky and more difficult. More often, prostitution tends to take place in apartments, hotels with contacts made by telephone or via Internet. Also Albanian traffickers change their strategies quickly in reaction to pressure from authorities. This ability to change methods shows a dangerous development in their organization and professionalism and has rendered victims in prostitution less visible and put them at greater risk, due to the emergence of secret communications networks between prostitutes and clients.

Control by Albanian traffickers, and in particular small groups of young Albanians, is almost total. Increasingly, recent investigations have shown that wide and organized trafficking networks are being created. Each victim tends to have her “protector”, a man or a woman who has changed from being a “friend” or friend of the family to becoming a pimp/manager of the victim’s activities.

Trafficking for Begging and Petty Crime

With regard to Albanian minors trafficked for begging and petty crime, organized crime groups which deal in this type of trafficking from Albania usually use one of two methods, according to law enforcement sources. Children coming from the Central and Eastern Albania (Elbasan, Pogradec, Korca) are trafficked to Greece; while children from Western Albania (Vlora, Fier, Durres, Kavaie and Tirana) are trafficked to Italy. The majority of children are from the Roma population, but there is also a sizable minority of children of Albanian ethnicity. In support of this observation, a source within the Italian Fiscal Police has indicated that, in May 2002, an investigation carried out in Italy by the Italian and Albanian police discovered an organized crime network with both Italian and Albanian traffickers. The group was responsible for trafficking more than 30 children (of Roma and Albanian origin) for begging and illegal adoption from Albania to Italy. Obtaining fake or genuine travel documentation for children is relatively easy. It is commonly observed that documentation of Albanian minors travelling with adults who appear to have overt responsibility for them is very unlikely to be given much more than a brief, cursory check at border crossings or official stop/investigation points.

Trafficking of Albanian Men and Boys for Prostitution

A worrying new phenomenon is the trafficking of Albanian men, predominately juveniles, for homosexual exploitation. Recent international investigations carried out in Italy revealed that this is a visibly growing trend in Western Europe, including countries such as Germany, France and Spain. Few months ago, a police operation carried out in Florence, Italy, revealed a significant number of juveniles exploited for homosexual prostitution including Albanian boys. This could be due to the fact that the traffickers have recognized a new and profitable market. This group may also be easier for traffickers to recruit, as the Albanian public is still not aware of the possible dangers of this type of trafficking. The traffickers use the social taboos associated with homosexual rape as a way to control the victims.

Police operations carried out in Albania have not yet discovered the existence of a specific, structured criminal organization entirely dedicated to the trafficking of minors for sexual purposes. However, several investigations carried out in Italy over the last few years have revealed the presence of more than one criminal organization involved in trafficking and exploiting under-age male victims.

International Organized Crime Cooperation

Recently, contacts between Albanian organized crime and other national/foreign organized crime groups have become more frequent. Organized crime by Albanians has reinvested profits from trafficking in persons into drugs and weapons trafficking and has established contacts with international crime groups. Currently, there are several transnational groups of organized crime, composed of members of both Albanian and Italian mafia, which are working together on drugs and weapons deals. There is also cooperation in trafficking of persons with organized crime groups in Kosovo.

Trafficking Inside Albania

Inside Albania, methods of trafficking for prostitution are adapted to the location where the victim will later be sent. In the case of exploitation for sexual services, organized crime groups may place victims in luxurious hotels in the capital, lower class hotels in the provinces, public bars, and private apartments, brothels or even on the street. Street

prostitution (forced or otherwise) is hidden and relatively new, and not widely reported in Albania.

Albanian victims forced into prostitution in luxury hotels, as well as other sex workers in such establishments, generally have a higher level of education and their clients are mostly foreigners. This group is relatively small. Albanian sex workers and victims of trafficking exploited in low-rate hotels, private locations and on the street usually come from rural areas and have a low level of education. Albanian victims exploited within Albania are usually very young and may later be transferred abroad.

Foreign victims trafficked internationally by Albanian criminal groups usually stay in Albania only for as long as it takes to produce transit documents to another country. Usually they travel in groups. Bulgarian and Romanian citizens do not need a visa to enter Albania and only need to specify where they are going within Albania on their arrival. In theory, their stay is limited to 72 hours, but there are no checks to see whether they have left the country after the expiration of that period. These victims are usually provided with fake documents prior to being trafficked to non-Schengen countries in Europe, such as the UK.

Routes

The Speedboat Phenomenon

As mentioned earlier, the use of speedboats for transporting victims of trafficking illegally from Albania to Italy has decreased dramatically. In the past, approximately four to eight speedboats approached the Italian coasts every day, each able to carry an average of 1,260 trafficked or smuggled persons per week. Due to recent countermeasures by law enforcement agencies, in cooperation with the Italian Police, this route has been to a large extent (though not totally) abandoned. At present, speedboats are more frequently used for transportation of cannabis and heroine. According to police findings in Italy, only one speedboat carrying illegal migrants, trafficking victims and drugs reaches the Italian coast each week,. The price for such services has increased dramatically and is now thought to be between 1,000 and 2,500 euros.

Still it is interesting to note certain elements of this mode of transit. Apparently, there are agreements between boat operators and the smuggled migrant or trafficker, which involve a “warranty”. This means that, if the boat is caught by the Italian authorities and sent back, the boat operator will provide another three trips for no extra cost until a successful landing is made. To quote a reliable informant for this modus operandi: “Usually we set out at night-time when sea conditions are critical, to avoid a possible interception by Italian or Albanian police enforcement.” Speedboat operators adopt various other techniques in the case of interception by the police. The criminals bind victims to the engines of the hull and may even throw victims into the sea, thus forcing the police boats to stop and help and ending their pursuit. To ensure their return to Albania, the criminals may even keep some hostages aboard.

New Routes

New routes used by Albanian traffickers include travelling through the mountains, for example from Korce, Kapshtice, Gjirokaster or Kakavije to Greece, from Pogradec and Oher to FYROM and from Shkodra to Montenegro. Usually individual traffickers travel from Albania to Italy via FYROM and Greece.

Albanian citizens entering FYROM do not need visas and can use their genuine Albanian documents. Local criminal guides illegally facilitate the crossing into Greece and escort the

victims across the green border. They use non-mechanical transport, such as mules, which means that the crossing takes longer, but is safe from interception. These traditional smuggling routes are often kept safe for traffickers by the setting of booby-traps or mines at strategic points. These act as warnings of interference. Once in Greece, traffickers use fake documents (i.e. a fake permit of stay in Italy with a substituted photo) to take victims to Italy, either by airplane from Athens to Rome, Milan or recently Bologna, or by ferry from Igoumenitza or Patras to Ancona. However Italy may not be the final destination, as traffickers may plan to take their victims further to France, UK, the Netherlands, Germany or other destinations, as shown by deportation figures.

Albanian, and sometimes foreign, victims trafficked from Albania to neighbouring countries are sent by organized crime groups using different routes:

- From Albania to Kosovo: across the 174 kilometre “green border”, where there are few patrols.
- From Albania to FYROM: legal transit using real (Albanian) documents and legal checkpoints or illegal transit across the green border;
- From Albania to Greece: mainly illegal transit using the green border (for exploitation of victims for begging) or legally using regular check points;
- From Albania to Montenegro: using both the green border and regular check points.

Legislation

Exploitation of prostitution is defined under Article 114 of the Criminal Code as “forcing, mediating or earning remuneration from the exercise of prostitution”. It is punishable by imprisonment for up to five years. The second paragraph of this article stipulates “when this crime is committed against a minor or by use of violence, [the convicted person] is condemned to imprisonment for five to ten years.” Since the phenomenon of “exploitation of prostitution” has taken on new forms not foreseen by the Criminal Code, Law no. 8279 of 15 January 1998, adopted amendments to Article 114 and added a new provision as Article 114/a which considers exploitation of prostitution a criminal act under severe circumstances. Trafficking of females for prostitution was also added as Article 144/b.

It is also important to mention Articles 110/a and 128/b of the Criminal Code and Article 316/b/d/h of the Criminal Procedure Code which set severe punishments for traffickers and secure testimony from trafficked victims, taking into account the fact that they are almost always the only direct source of evidence. Article 54 of the Albanian Constitution provides children, pregnant women and new mothers with the right to special protection from the State. Every child has the right to be protected from violence, ill treatment, exploitation and their use for work, especially when they are under the minimum age for work, as this could damage their health and morals or endanger their life or normal development. These provisions created a more complete legal framework for fighting the exploitation of women, girls and minors through prostitution and trafficking.

Although this legislation has been in place for several years, statistics on completed investigations and legal procedures are not kept and/or are not available centrally. Therefore it is hard to estimate the success of legal action to diminish trafficking in Albania.

Issues of Concern

Corruption – This is worrying Albanian authorities. The average policeman’s salary is around 200 euros per month. A few months ago, police officers and airport staff were arrested

because of their involvement in trafficking in persons, together with personnel of an airline company. The Prosecutor's Office has recently opened judicial inquiries into criminals involved in trafficking where there are indications of involvement by corrupt police officers. Intelligence also suggests that some police officers either accept money or prostitutes' sexual services from traffickers, in exchange of protection.

Swift rotation in the police – The Albanian anti-corruption system in the police stipulates that each officer is moved from his post to another city and/or another department every six or eight months. This often results in poor continuity in investigations, lack of experience, and the loss of institutional memory.

Lack of police experts in detection of false documents – At present, there are only two experts, with poor equipment, trained to detect false documents in Albania: one at Tirana Airport and the other at Durres harbour. This is insufficient to ensure the level of security that the country needs. There is also a lack of training courses on counterfeit documents. These could be provided by international experts.

Lack of equipment – Police lack technical equipment, such as computers, photocopy machines, fax machines, etc. While it is legal for the police to intercept telephone conversations, they do not have the necessary equipment and expertise to do so and, at the moment, the police do not intercept mobile telephones at all. Some interceptions of landlines have occurred but, because of poor supporting evidence (i.e. pictures or surveillance), prosecution was only partially successful.

Lack of legal ability to conduct undercover investigations – There are no legislative tools to permit undercover agents to investigate the crime of human trafficking. At present, this kind of police procedure is permitted only in drug cases.

Lack of Border Police on the Kosovo border – There is a 174 kilometre border between Kosovo and Albania, with few border patrols, apart from official border crossing points.

Albanian police do not pay enough attention to trafficking of minors – There are no stringent controls at the borders regarding minors. The local police focus mainly on trafficking for prostitution, and not enough on trafficking of minors for other purposes.

No central database – There is no central database of criminal records and the various local police units do not share information with other offices. A large-scale International Criminal Investigative Training Assistance Program (ICITAP) project is planned for implementing countermeasures for trafficking, but the process is only just beginning and is not yet operative.

International exchange of official documents relating to Albania and other countries is extremely slow and hinders the progress of good investigation – There is a need to implement bilateral cooperation agreements with the Italian police force. With regard to cooperation with the Greek police, there is an urgent need to clarify methods, procedures and some obligatory rules to be adopted by the Greek police for the deportation of minors to Albania. According to officers interviewed, in many cases the Greek police does not follow any legal procedures on deportation. Minors are abandoned alone on the other side of the border, and no efforts are made to make sure that they receive assistance.

BOSNIA AND HERZEGOVINA (BiH)

GENERAL

Trafficking in persons has been going on in BiH for years and has reached alarming proportions, in line with the situation in the whole region. BiH is a country of destination and of transit and there are indications that it is now turning into a country of origin.

At the end of the conflict in BiH, the Dayton Peace Accords established two separate entities, the Federation, and the Republic of Srpska (RS), plus the District of Brcko. Each of these three has a Ministry of Interior responsible for the police forces. The Federation is further sub-divided into ten cantons, each with its own Ministry of Interior. In total, there are 13 ministries of interior in BiH.

With each canton governed by separate administrative and police bodies, intervention by law enforcement agencies and the administration is extremely fragmented. In particular; police forces working in individual cantons use completely different investigative systems and there is relatively little sharing of information or cooperation between them.

As a consequence, organized crime involved in trafficking of persons in BiH has responded by restructuring and adapting their criminal management systems and modus operandi to the (relatively) new political and legislative structure with the ultimate aim of enhancing their criminal operations. Thus, the organized crime network has managed to develop an extremely high level of specialization in criminal methods and management.

The drastic shift in policing responsibilities from international to national entities has also influenced the law enforcement bodies' ability to fight trafficking in persons in BiH. From 1999 until 31 December 2002, the United Nations International Police Task Force's (IPTF) STOP Team was the primary law enforcement body responsible for organizing and conducting counter-trafficking activities. On 31 December 2002, the United Nations Mission in BiH (UNMIBH) closed their operations and IPTF and its STOP team ceased to exist. On 1 January 2003, the IPTF's operational responsibilities were transferred to the national police. The European Union Police Mission (EUPM) took responsibility for police monitoring and training and providing technical expertise and support to help national law enforcement authorities develop their capacity for dealing with all aspects of law enforcement, including counter-trafficking operations. EUPM has fewer officers than IPTF and its role is considerably different. Its primary objective is to supervise and support local police in their counter-trafficking operations, but not to organize or conduct raids in bars and other locales suspected of providing sexual services by trafficked girls and women.

Regrettably there was no proper transfer of information and intelligence about organized crime and trafficking in persons between the departing UNMIBH Mission and the newly installed national police and EUPM.

The local authorities now in charge of conducting counter-trafficking operations still require considerable support (both technical and financial) in order to carry out their responsibilities effectively. It is also necessary to research and study new activity patterns that have been adopted by organized crime groups in BiH.

The situation in BiH has been seriously exacerbated by corruption at various levels. In such an environment, it has become extremely easy for organized crime groups to obtain travel

documents, residence and working permits, visas as well as adoption documents. Corruption has also contributed to making borders more vulnerable and difficult to manage.

IOM has assisted and repatriated international victims of trafficking since 1999 and received more than 200 referrals of victims per year since 2000. NGOs and international organizations are very active in providing assistance to rescued victims and a relatively large number of shelters are operating around the country. However, the number of referrals decreased by 80% in 2003 compared to 2002, following the transfer of law enforcement responsibilities from international to national police.

As in other countries in the region, NGOs and international organizations have observed internal trafficking inside BiH. No comprehensive research or plans to combat this specific aspect of the problems of trafficking has yet been presented.

The BiH Government has created an institutional structure to combat trafficking and illegal migration. Overall responsibility has been transferred from the Ministry of Human Rights and Asylum to the Ministry of Security. A regulation under the newly passed Law on Movement and Stay of Aliens and Asylum (LMSAA) is expected to be introduced soon to establish a much needed referral mechanism. The result of these changes will be seen hopefully in 2004.

TRAFFICKING VICTIMS AND VICTIMS' ASSISTANCE AND PROTECTION

TABLE 3
INTERNATIONAL VICTIMS REPATRIATED BY SARAJEVO*

| Nationality | 1999 A/R** | 2000 A/R | 2001 A/R | 2002 A/R | 2003 A/R |
|--------------------------|---------------|----------|----------|----------|----------|
| Moldova | 7/7 | 97/91 | 85/67 | 124/74 | 28/16 |
| Romania | 3/3 | 65/60 | 92/78 | 105/53 | 14/10 |
| Ukraine | 2/1 | 32/27 | 20/19 | 33/13 | 7/4 |
| Kazakhstan | 2/2 | 0 | 0 | 0 | 0 |
| Russia | 0 | 2/1 | 7/6 | 11/8 | 1/1 |
| Hungary | 0 | 0 | 0 | 0 | 0 |
| Serbia and Montenegro | 0 | 2/2 | 6/1 | 8/2 | 3/2 |
| Belarus | 0 | 1/1 | 4/4 | 1/0 | 0 |
| Bulgaria | 0 | 0 | 0 | 1/1 | 0 |
| Total | 14/13 | 200/183 | 214/175 | 283/151 | 53/33 |

* Data provided by IOM Sarajevo. Note that "repatriated" cases are included in figures for the year of their repatriation and not for the year of their referral or the commencement of assistance. In some cases, especially those referred at the end of the year, the victim will be registered as "assisted" and in the MIMOSA database (used later in this report) counted in the year of referral, but will appear in the next year as "repatriated", once the repatriation has taken place. This does not affect the conclusions drawn from statistics in this report.

** "Assisted" victims include those hosted in temporary shelters for a period of reflection but who have since decided not to be repatriated.

Referral and repatriation figures in 2000 and 2001 do not vary very much, although the percentage of victims refusing repatriation had increased. In 2002, referrals increased by approximately 33%, from 214 to 283 cases. This was due to a greater number of bar raids by IPTF's STOP teams, but many victims later refused repatriation. In 2003, the number of referrals decreased dramatically, but a somewhat higher percentage of referred victims agreed to be repatriated.

In the first three months of 2004,¹⁶ IOM repatriated 14 international victims, all referred in that year (six Moldovans, five Ukrainians and three Romanians). This may indicate a positive development, as this figure is almost double the average caseload accepting repatriation for a three-month period in 2003. But it could be due to an increase in the number of referrals from NGOs and especially via the hotline, since victims approaching NGOs or using the hotline are more often interested in repatriation.

Reasons for Decline in Figures

There are two schools of thought among anti-trafficking personnel in BiH on why figures are decreasing: is there a decline in the number of trafficking victims present in BiH? or is there merely a decline in numbers of cases identified and referred for assistance?

Some NGOs and individuals working directly with victims claim, on the basis of their interviews with referred individuals, that trafficking in international victims is flourishing. They say that there is no decline in figures, but that cases are not identified and not referred at the same rate as in 2002. Other NGOs and international organizations are more cautious: they find it difficult to express an opinion on the actual extent of trafficking in BiH at present, but point out that the decline in trafficking cannot be justified by any action taken since the end of 2002, or by any other changes in BiH. The State Coordinator for Anti-Trafficking and Illegal Migration believes that the problem has been reduced drastically, due to action taken by police and the State Border Services (SBS) and to changes in conditions in BiH.¹⁷

Reasons given for explaining the decline in referral of trafficking victims include:

1. Departure of IPTF and transfer of responsibilities to the national police

IPTF in BiH created special units, known as STOP teams, to combat trafficking in women and children, which concentrated mainly on bar raids. In 2002, with the end of the IPTF mandate planned for December that year, STOP teams increased their operations, often raiding the same bars repeatedly and on several occasions referring potential victims to IOM and NGOs. According to IOM staff, potential victims were processed so quickly by IPTF that there was neither the time nor the opportunity to interview the women nor to make a report on their status, although they were given accommodation in the temporary shelters. All organizations interviewed by the consultant indicated that no real action was taken at the time to close the bars or to prosecute suspected traffickers.

This explains the considerable difference between numbers of cases referred and numbers of cases repatriated in 2002. According to IOM staff, the situation also had a long-term effect on the willingness of victims to be assisted. When they declined to explain their true situation, they were taken back to the same bars, which had remained open.

At the end of 2002, the missions of IPTF and the STOP teams in BiH ended and the BiH police was left to act alone. IPTF did not transfer their database to the BiH police and information relating to trafficking in BiH, including details of approximately 1,500 potential

¹⁶ Up to 1 April 2004.

¹⁷ Meeting with Mr. Almir Dzuvo, State Coordinator for Anti Trafficking and Illegal Migration, 25 March 2004.

victims and hundreds of potential traffickers, locations etc., which had been gathered over several years, was not made available to the national police. This was obviously a major obstacle to their ability to take responsibility for this problem. The new EUPM, which was only given an observation mandate, was charged with assisting the national police and build up its capacity. EUPM is too small with only a few police officers dedicated to anti-trafficking activities and only became operational after several months. At the end of August 2003, IOM, together with EUPM, organized a two-day training course on improving the existing referral process and sharing of information. It was attended by 46 EUPM officers, BiH police, SBS officials, State prosecutors and representatives from the ministries of internal affairs from all three entities.

Adapting their activities to a new criminal procedure code presented another challenge to local law enforcement agencies in 2003. This code redistributed responsibilities and instituted closer cooperation between the police and the State Prosecutor. These changes caused some delays in investigations. ICITAP is training the police in the use of the new procedures.

In 2003, the BiH Government took action to establish state institutions and a coordination mechanism to combat trafficking and illegal migration. Responsibility has been transferred from the Ministry of Human Rights and Asylum to the Ministry of Security. This was followed by the nomination of a State Coordinator for Anti-Trafficking and Illegal Migration and the appointment of Regional Coordinators in the Ministry of Interior (responsible for the police). Police units have been established and have begun operations. Seminars have been organized for police, prosecutors and judges by the state for 2004, with the assistance of UNICEF and OSCE. Hopefully the impact of these measures will be felt during 2004.

Transferring responsibility from IPTF to the national police has also marked a change in approach. Unlike IPTF, which had apparently focused on rescue of victims with very little attention paid to prosecution and closure of establishments, the national police now operates with a view to prosecution and closure of establishments. As a result, raids are planned as part of a criminal investigation and require more preparation based on intelligence gathering. IOM estimated that only one or two bars are raided each month.

The SBS were formed late in 2002. Since then, the movement of foreigners across borders, particularly at airports, is now better controlled, with the exception of the Serbian border.

2. Trafficking activities go underground

It is reported that the exploitation of trafficked women and girls for prostitution has moved from open establishments to private apartments and secluded houses, which are more difficult to detect. Victims are called to expect clients who are driven to and from the “appointment” by their pimps. Victims are also delivered to hotels and motels for prearranged meetings, rather than being picked up from bars. Information regarding this trend is limited to reports from victims who managed to escape from such private locations and from victims working in bars and brothels who know of others kept in apartments. It has been suggested that the massive drive by IPTF in 2002 was a factor in driving prostitution underground. According to one police advisor, the legal arrangements in various parts of BiH make it more difficult to operate public houses in RS and the Brcko district than in the cantons, and that therefore there may be more hidden trafficking in those regions.

In addition, some NGOs working with victims report that operation of prostitution rings and forced prostitution has perhaps moved away from small independent places, such as *Kafanas* – small coffee shops – to remote restaurants offering a very elementary menu and keeping a few victims for additional income. Such establishments were once common in Kosovo and are now less apparent.

Where bars still keep victims, NGOs claim that owners usually receive tip-offs on police raids and manage to hide the girls.

3. Change in victims' conditions

IOM and NGOs indicate that victims' living and working conditions have improved and most receive modest salaries; hence a smaller number of victims are interested in coming forward to admit they have been trafficked and in agreeing to be assisted and repatriated. However, although many victims are receiving modest pay, in most cases they spend much of their salary on their accommodation and other "services", such as condoms and drugs provided by the trafficker. Living conditions have improved and, in many cases, victims no longer live in the bar where they work, but have separate private lodgings.

On the other hand, an increasing number of victims are addicted to drugs or alcohol, another form of control by traffickers. Victims addicted to hard drugs usually lose all motivation to change their situation.

4. Intimidation and lack of witness protection programmes

Together with the changes mentioned above, victims still suffer from threats and intimidation. The use of female traffickers and pimps, often from the same country of origin and sometimes ex-victims themselves, is a common method for maintaining close control over victims. As a result; victims fear for their own well-being, and for their families at home. NGOs have reported cases where victims took responsibility on themselves, rather than incriminate their traffickers.

Traffickers may also offer victims air tickets home to reduce their dependency on IOM assistance. According to NGOs, victims believe, wrongly, that this assistance means they are obliged to cooperate with the police.

Victims are reluctant to trust the police. NGOs and temporary shelter operators report receiving calls from victims seeking assistance but refusing to involve the police in many cases. Hence, unless the victim is unable to escape by her own means, she will remain in the hands of traffickers. According to La Strada, over the last six months, the NGO assisted approximately 14 victims who had succeeded in escaping. For the moment, because of the current inability to provide long-term protection to victims and witnesses, there are no real alternatives. NGOs also consider that corruption among law enforcement officers (whether police or prosecutors) is a major factor in the victims' unwillingness to come forward.

In a recent case, a group of 13 suspected victims were accompanied by the police to the temporary shelter at Dobož managed by the NGO International Forum of Solidarity (IFS). Five of the women were pregnant. The group remained in the shelter for almost two months. Despite several interviews and offers of repatriation or legal papers to and obtain proper jobs in BiH, the women refused to admit that they were trafficked, as they feared retaliation by the trafficker who was under police investigation. The NGO case manager reported that 11 of the 13 women were clearly victims of trafficking, whereas the other two appeared to be working for the trafficker and controlling the victims. All 13 women were eventually deported, but apparently the trafficker paid the cost of their air tickets to the police. When questioned on this case, the IFS representative reported that they had been put in a difficult position, as the police or prosecutor had not given guidance on how to handle the situation and the NGO was not able to separate the 11 victims from the two traffickers. He added that a case manager overheard one of the women say that they would have to repay the trafficker three or four times the cost of the air tickets.

5. Possible increase in local prostitution and forced prostitution and changes in market demand

According to NGOs and international organizations, an increasing number of sex services in BiH are provided by local prostitutes and local victims of trafficking. The Office of the United Nations High Commissioner for Human Rights (OHCHR) estimates that approximately 30% of local sex workers are minors.

IOM assisted three national victims in 2002 and four national victims in 2003; La Strada assisted 10 national victims of trafficking and Lara 12. It is believed that actual figures may be considerably higher as no systematic attention is paid to this group of victims by law enforcement agencies yet.

It is also suggested by national and international organizations that, because using national victims and professional prostitutes is safer and cheaper for the traffickers and pimps, they have to a certain extent reduced demand for international victims.

The State Coordinator and other sources connected to law enforcement agencies suggest that market demand has decreased with the departure of large sections of the international community. However, already three or four years ago, interviews with victims revealed that over 70% of clients were locals. As in Kosovo and FYROM, international clients represented only a minority. NGOs also report that there are establishments providing forced sexual services in places far from the locations of international peacekeepers or other possible international clients.

Additional Changes in Profile and Trafficking Experience of International Victims¹⁸

Victims' Background – No Major Changes

The majority of assisted international victims in BiH are Moldovans and Romanians, with Ukrainians making a third, much smaller, group. There are also a few very small groups of Russians and Serbian/Montenegrin victims and random groups of other nationalities.

Between 2000 and 2003, the majority of international victims were aged between 18 and 24 when referred to IOM, and an average of 10% of all victims were minors. The percentage of victims between 25 and 30 doubled from 14% in 2001 to 27.59% in 2003. This may be due to the fact that a growing number of international victims are referred, and agree to be assisted, only after a stay of several years in BiH. In some cases, women have apparently been sold several times in BiH or between different countries in the region. One victim, assisted after giving birth, said she had been sold nine times in total. Of the 14 victims referred to IOM in the first three months of 2004, many had lived in BiH for more than two years; one victim was trafficked to BiH for the first time in 2004.

In 2001 and 2002, 84% of the victims came from urban areas, including capital cities, while in 2003, there was a change of 15%, which doubled the percentage of victims from rural areas to 31% of the total annual caseload. This might indicate a change in methods of recruitment: for example, a decrease in recruitment through newspaper advertisements, which are more accessible in urban areas.

Most victims have a middle- or high-school education, though in 2003 there was an increase in the percentage of victims with a middle-school education and a decrease in the percentage

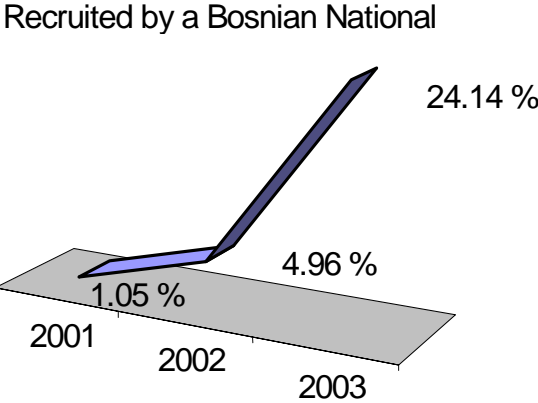
¹⁸ Statistics provided by the IOM Sarajevo CTM database based on interviews with victims as follows: 196 victims in 2000, 191 victims in 2001, 121 victims in 2002 and 29 victims in 2003. All these victims have been repatriated by IOM.

of those who had attended high-school. Average annual figures show that 60% of victims are single and 14% are divorced. However, in 2003, the number of married victims (and not separated) doubled from 10 to 20% of the caseload. There has been a small but constant decline in the percentage of victims who are mothers, from 34% in 2001 to 24% in 2003.

Recruitment – Some Elements Unique to BiH

Recruitment by Bosnian Nationals

As seen in other countries, recruiters are usually locals and have the same nationality as their victims. IOM Sarajevo reports however that an increasing proportion of international victims were recruited in their home countries by Bosnian traffickers. This is surprising as it means that the recruiter travelled to countries of origin to find women and girls instead of buying them from a trafficking network. In 2003, 24.14% of victims reported that they had been recruited by a Bosnian national, while 50% of Moldovan and Romanian cases in 2003 were recruited by Moldovans or Romanians and only one victim was reported to have been recruited by a Ukrainian, although four Ukrainians were repatriated. It should be borne in mind that this may not be a new trend in 2003. In many cases, recruitment took place prior to 2003, as IOM and NGOs report that most victims often stay several years in BiH before they are rescued.



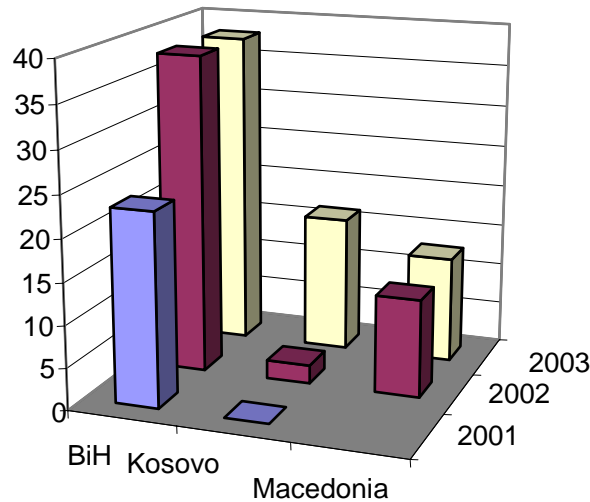
Victims Aware BiH is their Destination

In 2002 and 2003, 38% of victims knew they would be working in BiH. In 2001, 23% were aware that their destination was BiH. These figures are quite high and suggest that BiH is well-known as an attractive destination in countries of origin. This coincides with information received by victims in BiH that conditions there are thought to be better than in other ex-Yugoslav states. In comparison, none of the victims assisted in Kosovo in 2001 had any idea that they would be taken to Kosovo. No such statistics exist for FYROM. In 2002, only 2.2% of victims assisted in Kosovo and only 11.68% in FYROM knew these would be their final destinations. In 2003, their destination was known to 16.36% victims assisted in Kosovo and 12.77% in FYROM. It should be noted that, in FYROM, a large portion of those who knew their destination were actually Bulgarians who arrived in FYROM freely and were later caught and trafficked.

TABLE 4
PERCENTAGE OF VOT WHO KNEW
THIS WOULD BE THEIR FINAL DESTINATION

| Country | 2001 (191) | 2002 (121) | 2003 (29) |
|---------|------------|------------|-----------|
| BiH | 23% | 38.02% | 37.93% |
| Kosovo | 0% | 2.2% | 16.36% |
| FYROM | N/A | 11.68% | 12.77% |

% of VOT – Knew this would be their final destination



Nevertheless, the majority of victims in BiH did not know that their employment would involve sexual services. In fact, fewer victims assisted in 2003 knew or guessed that they might become involved in sex work than in previous years.

Exploitation

Most statistics relating to changes in methods and scope of exploitation are not conclusive. Approximately 70% of all victims interviewed said they had been physically abused while being trafficked. Most victims had no access to medical care or were only given medical care in emergencies. Almost 60 % did not enjoy any freedom of movement. Only 21% received a regular salary and 52% were never paid at all.

There was a decrease in the number of victims holding travel documents from 69% in 2002 to 58% in 2003. These figures are much higher than in other countries: in FYROM, for example, only 23.4% of victims had travel documents when rescued.

NGOs and IOM report increasing numbers of victims using drugs or addicted to alcohol while being trafficked. Among repatriated victims, five suffered from addiction in 2001 (2.62%), eight in 2002 (6.61%) and four in 2003 (13.79%). In 2003, three victims were using heroine. Other victims were addicted to pills, though in some cases were unable to name the pills. Clearly an addicted victim is much less motivated to change her situation and much more dependant on the person (usually the trafficker) who supplies the drugs. It is therefore safe to assume that the number of addicted victims is much higher than observed by NGOs and IOM.

Victim Rescued By

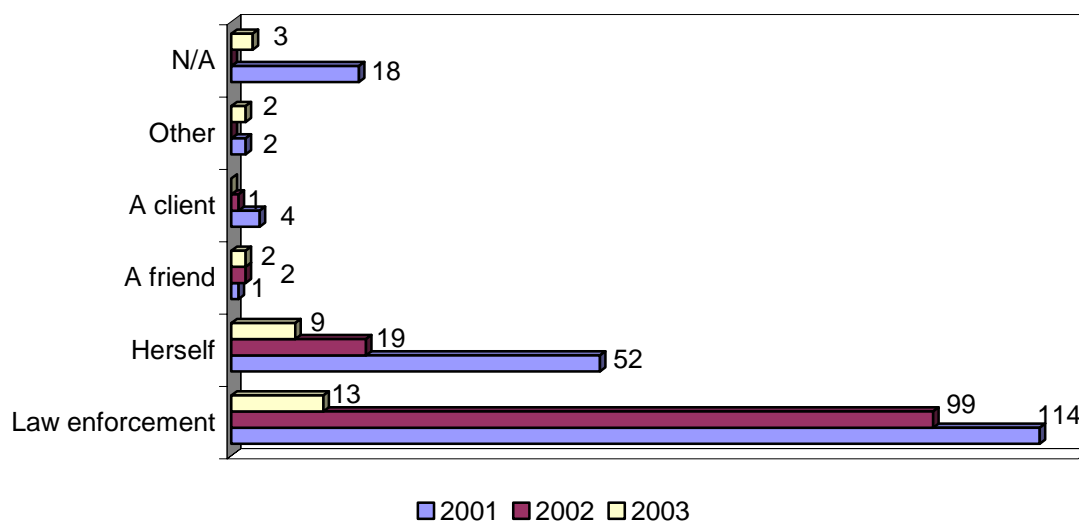


TABLE 5
PERCENTAGE OF VICTIMS RESCUED
BY LAW ENFORCEMENT AGENCIES

| Rescued by | 2001 (191) | | 2002 (121) | | 2003 (29) | |
|-----------------|------------|--------|------------|--------|-----------|--------|
| Law enforcement | 115 | 59.69% | 99 | 81.82% | 13 | 44.83% |
| Herself | 52 | 27.23% | 19 | 15.70% | 9 | 31.03% |
| A friend | 1 | 0.52% | 2 | 1.65% | 2 | 6.90% |
| A client | 4 | 2.09% | 1 | 0.83% | 0 | 0 |
| Other | 2 | 1.05% | 0 | 0 | 2 | 6.90% |
| N/A | 18 | 9.42% | 0 | 0 | 3 | 10.34% |

Although there was an overall decrease in the number of referrals of victims for repatriation, the percentage of the small caseload in 2003 that has been rescued by law enforcement agencies was almost half the percentage rescued by law enforcement agencies in 2002.

Although the percentage of victims who managed to escape by themselves doubled, the overall numbers of successful escapes decreased by half. This indicates that the women are held in conditions which make escape more complicated, such as private apartments, or that they are less interested in escaping and seeking help, either because they have come to terms with their situation or because they fear the police. There are reports from NGOs and IOM (the temporary Shelter Manager) of being contacted by phone by victims seeking assistance but refusing to involve the police.

Referral – Currently there is no formal SOP for the identification and referral of victims of trafficking in BiH. The existing Temporary Instructions of 2002 are not a formal set of instructions and are unsuitable for meeting the provisions of the new law (LMSAA), which came into force in mid October 2003. According to the LMSAA, the Ministry of Security is responsible for providing special protection and assistance to victims of trafficking. Under Article 37(2), the Ministry of Security shall specify in a regulation: "...the rules and standards for the treatment as well as of other issues concerning the admission of victims of trafficking... their rehabilitation and return (repatriation)". The law requires that the regulation

come into force within six months from the day the law entered into force, therefore the deadline for introduction of the regulation was 14 April 2004. It is unclear if “admission” also includes identification.

Present referral process – Currently law enforcement agencies refer victims or potential victims to NGOs who operate temporary shelters around BiH. Victims found in Sarajevo, are taken to the IOM’s temporary shelter, operated by an experienced officer in a private house. Therefore, with the exception of victims who escape and approach NGOs personally, the initial decision whether a person should be treated as a potential victim and referred to an NGO remains solely in the hands of law enforcement agencies. As long as this remains the situation, it is of obvious and paramount importance that police personnel involved in operations, as well as street patrols and SBS guards, are trained to identify suspected victims. In this regard, training for higher officers would only be a first step in reaching all law enforcement personnel involved in the fight against trafficking. It is also recommended that NGOs or social services should already make contact with potential victims at the police station, as at first they are usually reluctant to cooperate with the police.

The OHCHR, as part of the new referral procedures, indicates that each potential victim will be met and advised by a lawyer prior to questioning by the police. This of course will only be possible if lawyers are available in all regions in BiH and if lawyers are properly trained for dealing with victims of trafficking.

Hotlines – Since August 2002, La Strada has offered a national trafficking hotline operating 24 hours a day. Many victims calling the hotline have been in BiH for several years so their conditions allow them to make a phone call. National victims also use the hotline to call for assistance. The hotline is operated by specially trained staff and also provides general information on prevention, work migration and the dangers of trafficking.

In addition, EUPM maintains a hotline on crime, which may be used by victims or people with information regarding trafficking. It is unclear what training on trafficking has been given to EUPM hotline operators. The NGO Lara has recently established a hotline, but no information is available on training provided for their operators.

Direct contact to victims – Lara participates in police raids. While the organization’s representative waits in a car, police will bring potential victims out to speak with her. Both Lara and La Strada initiate contacts with potential victims, once they have received information on locations where they may be found. In cases where the victims refuse to involve the police and it is possible to bring them to the shelter safely, La Strada will organize transport. The IOM Temporary Shelter Manager also reports that she gives her personal telephone number to victims who had at first refused to be assisted and left the shelter. In some cases, these victims contact her later to request assistance or give her telephone number to other victims who wish to be assisted.

Alternatives to Repatriation

BiH is the only country covered by this report that has already issued temporary residency visas for victims of trafficking. The initial visa is for a period of three months. La Strada reported that a first visa was granted in February 2004. This NGO is presently accommodating five more victims whose applications are in process and three victims who have requested asylum. IFS is hosting two victims with temporary visas in their Doboje shelter, and victims hosted by Lara are also awaiting visas. Victims of trafficking have received refugee status in BiH. In past cases, before the entry into force of the LMSAA, status determination was made by UNHCR and not the BiH Government. Previously, victims who did not wish to be repatriated simply left the shelters or returned to the bars. NGOs are trying to assist international victims who decide to stay in BiH with vocational training, initial

accommodation and some social support. Capacity to do so must be increased if the number of international victims allowed to stay in BiH legally is to increase.

Shelter

Victims of trafficking in BiH are usually placed first in a temporary shelter. If they wish to be repatriated, they are transferred to a shelter in Sarajevo where they can stay until their repatriation has been organized. International victims who do not wish to return home and national victims are also accommodated in temporary shelters and may stay there for several months, depending on the NGO.

At present, IOM makes use of five temporary shelters: one temporary shelter operated by La Strada in Mostar; another in Dobož operated by IFS (this shelter does not only take victims of trafficking); another temporary shelter run by Lara in Bielina and two more operated by individuals are located in Banja Luka and Sarajevo. Ownership and management of the shelter for victims awaiting repatriation was transferred from IOM to IFS, following a tender and selection process. It was decided to select an NGO, as the BiH authorities were not yet ready to take on this responsibility. According to ISF, they are happy to hand over the shelter to the government once it is in a position to accept responsibility. The police are providing security for the Sarajevo shelter. Temporary shelters receive police protection according to need.

The range of services offered differs from shelter to shelter, but all victims have access to medical care and counselling. HIV testing, including pre- and post-diagnosis counselling, are provided on a voluntary basis. NGOs interviewed by the consultant expressed great interest in training on shelter and case management. IFS expressed the importance of harmonizing the work of shelters throughout BiH. State workers, who will run the shelters in the future, should be invited to training sessions, such as those offered by IOM in the past.

Legal Aid

Once in the shelter, victims assisted by IOM receive information from IOM's legal advisor regarding their status in BiH, their possibilities for seeking asylum and their rights and obligations with regard to criminal investigations and court proceedings against their traffickers. A large percentage of victims repatriated by IOM have cooperated with law enforcement agencies, usually by providing general information. Organizations interviewed by the consultant had no knowledge of victims making claims for damage against their traffickers.

As mentioned previously, the OHCHR suggests that potential victims should be given legal advice immediately after their rescue/capture on arrival at the police station, when they make the initial decision whether to seek assistance and to cooperate with the police.

Re-trafficking

According to the IOM database, approximately 10% of victims assisted and repatriated by IOM Sarajevo in 2002 and 2003 had been previously trafficked. Of all cases treated between 1999 and 2003, 12 victims (2% of the total caseload) were assisted by IOM Sarajevo, repatriated and then re-trafficked to BiH. La Strada has reported seeing victims who were found by their traffickers in their home countries and brought back to BiH or sent to other destinations.

The lack of protection once repatriated is an important factor for the victim when deciding whether or not to be repatriated. Also, as case managers in the home countries explain, it is very hard to work with a victim who is not motivated. If the stay at the shelter in the destination country is used to encourage the victim and to build with her a programme for her reintegration, she will return more motivated for her future.

BiH victims

NGOs started seeing and assisting national victims in 2002, but numbers remain low. La Strada reports that it has assisted 10 national victims so far and IOM has assisted seven. Lara has also reported that it has assisted two national victims.¹⁹ Not much is yet known of the nature of this development but, as the local sex market is growing, it is acknowledged that local trafficking is on the increase, a phenomenon seen in other countries in the region.

According to OHCHR, approximately 30% of local prostitutes are minors. There are reports of Bosnian women and girls being trafficked to the Croatian coast during the summer season, where they are used for sexual exploitation. The traffickers are usually Bosnians.

UNICEF is presently conducting a research on trafficking of Bosnian children to Italy.

ORGANIZED CRIME AND LAW ENFORCEMENT REACTION

Irregular Migration through BiH

BiH is considered a major transit point for illegal migration. International police sources estimate that many thousands of illegal migrants enter BiH each year.

During 2003, according to the BiH SBS, 15,875 nationals of countries at high risk of illegal migration arrived and 14,895 exited from BiH via the four international airports alone, meaning many more have probably entered or exited BiH in other ways and were not registered. The difference between entries and exits for 2003 is 980 persons or 6.17% of the total number of entries. For 2002, the figure recorded was a total of 422 (13,932/13,510).

Between July 2001 and March 2004, IOM assisted the voluntary return of 631 irregular migrants from 16 different countries (45% being from Kosovo, other major countries of origin being Albania, Turkey, FYROM, China and Serbia and Montenegro).

The routes used by migrant smugglers are also used by traffickers and some migrants are victims of trafficking.

Trafficking in Persons in BiH

Use of Trafficking Victims for Sexual Exploitation

Following operations carried out by law enforcement agencies, the number of night bars and clubs where forced prostitution is taking place has decreased and exploitation of victims for sexual services has now moved mainly to private houses or apartments and has therefore gone underground and is more difficult to detect. This fact can lead to the false assumption that the number of trafficked victims is decreasing – the sad truth is that victims are becoming less visible, more vulnerable and more isolated.

As in other countries in the region, victims in BiH (for sexual exploitation) are treated more carefully than in the past. Some are brought into BiH with regular documents and visas obtained through corrupted channels. Larger numbers of victims receive a small payment for their forced services.

Most clients are local but, according to information received from some victims and from criminal sources supported by intelligence, in some areas of BiH especially those close to

¹⁹ Information received from the Office of the State Coordinator.

military bases, the most frequent customers of trafficked victims have been foreigners and in particular NATO and Stabilisation Force in Bosnia and Herzegovina (SFOR) members. For example near the NATO's Eagle Base, there are a dozen night bars and the most frequent customers are SFOR members.

The price for the sexual services is US\$ 25 and more. Besides night bars, there is street prostitution and prices on the street are lower – from US\$ 10 to US\$ 25. In some border areas, prices go as low as US\$ 2.5. Given that in BiH the sex market is almost completely controlled by organized crime groups dealing in trafficking of persons, it can be stated that many women and girls present in these premises are victims of trafficking.

New Trend – Forced Sexual Services via Internet

A new singular method for controlling and exploiting victims has been indicated by a number of reliable confidential sources: victims are recruited in a traditional way, but are then trained and forced into sexual exploitation **via the Internet**. The method consists of setting up a computerized system with a video connection via Internet between the client and the victim. On the victim's side, the system consists of a computer supplied with a web camera. The client can navigate through several servers advertising the presence of young women and girls, listed by name, nationality and age, available through a live connection called "live sex show". Once payment is made via credit card, the connection is established between the client and the victim who will follow orders given by the client using a keyboard. Most websites are in English, allowing contact with clients from all over the world.

The victim works practically 24 hours non-stop, trapped in an apartment and therefore under complete control. This new system of computerized sexual exploitation allows maximum economic profit for the traffickers. Using this system, traffickers manage to make a profit even during pauses between one client and the next.

It must be emphasized that, among the victims forced into this kind of activity, are women and girls who have been moved from visible locations such as nightclubs and bars into apartments, as a consequence of police raids. This new phenomenon is alarming because it totally hides the victim from the eyes of the police.

This form of exploitation is said to be in continuous evolution and expansion, not only in BiH but also in other Balkan countries.

Criminal Information

Criminal Analysis per Area

Trafficking in persons is taking place in the Federation as well as in the RS and the District of Brcko. According to information received from international sources, the following locations have been identified as focal areas for human trafficking activities:

The majority of trafficking crimes are identified as being conducted in and around major cross border locations, mainly in the areas of **Velika Kladusa, Bihac** and **Bosanska Dubica**.

It was reported that, in **Velika Kladusa**, there is a strong presence of a local organized crime group active in a variety of illegal activities including trafficking in persons, as well as weapon and drug trafficking. There are also allegations that a major organized crime group is active in **Johovica**.

In **Novi Travnik**, there are dedicated groups and networks. Another gang is known to control almost all human trafficking activities in the **Vitez** region.

Mrkonjic Grad has been identified by intelligence and investigations as a major destination point for trafficking of women and girls. Victims are constantly trafficked into this area and exploited for prostitution in brothels, cafes and dance bars that are also used for other criminal activities.

EUPM has received several reports on bars and hotels in **Tuzla** where trafficked victims are exploited. In one motel in particular, there are approximately 50 victims from the CIS at present.

In **Mostar**, the activities of organized crime are particularly intense with the presence of various criminal organizations dealing with trafficking in humans, weapons and drugs, as well as being involved in other minor crimes. These criminal groups have strong connections with other Croatian groups in the region. The members and leaders of these groups are known to the international and local law enforcement agencies and legal proceedings have been initiated against some of them. Some were charged with trafficking and there have been some convictions. However, these criminals have managed to avoid imprisonment through use of corruption.

One of the biggest traffickers in the region is operating from the area of **Prozor**. There are indications that this criminal is trafficking Ukrainians, Romanians and Polish victims for the purposes of sexual exploitation for both local and international customers.

In the area of **Trebinje**, organized crime is very active in trafficking of human beings. Moreover, there are strong indications that these criminals are connected with former local police and military officials.

In **RS** mainly in **Bosanska Gradiska**, trafficking organizations are particularly active; as in other places in BiH and corruption of officials is one of the main tools used to facilitate their trafficking activities.

Smuggled migrants and trafficking victims are crossing the **Sava River** by boats and ferries.

Victims are brought in from Eastern Europe to meet demand from local brothels located in the **Gradiska** Municipality. Several judicial cases of trafficking have been brought against members of organized groups active in this area and leading members of these groups were arrested.

Laktasi is another location in SR where, according to intelligence sources, there is a great deal of sexual exploitation of trafficked victims in bars and cafes. These premises work as normal “cafes” during daytime, and offering sexual services at night. An alternative method involves using a café as a meeting place for customers and pimps/traffickers who agree on sexual services to be offered in another location. This method has been developed in response to police raids and bar checks.

Trafficking Victims in BiH

National Victims of Trafficking

BiH is primarily a country of destination and transit for foreign victims, but is also emerging as an origin country for Bosnian victims trafficked both within and outside BiH borders.

Bosnian women and children are trafficked from and within the BiH territory mainly for sexual exploitation, but also for international illegal adoptions. The main final destinations are Italy and Germany and usually traffickers organize passports and visas and use legal means to transport them to their destinations.

Regarding the recruitment for Bosnian victims for sexual exploitation, as in other locations in the Balkans and in BiH, many victims are entrapped through the creation of a debt bondage, and expected to pay back the cost of their travel, documents and all the other “services” provided by the traffickers, such as lodgings, food and condoms.

As in other countries, there are indications that traffickers manage directly several travel agencies. These agencies operate as mediators between groups active in trafficking women and the relevant offices for issuing work permits, passports and travel documents.

Illegal International Adoptions

Intelligence from several reliable sources including law enforcement agencies indicates that more and more Bosnian children are trafficked for the purpose of illegal international adoptions. In some areas of BiH, there are orphanages managed by local and international personnel, some of whom are reported to have turned to arranging international illegal adoptions with the support of local criminal networks. Reports speak of several cases involving groups of children – including babies – that have been given for illegal adoption to foreign families, as soon as one week after arriving at the orphanage. That is the minimum time necessary for producing genuine travel and personal documents to move the children. Intelligence sources also suggest that some organized criminal groups specialize in producing genuine documents for minors to be given illegal for adoption, with the support of corrupt officials. These also sources indicate that families adopting the children are mainly from Germany and Austria.

International Victims of Trafficking

Of foreign victims trafficked to BiH, the majority comes from the CIS, and in particular from Moldova, Ukraine and Romania, usually for the purpose of sexual exploitation.

In September 2003, under the umbrella of the Southeast European Cooperative Initiative (SECI), Operation Centre the Mirage was carried out in BiH. One hundred and sixty locations were raided and the police identified 134 women from Romania, Moldova, Ukraine, Serbia and Montenegro, Bulgaria, Croatia, Russia, Albania, Poland, Latvia, Czech Republic, Hungary, Slovakia and BiH. Operation Mirage, although well planned, did not produce the expected results in terms of finding victims of trafficking and/or criminals dealing in trafficking of persons. Only one victim was identified and referred to the NGO Lara.

Information gathered during this assessment has revealed a new emerging trend in trafficking of women, men and children from North Africa, Turkey, Kosovo, Nigeria, China and the Middle East. These victims are exploited by various criminal networks for the purposes of sexual exploitation, forced labour and organ harvesting.

Arabs from Morocco and Turks

During the assessment, consultants learned of the activities of a high-level Bosnian trafficker who specializes in trafficking Moroccans and Turkish nationals forced to work on the black market. These victims take the route through Kosovo and Serbia Montenegro to enter BiH in the region of Bijeljina. In January 2004 alone, this trafficker has brought 20 to 30 Arabs and Turks into BiH. These people entered the country in two groups: one group continued to Zenica, while the second group went to Tuzla.

Kosovo-Albanians

Reliable confidential information reveals that several organized crime groups are trafficking victims coming from Kosovo. The majority of these victims are women trafficked for sexual exploitation.

In order to traffic Kosovar victims into BiH, local criminals operate in close cooperation with Kosovar criminal groups. Main distribution points are Sarajevo and Mostar from where the victims are transported to their final destination of exploitation in BiH.

Nigerian Victims Trafficked for Sexual Exploitation Transiting through BiH

Bosnian criminal groups are utilizing BiH as a main transit and distribution country towards the final destinations of Croatia, Slovenia and Italy. Information gathered from statements of Nigerian victims rescued in Italy by the Italian national police reveal that criminal groups arrange travel through Egypt, Turkey, Greece, FYROM, Kosovo and Serbia. The victims were then locked in a house in Belgrade together with victims coming from Moldova, Serbia and Ukraine for two nights, whilst traffickers made the necessary arrangements for continuing the journey to BiH. Once in BiH, they were held in Sarajevo before being trafficked to their final destination.

Smuggling and Trafficking from the Middle East

Different sources identified during this assessment indicated that a relative new trend emerging recently in BiH is the smuggling and trafficking of women and men from the Middle East going to Western European countries for a variety of purposes. At this stage the two phenomena of smuggling and trafficking seem to be closely interconnected and cannot be clearly differentiated. The smugglers and traffickers are transporting Egyptian and Kurdish victims along the route from Turkey, Albania and Kosovo, entering BiH through Sandjak with fake documents. Once in BiH, they are transported through Croatia and Slovenia towards final destinations, such as Austria and Italy.

There are indications of the involvement of the Turkish mafia in trafficking people coming from the Middle East in cooperation with Bosnian mafia.

There is a known strong link between the Turkish and the Kosovar-Albanian criminal networks. In fact, Kosovo is the crucial transit point for groups of victims coming from Asia and transported from Istanbul to Pristina, from where they continue to different locations in the Balkans including Sarajevo.

Trafficking and Smuggling by the Chinese Groups

According to information gathered during this assessment, an alarming phenomenon currently developing in BiH is the trafficking of Indian and Chinese victims for organ harvesting managed by Chinese criminal organizations.

The presence of Chinese criminals in BiH is not a new phenomenon. It has been known to intelligence agencies since the days of the Milosevic regime in the early 1990s. In fact, the Chinese mafia brings victims in from Serbia and Montenegro, where the network is already well established. However recently their presence is growing and their structures are consolidating day by day. Indeed, the Federal Ministry of Interior (MUP) has informed the cantonal MUPs about the increasing presence in BiH.

The modus operandi of Chinese groups consists of establishing small businesses – such as shops – that are used for low profile infiltration into the territory and as a cover for criminal activities, such as trafficking in persons and money laundering. In Sarajevo, victims trafficked for organ harvesting are sent in two main directions: northward to Italy or southward to Greece, where they are forced into surgery.

Recently the number of Chinese businesses in BiH increased, particularly in the area of Sarajevo, Mostar and Medugorje. In total, the Chinese community in BiH is estimated at 10,000 people, though obviously most are not involved in criminal activities.

Modes of Transportation and Routes

According to information from local police, organized channels of human trafficking start in different ex-soviet states such as Moldova and Ukraine and run through Bulgaria, Romania, Serbia and Montenegro, Albania and over to BiH, which is a transit centre to Western countries, to some extent replacing Albania.

Once in BiH, victims are usually trafficked by ground transport or small boats through illegal border crossings. Some ground routes across the Serbian border are Visegrad, the border point at Slavonski Brod and the M-17 road, which cuts through BiH and Croatia.

Criminal groups managing trafficking in persons in BiH are constantly developing and improving their transport techniques in order to diminish the risk of detection by police and border police. In fact, several criminal networks move women for sexual exploitation through legal channels using valid documents. This allows them to move victims both by land and air. In fact, as in other Balkan countries, more and more victims are entering BiH on flights into Sarajevo International Airport. This new trend is contributing to the current invisibility of the phenomenon.

Law Enforcement Response

As said before, until 2002 the task of fighting human trafficking in BiH was given to special IPTF STOP units. Their strategy consisted, in the majority of cases, of frequent raids and checks in bars suspected of being used for the exploitation of victims of trafficking. At the end of 2002 the IPTF mission left BiH, handing the task of combating this crime to the Bosnian police.

One of the biggest problems encountered in the change of responsibility was that no intelligence information collected by IPTF was transferred to the national police. Databases containing thousands of details acquired over several years of work and relating to criminals and victims of trafficking was never handed to the national police or to EUPM, thus creating a major handicap in the present combat of the specific crime.

In 2003, the national authorities assumed responsibility for intelligence gathering, raids and the identification of victims of trafficking. Although EUPM is providing technical support and advice to the local authorities regarding all counter-trafficking activities, they are not directly involved in raids. This change in the kind of support that local authorities receive, together with the new approach taken, has resulted in a significant decrease in the number of raids carried out by the national police and consequently in a significant decrease in the number of victims rescued.

Prosecution

Regarding the prosecution of trafficking and related crimes, such as smuggling, international recruitment for prostitution, mediation in prostitution, fraud and illegal transport of persons over the state border in 2003, 39 criminal charges were submitted by law enforcement agencies to the BiH state and entity prosecution services. These charges related to 47 criminal acts committed by 73 persons.

- For the criminal act of “smuggling of human beings” (Article 189 of BiH Criminal Code), there were 28 criminal charges submitted for 29 committed criminal acts in which 51 persons were involved. Out of those, 38 were BiH citizens and 13 were from other foreign countries.
- For the criminal act of “human trafficking and international recruitment for prostitution and accomplice” (Article 186 and 187 in relation to Article 3 of the BiH Criminal Code), one criminal charge was submitted for three criminal acts conducted by two persons (one BiH citizen and one Croatian citizen), who had trafficked victims from Moldova.
- For the criminal act of “smuggling of human beings, related to association with the intention to commit a criminal act” (Article 189 and 249 of BIH Criminal Code), two criminal charges were submitted regarding four criminal acts committed by six persons (three BiH citizens, two citizens of Iraq and one citizen of Serbia and Montenegro).
- For the criminal act of “organized crime related to smuggling of human beings and document forgery” (Article 250 of the BiH Criminal Code), one criminal charge was submitted for three criminal acts committed by two citizens of China.
- For the criminal act of “mediation in prostitution, in relation to fraud” (Article 251 and 239 of the RS Criminal Code), one criminal charge was submitted for one criminal act committed by three BiH citizens.
- For the criminal act of “illegal transport of persons over the state border” (Article 373 of the F BiH Criminal Code), one criminal charge was submitted for two criminal acts committed by three persons (two BiH citizens and one citizen of Ukraine).

THE PROVINCE OF KOSOVO (SERBIA AND MONTENEGRO)

GENERAL

Kosovo has been an attractive destination for trafficking in women and girls for sexual exploitation since the end of the conflict in late 1999.

Due to lack of data collection, it is not possible to provide a systematic breakdown of the nationalities of people entering Kosovo legitimately, nor to calculate the total number, nor to know the nationalities of people identified as being involved in trafficking offences while entering or leaving Kosovo.

There is a need for an in-depth and accurate analysis of the presence of organized crime groups engaged in trafficking in persons in Kosovo. Such an analysis should include the scope and level of activities, capacities, strategic geographical position and area of competence and would serve to establish the information and investigation counter-measures necessary for fighting the problem effectively.

However, an analysis of information acquired to date and a study of the constituent elements of organized criminal groups present in Kosovo allows us to deduce that the number of victims held in Kosovo is alarmingly high and is rising constantly.

Trafficking in women and girls is now the third source of income after arms and drugs for the Kosovar-Albanian mafia network. The phenomenon is increasingly in expansion because of the extremely high income it generates.

Hundreds of women and girls from countries in the ex-soviet bloc, from several ex-Yugoslavian countries, Albania and even Turkish Kurdistan or Asian nations such as Sri Lanka or Thailand are being trafficked **in or through** Kosovo. They find themselves in the hands of a network of Kosovar traffickers who move them into the region and out towards European countries. Kosovo is also a transit point for smuggled migrants.

Hundreds of young local Kosovar women and girls are bought and sold, some directly by their families, and managed by criminal organizations specialized in this type of crime.

Particularly alarming is the relatively recent arrival of large numbers of children from Albania and exploited for begging in Kosovo, especially in large towns. These minors are generally trafficked by the same groups as victims for sexual purposes.

The lucrative profits are generally reinvested in even more profitable illegal activities, such as trafficking in drugs, arms and explosives.

IOM has been providing return and reintegration assistance to victims of trafficking since 2000 in collaboration with the UN Mission in Kosovo (UNMIK) Police, Organisation for Security and Cooperation in Europe (OSCE) and NGOs. IOM contacts with international victims predominantly depend on police action and referral. Since 2002, IOM have seen a steep decline in the number of referrals of international victims: a total decline of 66.66% from 2001 to 2003. Registration of foreign women in the province and other indicators mentioned above do not, however, point to a reduction in the phenomenon. This decline can be attributed to changes in trafficking methods and in victims' conditions, which have sometimes made it more difficult to detect human trade. In other cases, victims are reluctant to cooperate or seek assistance. It appears therefore that the present

response by law enforcement agencies to the new situation is insufficient and is a direct cause of the reduction in referrals. Changes in police action and/or the possibility of creating alternative methods for referral may increase the numbers of international victims being assisted.

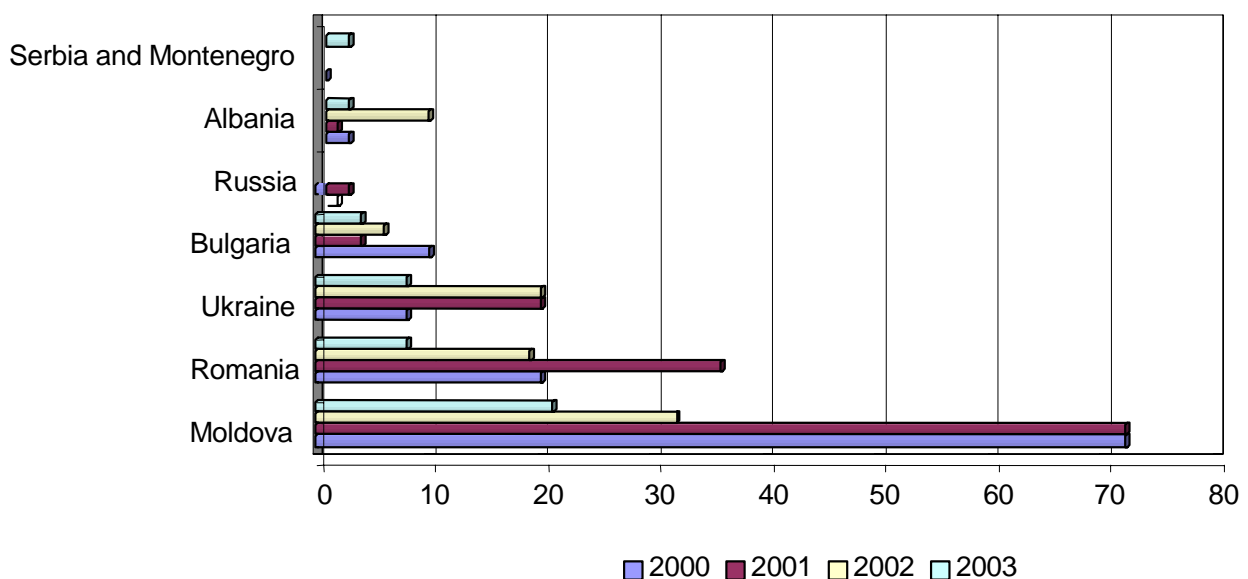
Kosovar victims, mainly under-aged girls trafficked internally for forced prostitution, are referred for assistance by police and others. Reports by the Centre for Protection of Women and Children (CPWC) demonstrate the scale of this phenomenon: hundreds of Kosovar victims of trafficking and forced prostitution have been assisted over the last four years. While attention is increasingly focused on this large group of beneficiaries, much still needs to be done to improve methods for identifying victims and to find proper long-term reintegration solutions for them.

TRAFFICKING VICTIMS AND VICTIMS' ASSISTANCE AND PROTECTION

International Victims

TABLE 6
INTERNATIONAL VICTIMS ASSISTED BY IOM PRISTINA

| Nationality/ Year | 2000 | | 2001 | | 2002 | | 2003 | |
|--------------------------|--------|----|--------|-----|--------|----|--------|----|
| Moldova | 63.72% | 72 | 53.33% | 72 | 37.21% | 32 | 46.66% | 21 |
| Romania | 17.70% | 20 | 26.66% | 36 | 22.10% | 19 | 17.77% | 8 |
| Ukraine | 7.08% | 8 | 14.81% | 20 | 23.25% | 20 | 17.77% | 8 |
| Bulgaria | 8.85% | 10 | 2.96% | 4 | 1.98% | 6 | 8.88% | 4 |
| Russia | 0.88% | 1 | 1.48% | 2 | 0 | 0 | 0 | 0 |
| Albania | 1.77% | 2 | 0,74% | 1 | 10.46% | 9 | 4.44% | 2 |
| Serbia and Montenegro | 0 | 0 | 0 | 0 | 0 | 0 | 4.44% | 2 |
| Total | 100% | 13 | 100% | 135 | 100% | 86 | 100% | 45 |



Compared to 2001 figures, the number of assisted international victims decreased by 36.3% in 2002. Figures for 2003 decreased again by 47.6%. Moldova is still the major country of origin and, unlike in the situation in neighbouring Albania and FYROM, the percentage of assisted Moldovan victims in Kosovo actually increased in 2003. Another salient difference between Kosovo and FYROM is that the percentage of referred and assisted Romanians in FYROM has steadily increased since 2001. In 2003, 59 Romanians (41.84% of the FYROM caseload) were assisted in FYROM, while only eight (17.77% of the Kosovo caseload) were assisted in Kosovo and of these, six had not been taken to Kosovo, but to FYROM where they managed to escape and ask for help in Kosovo. In 2003, four Romanian victims who had been trafficked to Kosovo escaped to FYROM to seek help from the Romanian Embassy there.

In 2002, IOM Pristina assisted a 15-year-old Albanian boy, transiting with an escort between Albania and Western Europe.

Referral by TPIU vs. Registration by TPIU (International and Kosovar Victims)

While numbers of identified and assisted international victims of trafficking has decreased since 2001, the number of foreigners and other people in danger registered in the database of the UNMIK Police’s Trafficking and Prostitution Investigation Unit (TPIU) increased from 1,028 in 2001 to 1,727 registered in 2002, but dropped to 1,096 in 2003. In other words, 20% of foreigners and people in danger registered in 2001 were referred to IOM in 2001, reduced to 7.6% in 2002 and only 4% were referred in 2003. Numbers of police referrals to IOM have been constantly in decline since 2001. In 2001, TPIU referred 206 potential victims to IOM. In 2002, despite the increase of almost 70% in the number of names entered into the database, 117 potential victims were referred to IOM by the TPIU, and in 2003 this figure was reduced to 60. So, according to the TPIU’s database, identification and referrals of victims by TPIU has declined constantly. Further, IOM’s records show that 46% of police referrals victims in 2003 were victims who approached the police for help themselves and were not rescued by the police.

TABLE 7
 PERSONS REGISTERED IN THE TPIU DATABASE
 IN COMPARISON TO POTENTIAL VICTIMS REFERRED TO IOM
 AND VICTIMS ASSISTED BY IOM*

| Persons/Year | 2001 | 2002 | 2003 |
|---|-------|-------|-------|
| Registered in TPIU database | 1,028 | 1,727 | 1,096 |
| Referred by law enforcement agencies to IOM for screening | 206 | 117 | 60 |
| Assisted by IOM** | 141 | 92 | 60 |

* According to the TPIU’s 2003 report: “During the past year, as result of TPIU investigations, registrations of foreign persons, uniform patrol vehicle stops, KFOR patrols and Border Police patrols, **1,096** names were entered into the TPIU Lotus Notes Data Base”, explanations for means of data collection for 2001, 2001 are similar.

** Table includes both foreigners and locals referred to IOM by the police.

Nationalities Present in the TPIU Reports

TPIU reports for 2002 and 2003 show a significant decrease in the number of Moldovan cases, 519 were registered in 2002 compared with only 194 cases in 2003. The number of Romanians and

Ukrainians registered also declined significantly, while there was a modest decrease in the number of Bulgarians registered and the number of Albanians and Kosovar Albanians declined by a small proportion.

Reasons for Decline in Figures

1. Police Activity

The whole assistance system for international victims in Kosovo is built around referral from the police. The police are referring much fewer cases, despite the fact that their registration reports for potential female victims do not show a similar drastic decrease in cases. The percentage of potential victims referred to IOM has decreased since 2002. This could be the result of pre-screening by police alone prior to referral, in contradiction to the Standard Operating Procedure (SOP) which states that all cases should be referred either to an OSCE regional focal point or directly to IOM. It also reflects the fact that more victims referred by the police actually went to the police for help themselves and were not found as a result of police investigation. Of the 60 victims assisted by IOM in 2003, 28 (46% of IOM's total caseload in 2003) approached the police directly and were referred to TPIU and then to IOM for assistance. Only 17 victims were rescued as a result of police raids and/or other operations (28% of IOM's total caseload) in 2003.

According to TPIU, they encounter fewer women wanting to be assisted, despite arriving in Kosovo as victims of trafficking. Improvements in living conditions and the (small) pay they receive, together with the lack of opportunities at home, encourage them to stay and no longer see themselves as victims. As the women do not appear to be interested in assistance or cooperation, the police are reluctant to refer them despite the agreement with IOM, particularly if these are women who have previously been offered, and refused, assistance. It is important to note that, in 2003, police did make contacts with possible victims. It is difficult to know whether the victims felt able to speak openly and confidently about their situation with uniformed police following bar checks and raids. Often the discussion would take place in the bar or club and in the presence of the owner. Victims of trafficking are known to fear the police because of their previous experiences or intimidation by traffickers and may believe that the police are involved in their being trafficked. For this reason, IOM and OSCE stress that it is necessary in many cases to meet and talk with victims several times before they are convinced that the help offered to them is real and that they should accept and return home.

TPIU believes that police raids are no longer effective and have succeeded rather in driving the phenomenon underground. TPIU is therefore concentrating on building cases against traffickers without the testimony of victims.

2. Hidden or More Sophisticated Methods of Operation

Traffickers and bar owners have found ways of disguising their trade in forced prostitution by a legitimate front, such as bringing victims legally by air or land using real (or apparently real) passports, visas and invitation letters, producing "legal" work contracts for the women, and even registering the women as employees (waitresses or dancers) for municipal bodies and maintaining a health file for them, as required for all employees in the food services industry in Kosovo. The women are well coached with information about their employment and conditions. Their passports are usually taken away for "safe keeping": 66% of international victims assisted in 2003 had to be issued new travel documents.

According to TPIU, address and telephone numbers given to border police at the airport are usually found to be correct, when checked. Additionally, TPIU explained that the closure of bars suspected of illegal activity is practically impossible.

With a contract specifying employment as a dancer or waitress, the victim is actually more vulnerable, as it is easier for the owner to say that he was not aware that she was working as a prostitute and it is harder for the police to prove his involvement. Part of the problem lies in the victim not being aware that she is a victim. She usually does not know that, even if she is paid and has a contract and is registered with the police, she can still be considered a victim if she is forced to perform activities against her will.

Other traffickers take their business underground by keeping victims in private apartments or houses. These victims usually do not have any freedom of movement and are taken to pre-arranged “meetings” in hotels and motels, often outside the cities. “Calling services” are organized by telephone. It is possible, for example, in some cafés in Kosovo to purchase secret telephone numbers for sexual services. In other places, the waiter organizes the meeting and provides the client with details of the time and location. These types of trafficking are much harder for the police to track.

Victims are sent from country to country to avoid discovery by police and to prevent their testifying against their traffickers. All organizations working with international victims report that often the women are being sold to traffickers in FYROM or exchanged for victims from FYROM. In 2003, three assisted international victims were reported to have been trafficked to Kosovo. Soon afterwards, they were taken from Kosovo to FYROM and, after another “working” period, were sent back to Kosovo. In addition, IOM has identified victims escaping from FYROM to Kosovo to seek help and there are also reports of traffickers allowing victims to leave after a long stay in Kosovo, but releasing them in FYROM or Serbia to avoid their being found by the Kosovar police.

Traffickers may be less willing to take the risk of keeping women who are not totally cooperative. In one occasion described by TPIU, two young Romanian women were found wandering the streets of Urocevac/Ferizaj with no idea where they were. When found by police, they said they were brought to Kosovo against their will and when they were told they would be forced into prostitution, they shouted and created a scandal. Their new “owner” drove them around for half an hour so they could not recognize the place where they had been held and left them in the street.

3. Victims Held Privately

- *Held by one man as a private sex slave*

Since 2000, approximately 5% of victims escaped from “private” sexual slavery by individuals. This system of exploitation involves one man, usually local, who buys the victim directly from the traffickers or from a bar for his own personal use. Such cases usually involve an exceptionally high level of physical and sexual abuse. In one case, a victim was kept tied to a chair. The abuser may keep the victim in his family home where he lives with his wife and children. These cases are especially hard to detect and there is no estimation of how many women and girls may be currently held in this situation in Kosovo. All victims of this type of slavery assisted by IOM had somehow managed to escape.

- *Victims moving to live with local/foreign men*

Some victims who have stayed in Kosovo for several years now live with a man, often the bar owner or a client who rescued them from the bar, sometimes an international client. Conditions for these women vary. Some approach IOM only to facilitate the acquisition of travel documents so that they can return to their home country and then come back to Kosovo legally. Others ask for

assistance once they realize that the relationship will not end in marriage, or that the man is already married and has another family. In several cases, the women suffer severe abuse and domestic violence but they continue to see these men as their benefactors and feel obliged to accept any maltreatment and physical, psychological and sexual abuse as a reward for his kindness.

It is important to emphasize, as will be demonstrated by the case study below, that while a few of these cases have happy endings with long-term caring relationships, which might encourage more victims to follow this pattern, most victims usually continue to live in fear and hiding.

Case study 1

M. was only referred to IOM after seeking medical assistance from local NGOs and OSCE. She did not seek aid as a victim of trafficking, although she had been trafficked, but because she suffered severe damage to her eyesight after being beaten by the Kosovar with whom she lived. He was a married man who rescued her from the bar where she had been sexually exploited and offered her a job in his bar. However he constantly abused her physically. Almost three years after being trafficked, she was still terrified of the police and scared to reveal that her documents were false. She did not know that she would not be charged with a crime and that no other harm would come to her. M., like many other victims, was also very ashamed of herself for what had happened to her and for not being able to stay in contact with her 11-year-old son. She was terrified of returning home but after she was referred by IOM to an expert in Kosovo, it was clear that the medical treatment she needed to save what was left of her eyesight was not available in Kosovo. If her eyes were not treated immediately she would lose her sight completely. It was very difficult to convince her to receive repatriation and medical assistance from IOM, even though she had no money of her own, no passport, no hope if she stayed in Kosovo, and no chance to leave by herself. Sadly she could not even bring herself to call her son after so long. Only after a few weeks in the safe supportive environment of the shelter in Pristina did she feel secure enough to reveal her true identity to the police.

M. was repatriated to her home country where she was sheltered and assisted by the local IOM office which also facilitated her trip in another country for treatment in a clinic specializing in eye surgery. There it was confirmed that the damage was caused by the beatings she suffered and that vision in her right eye was totally gone. After three trips and very complicated procedures, the sight in her left eye was restored. M. stayed at the IOM shelter for a long recovery period and she was reunited with her son who comforted and supported her. Unfortunately due to her handicap, she was not able to participate in a micro-enterprise programme to become self-sufficient; but she is entitled to further IOM assistance as needed.

4. Change in Victims' Conditions

TPIU, IOM and NGOs indicate that victims' living and working conditions have improved, and as a result, fewer victims are interested in coming forward and admitting that they were trafficked, and asking for assistance and repatriation. Traffickers have realized that, for a relatively modest investment, they can guarantee the silence and cooperation of their victims. This also helps them diminish the chances of prosecution for trafficking and forced prostitution. However, victims continue to paint a picture of abuse and intimidation, even if menaces tend to be more subtle, as will be elaborated in this chapter.

Better living conditions and a modest pay combined with intimidation, abuse and strict control and the "legal" appearance of the trafficker-victim relationship, through the use of contracts, registration and legal travel arrangements, leave the victim bewildered. Although she is being sold and does not have control over her fate, she does not perceive herself as a victim of trafficking, but as a collaborator engaged in illegal activities, such as use of fake documents or prostitution. Considering the fact that victims usually have a very poor understanding of their human and workers' rights, this is hardly surprising.

Remuneration

Since the end of 2002, it appears that more victims receive salaries. In the past, some victims apparently received allowances of 30 euros every few weeks. In 2003, there were reports of sums of 100 to 300 euros per month, which victims could send home regularly. Recently victims report that they receive approximately 5-7 euros per day worked. Nevertheless, the system of payment is entirely at the discretion of the “employer” according to the contract. In any event, considering that the “client” pays 100 to 150 euros per hour, these amounts are a small percentage of the profit made by the trafficker on the victims’ “labour”. Profits are thought to amount to several tens of thousands of euros per month. Payments received from clients belong to the owner of the establishment. Even 100 euros per month is much more than the average salary in Moldova or Bulgaria and can help provide for the victims’ families at home. According to information from the TPIU, victims keep Western Union receipts for the sums of money they have sent home.

Living Conditions

According to TPIU, some international victims no longer live in crowded rooms above the bars. They usually live in separate lodgings, each woman having her own room where she does not have to receive clients. Some international victims, rescued by TPIU and assisted by IOM, are well dressed and are given cell phones. This is usually the case of victims held in premises which comply with a certain number of registration requirements, since they expect to be checked by police.

Boyfriends

Another new development is the permission from bar owners and traffickers for the victims to have boyfriends. However, the boyfriends must be clients of the bar. The girls are allowed to leave and spend some time with their boyfriends who serve as “protectors”, on the clear understanding that the victim continues her “work”. This brings the victims closer to a “normal” lifestyle, but is in fact another way to ensure her consent and to monitor her movements and intentions.

In many cases, the boyfriend has a stake in the organized crime group. As a result, the victim often fears him but is reluctant to expose him or provide information to the police or help agency.

Abuse and Intimidation while Trafficked

A review of Kosovar and international victims assisted by IOM over the last three years shows that the level of physical and sexual abuse has increased from 74.5% in 2001 (141 victims),²⁰ to 85.75% (92 victims) in 2002 and to 87.27% in 2003 (60 victims).

In addition, interviews with victims indicate that the level of threats has not changed. Victims are systematically threatened about contacting the police, trying to leave, or causing problems. They are told by their traffickers that the police would arrest and imprison them for prostitution or for the use of fake documents, that they would be further charged and convicted upon return to their home country, or that the traffickers would sell them to FYROM or Albania where conditions were much worse.

²⁰ The statistics on “While trafficked – Abused?” does not exist for 2001, however according to “While trafficked – abused by who?”, 74.5% of victims reported that they had been abused by clients, pimps, traffickers or others while being trafficked.

A relatively new form of control in Kosovo is the use of female traffickers or pimps from the same home country. The woman, who was usually a victim herself, may be the girlfriend of the bar owner or simply a woman who returned to Kosovo as a trafficker. In some instances, she recruited the victims in their home country. She may use more subtle methods for controlling the victims, but her influence is just as great. She knows their home towns and addresses and can use realistic threats to locate them and their families if they try to escape. She would also be the person who punishes the victims when they do not obey the rules. The victims fear her, but may also develop a sense of loyalty towards her. Anyone who cooperates with the police or humanitarian organizations is considered a traitor; and even receiving repatriation assistance is considered a betrayal of the female trafficker and of the other victims.

Freedom of Movement



TABLE 8
 PERCENTAGE OF VICTIMS ASSISTED
 WHO HAD NO FREEDOM OF MOVEMENT

| Freedom of Movement | 2000 (113 victims) | 2001 (141 victims) | 2002 (92 victims) | 2003 (60 victims) |
|---------------------|-----------------------|-----------------------|----------------------|----------------------|
| Totally denied | 48.67% | 31.21% | 38.04% | 51.67% |
| Only accompanied | 39.82% | 57.44% | 40.22% | 25.00% |
| No restrictions | 9.73% | 9.22% | 13.04% | 6.66% |
| N/A | 1.77% | 2.13% | 8.70% | 16.66% |

The percentage of victims assisted who have no freedom of movement is increasing. Lack of freedom affected more than half the caseload in 2003, while the percentage of victims allowed to go out accompanied decreased. In 2003, the percentage of victims who enjoyed full freedom of movement was the lowest in all four years. This may indicate that victims who do enjoy full or partial freedom of movement are declining assistance and may not even be referred by TPIU to IOM. It could also mean that the statistics include Kosovar victims who apparently are denied any freedom of movement. Freedom of movement is considered an important right which is denied to victims of trafficking and, as such, may constitute a good indication for identifying a victim, but this is not a determining factor in itself. Victims usually live in such a state of fear and are so

heavily threatened by traffickers that, even when they are allowed out (sometimes only as far as the shop across the street), they will not ask for help.

Access to Medical Care

It is significant that the percentage of victims totally denied medical care has increased again and has reached an all-time high in 2003: 48.33% did not receive medical care. The percentage of victims having access to medical care only in emergencies rose to 15%. Only 3.64% of victims were allowed access to medical care regularly. This figure represents only two victims, but no information was obtained for 16 other victims in 2003.

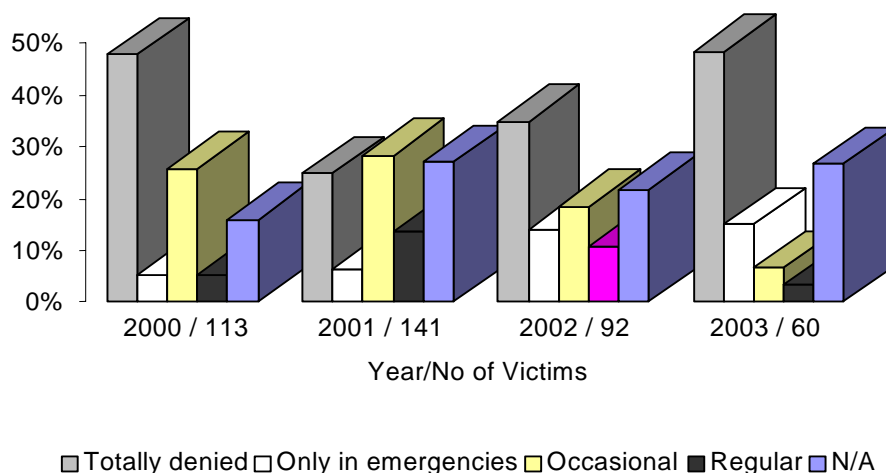


TABLE 9
PERCENTAGE OF VICTIMS ASSISTED
WHO HAD ACCESS TO MEDICAL CARE

| Access to medical care | 2000 (113 victims) | 2001 (141 victims) | 2002 (92 victims) | 2003 (60 victims) |
|------------------------|-----------------------|-----------------------|----------------------|----------------------|
| Totally denied | 47.79% | 24.82% | 34.78% | 48.33% |
| Only in emergencies | 5.31% | 6.38% | 14.13% | 15.00% |
| Occasional | 25.66% | 28.37% | 18.48% | 6.67% |
| Regular | 5.31% | 13.48% | 10.87% | 3.33% |
| N/A | 15.93% | 26.95% | 21.74% | 26.67% |

Additional Changes in the Profile and Trafficking Experiences of International Victims

Age

Fewer minors are identified among international victims. In general, about 8% of international victims and about 60% of local victims assisted by IOM were minors when assisted. This may be attributed to two factors. First, the large numbers of Kosovar minors who are referred to IOM for assistance. Kosovar victims may be replacing international victims in this sector. Second, many international victims have lived in Kosovo for several years and therefore might have arrived as minors, but were older than 18 when referred.

Longer Stay in Kosovo

Many victims referred to IOM in recent months have been living in Kosovo for two years or more. IOM and OSCE officers met some of these victims several times before persuading them to receive repatriation assistance. Seven out of 45 international victims assisted by IOM in 2003 were interviewed twice or more.

Some victims refused to admit that they have been trafficked. They accept assistance as they wish to return to Kosovo and think that, if they are repatriated by IOM, they would not be able to do so. While IOM does not repatriate victims so that they can leave and come back, this attitude indicates that victims confuse IOM assistance with deportation. They want to avoid deportation as this usually involves a ban from re-entering Kosovo for several years. It should be noted that, at present, no one is legally deported from Kosovo, with the exception of Albanian and Macedonian citizens who are usually dropped on the other side of the respective borders.

Among victims seeking help from IOM are people wishing to be helped in obtaining travel documents, as there are no embassies in Kosovo. These are usually women trafficked into Kosovo several years earlier who have established a life for themselves in Kosovo, for example with a partner, and now wish to travel home, possibly with the intention of returning to Kosovo after they have sorted out their papers.

Many “old” victims held in Kosovo for several years have eventually found a way to leave the brothels and a job to support themselves. Some of them can be seen in restaurants and pubs around Kosovo. These women claim to be free and prefer to stay in Kosovo to earn money. Their only motivation for contacting IOM may be that they need assistance to organize travel documents when they decide to go home.

Long stays may also be explained by the fact that many victims have given birth while in Kosovo. IOM has repatriated women with babies, as well as victims in the later stages of pregnancy.

Other characteristics examined and recorded by IOM, such as the victim’s background or recruitment methods, either did not give evidence of changes or were inconclusive.

International Victims – Assistance

Systematic assistance for international victims in Kosovo is provided only for those who voluntarily wish to be repatriated.

Referral

Given the decline in figures of referrals for potential victims, IOM has asked that TPIU be invited to interview every foreign woman identified. IOM offers TPIU 24 hours in which to interview potential victims, but it appears that this proposal has not been implemented. It should be noted that a new SOP is currently under discussion and is expected to involve also the Department of Justice’s Victims Advocacy and Assistance Unit (VAAU).

ISF – In May 2003, UNMIK²¹ opened an Interim Secure Facility (ISF) in Pristina with a maximum capacity of 25 guests. After the ISF opened, IOM was informed that it would serve the following categories of victims of trafficking:

1. National and international victims who are identified during the night and need accommodation until interviewed and transferred to an appropriate shelter the following day.

²¹ A joint initiative by TPIU, the Victim Advocacy and Assistance Unit of the Department of Justice (VAAU) and the Witness Protection Unit.

2. Potential national and international victims whose status has to be determined and/or whose situation has to be examined further. IOM was informed of at least two such victims who left the ISF the following day, without IOM being involved in the initial screening in any way.
3. National and international victims who are not sure whether they wish to receive further assistance and need time for reflection before making their decision. IOM is aware of seven such cases so far, mostly Kosovars. Two international victims decided to be repatriated during their stay in the ISF and were referred to IOM for assistance. In both cases, IOM had made initial contact with the victim at the police station where screening took place and had suggested the reflection period.

It is possible that the ISF may also be used for other categories of beneficiaries, such as witnesses and victims of trafficking in need of protection.

The availability of a facility to give victims a reflection period is a good idea when the facility provides a quiet, non-stressful atmosphere, as has been proven in other countries. It can also increase the number of victims, especially internationals, seeking assistance. However, for such a facility to be useful, it must have highly trained staff, ready to reply to any questions beneficiaries might have. According to IOM, the ISF's staff is not adequately trained at this stage. IOM provided a one-day introductory training but has refused to offer further training until the goals of the ISF are officially stated and a proper MOU put in place to regulate use of the ISF alongside the existing referral system. IOM is also concerned about the lack of SOP and about cases where confidentiality for beneficiaries and staff safety have not been properly secured.

Shelter

International victims, whether adults and/or minors, are accommodated in a shelter capable of accepting 15 beneficiaries. Management of the shelter has been transferred from the international NGO, UMCOR, to a local NGO, the Centre to Protect Victims of Trafficking and Prevent Trafficking in Human Beings (PVPT), set up in October 2003 by the local staff members who have worked in the shelter since 2000. PVPT is also conducting anti-trafficking awareness-raising programmes. The shelter accepts only international victims awaiting repatriation and victims qualifying for IOM's assistance programme. It is located in a private house and provides a full range of medical services for the victims, as well as leisure activities and classes including handcraft, English and computers. The IOM psychologist provides psychological counselling and in-depth interviews are conducted by IOM. Beneficiaries usually stay in the shelter three to four weeks on average. Due to concerns about security, the beneficiaries are only allowed out for medical reasons or to testify. The shelter is not guarded and the location is kept confidential. Adult and minor international victims are accommodated and assisted together.

Legal Aid

Apart from a basic explanation of their rights and legal situation provided by IOM officers during the initial screening interview, there is no legal assistance for international victims. IOM is implementing a project (funded by the government of Italy) to train and create a pool of private lawyers to provide legal assistance and representation for international and Kosovar victims. IOM hopes to be able to implement this important service by October 2004.

In the few cases where international victims were assisted by the CPWC (25 cases between 2000 and 2003), the Centre has provided legal aid and court monitoring, when needed.

The Kosovo 2001-2004 regulations against trafficking in persons are progressive and providing victims with a wide array of legal and other rights, including the right to proper interpretation in

their mother tongue during legal proceedings and the right to compensation. However, these rights have not been implemented satisfactorily so far. In fact, no claim for damages has yet to be made on behalf of an international victim.²²

Re-trafficking

In 2003, nine out of 45 assisted international victims had previously been trafficked: seven Moldovan victims and two Ukrainians. Of these, four Moldovans had already been assisted by IOM in Kosovo, Albania and FYROM and had been repatriated. Many victims were being trafficked for the third time, either by force, sometimes by the same traffickers as before, or fully aware of the risks but believing that they would not fall into the same trap again.

Kosovar Victims

Trafficking and forced prostitution of Kosovar victims has reached alarming proportions over several years. Most of the victims are minors.

The CPWC has provided the following figures for Kosovar victims it has assisted since 2000.²³

TABLE 10
 NUMBERS OF VICTIMS ASSISTED BY THE CENTRE FOR PROTECTION OF WOMEN AND CHILDREN (CPWC) IN KOSOVO

| Year | 2000 | 2001 | 2002 | 2003 | Total |
|-----------------|------|------|------|------|-------|
| Kosovar victims | 54 | 60 | 141 | 83* | 336 |

* CPWC 2003 report, page 3: in 2003, CPWC assisted 151 victims of trafficking and forced prostitution, of whom 92 were new cases and 59 were cases assisted repeatedly since the previous year. In addition, nine victims were not Kosovar. This leaves the total of 83 new Kosovar victims of trafficking assisted by CPWC in 2003.

CPWC reports that 81% of victims assisted during the period 2000-2002 were minors. Of these, 32% were under the age of 15. In 2003, 65.5% of victims assisted were minors.

CPWC considers that the decline in the number of referrals in 2002 and 2003 is the result of awareness-raising activities and greater measures taken in the communities to prevent trafficking of Kosovars.

²² With the coming into force of the new Criminal and Procedural Code on 6 April 2004 there may be a change in the range of state obligations with regards to victims' rights, as the Code are to supersede regulation 2001/4.

²³ Information regarding Kosovar victims in 2000 to 2002 was received from Ms Savdie Ahmati by email.

The numbers of Kosovar victims referred to and assisted by IOM has increased steadily:

TABLE 11
NUMBERS OF VICTIMS ASSISTED BY THE CENTRE FOR
PROTECTION OF WOMEN AND CHILDREN (CPWC) IN KOSOVO

| Year | 2000 | 2001 | 2002 | 2003 | Total |
|----------------------------|------|------|------|------|-------|
| Potential victims referred | 0 | 6 | 12 | 17 | 35 |
| Kosovar victims assisted | 0 | 6 | 7 | 16 | 29 |

Twenty-one victims (60%) were minors, six under the age of 16.

Of the 29 Kosovar victims assisted by IOM, 20 were trafficked internally and nine were sent abroad to Albania, FYROM, Belgium and the UK.

The increase in numbers of Kosovar victims assisted by IOM does not mean the problem is new, but that, thanks to recent attention to the problem of internal trafficking, more cases are now being referred.

Internal trafficking is easier and cheaper than international trafficking and, as international trafficking moves underground, organizations assisting internal victims expect that more to be recruited.

Profile of Kosovar Victims

Background

Almost all of the Kosovar victims are of Albanian origin. They are mainly minors, although adults are also trafficked, and usually remain in Kosovo for forced prostitution. However, there are reports of trafficking for forced marriage. Many are from rural areas (63% of the IOM caseload, 62% of CPWC's 2000-2002 caseload), from very poor economic backgrounds and with limited access to education. Some are from dysfunctional or abusive families or extremely strict families, especially in the case of teenage girls. Most of them lived with their families before being trafficked or forced into prostitution.

There are still no indications of changes in the profile of Kosovar trafficking victims, apart from the fact that CPWC has observed an increase in the number of adult victims during 2003, though it is possible that some were trafficked as minors.

Recruitment

Kosovar victims are mainly recruited by false job promises or kidnapping. In a few cases, traffickers made a false marriage proposal or false travel arrangements.

Abuse

Of Kosovar victims assisted by IOM, 77% had been sexual abused and 71% had suffered physical abuse. The victims were very rarely paid, but were given clothes and cigarettes. They were not able to move freely and were held in very poor conditions. The fact that almost every Kosovar victim trafficked internally knows of at least three or four other Kosovar victims is serious cause for alarm.

Trafficking Abroad

Assisted Kosovar victims had been sent to Albania, FYROM, Italy, Belgium and the UK. Women and girls were first transferred from Kosovo to Albania where they were raped and sexually exploited. From there, they were transported by speedboats (most of them prior to 2002) to Italy and forced into prostitution and/or were moved to other Western countries.

Two assisted boys who had been trafficked for begging were sent via Albania to Greece.

National Victims – Assistance

Referral

A SOP for the referral of Kosovar victims is still under discussion by the Department of Social Services, Department of Justice (VAAU and ISF), TPIU, OSCE, IOM and local NGOs. Currently IOM and its counterparts are operating on the basis of informal understandings and ad hoc solutions.

CPWC reports that most victims come to its offices on their own initiative (44% of cases in 2000-2002 decreasing to 35% in 2003), having learnt about the organization from the local community. CPWC also operates a hotline, details of which are published everyday in local newspapers. No information is available on the number of victims using the hotline. Otherwise, victims are referred to CPWC by the police (23-25% of cases), by victims' families (6% in 200-2002 rising to 15% in 2003), and by the CSW, local NGOs, IOM and OSCE.

IOM reports that it receives referrals predominantly from the police (43%), from NGOs such as CPWC, ASB, Hope and Homes and the Forum for Women and Children (17%), OSCE, other IOM missions. One case was referred by the CSW.

The NGO Hope and Homes has received 15 referred cases so far (all minors) from the police, CSW and the IOM centre. According to Hope and Homes, most Kosovar victims referred to them were not rescued as a result of a bar raid or police investigation, but children who went to the police for help.

IOM Assistance to Kosovar Victims and Cooperation with Partners

Assistance for Kosovar victims is given through cooperation between the various organizations involved and coordinated by the Kosovo Direct Assistance and Shelter Coordination Group. IOM is monitoring each of its cases together with a social worker from the CSW. Other organizations are invited to assist according to needs, mainly for shelter.

Adult Kosovar victims assisted by IOM are referred and accommodated for short periods of time, usually no more than a few days or weeks, in CPWC (shelters in Pristina, Peje/Pec and Djakovica/Gjakova) or other NGO shelters in Kosovo.²⁴ These shelters are used predominantly for cases of domestic violence. Referrals depend on availability of space. Because stays in the shelters are so short, additional services, such as medical care, counselling, vocational training, or social aid, are often provided once the beneficiary has returned home.

Minors assisted by IOM are presently referred to the NGO Hope and Homes, which operates two safe homes for children in Prizren and Pristina. Children can stay in these homes for up to six months, or longer in special cases. As often as possible, they are enrolled in school or provided with

²⁴ Safe House Shelter – Djakovica/Gjakova, Shelter ASB – Prizren, Women Wellness Centre Shelter – Peje/Pec.

tutoring so they can catch up and return to school in the coming term. To date, Hope and Homes has accommodated and assisted 15 child victims of trafficking. They receive referrals from IOM, TPIU and CSW and work to improve help given by police about options of assistance for trafficked children. They are however worried about referrals of high-risk cases which might place all children in the home in danger. Previously, Hope and Homes were not informed by CSW of the real risks presented by certain cases, but now they contact TPIU for risk assessments. Hope and Homes also complains about the lack of information about judicial procedures, citing as an example the fact that social workers and the Department of Justice were unable to give advance notice of dates of court appearances.

Family reunification is presently the only solution for adult victims and the principal solution for minors. Many efforts are made to reconcile the beneficiary and her/his family and these cases are monitored by IOM and the CSW. In many cases, however, victims refuse to tell their family what had really happened. Apart from Hope and Homes, which has a limited capacity and cannot accommodate high-risk cases, there are no long-term solutions for victims who are unable or do not wish to return to their families.

This is a very significant problem which IOM is attempting to overcome in cooperation with NGOs. Semi-independent living in rented apartments and a long-term shelter are among the alternatives under consideration. According to Hope and Homes, the concept of foster families is still not sufficiently developed in Kosovo.

At present, CPWC provides legal assistance and court monitoring for victims it assists.

Monitoring, Re-trafficking and Retaliation

IOM is paying special attention to monitoring its cases, but it is dependent on the willingness of the beneficiary to be contacted further. Of the 29 Kosovar victims assisted so far, 13 are still being assisted and monitored and seven were assisted but broke off after a few months. Contact was lost immediately for four victims and five refused all assistance. At least seven Kosovar victims assisted by IOM were trafficked again. In three of these cases, they were taken by the same trafficker who knew where they lived. In other cases, especially if the victim testifies, there is danger of retaliation by traffickers. In one case monitored by IOM, the victim was unable to leave her home due to constant threats by the friends and relatives of the trafficker/rapist because of her testimony against him. Hope and Homes reported an incident of an attempted kidnapping of a girl witness while she was attending school. For high-risk cases, ISF is currently the only solution, but its staff need further training, and longer-term services should be provided.

Case Study 2

A. was trafficked four years ago when she and her family were living in a refugee camp in Albania. She was only 13 years old. She met an 18 year-old man who offered to marry her and she ran away with him. He then sent her to Italy where she was forced into prostitution for three years. Later he took her to Holland where he also forced her into prostitution, before returning to Italy. During all these years, she was severely beaten and abused. She has had two abortions and both her arms were broken. The trafficker and his (real) wife were watching her every move and even followed her when she was driven away by clients. Finally she was deported from Italy to Albania when she was caught with a false passport. From Albania, she was repatriated to Kosovo by IOM and reunited with her family. She did not dare to tell her family what had happened to her and told them that she had married and lived with the man. He called several times a day threatening to kill her if she did not return to Italy. Her family was very worried but also were unaware of the conditions she could expect. She returned to Italy after one week in Kosovo.

The Clients

The Kosovo sex market mainly serves local clients. According to TPIU, 90% of the clients are Kosovars. International clients usually frequent specific bars or apartments which cater specifically for them. Prostitution and forced prostitution can be found throughout Kosovo. It could be that larger numbers of Kosovar victims are used to lower the price of sexual services.

ORGANIZED CRIME AND LAW ENFORCEMENT REACTION

Organized Crime Groups in Kosovo

Trade in persons in Kosovo is made possible by the availability of an inexhaustible quantity of false documents, by the number of bases and vehicles, and large sums of money that the criminals possess. Furthermore, high-level organizations have established a dense network of corrupt officials at all levels in the region, thus facilitating the issue of visas for travel to the Schengen area and other countries. These same criminal organizations, using this same network, have no difficulty in obtaining valid work permits or residence certificates with which they legitimize the employment of “waitresses” in the various bars and nightclubs in Kosovo. The waitresses are in reality forced into prostitution.

These organizations are well-structured internally, with a clear breakdown of roles: there are people to recruit or kidnap the victims, to control the victims in transit, to find accommodation, to supervise their work and to collect the proceeds. They move their victims continuously from one country to another, both to avoid identification in investigations by law enforcement agencies and to make it more difficult for their victims to escape.

Conversations held directly with criminal sources in Kosovo revealed that victims managed by these groups can be both minors and adults, local or international. False papers are generally produced in order to take them into the countries bordering Kosovo where the cost of producing these documents is lower. If the victims are to be intended for Western European countries, high-level organizations obtain valid visas applied on original documents.

Criminal organizations engaged in trafficking in persons inside Kosovo operate on three levels:

Low Level

Low-level traffickers in Kosovo generally provide transport for crossing the border. Some are small tourism operators or occasional traffickers who use their own taxis, vans or private cars. Despite the amateurish appearance, many of them operate on behalf of larger organizations.

Medium Level

This category consists of organized groups of traffickers specialized in using border passes, with which they are very familiar, and in crossing minefields. They are generally well organized and operate on a wider scale. Many intelligence reports have been received about high numbers of victims being trafficked from China to Germany or Switzerland and transiting through Kosovo.

High Level

Kosovar-Albanian organizations of this type located in Kosovo are able to plan and carry out journeys, with the procurement of genuine or false documents, and to arrange suitable logistical

arrangements in the destination country. Many organizations operate with the collaboration of members of the criminal network in the country of origin and in Germany in particular. “Transit centres” are also made available in Kosovo for trafficked persons and are well protected with CCTV, guard dogs or high walls.

Inter-Ethnic Organized Crime Groups

Some victims are trafficked to Kosovo, then to FYROM and brought back to Kosovo. This phenomenon can be explained by the presence of large multi-ethnic criminal organizations composed of Albanian Kosovar and ethnic Albanian Macedonian criminals and of Albanian Kosovar and Serbian Kosovar criminals. One of their strategies is to shift victims between Kosovo and FYROM or between Kosovo and Serbia, in response to frequent raids carried out by police in the countries involved. When victims are invisible to police forces, they can be exploited at all times, wherever they happen to be, thereby avoiding probable interception by the police.

Intelligence sources accessed during this research indicated that a criminal group composed of Serbian and Albanian Kosovars is operating in the Kosove Polje/Fushe Kosove area and in Pristina. This criminal network apparently sends international and local victims through Serbia to Kosovo and then to various nightclubs in Djakovica/Gjakova, Peje/Pec and Prizren.

One of the Serbian criminals reputedly involved in the activities of this group is the owner of a nightclub in Obilic and a strip bar in Kosovo Polje/Fushe Kosove. This man is apparently in contact with Serbian mafia groups engaged in trafficking and provides these organizations with victims. Another ethnic Albanian criminal is being sought by the Macedonian police for trafficking in persons and is alleged to be responsible for trafficking young women and girls between FYROM and Kosovo.

The relationship between these two criminals highlights the multi-ethnic aspect of the criminal community and the links between Serbian and Albanian criminals for the common purpose of generating illegal profits from trafficking in persons.

There are also indications of strong links between Turkish and Albanian Kosovar criminal networks. In fact Kosovo is the key transit point for victims from Asia transported from Istanbul to Pristina, before continuing to various locations in the Balkans, including Sarajevo.

Recent Changes in Management of the Victims

Criminal groups engaged in trafficking of persons in Kosovo were well-known for their cruelty and violence towards the victims, who are treated like slaves, bought and sold several times, and often subjected to continuous torture to render them obedient, train their bodies, destroy their identities and break their personalities.

It can be understood from reports from various investigative offices and from intelligence sources that the modus operandi of these criminal organizations with regard to victims exploited for sexual purposes has changed recently, at least in the larger cities. Traffickers have understood that they can manage their victims better by improving living conditions and that paying them a salary may reduce the possibility of complaints to the police. As a result, some victims have been moved from bars to apartments and are allowed to call their families and occasionally return home. However, these victims are still unable to make their own decisions, are intimidated and may be subjected to punishment if they do not behave “appropriately”.

This “new management” system often destroys the victims’ ability to perceive themselves as victims and substantially reduce signs which may trigger police investigations. Complaints by

victims to police were practically the only source leading to criminal proceedings. This new *modus operandi*, therefore, has had major repercussions on methods used by the police and organizations involved in assisting the victims and has resulted in a reduction in the number of reported victims in the official statistics.

In some parts of the province and especially in rural areas, criminal organizations still use the same methods of coercion and violence, for both international victims and local victims, including physical torture, continuous threats and psychological pressure.

Airport Area

A large criminal organization engaged in trafficking in persons is active in the village of Slatina/Sllatine in the vicinity of Pristina's Airport. The head of this organization manages various nightclubs. Victims come from various countries in Eastern Europe and on arrival in Kosovo, they are kept in South Mitrovica.

Members of the same criminal organization are said to manage another club in the village of Velesta in FYROM.

Apparently, this criminal organization not only manages trafficking in persons but is also involved in drugs and arms trading. It is warned by a corrupt member of the police force about any raids planned by the police on premises managed by the group. After being held for a time in Kosovo, victims managed by these traffickers are sent to Switzerland, Germany and Italy where the organization is said to have members in various areas.

Trafficking Modes and Routes

Kosovo currently has no legislation for regulating immigration and emigration. The previous Yugoslav legislation, which imposed a visa obligation on all foreigners is not applied and was rendered obsolete by the UN interim administration. A law on aliens is currently in preparation.

The current absence of regulations governing entry into Kosovo certainly provides a basis for illegal activities linked to human trafficking.

As a consequence, Kosovo has become one of the preferred destinations and transit locations for trafficking in persons in the region.

Preferential channels are then opened for transporting the victims towards South Eastern and Western Europe.

Analyzing confidential information received from expert operators in the sector, the following strategies emerge:

- Victims coming from Moldova generally travel with false documents and cross the border by scheduled bus services to Romania. They then enter Serbia illegally through woodland passages (green borders) and finally enter Kosovo illegally.
- Victims coming from Romania use the same channels and *modus operandi* as Moldovan victims.
- Victims coming from the Ukraine generally travel overland or by plane with legal documents and valid visas as far as Hungary and then to Kosovo via Belgrade, crossing the border legally with authentic documents.
- Local and Bulgarian victims, especially minors transiting to or from FYROM, are trafficked illegally across the green border in the vicinity of the General Jankovic border crossing.

- Local and Albanian victims to or from Albania generally travel without documents because there are no checks along the 174 kilometres of the Kosovo-Albania border, and even if checked, any identifying document is accepted.
- Victims from other countries involved in the trade and not mentioned above (i.e. Russia, Turkish Kurdistan, or Asian nations, such as Sri Lanka or Thailand) are usually transported by air, passing through official international border points, such as Pristina Airport, with valid documents and genuine visas. This strategy is also used for smuggling migrants for whom Kosovo is the logistical-operative base, because of its strategic position in the heart of the Balkans, and the point of departure towards Western countries.

Law Enforcement Response

TPIU

The UNMIK Trafficking and Prostitution Investigation Unit (TPIU) was created in October 2000 to provide a direct response to the problem of trafficking in persons. After reaching the conclusion that bar raids were no longer effective, the only investigation strategy implemented by the TPIU at present is undercover operations, but these do not produce effective results. Techniques for information gathering and investigation must be refined to counter the phenomenon more effectively. This is particularly important for investigations in rural areas where trafficking for sexual exploitation seems to be increasing.

Border Police

There are two main thematic areas: the first is the structure and organization of the border police in the overall UNMIK framework, and the second is associated with technical operational aspects of border policing, including cooperation between different components of the UNMIK Police and international cooperation.

With reference to the first point, the absence of a border or immigration police with resources and tools dedicated to this specific role must be strongly emphasised. The UNMIK border police is not considered an autonomous structure – as in most Western European countries – but is classified as a police region, even though it has no regional responsibility since it has posts along the border and administrative lines throughout the entire territory of Kosovo.

Unlike the BiH, where the central investigative service of the State Border Service (SBS) is envisaged, the investigation and intelligence activities for border-related crimes are not centralized, despite precise recommendations in this regard from border police members themselves. It is easy to see that these structural shortcomings translate into a partial, fragmentary and effectively inefficient approach towards cross-border criminality associated with trafficking in persons.

The absence of a system for monitoring entries and exits in the territory must be highlighted. The PISCES system (funded and controlled by the US State Department) records traffic entering and exiting, with the exclusion of certain groups, such as minors and elderly people, but only at Pristina Airport. This system is aimed principally at anti-terrorist controls based on transatlantic requirements.

The absence of effective international and expert cooperation between agencies involved in border policing, together with communication problems between the various agencies operating in Kosovo, make an effective response to trafficking in persons – a criminal activity of international importance – even more difficult.

The absence of specific professionals, such as experts in identifying false documents at land borders (currently only five experts operate at Pristina Airport and two are located at Headquarters), investigators concentrating on trade in travel and residence documents, and investigators specialized in counter-trafficking, constitutes a further element of institutional weakness.

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

GENERAL

The Former Yugoslav Republic of Macedonia (FYROM) obtained its independence from Yugoslavia in 1991 to constitute itself as a parliamentary republic with a population of two million people. FYROM inherited a cultural, religious and linguistic plurality, which is reflected in its political landscape. The present government is a broad coalition, which comprises all democratic FYROM and Albanian-Macedonian parties. Constant improvements in the rights of minorities will become increasingly important for the future of FYROM, a nation where conflicts still exist between the majority of Macedonian citizens and a large minority of Albanians (between 23% and 40% depending on the source). At the time of independence in 1991, the country's economy was already fragile but since then, it has deteriorated further because of international and internal political conflicts. Forty per cent of the active population is unemployed. All these factors contribute to the creation of an extremely fertile ground for the activities of organized crime.

Since 2000, FYROM has been recognized as a major country of destination and transit for human trafficking, in line with its neighbours, Serbia and Montenegro, Albania, Greece, and the province of Kosovo. Trafficking in FYROM focuses on women and girls for prostitution and related activities.²⁵ Since 2001, the FYROM government has placed the fight against trafficking on its list of priorities and the Macedonian police has engaged in bar raids. The Macedonian government was the first in the region to open a shelter for international victims in April 2001.

This commitment by government is both a strength and a weakness for counter-trafficking operations in FYROM. On the one hand, large numbers of international victims have been rescued and repatriated: 723 have been assisted by IOM since 2000, more than any other IOM mission in the region. On the other hand, the Ministry of Internal Affairs (MOI) is still the only body screening potential victims. As a result, issues relating to victims' rights have been slow to attract the attention of authorities and there is limited cooperation with the civil society. IOM Skopje reports, however, that there was clear and steady improvement during 2003: the government has agreed to introduce practices which will be more respectful of victims' rights and to involve local NGOs more in victim assistance activities (such as sheltering and legal assistance). In January 2004, the government approved standard operational procedures (SOP) to regulate assistance and protection for all victims. Once fully implemented, the SOP should ensure greater respect for victims' rights and needs. Decisions on which victims should be referred to shelters remain the responsibility of the MOI.

Until now, efforts have focused on fighting trafficking in international victims but no attention has been paid by government bodies to existing indications of internal trafficking in Macedonian women and children. Little is known about trafficking of Macedonians abroad and in-depth comprehensive research is needed to establish a clearer picture of this situation.

²⁵ Such as striptease dancer, entertainer, waitress, although it is usually safe to assume that these victims were also exploited sexually.

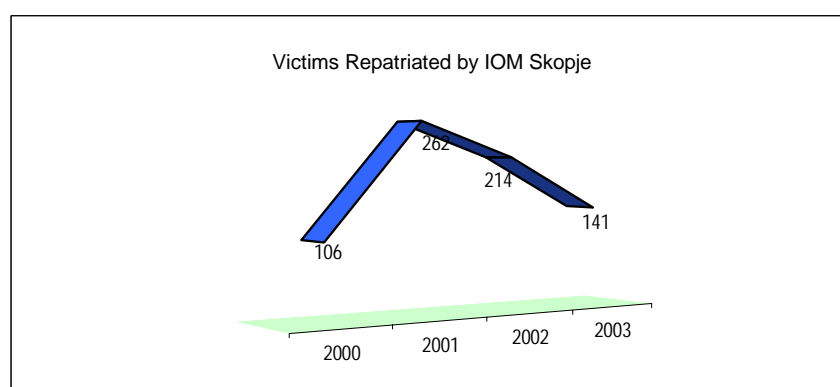
TRAFFICKING VICTIMS AND VICTIMS' ASSISTANCE AND PROTECTION

International victims²⁶

Figures

Since it began its counter-trafficking activities and until the end of 2003, IOM Skopje has repatriated 723 women and girls, international victims of trafficking. Of these, 106 women and girls were repatriated in 2000, 262 in 2001, 214 in 2002 and 141 in 2003. In comparison with 2001, referrals declined by 18% in 2002 and the next year (2003) by nearly double that figure with almost 34% fewer referrals. More worrying is the fact that 81.5% (93) of victims referred in 2003 arrived during the first four months of the year. Despite this decrease, it is important to note that the number of victims repatriated by IOM Skopje during 2003 is higher by far than figures for any other mission in the region, even if these figures relate to the first/second half of 2003.

Possible Causes for Decline in Figures



None of the organizations believe that fewer women and girls are trafficked into FYROM. The following explanations for the decrease in referrals have been suggested:

1. Reduction of Police Referral of Non Victims

IOM has a limited “after the fact” role in identifying victims in FYROM. Screening prior to arrival at the shelter is carried out solely by the police and, as a result, women who were not victims of trafficking according to international standards followed by IOM²⁷ have been referred to IOM for assistance. In March 2003, IOM Skopje officially raised the matter with the Minister for Internal Affairs, stating that, in 2002, some 26% of cases brought to its shelter by police and offered assistance by IOM were not in fact victims of trafficking. IOM informed the ministry that the organization would no longer assist such cases if they were referred in the future. IOM also proposed a more detailed version of the SOP and this was adopted by the MOI in January 2004. However, the police remains the sole body responsible for determining which individuals will go to the shelter for an interview with IOM. As a result, during the early months of 2003, IOM was forced to reject several women who did not

²⁶ Figures and statistics used in this report were received from IOM Skopje MIMOSA database in February 2003.

²⁷ IOM defines victim of trafficking according to international definition laid down in the Palermo Protocol. IOM takes a liberal approach and is aware that the potential victim might refuse to acknowledge her situation or provide full information.

meet the internationally recognized criteria.²⁸ According to IOM Skopje, the police have now reviewed their methods and are presently only bringing individuals who can be accepted as victims to the shelter. IOM Skopje therefore explains the reduction in numbers by the fact that the police are now being more selective. This claim is supported by changes in the profile of victims, as will be discussed in the next chapter.

Nevertheless this raises a serious concern that individual policemen or police units are indiscriminately deporting foreign women, including victims of trafficking. IOM mentioned two cases, in 2002 and 2003, of assisted victims who had previously been deported from FYROM without being brought to the shelter. At the time of their first deportation, they had not felt sufficiently safe, when questioned by police, to admit that they had been trafficked. After deportation, they were immediately trafficked back into FYROM, rescued a second time and brought to the shelter. **It is difficult to identify a solution to this situation without involving bodies other than law enforcement agencies in the initial screening process.** Although training and sensitization of police has already begun and further programmes are planned by IOM, OSCE and NGOs, such programmes would be more productive if they were more positively accepted by police units. This does not change the fact that victims are especially wary of the police and are reluctant to admit to their situation, even when interviewed appropriately.

Refusal to be assisted has not been a significant factor in FYROM – As in all IOM missions, IOM FYROM insists on voluntary repatriation. Every potential beneficiary is thoroughly informed about her rights and options and is allowed to change her mind during her stay at the shelter (usually a few weeks) and reverse her decision to be repatriated. However, in reality, the only other practical alternative for a foreign victim in FYROM is deportation by the police. In some cases, this may mean being dropped at the border with Serbia or Bulgaria with no money, enhancing the danger of being re-trafficked.

Because of this lack of alternatives, only a small number of interviewed victims have rejected IOM assistance, in contrast to the situation in neighbouring Kosovo, Albania and BiH. With the preparation of a draft law on aliens, the implementation of a new law on asylum (July 2003), and the on-going implementation of a regional temporary visa project, it is hoped that victims will soon be given other alternatives, if their situation does not allow them to be repatriated.

Deportation from FYROM – According to FYROM law, a foreigner staying in FYROM illegally and in possession of a valid travel document should be handed over to the authorities of the neighbouring country from which he originated and at the border crossing point with that country nearest to the point of illegal entry. If the foreigner is not in possession of a valid travel document and does not originate from a neighbouring country, the embassy of his or her country of origin is officially informed and requested to issue travel documents for deportation. The cost of deportation is expected to be covered by the embassy.

If a readmission agreement with the foreign country exists, the procedure for deportation is performed in full compliance with that agreement. If the foreigner was caught as an illegal migrant originating from a country that does not have a common border with FYROM, and a country which does not have a readmission agreement ratified by FYROM, then the case is referred to the Mixed Border Commission for Resolving International Incidents. In practice, it is reported that deportation from FYROM involves being left on the other side of the border. No provisions are made to guarantee the safety of the deportee, including seeing whether he/she has any money.

²⁸ During its four years of activity, IOM Skopje reports that it has rejected a total of 15 women who were not victims of trafficking. Thirteen (nine Bulgarians, three Moldovans, and one Turk). Two women who were not eligible for IOM assistance were assisted by Open Gate/La Strada FYROM in 2003.

2. Reduction in Bar Raids/ Smaller Number of Victims per Bar

For A Happy Childhood (FHC), a NGO focussing on mental health and operating daily activities and victim support at the shelter in partnership with IOM, believes that fewer victims are brought to the shelter as a result of a reduction in the number of police raids on bars. In addition, according to IOM, the police are raiding several bars at once as part of a single investigation and bringing groups of victims from several bars. Nevertheless, the groups are smaller than in previous years and this may indicate either that there are fewer women and girls held in bars and brothels or that women and girls were not identified by the police as victims and thus were not referred.

3. Increase in Number of Macedonian Woman Involved in Prostitution in FYROM who may be taking the Place of International Victims

A growing number of reports from international victims indicate that they were working with local women in the same locations. Local women are often willing prostitutes working on a seasonal basis, but it is suspected that some are minors and others adult victims of internal trafficking. Police would not refer these women and girls to the shelter as it is only available to international victims. It can safely be assumed that, in some cases, local women are taking the place of foreign victims in bars and brothels, but it is unclear how many women are involved. There also appears to be an increase in the arrival of Bulgarian “seasonal” sex workers, given the growing numbers of Bulgarian victims.

4. More Secretive Methods for Exploiting Victims

As in other countries in the region, such as BiH and Kosovo, it appears that forced prostitution is going underground. While bars and brothels still exist, more secretive methods are being used. Victims are held in apartments or private houses and meetings are organized by appointment. Several international victims who were held in private locations have been assisted but identification of these locations is difficult.

5. Fewer Escapes

The number of victims managing to escape and seek help by their own means is decreasing. In addition, there is a decrease in the number of escapes with the help of a client or friend. In some cases, victims escape to Kosovo and request assistance there. This could be attributed to stronger control by traffickers, but also to a relatively new tendency to move victims around, between FYROM and Kosovo for example, to avoid police inspections and to keep victims disoriented.

Other Trends Identified in FYROM – Changes in Victims Profile and Trafficking Experience

The personal histories of victims are similar to those in other countries: low socio-economic background and severe personal circumstances. There are no significant differences in terms of age, education, and family status. Unlike victims trafficked to other places in the region (Serbia and Montenegro, BiH, Kosovo), victims sent to FYROM (apart from the vast majority of Bulgarian victims) still have no knowledge of their destination or any intention of going there. Almost all victims report that they did not know they were being forced into prostitution, but an increasing percentage did have partial understanding that this might be the case.

Shift in country of origin

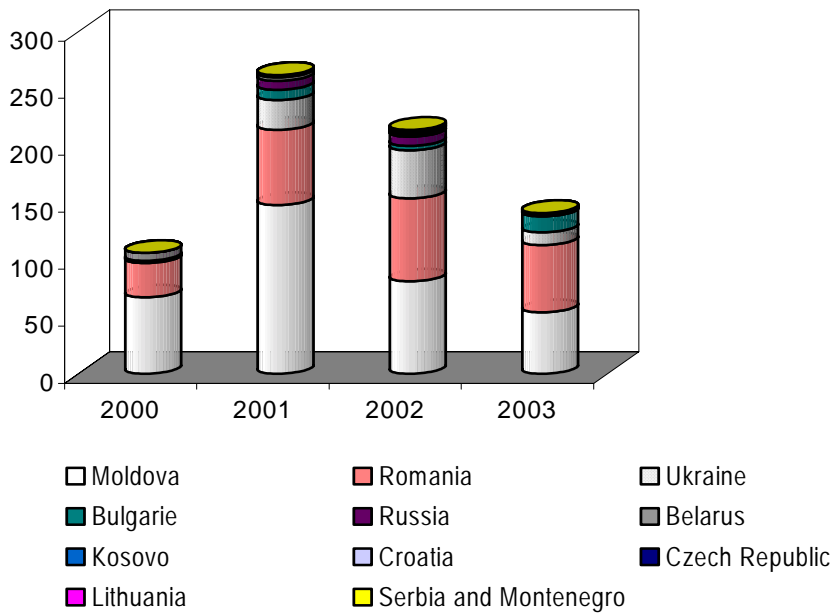


TABLE 12
NUMBERS OF VICTIMS FROM COUNTRY OF ORIGIN

| Origin \Year | 2000 (106) | 2001 (262) | 2002 (214) | 2003 (141) |
|-----------------------|---------------|---------------|---------------|---------------|
| Moldova | 67 | 148 | 81 | 54 |
| Romania | 30 | 66 | 73 | 59 |
| Ukraine | 1 | 26 | 42 | 11 |
| Bulgaria | 0 | 9 | 4 | 14 |
| Russia | 1 | 8 | 8 | 0 |
| Belarus | 7 | 3 | 0 | 1 |
| Kosovo | 0 | 2 | 2 | 1 |
| Croatia | 0 | 0 | 1 | 1 |
| Czech Republic | 0 | 0 | 1 | 0 |
| Lithuania | 0 | 0 | 1 | 0 |
| Serbia and Montenegro | 0 | 0 | 1 | 0 |

While relatively fewer Moldovans are referred to IOM, the number of Romanian victims has increased. The percentage of Moldovans has decreased since 2000 and in 2003, for the first time, Moldovans were not the largest nationality group among the international victims, being overtaken by the Romanians. In 2003, the Romanian group includes four victims sent to

Kosovo who managed to escape to FYROM to seek help from the Romanian embassy and were referred to IOM Skopje.

The percentage of Ukrainian victims doubled in 2002, compared to 2001, but in 2003 only a quarter of the 2002 caseload was assisted by IOM.

The number of Bulgarian victims increased in 2003 from four to 14 and, for the first time, Bulgarians were the third largest group of victims. Bulgarian victims are unique in that several of them had arrived alone in FYROM by bus expecting to work as waitresses, like many other Bulgarian women, but were trafficked after their arrival.

Eight victims from Russia were assisted in both 2001 and 2002, but no Russians were referred to IOM in 2003.

It is clear that fewer victims from more distant countries are identified (or at least referred). This may be due to the fact that travel to FYROM from Moldova and Russia, for example, is more complicated. These statistics may also suggest changes in trafficking routes into FYROM.

Treatment while Trafficked

According to IOM, victims assisted during 2003 had clearly suffered serious abuse. They were more severely traumatized and had suffered more injuries than victims assisted in previous years. A review of IOM statistics reveals that a higher percentage of cases in 2003 include some of the characteristics that strongly indicate trafficking:

Possession of Travel Document or ID

The number of victims without a passport or an ID increased by 27% in 2003, compared to 2002, and was almost as high as figures in 2000. As checking identification is an easy way to detect victims during, or immediately after, a bar raid, this could be an important indicator for the police. Police officers may also be more reluctant to deport women without travel documents and therefore more likely to bring them to the shelter. According to IOM, Moldovan and Romanian victims are least likely to have valid travel documents.

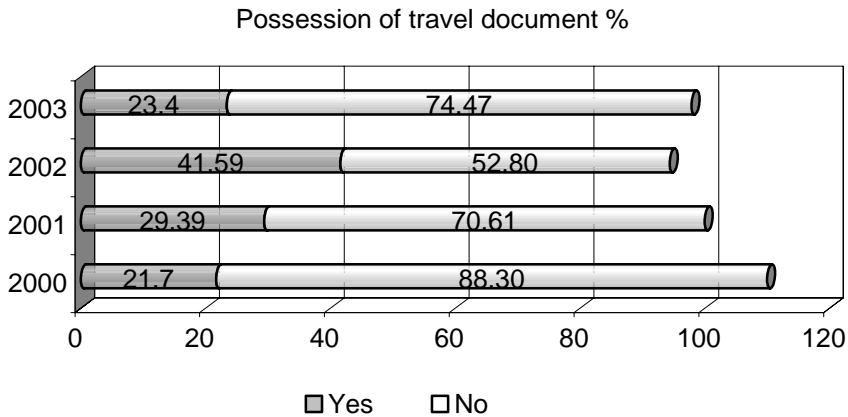
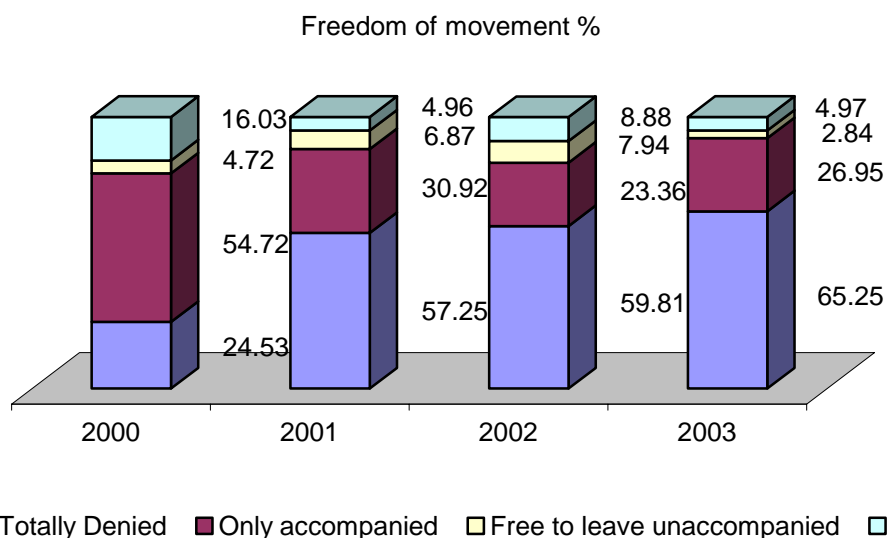


TABLE 13
PERCENTAGE OF VICTIMS ASSISTED
WITH OR WITHOUT TRAVEL DOCUMENTS

| TD/ID | 2000 (106) | 2001 (262) | 2002 (214) | 2003 (141) |
|--------------------|---------------|---------------|---------------|---------------|
| No | 78.30% | 55.34% | 45.79% | 73.05% |
| No - was seized | 50.94% | 34.35% | 9.81% | 31.21% |
| No - never had one | 13.21% | 12.60% | 16.82% | 23.40% |
| No - other | 24.15% | 8.39% | 19.16% | 18.44% |
| Yes to either | 21.70% | 44.66% | 48.60% | 24.82% |
| Yes passport | 21.70% | 29.39% | 41.59% | 23.40% |
| Yes ID | | 15.27% | 7.01% | 1.42% |

Freedom of movement – the majority of international victims in FYROM do not enjoy any freedom of movement. In 2003, there was a 5% increase in the number of victims who reported being denied any freedom of movement, and a sharp drop in the percentage of victims who were allowed to go out unaccompanied. This is especially worrying since more women had lived in FYROM for periods of between one to four years.



Living and Working Conditions – Unchanged

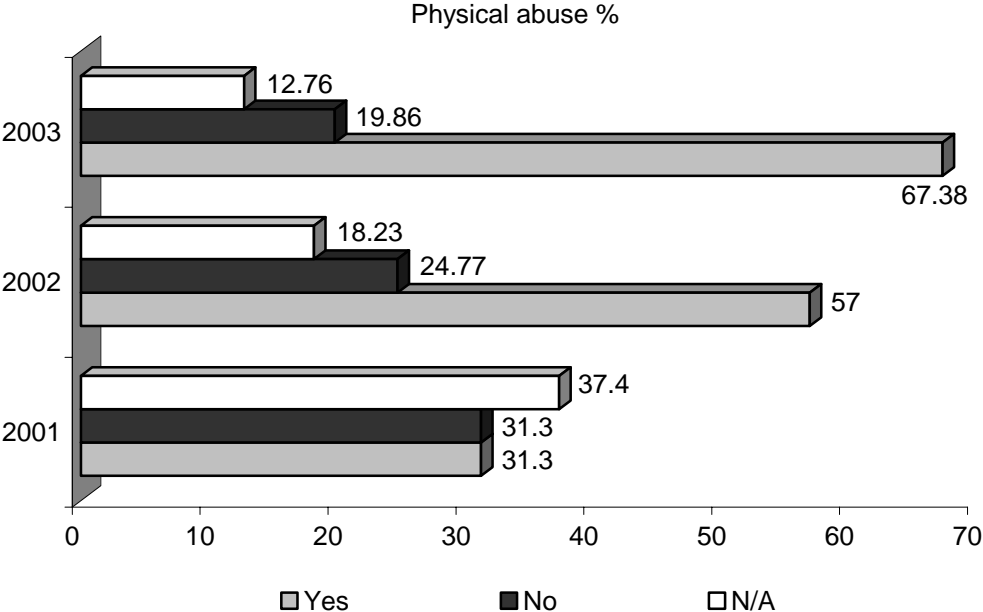
Unlike the situation in Kosovo and BiH, victims in FYROM do not report any improvement in working or living conditions. Women and girls suffer the same abuse and hardship as in previous years, although more are receiving a symbolic payment or a small allowance. Moreover victims are aware that that living and working conditions may be better in Kosovo, whereas in the past, conditions were basically the same. This is important because, in Kosovo and BiH, improvements in living and working conditions are known to reduce victims' interest in assistance and repatriation and their willingness to denounce their traffickers. This is considered a tactic by traffickers, in those countries, to ensure victims cooperation.

Intimidation is still a strong tool for controlling victims, including those who are given limited permission to leave the places where they are kept. They are told that everyone, from the

supermarket cashier to the police, may be connected to traffickers, and that they could trust no one for help. Victims are taught how to answer specific questions from the police to avoid indicating in any way that they have been trafficked.

Physical abuse while trafficked

The percentage of victims who report physical abuse has grown steadily;²⁹ 67.38% of victims were subjected to physical violence in 2003.



International Victims Held and Used by Individuals

As in Kosovo, a growing number of victims are found after being held, sexually abused and often forced into domestic labour by individual men. A total of eight such victims (three Bulgarians and five Moldovans) were assisted by IOM Skopje in 2003. In some cases, the bar owner chooses one of the trafficked women and forms a personal relationship with her. In other cases, the women are also used as waitresses and prostitutes. In one case, the victim testified against her exploiter, and explained that she had considered herself the man’s second wife running a household and no longer being forced to work as a prostitute. Usually the bond between the trafficker and the victim is particularly strong, as the relationship is more personal and she might even be isolated from other victims. Obviously it is much more difficult to trace this type of cases and the victims usually remain with their “owners” for years.

Duration

IOM reports that, in FYROM, a larger number of rescued victims had been held for periods as long as four years. According to statistics quoted above, it appears that, in FYROM, a longer stay does not mean improvements in conditions, such as freedom of movement, as seen in other countries. Also more victims are first trafficked and forced into prostitution in other countries, such as BiH, Serbia and Montenegro, or Kosovo, for long periods of time, before being trafficked to FYROM.

²⁹ Data was not available for the year 2000.

Victim Assistance

Sheltering

The government shelter is an isolated facility guarded by police. Victims are not allowed to leave the building except for court appearances or for medical visits. The police are also present inside the shelter. Daily activities and victim assistance are managed by the local NGO, FHC, in partnership with IOM. Three teams, each consisting of a social worker and psychologist, are in charge of the daily routine. In addition, a medical doctor, two nurses, a psychotherapist and a child psychologist are also part of the permanent team. Since July 2003, six professionals are in charge of educational and recreation activities. Special attention is given to psycho-social support and counselling. Since management was transferred to FHC in July 2002, there has been a constant improvement in the atmosphere and in the services provided for victims. As policewomen are now permanently stationed in the shelter, it is possible to work with them and to improve sensitivity to the needs and difficulties of victims. Cooperation with the MOI includes an on-going process for further establishing standards for the protection for victims' rights. An important step forward was made in September 2003 when it was finally established that victims must be formally summoned for interviews with investigators or to attend court hearings, rather than collected without notice. However, this procedure is still not fully implemented.

Unfortunately, despite efforts by IOM, no staff members from the major countries of origin are included in the team of professionals at the shelter. Although most victims speak a little Macedonian, translation is sometimes needed and it is recommended that interviews be conducted in the victim's own language.

Exchange visits between IOM and shelter staff in Albania, FYROM and Kosovo, have proved very useful. FHC was very impressed with the shelter management methods used in Albania and immediately adopted the "case management" system used there. This has had very positive results so far.

Victims stay in the shelter for a period of between a few weeks and a few months. Those who stay longer are usually witnesses. In the region, only the FYROM government invites repatriated victims to return and testify. In the past these witnesses were accommodated at the shelter during trials. This practice was abandoned by the MOI in order to avoid re-victimization of the witness. Instead, for the most recent cases (in autumn 2003), witnesses were accommodated in alternative secure and secret locations in accordance with the SOP.

Legal Representation

According to the Macedonian criminal code, any person properly summoned is obliged to appear in court. It is the judge who decides whether to allow a testifying victim of trafficking to be represented by his/her own lawyer. In cases when the beneficiary has a pre-appeal compensation claim, her status as a party seeking damages automatically ensures the presence of a legal representative at the court hearing and trial. There are no provisions enabling testimony by video link and victims have to confront their traffickers.

On arrival at the shelter, victims are provided with a document detailing their rights in their mother tongue. More detailed information is provided during personal meetings and legal representation is available on a case-by-case basis. Currently private lawyers, approved by the MOI, are available. IOM Skopje is now designing an enhanced legal assistance mechanism which will be assigned to the women's legal association, Themis. A group of eight trained women lawyers from Themis will provide legal counselling and legal representation for victims of trafficking. They will make use of the case-management model and their activities

will be closely monitored by IOM. The project's launch is subject to MOI clearance of the list of lawyers.

Legal representation for an international trafficking victim in FYROM includes general legal advice, the victim's appearance in criminal proceedings if allowed by the judge, including cases where the victim is invited back from her home country to testify, and representation in claims for damages. Eighteen such claims have been presented so far, though none have yet been concluded. In these civil proceedings, which are quite long and await the outcome of a criminal process, a lawyer is expected to follow the legal case and to report to the victim even after her repatriation. This requirement may raise new challenges to the programme and may require further development of the project and assistance system.

Privacy and Protection

In some cases, victims' pictures and details were widely published by the media. This has placed the victims in greater danger and caused distress and regression in the process of recovery. In light of such events and as part of the Decentralized Institutional and Civil Society Capacity Building Project, IOM Skopje organized a two day training seminar in December 2003 on "The Specifics in the Reporting of Cases of Trafficking in Human Beings", for approximately 30 participants, including journalists from the local and national media working in border areas. The objective was to assess their knowledge and misconceptions on the trafficking phenomena and to provide appropriate training. In addition, as part of a series of training sessions on trafficking in human beings organized by OSCE, IOM and MOI for members of the special criminal police force, an international expert was engaged by OSCE to provide training on "Media and Police" with regard to everyday cooperation between the police and the media.

Re-Trafficking

IOM Skopje reported that, of 262 victims assisted in 2001, 19 had already been trafficked. In 2002, this figure dropped slightly to 17, from a total of 214 assisted victims, and to 14, from a total of 141 victims in 2003. Four victims have been assisted twice by IOM Skopje: two Moldovans assisted in 2003 had been re-trafficked, one Ukrainian was assisted in 2002 and again in 2004 and a Belarus victim was assisted in 2000 and in 2001. IOM Skopje also assisted a Romanian victim who had been re-trafficked after receiving assistance from IOM Sarajevo.

It should be again emphasized that the method of deportation used by the MOI raises serious concern. The probability that deported foreign women will be re-trafficked or, if deported for other reasons, will fall into the hands of traffickers. IOM explained that the MOI did not deport a woman without arranging for her to have a travel document. However, no funds are provided for the journey, and the woman may find herself at the border without any money for her onward journey. In this situation, her chances for a safe return are minimal. Unfortunately there are currently no other programmes in FYROM to take care of the needs of stranded migrants. IOM and the Centre for Social Work are investigating the need for such a programme.

Trafficking in Men for Sexual Exploitation

During 2003, Moldovan and Macedonian newspapers revealed the story of two Moldovan men who had been trafficked in FYROM. The two men were travelling illegally to work in Greece, but were sold to a Macedonian woman. They were forced to work without pay on construction sites during the day and as male prostitutes at night, and they were beaten and

starved to submission. One man was in his early twenties and the other in his mid-forties. The two eventually managed to return to Moldova, where they approached the police and the story was published. One of the men was placed in a psychiatric hospital. This is the first reported case of male trafficking for prostitution and so far there has been no information of other cases. In response to these cases, IOM Skopje conducted a survey in the FYROM homosexual community to assess the risk of trafficking of males for sexual exploitation. The survey's results are presently being analysed.

Macedonian Victims

Internal Trafficking

Information on Macedonians who are trafficked internally is scarce, and mainly relates to young women and girls trafficked for forced prostitution. According to IOM and Open Gate, the MOI has not officially identified internal trafficking as a potential problem requiring attention. Although several victims were considered cases of potential internal trafficking by the prosecutor's office, only one case (the Bitola case) involves the use of investigative procedures under Article 418 (Trafficking in Human Beings) of the Criminal Code. Internal cases thought to involve internal trafficking are usually subject to Article 191 and 192 of the Criminal Code: "Mediating in Conducting Prostitution" or "Enabling Sexual Activities".

Open Gate, an NGO belonging to the La Strada network, opened a hotline in Skopje in September 2002. From the hotline, Open Gate received information on Macedonian women and girls, usually aged 17 to 21, who were trafficked internally. According to Open Gate, victims' families used the hotline to request support for 12 cases during 2003. When families reported that their daughters were being kept in bars or other locations, Open Gate referred them to the police. However, according to the NGO, the police are very reluctant to become involved, especially if the victim was not a minor. Their attitude implied that, if the women or girls were prostitutes or fugitives, they did not need rescuing. In the past, Open Gate has had to ask IOM and OSCE to exert pressure on the police to take action.

In other cases, relatives approach Open Gate after the victim has returned home. Open Gate is able to offer psychological counselling, medical and legal advice, through visits to the victim in her home as there are no facilities for sheltering these victims.

According to information from Open Gate, traffickers identify young women and girls in vulnerable situations, who are very poor and living in dysfunctional or single parent families. They are offered a good job and are usually employed as waitresses in a bar or a café. Once a relationship has been formed, they are moved around FYROM and forced into prostitution. Open Gate reported that Macedonians were trafficked to Gostivar, Tetovo and Skopje. They often enjoy a certain degree of freedom, but are controlled and manipulated, and most of them are unaware that they are victims of trafficking. Relatives and friends would also often consider these girls willing prostitutes, even if they are under-age or unpaid, and no real attempt is made to assist them.

So far there are only 12 cases where parents and relatives knew of the hotline, understood the problem, and took the initiative to call and ask for help. So it is only when the family are supportive and active in searching and rescuing the daughter that such information comes to the surface and family reunification is possible. These cases represent a small part of what is probably a much larger problem.

According to Open Gate, not one of these 12 cases has been investigated or prosecuted.

As mentioned earlier, international victims have mentioned in interviews that they knew of local women (and possibly girls) involved in prostitution. In many cases, these women appear

to be willing prostitutes. However there is no research showing whether there were any cases of trafficked victims. Unlike international victims, it is not known whether these girls and women are referred to other services by the police. International victims report that the local women are not seen again after the raids.

Trafficking of Macedonians Abroad

IOM is aware of eight Macedonian women who had been trafficked abroad:

- Two Macedonian victims were repatriated from Italy in 2001 and 2002 and assisted by IOM.
- A 2002 report by the US State Department on trafficking refers to four Macedonian children trafficked to Belgium.
- In December 2003 a Macedonian minor illegal migrant who had been exploited for sexual services was deported from Greece to Albania and was repatriated from Albania to FYROM by IOM. IOM facilitated the reunification with her family.
- Recently, Open Gate and IOM were informed of one Macedonian victim rescued in Germany. To date, there has no official intergovernmental communication about this case. The victim is currently being assisted by an NGO and is living in a shelter in Germany.

The Ministry of Social Affairs, together with IOM, is currently preparing a programme for assisting Macedonian victims repatriated from other countries.

IOM Skopje has recently completed a survey on street children in Skopje and their exposure and awareness to trafficking in persons.³⁰ Of 122 street children³¹ aged between 5 and 18, 19% had been offered a job abroad, 26% had a friend who worked abroad, and two children said that they had friends who had been trafficked abroad or locally. Fifty-seven per cent of the children had an idea what trafficking meant, but the researcher emphasized that most of them had only a “*poor or misconceived*” understanding what trafficking really involved. Most Macedonian children of Albanian origin thought trafficking was only for prostitution, while most of the Macedonian children of Roma origin only linked trafficking with forced labour. Only 9% knew trafficking could be used for more than one purpose.

ORGANIZED CRIME AND LAW ENFORCEMENT REACTION

There are no official statistics or documents sufficiently valid for providing a precise assessment of the level of organized crime specializing in trafficking in persons in FYROM. However, an analysis of intelligence information from Kosovo and other confidential information collected directly from criminal sources operating in FYROM, especially in the Struga, Tetovo, Gostivar, Velesta and Kichevo areas, certainly suggests that trafficking in persons is growing constantly and significantly in FYROM.

³⁰ IOM Skopje, *Children in the Streets – Street Children in Skopje, Survey on Trafficking Risk*, November, 2003.

³¹ Meaning children living or working on the streets: usually begging, washing car windows and peddling.

Organized Crime Groups

In FYROM, trafficking in persons especially for sexual exploitation is managed by criminal organizations with ramifications penetrating the social fabric at varying levels, in part due to protection available through corruption of certain individuals in various sectors.

One factor contributing to the expansion of trafficking since 1999 is demand resulting from the presence of thousands of NATO troops and other international and non-governmental organizations installed during and after the Kosovo crisis. However, most clients are Macedonians (of all ethnicities) and it should be noted that, even before the arrival of the international community, FYROM provided a sizeable market for the “services” of trafficked victims. Trafficking to FYROM can be traced back to the early 1980s, when numerous groups of “exotic dancers” from Bulgaria, the Ukraine and Russia performed in nightclubs in the Skopje area. These women were in fact victims of the trade at the time, according to information obtained from various sources. This information shows that they were subject to the mechanisms that bind victims to criminal organizations, with the implementation of similar measures for coercion, intimidation, abuse and torture, typical of criminal groups present today and engaged in the trade.

FYROM always played a main role in the region as a country of transit and of destination. Recent intelligence reports indicate that FYROM has become a country of origin as well.

With regard to **international victims**, it seems that victims increasingly travel with valid documents and genuine visas, as in other countries. But in fact, because of poor controls on the borders with neighbouring countries, it is easy for criminal gangs to bring their victims into Macedonian territory clandestinely. In many cases, once the young women and girls have entered FYROM following recruitment, they are initially moved to the southwest region inhabited by the ethnic Albanian population. The members of the largest criminal organizations involved in trafficking in persons in FYROM are from this ethnic group and they cooperate closely with Kosovar criminal organizations run by Albanian Kosovars. Intelligence information suggests that there are more than 250 criminal groups active in the southwest of FYROM.

The report on Kosovo above includes a description of the presence of large multinational organizations composed of Kosovar-Albanian and Macedonian criminals. This pattern can also be seen in FYROM. They adopt common strategies to counter investigative methods developed by law enforcement agencies. One of these strategies is, in fact, to move international victims from Kosovo to FYROM and vice versa to disorient the victims and confound law enforcement agencies, which carry out frequent raids in the locations best known for trafficking.

Areas of Activity in FYROM

As mentioned above, criminal groups specializing in the trafficking in persons are particularly active in the southwest of FYROM. According to testimony received directly from a victim, more than 150 victims from Moldova are forced to prostitute themselves in the various bars or nightclubs in the village of **Velestra** near **Struga** alone. Recently, following pressure from police forces, criminal organizations have preferred to transfer their illegal activities from the large urban centres to areas in the countryside. However, there are a great many places in certain urban centres, such as **Tetovo**, where victims are still trafficked. In Tetovo alone, there are believed to be more than 30 sites in which young local and international women and girls are held. During the summer, the area of **Lake Ohrid** apparently favours the opening of massage centres, bars or nightclubs in which trafficking victims are exploited for sexual purposes.

In the city of **Skopje**, specialised criminal groups seem to have adopted more refined measures. They apparently use escort agencies and taxi drivers involved in the criminal network, to whom the organizations issue orders to bring victims and clients together.

Internal Trafficking

While there is still active trafficking in victims coming mainly from Romania, Bulgaria, Moldova, the Ukraine, Kosovo and Albania, intelligence reports suggest that there are numerous local victims trafficked internally for sexual exploitation, but also for begging and organ trade in bordering countries, such as Greece and Albania.

Internal Trafficking for Prostitution

Well aware of the huge profits generated by trafficking in persons, FYROM criminal groups have begun to recruit Macedonian victims and exploit them inside the country. According to reliable confidential sources, one method used involves escort agencies (which advertise in the weekly publication *OglasnikM*), which have files on local sex workers, many of whom are actually victims of trafficking. Potential clients contact the agencies which then send a woman or a girl corresponding to his preferences. She is usually escorted to the address provided by the client and picked up later. Reliable sources indicate that there are about nine agencies of this type, each with a database of some 900 names of local women and girls.

In many cases, young women and girls, usually students or unemployed, are recruited with the offer of high earnings with sporadic encounters for sexual purposes. They are subsequently bound to the criminal organizations by the threat that their “prostitution” activities will be reported to their families or to the police.

Intelligence reports also reveal that, in some cases, victims are initially induced or forced to use heroin. A criminal source reports that this ensures better “performance” by the victim. Moreover, the criminal organization apparently supplies victims with their daily dose, selling it at extremely high prices. This method also aims at obtaining total submission of the women so that, once they are no longer useful for sexual purposes, they will have to come back to the traffickers to purchase the drug to which they have become addicted.

Finally, according to intelligence sources, there are many cases where, once the victim reveals that she wants to escape, she is subjected to extreme violence involving physical torture or possibly even death.

Trafficking for Begging or Organ Harvesting among the Roma Community

Another problem, which does not seem to have reached the notice of the local authorities, is trafficking within the Roma community. According to reliable confidential sources, it has been discovered that there exists an intense trafficking business between the families themselves who trade children internally for begging. There have also been some reports of trafficking in organs. It appears that demand in Western Europe is easily met through organs supplied by this population in FYROM. In this regard, there are precise reports from international law enforcement agencies concerning Roma children sold for organ transplants and trafficked to Albania or Greece. Little is known of this phenomenon, and it should be noted that there are no general statistics or censuses to indicate how many Roma live in FYROM.

Methods of Transport and Routes

According to confidential information provided from specialised police officers, the methods and routes used by traffickers in FYROM vary, according to the level of criminality reached by the organization.

The option preferred by **high-level criminal groups**, which generally trade in international victims arriving from various countries in the ex-Soviet bloc, is to transport small groups of two or three people, generally escorted by a member of the organization. The groups usually travel with valid documents and genuine visas through air borders, and are therefore not identified at police controls.

As far as the **medium** and **low-level groups** are concerned, their usual modus operandi for transferring international victims is to cross land borders either clandestinely or using false documents. Land transport is still the method used for bringing most victims into FYROM.

According to intelligence from Kosovo, it appears that the human traffic route from the ex-Soviet bloc countries passes through Romania and Bulgaria and ends in FYROM. From here, some of the victims are redirected towards various other Balkan countries.

For victims arriving from Serbia and Kosovo, traffickers use unofficial forest border crossing points, also used by arms smugglers. They dig out mines as they pass and burying them again when their transit needs have been met.

Victims directed towards Greece generally travel with proper documents and valid Schengen visas through Skopje Airport or land border posts.

The Law Enforcement Response

The MOI has established an ad hoc anti-trafficking unit, with branches in the large cities, within the framework of its organized crime bureau. The lack of a central database and of electronic means for exchanging information gives rise to extreme delays in carrying out investigations and to the impossibility of carrying out precise analyses to reveal the current state of this criminal phenomenon.

One unit, composed of 40 police officials and agents, is located in the city of Skopje alone and is responsible for high-level investigations, including investigations into organized crime involving trafficking in persons.

At present the only strategy that the police seem to have adopted is constant raids on places known to be haunts of traffickers or premises where there are prostitutes.

Well aware of this strategy, criminal groups located in large towns, and especially in Skopje, have shifted a large number of victims from public to private premises. They have also alerted their network of corrupt officials to obtain sufficient advance warning of raids in peripheral areas where it is not thought necessary to move victims.

Long-term investigations, involving the use of phone-taps or undercover agents cannot be implemented at the moment, partly because of a lack of adequate technology and partly because of the absence of legislation.

The Proxima Mission

The European Union has established a police mission in FYROM, as foreseen in the 2001 outline agreement of Lake Ohrid. This mission, codenamed "Proxima" works in close collaboration with the national authorities. It was launched on 15 December 2003 and will initially last for one year. As with the European mission in Bosnia, EU police experts have a

mandate for control, guidance and consultancy with the national police, and will not take on operational functions. During this phase, the international officers are busy preparing for the launch of the full mission and have not yet gathered sufficient data for a better understanding of the levels of criminality present in FYROM.

REPUBLIC OF MOLDOVA

GENERAL

The following historical and geographical description is limited to issues and events that play an important role in the increase of traffic in persons in Moldova.

Transnistria

Following the international agreements signed after World War I, Bessarabia and Bukovina were reincorporated into Romania. In 1924, the USSR created the Moldovan Autonomous Soviet Socialist Republic. In 1947, the modern borders of Romania were established with the cession of Bessarabia and North Bukovina to the USSR. These two areas joined the Moldovan SSR to form what is now the Republic of Moldova.

An historical inheritance led to the establishment of Transnistria. Transnistria is a region in Eastern Moldova, between the Dniester River and the Ukrainian border. Its population includes a majority of people of Russian and Ukrainian origin who object to the rapprochement of Moldova and Romania. In March 1992, Moldova declared a status of emergency to counter the separatist movement in Transnistria. Two months later, civil war broke out and, in the early stages, the Moldovan army managed to defeat the separatists. Later, with the support of Russia, Transnistrian troops (mostly Russians and Ukrainians) succeeded in taking control of Tighina and proclaimed the Republic of Transnistria, with Tiraspol as its capital. The Republic of Transnistria is not internationally recognized. A peace accord with the Moldovan government giving the region greater autonomy was signed in 1997.

Trafficking in persons in Moldova is strongly linked with the political situation. The Transnistria region is formally part of Moldova, but de facto is administrated by a secessionist group. In practice, the border between Ukraine and Moldova does not exist, but there is a border between Ukraine and Transnistria under the control of Transnistrian paramilitary troops. The “real” Moldovan boundary runs to the west of Dniester River. As the region lacks the authority of a strong national government, it has become an international transit centre for all kinds of smuggled goods such as drugs, weapons and, last but not least, human beings, according to several intelligence sources.

Economic Situation

Moldova’s economy is based on agriculture and horticulture. It depends on imports of staple goods and products, such as coal, gas, steel, as well as electronic and mechanical machinery. In the transition from a communist system to a free market, Moldova is suffering from a dramatic economic crisis which has contributed to extreme poverty and a very high rate of unemployment. On the other hand, the people can no longer depend on any form of social aid and services similar to those provided under the communist regime.

The combination of these factors has rendered Moldova a major source country. Moldovan women, children and men are trafficked around the world for prostitution, forced labour, begging and petty crime, and, as some reports suggest, for organ harvesting. They are trafficked to at least 33

countries of destination.³² IOM has also assisted 11 women and girls who were trafficked domestically.

Referral of victims to IOM from the Balkans has declined since 2001, though there is no evidence that fewer Moldovans are being trafficked abroad. There is little hope of an improvement in the situation in Moldova, given the lack of change in the primary root causes: extreme poverty, lack of economic opportunities at home, destruction of the family unit, and lack of institutional social support. Moldovan citizens are still being trafficked and the means for trafficking them and their destinations continue to expand.

The action taken in Moldova by international organizations and especially the growing involvement of local NGOs has improved the possibility of reaching victims who could not previously be assisted, but solutions in terms of prevention, still have far to go before the situation improves.

TRAFFICKING VICTIMS AND VICTIMS' ASSISTANCE AND PROTECTION

Moldovan Victims

The number of cases referred to IOM has declined by 20% each year since 2001. This decline can be partially explained by a reduction in the number of referrals from IOM missions in the Balkans and Italy, with the exception of BiH and Serbia and Montenegro since early 2001.³³ However, due to efforts to develop new and different referral mechanisms, IOM Chisinau has assisted victims who were trafficked to other countries, such as Turkey and Russia, where IOM does not operate a return and reintegration programme. In most cases, such victims return to Moldova by deportation or by their own means and are referred to IOM by local NGOs. In other cases, either La Strada Moldova (LSM)³⁴ or IOM Chisinau facilitates their return.

It must be emphasized that, although the number of assisted cases from some countries has increased, and it is only since 2003 that cases have been referred from certain countries, this does not mean that trafficking of Moldovan women and girls to these countries is a recent development. It is rather an indication that referral of cases for assistance is now possible and is on the increase. Also it is important to stress that the referred caseload from countries where there is no appropriate referral system cannot serve as a solid indicator for the number of women and girls trafficked to those countries. In fact, these figures merely show only a few have "found a way" to be assisted.

³²Recent reports by IOM, La Strada Moldova (LSM) and Save the Children Moldova, together with the US Department of State Trafficking in Persons Report of 2003, list as destinations: Afghanistan, Albania, BiH, Bulgaria, Croatia, Cyprus, Czech Republic, Egypt, France, FYROM, Germany, Greece, Hungary, Israel, Italy, Japan, Lebanon, Pakistan, Poland, Portugal, Province of Kosovo, Romania, Russia, Serbia and Montenegro, Slovakia, Slovenia, Spain, Tajikistan, Turkey, Ukraine, UK, United Arab Emirates, USA.

³³ Also Croatia, however the caseload from Croatia – three cases in total – does not affect the regional trend.

³⁴ LSM operates a 24-hour free access hotline; among the callers are parents and relatives of victims who have disappeared or who need repatriation assistance.

TABLE 14
NUMBER OF VICTIMS ASSISTED BY IOM IN MOLDOVA UNTIL MARCH 2004

| Country of Destination | TOTAL | 2000 | 2001 | 2002 | 2003 | 2004 |
|--|-------|------|------|------|------|------|
| FYROM | 352 | 67 | 150 | 82 | 48 | 5 |
| BiH | 253 | 92 | 71 | 76 | 13 | 1 |
| Kosovo | 200 | 72 | 73 | 31 | 21 | 3 |
| Albania | 106 | 67 | 27 | 9 | 2 | 1 |
| Turkey | 87 | 0 | 1 | 4 | 68 | 14 |
| Serbia and Montenegro | 70 | 0 | 17 | 32 | 21 | 0 |
| Russia | 47 | 0 | 0 | 18 | 27 | 2 |
| Italy | 35 | 10 | 14 | 9 | 2 | 0 |
| Romania | 18 | 0 | 1 | 10 | 5 | 2 |
| Israel | 13 | 0 | 3 | 5 | 5 | 0 |
| Moldova (internal and international trafficking) | 11 | 0 | 2 | 5 | 4 | 0 |
| Poland | 6 | 0 | 0 | 2 | 2 | 2 |
| Bulgaria | 4 | 0 | 4 | 0 | 0 | 0 |
| United Arab Emirates | 3 | 0 | 0 | 0 | 3 | 0 |
| Great Britain | 3 | 0 | 1 | 0 | 2 | 0 |
| Croatia | 3 | 0 | 0 | 2 | 1 | 0 |
| Greece | 3 | 0 | 0 | 3 | 0 | 0 |
| Switzerland | 3 | 0 | 0 | 1 | 2 | 0 |
| Pakistan | 2 | 0 | 0 | 2 | 0 | 0 |
| Czech Republic | 2 | 0 | 0 | 0 | 2 | 0 |
| Lebanon | 2 | 0 | 0 | 1 | 1 | 0 |
| Belgium | 1 | 0 | 0 | 0 | 1 | 0 |
| Cyprus | 1 | 0 | 0 | 0 | 1 | 0 |
| Tajikistan | 1 | 0 | 0 | 0 | 1 | 0 |
| Egypt | 1 | 0 | 0 | 0 | 1 | 0 |
| USA | 1 | 0 | 0 | 0 | 1 | 0 |
| Austria | 1 | 0 | 0 | 0 | 1 | 0 |
| Portugal | 1 | 0 | 0 | 0 | 0 | 1 |
| Total | 1,230 | 308 | 364 | 292 | 235 | 31 |

LSM and Save the Children Moldova (Salvati Copiii – SCM) report that they have also assisted victims from a wide range of destination countries. According to LSM, 101 victims were identified and assisted by that organization between January 2002 and March 2004: 19% had been trafficked to Turkey, 16% to FYROM, 10% to the United Arab Emirates, 9% to Serbia and Montenegro, 8%

to Russia, 6% to BiH, 5% to Poland and the remainder to Albania, Cyprus, Czech Republic, Egypt, Germany, Greece, Israel, Romania, Portugal, Slovenia, Spain, Switzerland and Tajikistan.³⁵

SCM reports that they have assisted 74 victims in 2003:³⁶ 29 victims were trafficked to Russia, 16 to Italy, six to Serbia, four to the Ukraine, three to Turkey, three to Romania, three to Poland and the remainder to Israel, Germany, France, BiH and Slovenia. Some of the victims assisted by SCM were boys trafficked for begging, forced labour or petty crime.

Newly Identified Countries of Destination

Different methods of referral are used to assist victims returning from most of the newly targeted destinations. The profile of victims changes according to the country of destination. The discussion in this chapter will therefore focus first on analysing trafficking in major destination countries. Unfortunately, it was impossible to collect information on all newly-identified countries of destination, especially when the number of victims identified is small or where there is only one victim. This report will therefore make only limited references to these countries.

Turkey

During the first three months of 2004, 14 victims trafficked to Turkey were referred to IOM, representing 45% of the total 2004 caseload. In 2003, victims sent to Turkey represented the largest group assisted by IOM with 68 victims, 29% of the 2003 caseload. In 2002, only four cases were referred. LSM also reports this as the largest group identified and assisted by them (19%).

Trafficking in Moldovan³⁷ women and girls to Turkey is not a new phenomenon. Victims trafficked to the Balkans in past years have reported that they were previously sent to Turkey or knew of others who had been sent there. Conditions were described as bad and violent. Victims report that their traffickers and pimps were usually a couple, a Turkish man and a Moldovan woman who spoke their language and made realistic threats that the victim would be found if she attempted to escape home. According to the victims, police were often bribed.

The Turkish Government has started to acknowledge the problem and no longer treat all victims of trafficking as legal migrants and willing prostitutes. It is necessary to create mechanisms for reaching victims trafficked to Turkey. Presently, most victims are assisted only after their deportation or after their independent return to Moldova. Of 11 victims returning from Turkey and referred by LSM, nine were identified via the LSM hotline.

To date, the major source for referral of victims returning from Turkey has been the NGO "Contact" in Gagauzia. Contact has referred 50 victims to IOM for assistance since May 2003, 47 were trafficked to Turkey and three to Russia.

³⁵ 76 cases identified and assisted by LSM were referred for further assistance to IOM, therefore this caseload overlaps.

³⁶ SCM receives victims referred by other NGOs in Moldova and by NGOs and governmental institutions abroad, from its office in Timishuara that offers help for victims deported across the border from Serbia (six such victims were referred in 2003). In 2003 LSM received three direct requests for assistance from victims deported to Moldova.

³⁷ And other CIS nationals.

Case: Gagauzia – identification, referral and assistance in the community³⁸

Gagauzia is an autonomous region in the southern part of Moldova on the border with the Ukraine. Its capital, Cormat, is only 92 km from the Moldovan capital, Chisinau, and its population is estimated at 169,000 (83% of the population are ethnic Gagauzians).³⁹ As in the rest of Moldova, economic conditions are dire and thousands of inhabitants travel abroad to work. Most people from Gagauzia travel to Turkey, with Russia as a less popular option. A quick survey carried out by the local NGO Contact suggests that nine out of 10 families in Gagauzia have one or two adults working abroad, usually parents with young children. In a significant number of families, both parents are away and children are left under grandparents' supervision or totally alone. Illegal job agencies offer travel and job placement in Turkey for approximately US\$200 (US\$100 for the trip in a minibus and US\$100 or more for a job placement). Women are usually offered jobs as domestic labourers or nannies. Women travelling with these agencies usually find themselves abused, unpaid and even trafficked, once they have been placed with an employer. Often they are not allowed out of the house, which is also justified by the fact that they are working illegally. The employer, once in full control, forces them into sexual relations with him or other men, forces them into prostitution, and may sell them to others. In several cases, women ended up in brothels. Families lose contact with their relatives and there is no authority or organization in Turkey available to assist in locating missing persons. In one case, relatives went looking for a woman for two years. They travelled to Turkey and repeatedly visited a house where they suspected she was held. The owner insisted she was not there and that he knew nothing about her until one day they recognized her at the window. Women either manage to escape or are deported by police. Owners may call the police to deport a victim when they want to get rid of her. The women return home traumatized and ashamed, and are reluctant to tell their families what had happened to them.

In some aspects, these victims do not fit the victim profile observed in the Balkans. Assisted victims from Gagauzia are aged between 20 and 42, and the majority are older than 30 and have children. Many are married and return to live with their husbands.⁴⁰ Most victims from Gagauzia live in rural areas where families make a living predominantly from small-scale agriculture. With the exception of three cases, none of the assisted victims worked outside of the family.

Contact is a small but active local NGO which only began working with victims of trafficking in May 2003, after much encouragement from IOM Chisinau. Contact offers assistance to victims who have already returned home by deportation or by their own means. Due to the stigma attached to victims of trafficking, confidentiality is a key element. The NGO does not talk directly with individuals, but informs the public on the dangers of trafficking and options for assistance via a weekly radio programme and other community activities. It also organizes grass roots awareness-raising activities. As information spreads in the small rural communities, victims and, in a few cases, relatives approach Contact for help. This method of initial contact has resulted in 50 victims being assisted in nine months and this high number indicates the wide scope of the phenomenon.

Victims are often reluctant to share their experience at a first contact. It usually takes four to five meetings to understand the whole situation. Contact is using the IOM standard interview form to collect and pass information to IOM. Its two representatives were given a short introduction to interview techniques by an IOM psychologist. The mere fact that the victim can confide in someone neutral helps ease the heavy secret burden these victims carry. Contact offers all the assistance available through IOM. Victims are invited to stay in the shelter in Chisinau and to benefit from the full range of services provided there. Many victims are reluctant to leave their homes and families and travel to Chisinau, as they fear their secret will be revealed. Usually only those in most need of psychological counselling will go and therefore an agreement has been made with local clinics and private doctors for medical assistance in Gagauzia. However, there is no possibility of providing psychological counselling there. Contact considers that, even if a psychologist was available in the region, the women would refuse to approach him/her, for fear of being stigmatized. Options for vocational training and job placement are also available. However, in practice, the best way of finding

³⁸ Information collected during a trip to Gagauzia and discussions with Contact, meeting with a family of a recently returned victim, meeting with an assisted victim, and discussions with IOM.

³⁹ <http://www.unpo.ee/en/members/gagauzia.shtml>.

⁴⁰ IOM statistics show an increase of 8% in married (not separated) victims.

sustainable support for women in this rural area appears to be in the form of micro grants for small agricultural enterprises.

Twenty victims were provided with brief training and financial support (US\$500) to start their own small agricultural enterprises, mainly in pig breeding and chicken farming. The micro-enterprise initiative will be enhanced with more professional training for the beneficiaries and, in the future, the creation of joint ventures for several beneficiaries.

IOM is Contact's sole source of information on trafficking and it has also provided Contact with some training. They have received La Strada awareness leaflets and posters from IOM, but have never met other NGOs working against trafficking and have never participated in national training or coordination meetings where they could share information. They expressed a great interest in meeting other organizations and in learning more.

Another more recent means of referral is offered through the Ukrainian NGOs *Vera Nadejda Liubovi* (Faith Hope Love – VNL) in Odessa, where CIS nationals arrive after being deported from Turkey by boat. Deportees are approached on arrival and, if they agree to be interviewed and are found to be victims of trafficking, they are offered assistance to return to Moldova and further help once there. A similar service is offered to Ukrainian nationals. IOM and LSM visited the location and the NGO in October 2003. LSM estimates that 30% of Moldovan deportees may be victims of trafficking. However, due to the location and conditions of the first contact with VNL, deportees are suspicious and fearful, and therefore reluctant to cooperate. Eighteen victims were referred through this channel during the first six months of its existence.

Deportation from Turkey

One of the worst experiences described by victims returning from Turkey is the time they spend in detention. They complain of constant abuse. The length of their detention depends on their ability to finance their deportation, since IOM is not involved with deportations. People with no money may find themselves spending months in detention. Victims return to Moldova already in debt. If they cannot afford an air ticket to Moldova, they have to pay US\$ 100 for the boat trip to Odessa and from there they must find their own way to Moldova, often without proper papers or money.⁴¹

It is important to emphasize that, while all these ways for contacting victims are highly important, they can never substitute for proper treatment in and systematic referral from Turkey. Women and girls are re-victimized, when detained, and once deported, face a real danger of being trafficked again and suffering additional harm.

Four Moldovan victims assisted recently were reported to have been trafficked to Turkey from the Balkans where they had first been trafficked.

Russia

In previous years, Russia has been identified as a transit country for Moldovan women and girls for trafficking to the Middle East. For the last two years, IOM, LSM and SCM have assisted returning victims who had been trafficked to Russia. A significant number of victims were minors. IOM has assisted 18 victims who returned from Russia in 2002, four of them minors. In 2003, out of a caseload of 22 victims, 12 were minors. LSM has also reported that most victims returning from Russia in the last year were minors, as did SCM. This does not necessarily mean that most victims in Russia are minors. Many victims were referred to these organizations by the Moldovan police

⁴¹ The problems on the Ukrainian-Moldovan border will be discussed later in this report.

after deportation from Russia, as the police are obliged to arrange for a guardian for the child according to the law. Because of this legal obligation to children, they may be more motivated to refer a child, than an adult, to IOM or an NGO. The NGO Compassion, working in the rural area of Costesti, has registered and assisted 47 victims of trafficking, most of them adult women and most having been trafficked to Russia for prostitution. However, interviewed on their return from Russia, minors speak of large numbers of other under-age victims that they have met or with whom they were held in Russia.

Boys and men are also trafficked. Boys are reported to be taken for begging, petty crime and forced labour, while there are reports of Moldovan men being trafficked for forced labour. According to LSM, elderly people and mothers with babies are also reported to be trafficked for begging to *Russia, Czech Republic and Poland*. CSM reports that boys are trafficked for agricultural work in *Russia and in the Ukraine* in the summer time.

There are reports that trafficking is carried out and controlled by Moldovans who are also pimping victims in Russia. Some traffickers are gypsies, especially those trafficking children for begging and petty crime. Trafficking children is considered to be easy, as only a birth certificate is needed. This does not carry a picture, a situation which allows traffickers to use the same certificate for several children. In some cases, traffickers pretend to be the child's parents but, in other cases, parents provide a notary with letter of permission, which can be shown at the border. Parents might be paid as little as US\$ 100 and might not know the real occupation planned for their child. SCM claim that the border police should not accept such letters, especially since parents are forbidden by law to delegate their parental rights.

Two methods have been reported for forced prostitution:

- Private apartments with five to eight victims held together. The traffickers/pimps live with them and control their every move. Clients arrive and use the victims in the apartment. Victims reported seeing police being bribed.
- Street prostitution. For example, 30 girls were kept in two crowded apartments sleeping on the floor. They would be loaded in an overcrowded minibus and driven to an area where clients would come to the minibus. One victim said conditions in the minibuses were as bad as going with the clients. The minibuses were overcrowded and the girls could not breathe. Those working on the streets theoretically have a chance of escaping, but they fear their traffickers. The young girls are intimidated by the big city and they are told that the police will not assist them. Street prostitution exposes the victims to extremely violent clients. A client may take a victim with him and force her to serve a large group of men. Drug addicts are frequently among the users of street prostitutes in Moscow.

N. was trafficked at the age of 15 and forced to work on the streets in Moscow. One day a man paid the trafficker for an "appointment" with her and took her to a dormitory of migrant workers. The men were drunk and she was raped for a full day. At times, she fainted and woke up still lying in the same spot and still being raped. Eventually a man gave her some money and helped her escape. When the psychologist asked her what she did with the money, she said she bought sweets and a Hans Christian Anderson story book.⁴²

There is no referral mechanism from Russia. Victims are referred by Moldovan police or by Moldovan NGOs after their deportation or independent return. There are reports that illegal travel from Russia to Moldova costs US\$ 500. A victim who managed to escape went to the Moldovan Embassy in Moscow. A policeman asked her for the name of her trafficker and then called him to pick her up. In some cases, victims managed to escape and return to Moldova where they gave the

⁴² N. has been assisted by IOM Chisinau.

Moldovan police information on the location of other victims. The police cooperated with the Russian police and the other victims were rescued and repatriated.

In 2003, SCM assisted six Moldovan children, all under the age of 14, who were sent to Russia where they were eventually placed in state centres and institutions. The centres only heard about SCM from a rumour. They managed to contact the organization and request assistance in repatriation and reintegration of the children. Some institutions were unable to finance the child's trip to Moldova, which was paid by SCM.

According to IOM and the NGOs, the Moldovan public has been warned about people being trafficked and sent to the Balkans. However, visas are not required for travelling to Russia and the idea that such a journey might be dangerous is difficult to understand for many Moldovans. Victims report that they had heard of the dangers of trafficking, but did not conceive this would happen in Russia.

Ukrainian-Moldovan border

Victims returning by boat from Turkey via Odessa and those returning from Russia have reported verbal, physical and sexual abuse, including rape, by border police on both sides of the border. Women and girls who do not have the right papers or money are humiliated and expected to pay with sexual services. Victims have also reported to offer sexual services to railway workers because they did not have money to buy a ticket.

Poland

Almost all victims in Poland were trafficked by Moldovan citizens. Most were gypsies exploited for begging, one of whom was a minor. Three travelled to Poland legally. None of these victims was ever paid. Four victims were referred by LSM after an initial contact was made through the hotline. Two returned by their own means and were referred by NGO Compassion.

In one extraordinary case, an entire family was trafficked. They were promised employment in Poland and the traffickers purchased passports and bus tickets for them. Once there, they were told that they would be begging on the streets with their young handicapped son, who had lost his leg as a baby. When the family refused, the traffickers promised to take the boy to a hospital to arrange for prosthesis and they took the boy away for six months. The parents were desperate but feared deportation if they approached the police. They struggled to survive in Poland and received occasional telephone calls from the traffickers. Finally, they approached the Polish police who located and rescued the boy who had been forced to beg on the streets. The family was then repatriated but the boy has suffered great psychological trauma.

United Arab Emirates (UAE)

Ten cases handled by LSM involved women and girls trafficked to the UAE. Three victims were assisted by IOM and are practically the only source of information regarding trafficking in the UAE.

Women and girls are exploited for sexual services in the UAE. They usually travel legally by air from Chisinau or Odessa and are held in apartments in Dubai. They are closely monitored and are not allowed to contact anyone. Their traffickers and guards during the journey and on arrival in the UAE are Moldovan or Russian speakers and not locals. From their reports, and LSM's impressions, it appears that the number of women sent to Dubai is very high, and victims reported that they waited in a huge crowd of Eastern European women to go through customs and passport controls

before being allowed to leave the country. Of course, this does not imply that all Eastern European women in the crowd were victims of trafficking.

There is no referral system for victims in the UAE. Through its hotline, LSM received several calls from parents searching for help in rescuing their daughters who had been trafficked to the UAE. Apparently there are no governmental authorities or NGOs available to assist victims. Also, migrants who overstayed their visas (and illegal migrants) are required to pay US\$ 16 per day after the expiry of their visa. Without this payment, which can easily amount to impossible sums of money for a Moldovan trafficking victim, they are not allowed to leave unless they can justify their illegal stay in the country. To receive permission to leave, victims are obliged to provide full testimony. It is unclear whether anything is done to secure their safety. Besides the testimony, complicated bureaucratic procedures involving several documents and stamps must be obtained before permission is given for leaving the country.

One of the victims assisted by IOM was referred by a judge in Moldova. She had approached the judge seeking help as she was deported from the UAE after being caught without a visa. She was taken to detention with her six month old baby, but the baby was taken away from her during her detention and she never saw him again. The woman was desperate, but it is unclear how she could be assisted in this matter.

LSM mention only one contact person in Dubai, a police officer who works for the Human Rights Department in the police force. He is willing to assist victims referred by LSM and to obtain the right documents for leaving the country. However, as this is only one police officer, this assistance cannot be used in a systematic, larger scale.

Israel – Decrease in Trafficking of Moldovans Reported by Israeli NGOs

Israel is not a recently identified country of destination. IOM has assisted only 13 victims deported from Israel in the last three years. According to NGOs in Israel, up until 2003, Moldova was a primary country of origin for victims trafficked for sexual exploitation. Between 2000 and 2002, the Israeli police deported 1,004 victims, of whom 48% were believed to be Moldovans. Current information from Israel states that the number of identified victims from Moldova has declined. The majority of victims now found in Israel come from Uzbekistan, which could indicate a change in route for Moldovan victims.

Even though numbers could be reducing, it may be useful to establish a proper referral system with Israeli authorities and NGOs to ensure that every victim has access to full information and an option to choose assistance prior to deportation.

Romania

While Romania is a known transit country for victims from Moldova en route to the Balkans or Western Europe, it is now also considered a country of destination. Moldovan women and girls are trafficked for forced prostitution in Bucharest and Ploiesti. Victims have been identified via the LSM hotline.

Internal Trafficking and Prostitution

IOM has assisted 11 victims of internal trafficking in the last three years. In most cases, young girls from rural areas are brought to the cities, usually the capital, and forced into prostitution. The NGO Compassion has reported that victims are taken from small villages to Soroka and Costesti,

exploited there and later trafficked abroad. Compassion also reports two cases of children being prostituted by their step-parents.

Changes in Profile⁴³

The profile of the Moldovan trafficking victim has changed in 2003 in several ways:

Age – More Older and Younger Victims

In line with new trends, including referral of victims from the Gagauzia region, IOM statistics show that the percentage of assisted victims over 30 years of age has almost tripled from 4.56% in 2002 to 12.64% in 2003. The percentage of minors has almost doubled between 2002 and 2003, which can be explained by the growing caseload returning from Russia.

Residence – More Victims Coming from Rural Areas

In 2002 only 36.93% of victims came from the rural parts of Moldova, whereas in 2003, this proportion increased to 52.25%. This is the result of more cases being referred by NGOs active in specific rural areas (Gagauzia, Costesti) and is not proof of a change in trafficking patterns. However, reports from NGOs indicate that Moldovan traffickers are more actively recruiting women and girls in rural areas for internal trafficking and are later sent abroad.

According to the IOM psychologist, an increasing number of assisted victims, perhaps up to 30%, were raised in State institutions (called *Internats*). This trend has not yet emerged from the statistics, due to the mode of questioning.

Martial Status – More Single, More Married

There is a 10% increase in the number of single victims. This is understandable given the increasing numbers of minors. There is also an 8% increase in married women (i.e., who are not separated from their husbands), which can be attributed to the caseload from Gagauzia.

Mothers – 20 Victims Returned in 2003 with Babies or Gave Birth after Repatriation

The percentage of mothers among the victims is almost unchanged. In 2003, however, IOM received an unprecedented number of 20 victims who returned to Moldova near the end of their pregnancy or with a baby born while they were trafficked. These victims, usually in their early twenties, have been trafficked for long periods of time. Many of them return from the Balkans. Some were held in brothels, while others lived with one man, either a boyfriend who rescued them from the brothel or an “owner” who kept them for his personal use. In spite of the fact that the children were conceived as a result of rape and forced prostitution, none of the mothers wished to give up their child for adoption. Considering the trauma that the mothers have suffered, much counselling and guidance is needed to improve their attitude towards motherhood.

Family Economic Situation – Less “Poor” More “Very Poor”

The percentage of victims defining their family economic situation as “very poor” has increased from 11.20% in 2002 to 36.94% in 2003. Meanwhile, the percentage of victims defining their

⁴³ IOM Chisinau started using the Mimosa database in mid 2002. Statistics in this report, provided by IOM Chisinau, therefore include only 241 victims assisted in 2002 out of the total caseload of 292 in that year.

family economic situation as “poor” has declined, from 64.74% to 36.03%. There has been a slight increase in victims defining their family economic situation as “standard”, from 19.5% to 22.93%.

Reason for going abroad – New victims being forced to leave Moldova; more victims have an idea of possible sexual exploitation

With a small reduction from 90.45% to 88.74%, “work” is still the main reason why victims leave Moldova. In 2003, 4.5% of the caseload (10 victims) indicated that they left Moldova against their will. No such cases were reported in 2002. This is an alarming indication of a new form of trafficking from Moldova and coincides with reports that internal trafficking leads to international trafficking and that children are being trafficked to Russia.

On the other hand, although the vast majority of victims still did not know about the possibility of sex-related activities prior to their departure (down from 81.32% in 2002 to 71.17% in 2003), more victims indicated that they had a partial idea that they might become involved in sex-related activities: rising from 3.32% in 2002 to 10.36% in 2003.

Exploitation while trafficked – trafficking for domestic work, begging and stealing

Generally speaking the same percentage of the victims (70%) were still used for sexual purposes, though a few other victims stated that they had worked as dancers/entertainers or waitresses. However, there was a sharp increase, from 0.85% (1 victim) to 4.4% (10 victims), in the number of victims trafficked for domestic work. A new group, 4.4% of the 2003 caseload, were trafficked for begging and stealing. In some cases, girls sent to Russia for begging during the day were forced to work as prostitutes at night.

Freedom of movement and access to medical care – more restricted

There was an increase of approximately 10% in the number of cases where victims were denied any freedom of movement or were only allowed out while accompanied. In addition, access to medical care was also more restricted.

Period of time abroad, change in situation

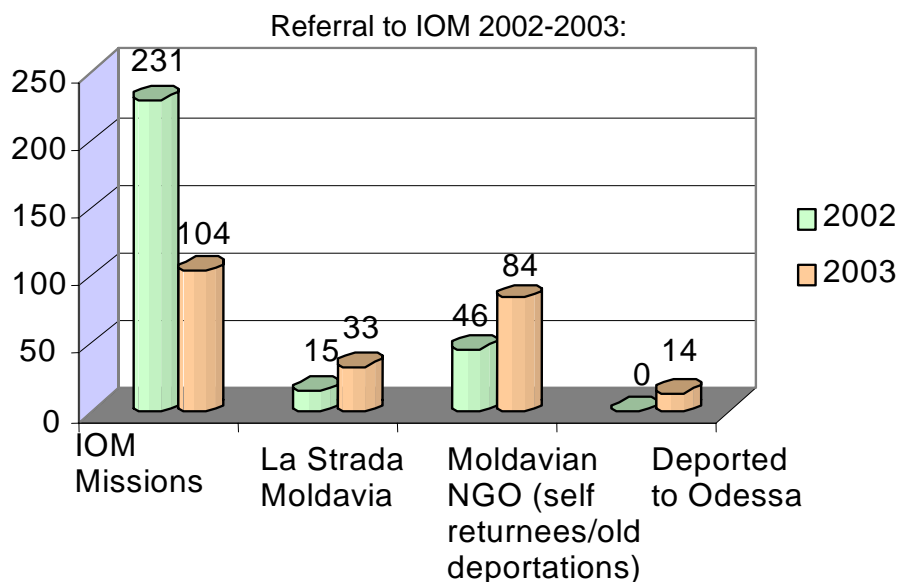
As reported for Balkan countries, victims assisted in the past year had usually been trafficked for several years and this was also true for victims sent to the UAE. Some, especially those returning from the Balkans, had received modest salaries or allowances. In the Balkans, many Moldovan victims were repatriated after living long periods of time with a man who either rescued them or bought them from the brothel. Although living with a man, the victims were still required to hide as their stay was illegal. They often suffer domestic violence. In some cases, victims decide to leave and return to Moldova; after realizing the relationship would not develop into marriage or another form of commitment.

Mental and physical condition upon return

According to IOM shelter staff, fewer victims are returning with acute physical injuries but more victims are found to have severe mental disorders and post-trauma stress-related symptoms. Addiction to drugs and alcohol has increased, and in 2003 five assisted victims were addicted to drugs and 15 victims were dependent on alcohol.

Since the beginning of the project, IOM Moldova has assisted five victims who were HIV positive, all of whom were infected while being trafficked. Four of them had become drug dependent during their time as victims of trafficking. Medical care has been made available to these victims by UNAIDS since 2003. One victim, who returned from Kosovo, has given birth to a healthy child.

Referral



As mentioned earlier, more victims currently assisted by IOM were not referred by IOM missions and are not rescued by law enforcement agencies in the countries where they had been trafficked. Most were referred by Moldovan NGOs, such as Contact and Compassion, which work with rural communities, while others were referred by the Centre for Prevention of Trafficking in Women, a section of the Moldovan Association of Women Lawyers. According to LSM, 65 of the 76 victims referred to IOM by that organization since 2001 came to LSM’s attention through its hotline. In some cases, IOM Chisinau and/or LSM assist the rescue and repatriation of victims from abroad. Another new method of identification is to screen deportees from Turkey arriving by boat to Odessa.

Thus increasing the efficiency of these methods depends in large part on the victim or her family making the first contact with the organizations. The public must be continuously informed about the existence of such assistance. IOM and LSM are working on finding new ways to spread information. LSM has indicated that training and enhanced cooperation with local NGOs around the country has resulted in an increase of the number of local NGOs referring victims or parents looking for their missing daughters to the LSM hotline in 2003. Another inventive initiative for increasing public awareness is a new pilot project set up by IOM in cooperation with the Ministry of Interior and at border services. Moldovans receiving new passports are also given an information leaflet with advice on trafficking and the telephone number of the LSM hotline. Similar information leaflets will be given to Moldovans passing through border control at the airport and land checkpoints.

IOM is also developing a much needed training programme for border control officers on better identification, treatment and referral of potential victims identified at the border, either while they are trafficked out of Moldova or on their return into the country.

LSM is trying to reach an agreement with the Ministry of Foreign Affairs whereby LSM leaflets will be distributed in Moldovan embassies and consulates.

These methods however do not remove the need for **rescue and assistance work in countries of destination**. The methods discussed above can only assist victims who find their way back home or find means to contact the outside world. Only through return and reintegration programmes implemented side by side with a strong commitment by local police in the destination countries can large numbers of victims be **rescued**.

The psychologist at the IOM shelter points out that a victim arriving in Moldova after spending a few weeks in a safe and supportive environment in a shelter prior to repatriation has a better chance of a successful reintegration. Victims are usually very suspicious and have very little expectations to be able to rebuild their lives in Moldova and, if they are not given support and understanding, they may more susceptible to offers to travel abroad again on their return.

IOM Reintegration Assistance

Sheltering, Medical, Psychological and Legal Assistance

The IOM shelter, located in a state medical facility in Chisinau, can accommodate up to 36 beneficiaries and offers short-term accommodations for assisted victims, usually for the duration of their medical treatment. The average stay is three weeks, but in special cases victims are accommodated for longer. In view of the increase in referral of minors, mothers and babies, and pregnant beneficiaries who have special needs and often require a longer stay, it was decided during summer 2003 to separate the shelter into two wings: an adult wing which can accommodate up to 24 beneficiaries, and a minors/mother and child wing which can accommodate up to 12 beneficiaries plus babies. Most victims who receive repatriation assistance stay at the shelter for the first night and are given the possibility of going home and returning for further assistance, primary medical check-up and medical care, psychological counselling and social assistance.

During the first six months of operation, the minors and mother and child wing sheltered 25 minors, 30 mothers and 35 children.

At the same facility, victims who had already ended their stay in the shelter were able to return and receive further assistance, such as additional medical care and counselling, legal assistance (IOM employs both a criminal lawyer and a civil lawyer for this purpose), advice and enrolment to vocational training courses in different vocational schools, and further social assistance.

Beneficiaries who are unable to return home receive help for renting apartments, but the rent subsidy is limited to no more than three months. Almost all beneficiaries return home, many to the same abusive circumstances as before leaving. Additional aid, such as counselling for couples, can be provided. There is still a great need for a separate long-term safe house or a semi-independent living facility to allow victims to rebuild their lives and avoid returning to an abusive family.

Mothers with newborn babies are offered accommodation for up to a year, but it is unclear how well those mothers will manage after that time. IOM has already placed one small group of mothers with babies in an apartment where the women can help each other and deal with daily problems together.

The IOM psychologist has also pointed out that, currently the psychological assistance provided to the beneficiaries can only be considered first aid. Beneficiaries arrive in a critical state and are often treated for extreme symptoms, such as aggression and deep depression. After years of trafficking, constant abuse and terrible living conditions, victims are returning with personality changes. A

healing process can start only a few months after arrival and long-term systematic counselling is necessary for real mental rehabilitation.

Vocational Training and Job Placement

The greatest reintegration challenge is assisting beneficiaries in finding a long-term means to support themselves. IOM encourages beneficiaries to enrol in vocational training courses or to continue their education. A small monthly subsidy is provided for beneficiaries while they participate in such courses and IOM purchases the necessary materials. The cost of the courses is often covered by the Ministry of Labour. One problem encountered in this regard is the lack of accommodation for beneficiaries who cannot attend courses while living at home. IOM has recently facilitated the creation of a dormitory for IOM beneficiaries in a leading vocational training school in Chisinau. The dormitory can accommodate up to 16 beneficiaries who participate in a wide array of vocational courses offered by the school. This is an interesting new approach, which will also allow IOM to continue close contact and provide further support to such beneficiaries, and it is available mainly for minors.

Long-term job placement is an acute problem, as can be expected. In accordance with an IOM agreement with the Ministry of Labour and the unemployment office, job placement is possible, but the salaries paid, usually in the range of US\$ 25-30 per month, are often too low for a beneficiary to be able to support herself. Some beneficiaries use their newly acquired professions to find legal work in neighbouring countries.

Micro-enterprises

IOM is involved in two programmes to provide micro-grants for small businesses.

Cooperation with Italian Consortium of Solidarity (ICS)

In July 2002 ICS, in cooperation with IOM, implemented a micro-grant project for victims of trafficking and is now selecting candidates for the second cycle of grants. In the first cycle of grants, 23 beneficiaries, proposed by IOM according to ICS criteria and screened by ICS, participated in a one week business training course. Twenty-two projects were proposed, 18 of these projects are still operating and include second-hand clothes stores, hairdressing salons, cooking services, and even a greenhouse. ICS and IOM stress that suitable candidates are not easy to find. A beneficiary must be integrated into the community before she could start a small business, and therefore ICS is focusing on beneficiaries with 6 to 12 months in Moldova after their return, and preferably with a supportive family. Many beneficiaries are not interested, and drop-out rates during the selection process are quite high. One of the difficulties identified during the first cycle was the total absence of social services support, and various personal difficulties, such as a sick child needing medical care or a violent husband, can diminish a beneficiary's chances of success. Longer psychological and social support is very much needed. Together with local partners, ICS operates a similar project for women and girls at risk as a prevention measure.

Gagauzia initiative

IOM sponsors US\$ 500 grants for beneficiaries from the Gagauzia region who are assisted by IOM via Contact. Twenty beneficiaries have already received such assistance and all their micro-agricultural enterprises (pig breeding, chicken pens etc.) are established and operating. Each beneficiary participated in a one-day business training course. Contact is seeking to extend the training and to develop this model of assistance further, based on the first experience. Contact see added value through sponsoring joint ventures by groups of beneficiaries to allow them to open small cooperatives and work away from home.

Monitoring

Monitoring is a crucial tool in following the success of the reintegration programme, preventing re-trafficking and accommodating the evolving needs of beneficiaries. Currently, each case is monitored for a period of one year, but, if necessary, this can be extended. With moves towards longer reintegration assistance, it is suggested that existing monitoring practices be re-examined. Due to its large caseload, IOM finds it difficult to monitor the situation of all beneficiaries regularly and systematically. Since the creation of a separate minors/mother-child wing, this unit has monitored its own cases. Thanks to additional personal attention, they were able to provide monitoring for each beneficiary for the first six months of activities and this has proved to be much more effective. All but one of the 55 beneficiaries (minors and mothers) are still in contact with the centre. IOM reports that there is an immediate need for additional staff to deal solely with monitoring. Additional personnel should be based in the shelter, so that they can become acquainted with beneficiaries before they leave. Monitoring in Moldova is impossible to implement merely by telephone calls, as many beneficiaries cannot be reached by telephone and it demands field visits and travelling long distances. The existing shelter staff cannot be expected to carry out this task systematically. As most beneficiaries fear stigmatization, many are reluctant to cooperate and inventive methods have to be applied. It is important to develop these further to encourage the women and girls to stay in contact.

Re-trafficking

Re-trafficking is a very common phenomenon in Moldova, victims report that they have attempted to leave the country soon after returning from one trafficking experience, despite the risk of immediately falling into the same trap. Moldovan victims often have little faith in their ability to support themselves or their families and also do not believe in themselves or in their ability to change their lives. Even those directed to IOM often do not believe any assistance could change their situation and are not motivated to participate in a reintegration programme, as mentioned earlier in the report. Beneficiaries who spend some time at IOM shelters in destination countries (i.e. in the Balkans) are usually more motivated and arrive with a more positive attitude than victims who were not prepared prior to arrival in Moldova. There are no statistics to allow a comparison of re-trafficked victims who were not assisted with those who have been assisted. There is also no exact information on how many victims assisted by IOM were trafficked again. The IOM psychologist has estimated that 25% of victims assisted since the beginning of the project have been re-trafficked. During 2003, six victims received assistance from IOM Moldova after being repatriated for the second time, four other victims were repatriated again but refused further assistance. The IOM psychologist observed that women who suffer domestic violence at home are likely to be trafficked again. Since they suffer abuse at home, they are soon ready to take their chances again. There are no easy solutions. Long-term support, longer psychological assistance, more income-generating opportunities, alternatives to a return to a violent or dysfunctional home and close monitoring are expensive tools but would lower the probability of re-trafficking.

ORGANIZED CRIME AND LAW ENFORCEMENT REACTION

Trafficking in Persons in Moldova

Trafficking in persons in Moldova has reached huge proportions and is still growing year by year.

Moldova is a traditional country of origin for trafficking. The usual destinations are Western European countries such as Germany, Italy, Belgium, and the Netherlands, but also Turkey, Greece, Israel, the Balkans region and many others. In recent years, new countries of destination have been identified such as Russia, Lebanon, Syria and the United Arab Emirates.

Russia, and Moscow in particular, has emerged as a destination country, in part because of its recent economic development, but also due to high demand and easy movement between the two countries. The high price of local Russian prostitutes encourages traffickers to offer a cheap alternative by bringing women and girls from Moldova.

Furthermore, Moldova is now a transit country for women and girls coming from Romania, Ukraine and other Eastern European countries and the former Soviet republics and this phenomenon is expected to increase dramatically in the near future. An analysis of the evolution of trafficking routes in recent years suggests that, whereas in the past Hungary was a crucial distribution point for victims being trafficked to Western Europe, Moldova is now emerging as a major hub. Various factors favour this development: a high propensity for corruption, the border situation, the relative facility for the production of real and fake documents.

To a lesser extent, Moldova is also a country of destination for trafficked victims internally and from neighbouring countries. In the last three or four years, Moldova began offering sex tourism facilities more cheaply and closer than famous sex tourism locations in the Far East. The luxury of the local market is offered mostly to clients from Turkey.

Moldovan victims are mainly trafficked for sexual exploitation and forced labour. But trafficking for organ harvesting and selling of children are equally present and expected to increase in the future.

Organ Harvesting

To improve their standard of living, Moldovans are turning to the illegal market in transplants of human organs, especially kidneys, for which there is great demand in Turkey as well as in Italy. In some villages, the tendency of going abroad to sell organs is increasing dramatically. There are indications that, in some remote villages, a worryingly number of locals are lured by rumours of easy money from selling organs and offer themselves to local criminals for organ harvesting.

On use of children for organ transplants, no additional information was collected during interviews for this report, despite strong indications from various sources about the alarming extent of trafficking. It appears that the relevant institutions avoid discussing this problem, while the criminal networks analysed during the survey are not involved in this crime, being more specialized in other forms of trafficking.

Methods of Trafficking

The recruitment of women and girls into forced prostitution is carried out several ways, including false promises of work abroad and payment of a stipulated price to their family.

Low and medium level organized crime groups may also recruit victims by means of debt bondage, created initially by the cost of the journey.

Travel and Employment Agencies

Some travel and employment agencies in Moldova are actively involved in trafficking in persons out of the country. These travel or employment agencies, working both legally and illegally, recruit

young women through announcements published in specialized magazines or newspapers. Such agencies also operate as mediators between organized crime groups and relevant governmental authorities responsible for issuing working documents, as well as passports and travel documents. Some agencies work with local and international organized crime groups: for example, an organized crime group in Kosovo is known to be working closely with a specific travel agency in Chisinau.

However, reliable sources indicate that several of these agencies are managed directly by traffickers or often by their wives.

In order to work abroad, it is necessary to obtain authorization from the Moldovan Ministry of Labour. The Ministry has delegated the necessary paperwork to certain job agencies but confidential sources indicate that documents can be purchased.

Moldovan police have taken action against some travel or employment agencies involved in trafficking. Often, however, agencies later re-open under another name and sometimes even on the same premises.

Training Centres

Certain high-level criminal networks have developed their activities in trading women and girls for the sex industry to the point where they have established proper training centres. In some nightclubs in Chisinau, women are trained to dance and serve customers before being trafficked abroad. Although the key role played by Moldova as a country of origin is well known, this information illustrates the alarming level of specialization and economic management reached by organized crime dealing with trafficking in persons.

These training centres are managed by both Moldovan and foreign criminal networks operating the high end of the scale. The owners of these nightclubs are local criminals capable of obtaining valid operating licences easily and working in close collaboration with foreign criminals, particularly for transporting and trafficking victims out of the country.

According to information obtained during this survey, once “trained” the victims are trafficked to various countries, such as Lebanon, Syria, Egypt, United Arab Emirates and Russia. Traffickers recruit future victims for training in Moldova as well as in the neighbouring countries of Romania and Ukraine. The women arrive at the centres because they are looking for job opportunities abroad. They are usually aware that they will be working in the sex industry, but ignorant of the possible conditions of exploitation and abuse in the country of destination.

It is not possible to ascertain the exact number of clubs involved, nor the number of victims trained in them. However, information from various sources indicates that there are several training centres currently operating in the city of Chisinau and that a centre can recruit and train up to 50 victims at any one time.

Training takes place in two phases and usually lasts two months. During the first month, traffickers carry out an “assessment” of the potential victim which involves a medical check-up and psychological evaluation for developing her capacity for working in the planned destination. The future victims are taught how to behave with customers to obtain the most profit, including what to say and do and how to offer additional sexual services for an extra fee not agreed upon at the beginning.

It should be noted that, during the initial phase of training, traffickers treat victims in a gentle and sympathetic way in order to obtain their trust before embarking on a phase of deception and manipulation. In this way, victims in training do not suspect the real objectives of the traffickers.

Traffickers invest money in order to produce the necessary travel documents and visas for the victim, planning her trip to the country of destination, choosing the best route and modes of transportation.

According to criminal sources, traffickers provide victims with valid passports with real visas for their destination country, using corrupt officials in the Moldovan public administration and often with the complicity of certain foreign embassies. According to these sources, the process of obtaining documents is relatively easy, as a passport can be provided in less than two hours. Other documents, such as visas and fake certificates, take not more than a few days.

Methods of Transportation and Routes

For transporting the women, usually buses, cars or other road vehicles are used. Trains and airplanes are used more frequently than in the past, due to the new tendency of trafficking victims by legal means to certain destinations. The high-level criminal organizations have a network of members in the various transit countries and in the destination country. Sometimes traffickers go through the normal border checkpoint using real, fake or falsified documents. Use of completely fake documents is risky, and some traffickers prefer to obtain genuine documents.

However, traffickers still take many victims across national borders illegally and avoid police checkpoints. Crossing of the green border normally takes place at night.

Due to the difficulties and risks involved in crossing Western European borders, the favourite route from Moldova is through countries such as Russia, Czech Republic, Ukraine, The Former Yugoslav Republic of Macedonia, Kosovo and Albania. It is only later that criminal organizations redirect their victims to Western Europe, some going as far as Spain and Portugal.

For trafficking to countries in the Middle East, the preferred routes are through Ukraine and Russia. After a stay in these countries while travel documents are prepared, victims are sent to the Middle East countries using legal routes.

Organized Crime Groups in Moldova (Focus on High-Level Groups)

Intelligence sources suggest that organized crime operating in Moldova is growing constantly and becoming stronger. Beside local criminals, there are also many high-level transnational organized crime groups engaged in trafficking of persons in Moldova. These groups are composed of both national and foreign criminals, mainly from Romania and Russia, but also from Middle Eastern countries such as Syria, Lebanon and Egypt.

It must be noted that, in order to establish the extent and dimensions of activities carried out by organized crime groups in Moldova, their modus operandi and cooperation with other criminal groups, an appropriate criminal analysis should be conducted in a systematic and long-term fashion by specialized law enforcement agencies. This extremely complex phenomenon has not yet been investigated in Moldova at all.

Crime Management

It appears that some high-level transnational organized crime groups manage their activities for trafficking in persons in the same way as they would a profitable business. There is a new class of criminal managers, which carries out thorough macro-economic analyses, or market surveys, with the objective of identifying the most advantageous markets in which to place their product, with

evaluation of costs, risks and benefits being taken into account. Once they have identified the market, they invest heavily in order to create market penetration effectively.

In Moldova, these new, younger criminal managers understand the potential for profits to be made from trafficking and they invest large sums of money in the sector. They have opened dangerous channels of corruption at all levels and are radically changing the modus operandi of trafficking. They usually prefer to invest money in proper documents and visas for trafficking victims, to use legal routes and choose countries where it is virtually impossible to escape and go home, as in countries in the Middle East.

Corruption

The criminal groups have identified new channels of corruption, targeting particularly officials in charge of issuing visas in embassies and consulates, government officials responsible for issuing residence papers, and similar useful officials. These counter-measures adopted by organized crime make trafficking in persons almost invisible.

In recent years, legal means are now the preferred option for high-level groups. Victims are provided with legal temporary visas, valid passports and entry papers. As this method is very costly, given the level of corruption required for obtaining valid documents, the organizations only use them for sex-related trafficking in order to guarantee a quick return on investment.

Response of Law Enforcement Agencies

Legislation

The Moldovan Criminal Code (MCC) protects victims of human trafficking and was introduced to fight against traffickers, smugglers and pimps. However, while the law itself is well drafted and provides the necessary legal tools for countering the phenomenon, there is insufficient implementation of its provisions.

- Prostitution is considered a remunerative activity and therefore comes under provisions relating to administrative law. However, more than two convictions in a single year bring into force penalties foreseen under the criminal law (MCC Art. 105/1).
- Recruiting for prostitution, use of constraint or facilitation of prostitution practices and human trafficking are crimes punishable by imprisonment for five to seven years (MCC Art. 105/2). The same crime involving a minor is punishable by prison terms of seven to ten years (MCC Art. 224).
- Crimes relating to trafficking in children are also mentioned in other articles of the MCC.
- Trafficking and/or smuggling of children in any form, including trafficking and/or smuggling committed by parents or persons substituting for parents are punishable by three to eight years' imprisonment (MCC Art.113/1).
- The Criminal Procedural Code (CPC) gives to the police broad powers for fighting trafficking in persons: the police are authorized by CPC Art. 100 to undertake all necessary investigative actions, such as searches, seizures, video and audio recording, as necessary in the combat against trafficking and prostitution.

- Criminal association is considered a crime against the State, according to the MCC, and punishable under Art.74/2 by imprisonment for three to ten years and in some cases by confiscation of goods or property.
- A law covering victims and witness protection was passed in 1998. It includes provisions for providing victims with a new identity and a new start in life.

Law Enforcement Action

In November 2001, the National Committee of Counter-Trafficking was established with representatives of 15 governmental agencies. The committee meets every two weeks to discuss the main problems and limitations related to trafficking in persons.

Last year, the Moldovan Government restructured the Organized Crime Department and there are now 37 regional offices in the country. In each regional office, there is a unit composed of one to three specialists in counter-trafficking activities. In Chisinau, there are five districts with specialized personnel. Although several efforts and initiatives to address the problem of trafficking have been undertaken by these units, these cannot be considered effective in eradicating the phenomenon.

Lack of efficiency in fighting trafficking is mainly due to a lack of technical and investigative resources, combined with a lack of knowledge about the real nature of the phenomenon and, above all, a general lack of real political will to deal with the problem.

The legislation is well articulated and gives police forces the necessary authority to combat trafficking and smuggling of human beings. But, in practice, the budget allocated for police and other social services is completely inadequate and insufficient to put the law into practice.

The frontier between Transnistria and Moldova is under the responsibility of Moldovan border guards, who are part of the Moldovan army, and not the police. In practice, once past the Ukrainian border, entry into Transnistria is easily accomplished, often by payment of a variable amount of money to the paramilitary. Due to insufficient funding of law enforcement by the Moldovan Government and the dispute with the Transnistrian regime mentioned earlier, it is impossible for border guards to expel or send back illegal immigrants coming from Ukraine through Transnistria. In addition, Moldovans leaving the country through this border are not checked properly. The absence of communication between border guards and police officers contributes in losing track of traffickers, once they were entered or exited Moldova.