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FIRST ANNUAL REPORT

ON VICTIMS OF TRAFFICKING IN SOUTH EASTERN EUROPE

COUNTER-TRAFFICKING REGIONAL CLEARING POINT
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IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones



STABILITY PACT
FOR SOUTH EASTERN EUROPE
TASK FORCE ON TRAFFICKING IN HUMAN BEINGS



International Catholic
Migration Commission



STABILITY PACT FOR SOUTH EASTERN EUROPE TASK FORCE ON TRAFFICKING IN HUMAN BEINGS

Foreword

The Regional Clearing Point (RCP), working within the framework of the Stability Pact Task Force on Trafficking in Human Beings (SPTF), has produced for the first time concrete data (not estimates) of the number of trafficking victims assisted in South Eastern Europe. In addition, the project highlights the most detailed information to date profiling the characteristics of these victims in categories such as age, education level, marital status, and reasons for leaving their country of origin.

The RCP provides a factual “snapshot” describing each country’s current capacity and concrete activities, working in partnership with international organizations (IOs) and non-government organizations (NGOs), to provide what victims need to have the best chance for recovery. The project reviews a broad range of victim assistance and protection services including each country’s provision or failure to provide: shelter, medical care, psychological and psychiatric care, legal assistance, educational assistance, vocational training and employment assistance, housing assistance.

The findings illuminate whether countries and their programs are being successful and where gaps exist in serving the needs of the victims of this severely violent crime and human rights violation.

A distinguishing feature of the RCP is that it will not be a static report. It will be a dynamic source of information providing regularly updated data about the numbers of victims assisted in the region and the facts and figures of the assistance and protection provided by each country. Selected RCP data will be posted and regularly updated on the SPTF’s website. By being comparable over time, the facts and figures will assist in gauging country and regional progress in pursuit of the goals of supporting the recovery and safety of trafficking victims.

Ultimately, much more will be made of the facts and figures contained in this initial report of the RCP. This concrete data will become a catalyst for positive change to providing meaningful assistance and protection for trafficking victims throughout the region. It will permit the SPTF to assess how effective national and regional efforts are in providing for the safety and recovery of trafficking victims in South Eastern Europe. This assessment will shed light on where gaps exist in victim protection and assistance that must be addressed to satisfactorily implement each country’s National Plans of Action and strategies as well as programs sponsored or conducted by third-country governments, international organizations and others. I believe that as a result the long road faced by trafficking victims along their journey to personal recovery from this severely violent crime and human rights violation may be shortened.

Having a reliable starting point for a project like this is critical. It also is a big task. I wish to thank the experts from IOM (International Organization for Migration) and ICMC (International Catholic Migration Commission), Laurence Hunzinger and Pamela Sumner Coffey, and Jovana Skrnjug, the RCP program assistant, for their dedicated and tireless work in collecting and verifying the information that establishes this reliable baseline from which all future efforts will evolve. I further wish to express my appreciation to the Regional Clearing Point's Executive Board, namely Christopher Gascon (IOM), Sarah Stephens (ICMC), Beatrix Attinger (OSCE) and Johannes Schachinger (EC). Finally, I wish to thank Stephen Warnath, Deputy Director of the SPTF, for his contribution to this work.

A handwritten signature in black ink, appearing to read 'Helga Konrad', with a horizontal line underneath.

Helga Konrad
Chair of the Stability Pact Task Force on Trafficking in Human Beings

Vienna, September 2003

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Introduction

AIMS AND OBJECTIVES

During the last few years, much has been written about the trafficking phenomenon in South Eastern Europe. Estimated numbers of victims of trafficking abound. Regardless of the variations in estimates, there is general consensus among counter-trafficking actors that victims of trafficking are in need of greater assistance and protection throughout the region. **Verified numbers** of assisted victims and comprehensive analysis of assistance and protection mechanisms for victims of trafficking in South Eastern Europe have been scarce. In June 2002 the Regional Clearing Point (RCP) was established to collect and analyze verified data, to the extent it exists, on victims of trafficking and programs designed to assist and protect victims in South Eastern Europe.

This report presents the main findings of the RCP based on data consolidated from across the region for the period between June 2002 and June 2003. This report incorporates description and analysis of both quantitative and qualitative data concerning **victims of trafficking identified and assisted within South Eastern Europe**.

The report:

- Provides **verified figures** regarding the number of victims of trafficking identified and assisted in the region;
- Describes and assesses **assistance and protection mechanisms** for victims of trafficking in the region;
- Explains the development and features of **distinct assistance and protection practices** and frameworks in the countries/entity of the region;
- Identifies **areas for improvement** and gaps in victim assistance and protection
- Recognizes **good practices and effective measures** created to assist and protect victims in the region

This report is targeted to actors concerned with improving protection and assistance for victims of trafficking in South Eastern Europe. Practitioners providing direct services to victims of trafficking will find good practices. Program managers will find observations regarding successful development and implementation of specifically targeted programs. Researchers will find verified data regarding numbers and profiles of assisted victims. Donors will find an overview of existing projects and well as suggestions for future assistance and protection projects.

STRUCTURE OF REPORT

The report contains a regional summary of the assistance and protection mechanisms in place within South Eastern Europe and nine country/entity reports detailing victim assistance and protection mechanisms developed within individual countries/entity.

The country reports are divided into two groups: **primary countries of origin** (Albania, Bulgaria, Moldova and Romania) and **primary countries/entity of transit and destination** (Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Serbia).¹ These two groups reflect that victim assistance and protection frameworks within individual countries/entity are chiefly characterized by whether the country/entity is a primary country/entity of origin or transit and destination within the region.

The Regional Summary contains the four main sections below. The nine country/entity reports contain an Executive Summary followed by these four main sections.

I. Number of Identified and Assisted Victims

This section contains the minimum number of identified and assisted victims of trafficking between January 2000 and June 2003. The regional report contains the minimum verified number of identified and assisted victims in the region. Individual country/entity reports contain the minimum verified number of victims identified and assisted in that particular country/entity. Within the primary countries of origin, numbers of national victims appear first; numbers of foreign victims follow. Within primary countries/entity of transit and destination, numbers of foreign victims appear first; numbers of national victims follow.

Numbers of identified and assisted victims are segregated by year when information permits. When annual breakdown of figures is unavailable, the report states that annual figures are unavailable and a total figure is provided.

II. Victim Identification and Referral for Assistance

This section describes the particular measures and mechanisms established for victims' identification and referral for assistance. It details the main actors identifying and referring victims and describes and assesses the implementation and practices of identification and referral. Trends, shortcomings as well as promising developments in victim identification and referral are noted.

III. Victim Profiles

This section presents in varying degrees of detail (according to existing and recorded information) profiles of assisted victims of trafficking. The major profile categories include nationality, age, educational background, reasons leading to departure from home countries, recruitment methods, marital and family status prior trafficking, and the main transportation routes. Trends regarding victim profiles are also examined.

¹ Serbia, Montenegro and Kosovo are presented within separate reports because each contains its own assistance and protection framework. A separate report for Croatia is not included within the RCP reports because Croatia's assistance and protection framework was under initial development during most of the reporting period. However, figures regarding the number of victims trafficked to, through and from Croatia appear within the report.

IV. Victim Assistance and Protection

This section provides in depth descriptions of the distinctive victim assistance and protection frameworks established in each country/entity. Each report contains information regarding the main organizations providing assistance and protection services to victims as well as the particular practices developed by these organizations. It explains what forms of assistance are provided to victims and what forms of assistance are not provided to victims at this time. The main categories of assistance within this section are: shelter, medical care, psychological and psychiatric care, legal assistance, witness protection, voluntary assisted repatriation for foreign victims, temporary residence status, reintegration assistance, and assistance for minors.

Each section identifies the main areas of improvement for effective victim assistance and highlights good assistance practices worthy of replication.

DEFINITIONS

The RCP uses the following definitions within the reports:

- **Trafficked Victims** Persons who qualify as *victims of trafficking in persons* under Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime (2000).
- **Identified Victims** Persons who have been identified as trafficked victims within formal or informal identification mechanisms as trafficked victims according to above definition.
- **Assistance and Protection** Measures taken by non-governmental, governmental, international and other relevant organizations in order to provide for the physical, psychological, social and legal recovery of trafficked victims as described in, but not limited to, Article 6 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Assistance and protection measures may range from voluntary acceptance of a single service (such as transportation to country of origin) to voluntary acceptance of multiple services, including housing, medical, psychosocial, legal, education and vocational services.
- **Identified and Assisted Victims** Persons who have been:
 - 1) Identified as a victim of trafficking within formal or informal identification mechanism; and
 - 2) Accepted assistance from a non-governmental, governmental, international or other relevant organization
- **Shelter** A premises that meets all of the following criteria:
 - 1) Provides temporary accommodation to victims;
 - 2) Recognized within formal or informal referral mechanisms for temporary accommodation of trafficked victims; and
 - 3) Provided accommodation to two or more victims during the last six months

- **Reintegration Center** A premises that meets all of the following criteria:
 - 1) Provides temporary accommodation for a minimum of 3 months with a possibility of extension;
 - 2) Recognized within formal or informal referral mechanisms for accommodation and services for trafficked victims;
 - 3) Provides (either on site or via referral) medical, psychosocial, legal, socio-educational, vocational, job finding and apartment finding assistance; and
 - 4) Provided accommodation and services to two or more victims during the last six months.

METHODOLOGY

1. Data collection of Numbers and Profiles of Assisted Victims

The RCP established and conducted the following information collection mechanisms with respect to collection and analysis of numbers and profiles of assisted victims:

- Written requests for exact numbers of identified and assisted cases (according to above definitions) were sent to relevant counter-trafficking organizations and direct assistance providers in the region, including active local NGOs, international NGOs, international organizations, law enforcement units, and relevant ministries and state bodies.²
- Above data requests were disaggregated by year, nationality, classification of assistance provider (i.e. located within country of destination, transit or origin), and victim's age at the time of identification and assistance.³
- Data collection was limited to case statistics and service profiles that do not include confidential information such as an individual victim's name, address, trafficking history, legal status or medical history.
- Direct interviews aimed at clarifying figures and verifying identification and assistance measures were conducted with organizations and service providers during site visits to each of the project countries/entity.⁴
- Figures were cross-referenced with other implementing organizations in order to avoid duplication; therefore, if a victim received initial sheltering and medical services upon return to her home country from one organization and was subsequently referred to a different organization for follow-up services, the victim's case was only represented once within the data.
- Figures are routinely updated, disaggregated and cross-referenced with implementing actors.

² For the list of organizations that provided statistical and program data to RCP from June 2002 to June 2003, see Sources section below.

³ At present, the RCP statistics are not disaggregated by gender. This reflects the fact that most of the identified and assisted cases within the region involve trafficking in women and girls for purposes of sexual exploitation. However, as more project implementers and service providers document cases involving trafficking in men and boys, the RCP will collect, disaggregate and analyze data according to gender as well.

⁴ With respect for victims' privacy rights and recovery period, and in accordance with UN Recommendations on Principles and Guidelines on Human Rights and Human Trafficking, section 3 on Research, Analysis, Evaluation and Dissemination, RCP does not conduct interviews with, or directly obtain information from, trafficked victims.

2. Victim Assistance and Protection Services

The RCP established and conducted the following information collection mechanisms with respect to collection and analysis of victim assistance and protection services in the region.

- Direct interviews aimed at clarifying assistance measures were conducted with counter-trafficking organizations and service providers during site visits to each of the project countries/entity.
- Template questionnaires addressing specific practices used by counter-trafficking organizations were discussed and routinely reviewed with direct service providers in the region.
- On-going collection of counter-trafficking documents related to practices, including but not limited to: training materials for practitioners, project documents, annual reports, academic research, publications by non-governmental, governmental and international organizations and media reports.

LIMITATIONS OF THE REPORT

1. Numbers and Profiles of Assisted Victims

This report is limited to findings regarding verified numbers and profiles of **victims actually identified and assisted** in South Eastern Europe.

Based on statements provided by victims, non-governmental organizations and international organizations, it is evident that the actual number of victims is significantly higher than the number of victims identified and assisted thus far. Undoubtedly many more victims are never identified or assisted. Therefore, the findings of this report reflect the minimum number of identified and assisted victims in the region, and do not represent the minimum number of all victims trafficked to, through and from South Eastern Europe.

In the absence of consolidated, comprehensive data-gathering frameworks in each of the project countries/entity, the RCP obtained first hand information regarding numbers and profiles of victims from the main actors providing direct services to victims in each country/entity. Data regarding victims assisted by practitioners or organizations not visited or contacted by the RCP are not included within this report.

Counter-trafficking service providers have notably improved their data collection practices over the last year, but most organizations possess incomplete data for the reporting period (January 2000 to June 2003); this data must be considered partial, reflecting a minimum number of assisted victims. Furthermore, assistance frameworks and data gathering in South Eastern Europe have mainly been geared toward adult, female victims of trafficking for purposes of sexual exploitation; data regarding other types of victims (including trafficked minors, trafficked men and persons trafficked for other purposes such as labor and begging) are incomplete at this time.

Because this report is limited to data collection within South Eastern Europe, the report does not include extensive numerical data and profiles regarding victims from the region trafficked to and assisted within Western Europe and other destination countries.

2. Victim Assistance and Protection services

The report findings regarding assistance and protection services are limited to the services provided to victims by the main counter-trafficking actors in the region. The RCP conducted site visits to the main facilities in the region that provide services to victims of trafficking, but timing, interpretation and logistical constraints limited the number and scope of visits to such facilities.

Because this report is limited to data collection within South Eastern Europe, the report does not include extensive information about victims from the region trafficked to and assisted within Western Europe and other destination countries.

Out of respect for trafficked victims' needs for privacy and recuperation, and in compliance with UN principles of research, the RCP did not conduct direct interviews with victims during site visits to service facilities.

SOURCES OF INFORMATION

1. Numbers and Profiles of Assisted Victims

The following organizations and institutions provided data regarding numbers and profiles of assisted trafficked victims within South Eastern Europe.

Country / Entity	Organizations and Institutions
Albania	Counseling Center for Women, Vatra Women Hearth, International Catholic Migration Committee (ICMC), Together Against Child Trafficking Network, IOM Mission in Tirana, OSCE Mission in Albania, United Nations High Commissioner for Refugees in Albania.
Bosnia-Herzegovina	Lara, La Strada/Mostar, International Forum for Solidarity, IOM Mission in Sarajevo.
Bulgaria	Nadja Center, Animus/La Strada-Bulgaria, IOM Mission in Sofia.
FYR Macedonia	Association for Support & Protection of Children and Families at Risk, Open Gate/La Strada Macedonia, IOM Mission in Skopje, OSCE Mission in Macedonia.
Kosovo	Center for Protection of Women and Children, Women's Safe House Women Wellness Center, United Methodist Committee of Relief (UMCOR), IOM Mission in Pristina, UNMIK TPIU.
Moldova	La Strada-Moldova, Salvati Copiii, IOM Office in Chisinau.
Montenegro	Women's Safe House, Montenegrin Women's Lobby, IOM Office in Podgorica.
Romania	Artemis, Estuar Foundation, Pro-Familia, Reaching Out, SEF (Equal Opportunities for women), Young Generation, IOM Mission in Bucharest.
Serbia	ASTRA, Counseling Center Against Family Violence, IOM Mission in Belgrade.

2. Victim Assistance and Protection Services

The following organizations and institutions provided data regarding victim assistance and protection services in South Eastern Europe.

Country / Entity	Organizations and Institutions
Albania	Counseling Center for Women, Vatra Women Hearth, ICMC, Together Against Child Trafficking Network, IOM Mission in Tirana, OSCE Mission in Albania, UNHCR in Albania, Open Society Institute in Albania, Ministry of Social Affairs, Ministry of Public Order, Ministry of Interior, Ministry of Science & Education, Domestic Violence Shelter, Fountain House, Center for Prevention of Child Maltreatment, NPF/Help the Children, Save the Children in Albania.
Bosnia-Herzegovina	Lara, La Strada/Mostar, International Forum for Solidarity, IOM Mission in Sarajevo, UNICEF in BiH, UN STOP in BiH, UNMBiH, UNOHCHR in BiH, UNHCR in BiH, ICMC in BiH, EU Police Mission in BiH, USAID in BiH, Women of BiH.
Bulgaria	Nadja Center, Animus/La Strada-Bulgaria, IOM Mission in Sofia, Ministry of Justice, Central Committee for Combating Child Delinquency, Ministry of Interior, U.S. Department of Justice in Sofia, Neglected Children Society, Youth Counsel Center & Shelter, Bulgarian Family Planning Association, Open Gate Center.
FYR Macedonia	Association for Support & Protection of Children and Families at Risk, Open Gate/La Strada Macedonia, IOM Mission in Skopje, OSCE Mission in Macedonia, Ministry of Interior, EU Mission in Macedonia, ICTY Office in Macedonia, Temis NGO, Esmā NGO.
Kosovo	Center for Protection of Women and Children, Women's Safe House Women Wellness Center, UMCOR, IOM Mission in Pristina, UNMIK TPIU, OSCE Mission in Kosovo, Victim Advocacy & Assistance Unit, KFOR, UNHCR in Kosovo, ICMC in Kosovo, World Vision in Pristina.
Moldova	La Strada-Moldova, Salvati Copiii, IOM Office in Chisinau, Ministry of Labor, Social Protection & Family, U.S. Embassy in Chisinau, USAID, Embassy of Sweden in Chisinau, UNICEF, OSCE Mission in Moldova, Italian Consortium of Solidarity, Caritas Center in Moldova, Center for Women & Children, Hope, Faith & Love NGO in Ukraine.
Montenegro	Women's Safe House, Montenegrin Women's Lobby, IOM Office in Podgorica, Ministry of Justice, Ministry for Protection of Rights of National & Ethnic Minorities, Secretariat for Information, Employment Agency of Montenegro, Save the Children in Montenegro, OSCE Office in Podgorica, UNOHCHR Office in Podgorica, UNICEF, UNHCR, ICMC Office in Podgorica, EU/DHRO Mission in Podgorica.
Romania	Artemis, Estuar Foundation, Pro-Familia, Reaching Out, SEF (Equal Opportunities for women), Young Generation, IOM Mission in Bucharest, Ministry of Interior, SECI, National Authority for Child Protection & Adoption, USAID, Central Department of Romanian Orthodox Church, World Learning in Romania, U.S. Department of Justice in Bucharest, Partnership for Equality Center, French Embassy in Bucharest, Save the Children in Romania, SCOP (Society for Children & Parents), Sinergii Association.

Serbia	ASTRA, Counseling Center Against Family Violence, IOM Mission in Belgrade, Ministry of Interior, Ministry of Social Affairs, Vojvodina Provincial Secretariat for Labor, Employment & Gender Equality, ICMC, UNICEF, Save the Children in Serbia, OSCE Mission in SCG, UNOHCHR in Belgrade, UNDP in Belgrade, UNHCR in Belgrade, USAID, UNLO, UMCOR, Council of Europe, Child Rights Center, Cooperazione Italiana, Swiss Agency for Development & Cooperation, CARE, Kvinna till Kvinna, Incest Trauma Center, BeoSupport, EVA, MILA, JUCA, Roma Information Center.
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Regional Summary

This report provides a regional overview of the status of Victim Assistance and Protection for victims who are trafficked from, through and to South Eastern Europe. This summary contains consolidated findings about the continuum of Victim Assistance and Protection services described within individual RCP Country/Entity Reports on Albania, Bosnia-Herzegovina, Bulgaria, Kosovo, FYR of Macedonia, Moldova, Montenegro, Romania and Serbia. The summary is divided into four sections: I) Number of identified and assisted victims; II) Methods of identification and referral for assistance; III) Victim profiles and IV) Victim assistance and protection services.

Note to the reader:

*Key topics, points and recommendations are highlighted throughout the text with **bold print**.*

Albania, Bulgaria, Moldova and Romania are the **primary countries of origin** in South Eastern Europe for trafficking in women and girls for purposes of sexual exploitation. Bosnia-Herzegovina, FYR of Macedonia and Kosovo are **primary transit and destination countries/entity** for trafficking in women and girls for purposes of sexual exploitation. Serbia is a **key transit** country for trafficking, and Serbia, Montenegro and Albania are destination countries within the region. To a lesser but increasing extent, women and girls from the region are found trafficked **within their home countries**. Therefore this report examines both foreigners and country nationals found trafficked and assisted within South Eastern Europe.

I. NUMBER OF IDENTIFIED AND ASSISTED VICTIMS

The minimum number of victims of trafficking identified and assisted between January 2000 and June 2003 within the countries of South Eastern Europe is **5,203**.

The following table contains case data consolidated from the RCP's individual country/entity reports regarding the number of identified and assisted victims South Eastern Europe.

	2000	2001	2002	through June 2003	Total Jan 2000 to June 2003
<i>Victims from SEE Countries/Entity</i>					
Albania (TACT figures not segregated)	219	392	342	88	2,241
	1200 - no annual breakdown				
Moldova	319	382	329	101	1,131
Romania	163	261	243	111	778
Bulgaria	46	96	164	46	352
Kosovo	54	67	162	3	286
BiH	0	0	8	9	17
Serbia	0	1	10	3	14
Croatia	0	0	3	0	3
Montenegro	0	0	2	1	3
fYR of Macedonia	insufficient confirmation of data				
<i>SEE Countries/Entity Total</i>	4,825				
<i>Victims from other Countries</i>					
Ukraine	68	97	104	24	293
Russia	7	22	21	4	54
Belarus	8	9	1	2	20
Georgia	0	3	2	0	5
Czech	0	0	2	0	2
Hungary	1	0	0	0	1
Latvia	1	0	0	0	1
Lithuania	0	0	1	0	1
Poland	0	0	1	0	1
<i>Other Countries Total</i>	378				
MINIMUM TOTAL VICTIMS assisted in SOUTH EASTERN EUROPE					5,203

This figure comprises **4,825** trafficked women and girls from countries of South Eastern Europe as well as **378** victims from other countries identified and assisted within the region. These figures were calculated by adding the numbers of national trafficked victims collected from service providers in South Eastern Europe. In order to avoid duplication of figures regarding victims assisted by more than one service provider, case data was cross-referenced and verified with all service providers.

These figures include trafficked victims mainly identified within South Eastern European and Western European countries who received assistance within South Eastern Europe.

At this time none of the countries/entity of South Eastern Europe possess a formal, centralized victim registry or agreed upon methodology for collecting and analyzing the total number of trafficking victims.

These figures mainly pertain to women and girls trafficked for **purposes of sexual exploitation**, as no comprehensive data exist on trafficking of men at this time. These figures mainly pertain to women and girls voluntarily returned to their countries of origin through assistance programs as well as women and girls primarily identified during police operations and subsequently referred for assistance. With the exception of Albania (1,200 Albanian minors identified as trafficked primarily to Italy and Greece for purposes of begging and forced labor), little documentation exists on human trafficking for purposes of forced labor or begging.

Considering the high estimates of trafficked victims from South Eastern Europe that have been postulated in recent years, **these figures appear quite low**. This report contains only **verified figures** regarding victims actually identified and assisted within the region. Undoubtedly many more victims are never identified or assisted. It would be speculative to estimate the total number of victims who are not identified and assisted. However Regional Clearing Point research generally supports the prevailing view that the number of victims not identified and assisted is substantially higher than the number identified and assisted. For example, the number of victims who transited and were temporarily trafficked in Serbia, yet were not identified or assisted there, is approximately 10 times higher than the number of victims actually identified and assisted within Serbia (138). According to available data, at least 1,311 victims who were later identified and assisted within neighboring countries, were trafficked in Serbia yet not identified or assisted there. Based on statements provided by victims, NGOs and International Organizations, it is evident that the actual number of victims {foreign and country nationals} is significantly higher than the number of victims identified and assisted thus far. These figures also illustrate a lack of comprehensive screening and identification procedures, as well as under-developed trans-national referral assistance mechanisms. Furthermore, within the region it is more likely for foreign victims to be extradited than referred for assistance.

In the absence of consolidated data, it is also not possible at this stage to assess even the minimum number of Albanian, Bulgarian, Moldovan and Romanian women and girls found trafficked to and within the European Union, Russia, or the Middle East countries.

II. VICTIM IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Victims are **primarily identified within** the following destination and transit countries/entity: **Bosnia-Herzegovina, FYR of Macedonia and Kosovo**. Since the last quarter of 2002, the number of foreign identified and assisted victims started to decrease significantly in all South Eastern European transit and destination countries/entity, with the exception of FYR of Macedonia. Foreign victims identified and referred for assistance in Albania, Bosnia-Herzegovina, Kosovo, Montenegro and Serbia in the first 5 months of 2003 only represent 20% of the total number of foreign victims identified in these countries/entity in the course of 2002. Counter-trafficking practitioners and experts generally seem to agree that trafficking in the region has not decreased. Rather, it appears that trafficking in human beings has basically “moved underground”, changing some of its *modus operandi*, to make it more difficult for law enforcement to identify victims, resulting in a general dearth of referral for assistance.

In contrast, the number of identified and assisted **victims trafficked within their home countries/entity** has increased. Trafficking cases involving national citizens for the sole purpose of internal trafficking are increasingly reported within Kosovo and Albania. In Bulgaria and Romania women and girls are often trafficked within the country for temporary periods prior to their transfer abroad.

▪ **Victim Identification Overview**

Extremely **few victims are identified within their country/entity of origin prior to being taken abroad**. Almost no victims are identified prior to departing Moldova and to a lesser extent Albania. In Bulgaria and Romania, police operations have led to the identification of few victims during raids. Bulgaria is the only country of origin to identify a substantial number of national victims. Out of 82 Bulgarian victims identified between September 2002 and May 2003, 90% were minors, which tends to signal that internal trafficking was first recognized for its inclusion of minors.

Foreign victims are mainly identified by law enforcement units within South Eastern Europe's transit and destination countries/entity. Most Romanian, Moldovan, Bulgarian women and girls are identified during targeted raids against suspected trafficking establishments. These victims most often return to their home countries under voluntary organized return programs (87% of the total number of assisted cases). As a result of police investigations during the last 18 months, numerous establishments such as nightclubs have been closed, and traffickers have changed their *modus operandi*, shifting victims to "on call agencies" within private locations or to dual exploitation (i.e. waitressing during the day and forced into prostitution at night). Victims are harder to identify and remain out of reach at these private locations, thereby leading to lower number of identified and assisted victims in all countries/entity of the region. It is striking that extremely few foreign victims are identified at border points. Few victims are also identified by consular representatives and referred to an International Organization for assistance.

Until recently, identification efforts in the region concentrated principally on foreign victims and there was no recognition, or concerted efforts to identify national citizens.

National victims are mainly identified through routine police operations, via women's NGOs or upon forced returns. Despite the high number of extradited females in the countries of origin, few are identified and referred for assistance at border re-entry points. Victim identification upon extradition depends on border services' ability to properly identify potential victims, which implies level of functioning border service management, human resources and training that most countries of the region lack thus far. Only one country, Albania, has a pilot program for screening extradited females at main border entry points, which is conducted by an International Organization.

Most of the time, trafficked victims are not appropriately identified and recognized as victims by the countries of destination that send them back. About a thousand Moldovan women and girls are deported each year from Turkey to Odessa Harbor. A Ukrainian NGO that interviews the women at their arrival in Odessa, suspects that approximately 20% of the women are trafficked victims. The **lack of identification and screening procedures in the countries/entity of destination and systematic screening procedures to reach out to potential victims upon return in home countries constitute major gaps** in the current victim assistance and protection framework.

Despite the existence of **NGO help-lines** in all but two countries/entity in the region (Kosovo and Romania), information regarding the number of calls resulting in direct identification of actual victims is scarce. However, in Moldova help-line operators report that 77 women and

girls have been able to be identified and assisted from January 2002 to April 2003. Only a few victims have been identified and referred through preliminary identification by social welfare or health care workers. Kosovo is the only entity in the region to report significant percentages of cases identified and referred for assistance by the Social Centers. 11% of the assisted Kosovar victims have been referred to local women's NGOs for assistance by the Social Centers.

Regional cooperative agreements between law enforcement units in the region may also lead to the identification of more victims as well as apprehension of traffickers. For example, the development of recent cooperative agreements between Russian and Moldovan law enforcement officers led to an increase of victim identification and assisted returns back to Moldova. The Agreement on Police Cooperation signed between Montenegro and FYR of Macedonia, resulted in the arrest in July of FYR of Macedonia's most famous trafficker.

▪ Assistance Referral Mechanisms

There is a **general lack of official organized trans-national referral mechanisms** within the countries of South East Europe as well as between Western and South East Europe countries. International Organizations and NGOs carry the bulk of the voluntary returns efforts, according to formal and informal cooperation agreements. Few of the countries/entity examined in this report have developed official, structured and functioning referral systems thus far. Current referral mechanisms can be grouped into 3 categories: (1) institutionalized and countrywide; (2) under-development and *ad hoc*; (3) un-official or official geared toward voluntary returns.

Institutionalized country/entity-wide referral mechanisms only exist in Kosovo and FYR of Macedonia. While detailed standard operative procedures have been jointly developed and agreed upon between assistance providers and specialized police units in Kosovo, law enforcement representatives of the FYR of Macedonia refer all cases to a governmental shelter for irregular migrants. In Montenegro, an initial victim referral framework has been developed, but it suffers from lack of implementation.

Throughout the course of 2002, International Organizations led **efforts to develop** official, structured referral systems within Albania, Bosnia-Herzegovina, and Serbia. However due to structural uncertainties and institutional weaknesses in Bosnia-Herzegovina and Serbia, official referral structures are not yet institutionalized and operational. Albania is the only main country of origin to have developed a screening and referral framework for expelled Albanian females. The recently enacted screening and referral process established by International Organizations and NGOs in cooperation with the Albanian Ministry of Public Order finds that a significant percentage of these women and girls have been trafficked, mainly to Italy.

In Moldova and Romania victims are mainly referred for assistance by International Organizations and NGOs upon **voluntary assisted return**, and the current frame was not formulated by national authorities. The referral framework developed in Bulgaria includes a formal agreement with an International Organization to voluntarily return all foreign nationals found trafficked within Bulgarian territory and *ad hoc* procedures for the referral of Bulgarian nationals found trafficked within the country.

NGO help-lines play a role within the various referral mechanisms in the region. Most of the help-lines throughout the region document substantial numbers of calls involving preventive information, but there is insufficient documentation regarding the number of calls that result in direct assistance for actual victims of trafficking. Also, victims who have been trafficked to third countries and managed to return home on their own rarely contact service providers for assistance either because they are unaware of the assistance frameworks or because they fear exposure and stigmatization. Therefore, instances of self-referral for services are rare.

III. VICTIM PROFILES

The following information regarding victim profiles was primarily gathered from an international organization and several NGOs operating victim assistance and protection programs throughout the region.

- **Nationality**

As previously stated, Albania, Moldova, Romania and Bulgaria are the main countries of origin of South Eastern Europe, comprising 92% of the total number of identified and assisted trafficked victims between January 2000 and June 2003. 46% of the victims are from Albania, 23% from Moldova, 16% from Romania and 7% from Bulgaria.

The annual number of trafficked Moldovan and Romanian victims constitutes throughout the reporting period a consistent portion of the total number of victims. In contrast, the annual number of trafficked Bulgarians decreased significantly between January 2002 and June 2003. In the absence of comprehensive segregated data it is not possible to evaluate fluctuations in Albania during the reporting period. However, partial available data seem to indicate that the number of identified and assisted Albanian victims significantly decreased between the year 2002 and April 2003.

Despite geographical proximity and porous borders, no citizens from Bosnia-Herzegovina and extremely few citizens from Kosovo, Montenegro and FYR of Macedonia are found trafficked within the region. A few Serbian women and girls are trafficked into Montenegro, but available data do not indicate that Serbian women and girls are trafficked into other neighboring countries.

Only a handful of women and girls from Bosnia-Herzegovina, Montenegro, FYR of Macedonia and Kosovo have been found trafficked outside of their home countries/entity. This underlines a pattern whereby few former Yugoslav countries have become significant countries of origin thus far. Kosovo is the exception, but trafficking in Kosovar women and girls appears to remain within the entity.

However, assistance providers throughout the region express concerns about a growing phenomenon: the increase in internal trafficking within Albania, Bosnia-Herzegovina, FYR of Macedonia, Montenegro and Serbia.

- **Age**

Case data indicate that the age of identified and assisted victims trafficked across borders for purposes of sexual exploitation ranges from 14-32. The majority of identified and assisted victims are between **18 and 24 years of age at the time of their identification** and repatriation. This trend has remained relatively constant throughout the reporting period. It is important to note that this trend reflects the average age of victims at the time of their identification and assistance. Insufficient data are collected regarding the age of the victim when first recruited and trafficked, although comparison between the average age upon identification and lengths of time trafficked indicates that most victims are between 17 and 20 years of age when recruited.

Only two countries, Bosnia-Herzegovina and Montenegro, report that the average age of foreign victims of trafficking exceeds 25 years in at least 25% of cases. The majority of victims over the age of 25 in these countries originates from former Soviet Republics, and was trafficked for several years.

Case data regarding the total number of trafficked minors in the region are insufficiently documented at present. As stated above, most case data regarding trafficked minors refer to victims who were still minors (under the age of 18) at the time of their identification and assistance, and the total number of minors at the time of recruitment and initial trafficking experience is under-documented and unknown. However, available case data about minors trafficked within the region (who are under 18 at the time of their identification and assistance) indicate that the highest number of minors trafficked across borders come from Albania and Romania. Existing data reveal that most minors trafficked across borders from Romania are trafficked for purposes of sexual exploitation in South Eastern Europe and Western Europe, and minors trafficked from Albania are trafficked for purposes of sexual exploitation and other forms of forced labor and begging, mostly within Italy and Greece.

Several countries throughout the region report an **increase in the number of minors trafficked within their home countries** (i.e. internally trafficked minors) for purposes of sexual exploitation. This phenomenon is reported within countries/entity that usually serve as transit and destination countries/entity (i.e. countries comprising former Yugoslavia), as well as origin countries. The emerging presence of internally trafficked minors is most notable in Bulgaria and Kosovo. Internally trafficked cases constitute half of all assisted cases in Bulgaria and Kosovo during the last 12 months. Service providers report that internal trafficking of national minors is partly on the rise because of law enforcement actions against trafficking of foreigners, and also because of poor socio-economic circumstances of minors.

- **Education**

On average trafficked victims throughout the region possess much **lower levels of education than the general population** within their home countries. This trend applies to victims trafficked across borders as well as to victims trafficked within their home countries. However, victims' levels of education vary between countries/entity of origin. Victims from Albania and Kosovo possess the lowest levels of education. Almost 85% of victims from Albania and Kosovo possess less than an elementary education; 15% of Albanian victims never attended any type of formal school and 5% of Kosovars never attended school.

Practically all victims in other countries within the region attended some formal schooling, and many completed high school but trends differ between the countries. For example, most victims in Romania and Moldova attended at least a few years of high school, but the average education level of Romanian victims declined throughout the reporting period while the average education level of Moldovans rose. Based on the fact that ages of trafficked Romanians and Moldovans have remained relatively constant throughout the reporting period, average education levels do not appear to be substantially determined by the average age of victims. Service providers in Romania postulate that extensive educational campaigns within secondary schools have contributed to an overall decline in the number of victims with high school education. Although prevention and awareness efforts have taken place within high schools and primary schools within Moldova, more prevention and awareness efforts are needed in rural areas. Furthermore, until possession of higher education actually leads to much greater chances for sustainable employment in Moldova, higher education levels may not be presumed to counter-balance current trends.

- **Length of Time Trafficked**

The length of **time victims are trafficked varies greatly**, case data indicate lengths between 2 weeks and 6 years. Because data regarding length of time trafficked are not systematically collected by law enforcement, states, or service providers, average lengths of time women are

trafficked in the region are not available. Similarly, data are insufficient regarding whether lengths of time women and girls are trafficked have increased or decreased over the reporting period.

Although it is not possible to state average lengths of time women and girls are trafficked, it is apparent that the overwhelming majority of victims are not identified or assisted within the first few weeks or months of being trafficked. Aside from a recent increase in the number of identified, internally trafficked Bulgarian minors (whom traffickers may have intended to eventually traffic across state borders) and a few victims identified prior to departure in Romania, extremely few victims are identified prior to or upon departure from their home countries.

▪ **Reasons for Leaving Home Country/Methods of Recruitment**

The vast majority of trafficked victims throughout the region are willing to leave their home country because they **believed and accepted a false offer of employment abroad**. Most of these women and girls wish to obtain employment abroad because they are unemployed, underemployed or employed with extremely low wages in their home countries. Victims from Bulgaria and Albania are mainly unemployed with few prospects of gaining full-time employment. Most victims from Romania and Moldova hold some kind of employment within their country before being trafficked, but the wages are wholly inadequate, even to cover basic needs. Accordingly, potential victims comprise not only women who are unemployed or under employed, but also women who are employed with extremely low wages. Despite numerous prevention and awareness campaigns regarding the potential dangers of accepting job offers abroad, the numbers of victims accepting these job offers have remained fairly consistent throughout the reporting period.

Thus far, Albania is the only country in the region in which the majority of victims leave their country because they believed in a false promise of marriage or engagement. At least 50% of all Albanian victims (and almost 80% of Albanians from the northern part of the country) trafficked abroad for purposes of sexual exploitation believe that they will marry an Albanian or a foreigner and live abroad. This figure has remained relatively constant throughout the reporting period, and is unique within the region.

Most victims throughout the region have been directly **recruited through an acquaintance**. The percentage of victims directly recruited by an acquaintance versus the number of victims responding to advertisements for employment abroad appears to have increased throughout the reporting period. This may reflect the fact that many of the most prominent prevention and awareness campaigns specifically warn young women against potential hazards of such advertisements for employment abroad. Also, help-lines in most of the countries within the region provide information and counseling regarding the validity of certain employment, tourism, and visa schemes proposed to young women.

With the exception of Albania, where approximately 10% of Albanian victims were reportedly kidnapped and forced into prostitution abroad during recent years, the percentages of kidnapped victims is very low, and apparently decreasing, throughout the region.

▪ **Family Status**

Throughout the region, the majority of victims (at least 65%) are **single women** who lived with their families at the time of recruitment. This characteristic remained fairly constant throughout the reporting period, although there are variations between and fluctuations within the countries/entity regarding the percentages. The greatest percentages of single victims are from Kosovo and Albania. This may indicate that a substantial number of these victims believe

traffickers' promises that they will marry an Albanian or a foreigner and move overseas. In countries where the number of trafficked minors appears to be increasing, such as Albania, Romania and Bulgaria, the number of single victims has risen slightly over the last 2 years.

Although the vast majority of victims resided with their families prior to recruitment, most countries in the region reported that a small number of its national victims were raised, at least for brief periods, outside of their families in state child care institutions. Not surprisingly, Romania and Bulgaria, the countries with the highest numbers of children living within state care institutions, reported the most cases of victims raised outside a family environment. Unfortunately, precise data regarding the number of such victims were not systematically collected and are therefore unavailable. However, for preventive purposes, it is important to note that most of these victims, lacking sufficient life skills, long-term housing and employment possibilities, were recruited almost immediately upon their departure from the state care institutions.

Victims from Moldova are the most likely to be mothers at the time of their recruitment. A staggering 46% of all trafficked Moldovan victims are reportedly mothers at the time of their recruitment and initial trafficking experience. This statistic has remained fairly consistent throughout the reporting period. Case data indicate that at the time of recruitment, approximately 15% of Moldovan victims are married, and 15% are separated or divorced. It is unclear whether data regarding marital status are reliable because some victims may not want to reveal that they are married or separated, for fear that they will be exposed to their husbands and/or diminish their own custodial rights vis-à-vis their children. Information from service providers reveals that, regardless of marital status, most Moldovan mothers provide for their children without any or substantial assistance from the fathers of their children. Available data reveal that most victims' children reside with their grandparents during the mother's absence. However, service providers report that some victims left their children within state child care institutions before departing the country. Service providers within Moldova's public and private child care institutions confirm that children of young Moldovan women are abruptly placed within such institutions, and they suspect that many of these mothers become trafficked victims, but they cannot confirm the women's ultimate status or the exact number of children left under these circumstances.

Trends regarding the number of victims who are mothers at the time of recruitment within other countries vary. In places where most victims are single and a substantial portion are minors, such as Albania and Kosovo, very few victims who are mothers appear throughout the reporting period. In Bulgaria, where the number of minors has increased throughout the last year, the percentage of mothers has decreased from approximately 15% to 10%. However, in Romania, the percentage of mothers during the last 3 years has reportedly doubled from 10% to 20%. Yet, this rise does not appear to correspond to an increase in the average age of Romanian victims, so reasons for this phenomenon are unclear and merit further exploration.

Each primary country of origin reports that at least a few victims are pregnant upon identification, assistance and repatriation to their home country. A significant number of these victims give birth to these babies within their home countries, and plan to raise the babies themselves or with the assistance of family members. In only a handful of reported cases throughout the region, pregnant repatriated victims placed their babies within state care institutions. However, case monitoring seldom takes place for more than 6 months after repatriation, the longer-term status of these mothers and their infants are largely unknown.

▪ **Transportation Routes**

Particular transportation routes of course vary according to the victim's point of origin and destination, but several patterns can be observed throughout the reporting period. Overall, the largest percentage of victims trafficked to, through, from and within South Eastern Europe, originate from eastern countries, namely Moldova, Romania and Ukraine, and travel west and south into countries comprising former Yugoslavia. Therefore, most **trafficking of women and girls in the region moves from northeast to southwest**. Very few victims trafficked within South Eastern Europe report transiting Hungary or Slovenia; this could be attributed to the fact that Hungary and Slovenia have significantly upgraded their border services as part of their European Union Accession criteria, but could also reflect the fact that victims who cross these borders are mostly likely headed to Western Europe, and Regional Clearing Point data collection does not include extensive data about victims trafficked to Western Europe.

The majority of foreign victims come from Moldova, Romania and Ukraine; consequently most of them transit Romania at some point. Bulgaria is noticeably absent as a transit country, whereas Serbia is the most frequently mentioned country of transit and temporary destination. Over **half of all victims** identified and assisted with the region report that they **transited through Serbia** at some point in their trafficking experience. Thereafter, victims are most often trafficked to destination points in Bosnia-Herzegovina, FYR of Macedonia, Kosovo and Western European countries.

According to available data, the **most noticeable changes in transportation routes have taken place in the southernmost portions of the region**. Case data indicate a significant decrease in the number of identified and assisted foreign victims within Albania, and it is believed that this decrease is partly due to increased law enforcement measures (in particular, the destruction of speedboats and increased monitoring of boats in the Adriatic) carried out by Italian and Albanian law enforcement units. Most victims identified within Albania are believed to be heading to Italy. It is speculated that the bulk of this Italy-bound traffic has been re-routed through ports in Montenegro but this is not yet substantiated in reporting. Service providers in Albania report that the apparent decrease in traffic to Italy has resulted in re-directed overland traffic of Albanians to Greece.

Although victims' accounts vary, victims throughout the region are usually transported in vehicles and sold by middlemen when transferred from one country/entity to the other. According to available information, with the exception of Albanian traffickers who tend to operate smaller trafficking rings amongst themselves, transportation trafficking patterns within and surrounding the region are trans-national and composed by multi-ethnic networks that cooperate with each other.

Regarding internally trafficked victims, traffickers often remove young victims from their home communities in order to traffic them throughout several larger towns and cities within their home country. This typically takes place for several weeks or months before the traffickers transport the victim across state borders.

IV. VICTIM ASSISTANCE AND PROTECTION

Each country/entity within South Eastern Europe has established a distinctive victim assistance and protection framework that is fully described within individual Regional Clearing Point's country/entity reports. But some features of assistance and protection schemes are also apparent at a regional level. All of the countries/entity covered by the report possess a **Counter-Trafficking National Action Plan**, relevant work plans or national counter-trafficking

legislation that prescribe victim assistance and protection schemes. Almost all countries/entity within the region have also adopted specific legislation criminalizing trafficking in persons, yet few of the countries/entity have adopted legislation recognizing a person's status or rights to protection and assistance as a trafficking victim. Although National Action Plans (or their functional equivalents) represent a step forward in the development of assistance and protection frameworks, most of these Plans lack: a forthright strategy; a sustainable structure for provision of comprehensive services; specific tasks, responsibilities and objectives to be carried out by identified governmental and non-governmental actors, and criteria for provision of services; delineation between service programs for foreign and national victims; delineation between service programs for adult and minor victims and specific budget itemizations, allocation and fund-raising strategies to adequately fund the implementation of these Plans. Working groups responsible for developing assistance and protection programs tend to meet sporadically. Government statements regarding counter-trafficking accomplishments usually focus on numbers and status of traffickers rather than profiles or assistance programs for potential and actual victims. Furthermore, counter-trafficking National Coordinators typically possess multiple portfolios and unclear terms of reference regarding their responsibilities vis-à-vis oversight of progress and development of victim assistance and protection programs.

Regarding the overall **victim assistance and protection frameworks** in the region, frameworks typically depend on whether a country/entity is primarily a country/entity of origin or primarily one of transit and destination. With the exception of Albania, which is a country of origin and destination (and to a lesser extent, the entity of Kosovo), primary countries of origin (Moldova, Romania, and Bulgaria) have mainly developed reintegration services for national victims, whereas primary countries/entity of transit and destination (Bosnia-Herzegovina, FYR of Macedonia, Serbia, Montenegro and Kosovo) have mainly developed repatriation assistance programs for foreign victims willing to return to their home countries. Irrespective of whether a country/entity is primarily one of origin or transit/destination, the vast majority of assistance provided to trafficked victims throughout the region are: **shelter-based, short-term services, designed for adult female victims of sexual exploitation, provided by NGOs or International Organizations** (funded by foreign donors), with little or no case follow-up or involvement on the part of government health, education or social welfare services.

NGOs and International Organizations typically provide services in capital cities, although victims in the region originate from urban and rural areas alike. Case data indicate that in the majority of cases foreign victims identified within transit and destination countries/entity are assisted by an International Organization and at least one partner NGO. With the exception of Bulgaria, where internally trafficked victims have recently been assisted by an IO and NGO partners, most internally trafficked victims are assisted by local NGOs. Although numbers of internally trafficked victims are reportedly rising in most countries of the region, assistance schemes are under-developed for these victims and - especially internally trafficked victims within countries/entity primarily characterized as transit or destination countries/entity (i.e. countries of former Yugoslavia).

Most of the assistance programs in the region were developed for foreign victims willing to repatriate and reintegration programs for victims returning to their home countries. Assistance programs for foreign victims not willing to repatriate to their home country have been practically non-existent, although NGOs in the region have provided some *ad hoc* assistance in this area, and are working to expand service provision for these women in-line with legislation that enables these victims to obtain temporary residency permits. Throughout the region, there is increasing recognition of the need to develop specific assistance schemes for victims of trafficking who are minors, but specialized services for minors have basically not been provided throughout the reporting period. However, many countries within the region recently initiated plans regarding the establishment of specialized services for minor victims of trafficking. Similarly, most services

were provided to trafficked victims on an *ad hoc* basis throughout the reporting period, but NGOs and International Organizations have made efforts to develop more standardized assistance approaches during the last 12 months, especially with regard to shelter management, basic health care, psychological services and reintegration services.

There are **no formally agreed upon regional standards** that define a minimum level of care and a necessary package of services for victims. However, most assistance programs for identified trafficked victims in the region include the following short-term services: temporary lodging, food, basic medical care, crisis counseling, legal information, and assistance with administrative documents. Depending on the nature of the assistance program, the needs and wishes of the victim and the resources of the assistance organization, victims may also receive: more extensive medical tests and follow-up treatment, individualized legal advice, direct legal representation during legal proceedings, family mediation, counseling from a psychologist, referrals to medical specialists, recreational activities, vocational training, job finding assistance, transportation and other reintegration services.

The extent of cooperation, dialogue, communication and practical working relationships between various service providers within individual countries regarding program beneficiaries vary among countries in the region. However, between countries there is an **overall lack of communication and information sharing among service providers**. Service providers within transit and destination countries typically lack full and updated information regarding the availability and extent of reintegration services within countries of origin. Without such updated and comprehensive information, service providers cannot fully inform a foreign victim about reintegration possibilities available to her upon return or conduct proper case planning. Similarly, service providers in countries of origin often lack precise information or substantial case plans of returning victims. In order to improve service delivery, overall case planning, case feedback, direct communication and case coordination between service providers in the region should be increased and formal client confidentiality protocols should be instituted. Also, more training seminars and workshops are needed for specific groups of service professionals in the region. Service professionals and their beneficiaries will benefit from counter-trafficking seminars that focus upon skills development and practices of particular professionals (such as psychologists, physicians, lawyers or shelter managers) in addition to multi-disciplinary training among these professionals.

▪ **Shelters**

There are at least **26 shelters** in the region that are either specifically established to accommodate trafficked victims or recognized within a country's/entity's referral mechanism to accommodate trafficked victims. The majority (19 out of 26) are managed by NGOs. 13 of the shelters are located within countries of primary origin and 13 are located within primary countries/entity of transit/destination. The majority are designed for trafficked victims only; this reflects the view of most service providers that when possible it is best to maintain separate facilities for victims, rather than inserting them into pre-existing shelters for women and children victims of domestic violence.

The total number of spaces (or maximum capacity) of shelters in the region is over 300. The maximum capacity of shelters in countries of origin ranges from 4 to 28, and the maximum capacity in transit countries ranges from 2 (in *ad hoc* shelters) to 32. The average stay of beneficiaries is typically between **2 weeks and 2 months**. Overall shelter capacity within transit and destination countries is sufficient for women willing to return home under a repatriation program, but shelter spaces for victims not willing to return home under a repatriation program and internally-trafficked victims is insufficient. Moreover, shelters in transit countries that are

closed (i.e., restricted movement for foreign beneficiaries), should evaluate whether this policy is necessary and whether alternative arrangements exist for women staying longer than a few days.

There are only 3 reintegration centers (shelters that offer lodging and comprehensive medical, legal, socio-educational, vocational, job finding and apartment finding assistance): 1 in Albania, 1 in Romania, and 1 in Moldova. Only one of these centers (in Romania) permits beneficiaries to stay up to 2 years. Most of the other centers permit beneficiaries to stay up to 3 months; however the shelter in Moldova possesses an open-door service policy, where beneficiaries and their family members may return for subsequent services.

Practically all of the shelters were designed to provide services to adult victims, although most of the shelters accept minor victims as well, and many accept victims with children. One specialized shelter for trafficked minors will open in Moldova in the near future. The vast majority of shelters are located within private apartments or houses, although the governments of Romania, Bulgaria and the FYR of Macedonia provide facilities for shelters. Foreign donors provide most funding for shelters according to 1-year grants. Thus far, only the governments of Albania, Romania, Bulgaria and FYR of Macedonia have pledged funds or substantial assistance for shelters.

In addition to short-term lodging and food, shelters throughout the region typically provide on-site or via referral the following services: basic medical care, psychological services, legal information and assistance with administrative documents.

- **Medical Care**

Practically all of the shelters within the region provide **basic medical examinations and initial treatment** on-site or via referral for trafficked victims. With a few exceptions, medical services are proposed on a voluntary basis and most are free of charge. Shelters typically do not possess formal service agreements with medical professionals, clinics or hospitals. The majority of medical care services are provided according to informal agreements with private service providers. Ministries of health are typically not involved in development or implementation of medical services for trafficked victims, and very few shelters or assistance organizations possess formal agreements with state hospitals regarding services for victims. Service providers report occasional discrimination by medical professionals toward trafficked victims, and local NGOs face extreme difficulty paying hospital costs for foreign victims requiring hospitalization. National victims may also experience problems obtaining medical care within their home countries if they lack proper paperwork and are no longer enrolled within the state's social assistance frame. **Most assistance organizations in the region should develop formal agreements in order to secure access for victims to emergency assistance, standard levels of care and appropriate payment schemes.**

Regarding medical needs of trafficked victims, most victims require and receive gynecological examination. Victims typically receive these examinations within transit and destination countries/entity as well as primary countries of origin. Service providers across the region report that as many as 95% of victims present signs and require treatment of Sexually Transmitted Infections (STIs). Initial treatment of STIs typically starts within transit countries, but the bulk of such treatment occurs in the victim's home country. Overall service providers do not report difficulty obtaining medication for victims with STIs.

Few service organizations routinely test victims for TB, although many victims spent time in detention centers and other places that may place them at high risk for this disease. Thus far, only a handful of TB cases have been reported in the region.

With a few exceptions, HIV tests are generally proposed to victims within their home countries, rather than in countries/entity of transit and destination. This reflects the belief by most service providers in the region that victims should receive testing and treatment for serious illnesses within their home countries. The number of victims tested for HIV has significantly increased during the last 12 months. This is likely due to increased availability of tests within most countries, heightened awareness on the part of victims as well as increased efforts by service providers to educate victims about health issues. Although service providers in the main countries of origin report a rise in the number of victims testing positive for HIV, most victims assisted during the first 3 years of the reporting period did not receive HIV tests. Therefore, it is not possible to assess whether this reflects an increased trend in the number of HIV positive victims or only an increase in the number of victims tested.

Overall in the region there is a lack of information and analysis regarding the long-term health implications of trafficking for purposes of sexual exploitation on the victims themselves and in regard to public health as a whole. More information sharing between service providers, long-term follow-up health care for victims and public health studies are needed. However, such measures must be conducted in a way that does not lead to greater stigmatization of trafficking victims, and with utmost respect for the privacy rights and autonomy of victims.

- **Psychological Services**

All of the shelters within the region provide some form of short-term psychological counseling to victims. Individual crisis counseling is typically offered shortly after a victims' arrival, and most of the counseling takes place at the shelter. Depending on the composition of shelter staff, the resources of the organization, and the needs of the victim, the counseling is provided by a lay counselor/shelter employee, a social worker or a psychologist. Counseling is provided on a voluntary basis, free of charge and most victims accept these services. Among other variables, the **scope of the counseling often depends on the length of time** that a victim spends in the shelter. Counseling within shelters in transit and destination countries typically takes place once or twice per week over 3 or 4 weeks. Service providers within main countries of origin stress that victims who received and actively participated in individual counseling within transit and destination countries are more amenable to further counseling and reintegration assistance within their home countries.

With a few exceptions, psychological counseling within home countries also takes place on a short-term basis, usually 1 to 4 weeks. Considering the fact that victims experience a range of trauma and some victims were trafficked for years, counseling for such short periods is likely insufficient for most victims. Victims and (when appropriate) their families should have access to counseling for longer periods of time in order to foster recovery and reintegration. Therefore, professional capacity and funds should be enhanced within NGOs providing longer-term services victim's communities. In addition, local social welfare centers should provide more supportive services to victims and their families.

- **Educational Assistance**

Throughout the region, **little emphasis is placed upon educational assistance** for trafficked victims. Despite the fact that most victims did not complete high school and many did not even complete primary school, educational reinsertion is rarely encouraged within home countries and formal educational reinsertion agreements have not been developed with governments. This is mostly due to the recognition that formal education does not necessarily lead to gainful employment or living wages within some of the countries. Typically, victims are more interested in attending vocational training that could lead to immediate earnings. However, within main

countries/entity of origin and transit countries with increasing numbers of internally-trafficked victims, specialized educational reinsertion and alternative education programs should be developed; especially for minor victims of trafficking and victims who were trafficked at the time they were minors. In order to be successful and attractive to larger numbers of victims, these education programs should contain a vocational component, a life skills orientation and a practical focus upon income generation possibilities within respective communities.

▪ **Vocational Training and Employment Assistance**

Vocational training and employment assistance programs have not been developed in main transit and destination countries/entity for national victims returning under repatriation programs, foreign victims who do not wish to repatriate, or for internally-trafficked victims. However, main countries of origin have made **significant efforts to develop vocational and employment assistance programs** for returning victims during the last 18 months. In recognition of the fact that most victims departed their home countries because they could not obtain livable wages in their home country, service providers have increased the number of vocational, employment and business development programs in Moldova, Bulgaria, Romania and recently in Albania. Notably, programs in Moldova, Bulgaria and Romania include cooperation and co-sponsorship by respective Ministries of Labor and Employment. Although long-term data regarding the success of these programs are not yet available, it appears that the most viable programs are the ones which take an individual victim's aptitude and interests into account as well as economic realities within her home community. Continued and expanded support for such income-generating projects is needed, and these projects should include a balanced approach for both urban and rural workers as well as a longer-term network of support services.

▪ **Legal Assistance**

Although service providers have increased the amount of legal assistance for trafficked victims throughout the reporting period, the **lack of comprehensive legal assistance constitutes one of the most significant gaps in services for victims throughout the region**. With a few exceptions, the scope of legal assistance provided to victims in transit, destination and origin countries/entity is limited. The vast majority of victims that provide statements or testimony for law enforcement do so without advice or direct representation of legal counsel. Most victims who provided live testimony in court cases throughout the reporting period never received individualized, direct advice or representation by a legal professional. Although most shelters within transit, destination and origin countries/entity provide basic legal information and advice to victims, individualized advice and direct representation by an experienced lawyer is rare. Service providers in transit and destination countries/entity should be encouraged in their efforts to obtain direct legal representation for victims prior to victims making written statements or testimony to police, prosecutors, magistrates and judges. When possible, foreign victims should also be afforded the opportunity to speak with a legal professional regarding repatriation, possibilities for asylum, temporary residence permits, witness protection programs, seeking compensation from traffickers and other legal issues. Service providers in countries of origin should be similarly supported in their efforts to obtain legal counsel for victims regarding additional matters such as: obtaining administrative and social care documents; securing custodial issues regarding children or property; pursuing legal claims and compensation from traffickers and obtaining victim and witness protection when appropriate. Overall, assistance organizations and governments across the region must also make more significant efforts to develop comprehensive victim and witness protection programs, including possibilities for concealment of witnesses and possibilities for relocation of witnesses and their families.

▪ **Temporary Residence Permits**

With the exception of Romania, in December 2002 all countries/entity within the region signed the Tirana Statement of Commitment regarding the legalization of trafficked victim's status, including a pledge to issue temporary residence permits to foreign victims of trafficking. However, the vast majority of countries/entity within the region have **not carried out the necessary legislative and administrative changes** necessary to implement this measure. Provisions for issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted for government approval, but these permits should not be initially conditioned upon a victim's willingness to participate in legal proceedings. Accordingly, the governments and service providers must develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in countries under the temporary visa.

▪ **Assistance for Minors**

With notably few and isolated exceptions, foreign or national **minors have not received specialized or standardized services** thus far in countries/entity throughout the region. Overall, cases involving trafficked minors were not handled much differently from cases of trafficked adults. In the vast majority of South Eastern European countries, there are no specialized interview procedures, identification processes or formal referral mechanisms in place for trafficked minors. With occasional and recent exceptions in Romania and Bulgaria, states have not routinely appointed official guardians for these minors and did not develop specialized assistance or repatriation programs for them. Most minors were sheltered with adults and basically received the same medical, psychological, legal and repatriation services as adults. Although it should be acknowledged that most trafficked victims of sexual exploitation in the region are on average only a few years younger than trafficked adults, minor victims are entitled to specialized protection and assistance. Most of the countries in the region have recently acknowledged this fact, and are in the process of developing specific assistance frames for minors. These efforts should be encouraged, and should be carried out primarily by specialized NGOs and community social services providers able to provide long-term services to minors and their families.

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COUNTRY REPORT

Albania

This report analyzes the status of Victim Assistance and Protection for persons trafficked to, through and from Albania. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Albania is a **primary country of origin for trafficking in human beings**, mainly for purposes of sexual exploitation of Albanian women and girls and for purposes of begging, forced labor and sexual exploitation of Albanian minors.
- The minimum number of **persons trafficked to, through and from Albania identified and assisted** between January 2000 and April 2003 is **2,460**. The minimum number of identified and assisted **Albanian victims** of trafficking is **2,241**. The number of identified and assisted Albanian victims of trafficking is comprised by the minimum number of women and girls trafficked for purposes of sexual exploitation (1,041) plus the minimum number of identified and assisted Albanian minors trafficked for purposes of begging and forced labor (1,200). The minimum number of **foreign victims** trafficked in Albania for sexual exploitation is **219**.
- International organizations and NGOs in Albania maintain some case statistics for their individual programs, however **there is no centralized database, victim registry or agreed upon methodology** for collecting and analyzing the number of national trafficking victims in Albania.
- Unlike the number of Albanian and foreign national victims of trafficking for sexual exploitation, **case data segregated by year are unavailable for Albanian minors** trafficked for purposes of forced labor and begging.
- NGOs working with trafficked minors in Albania observe that in the last few years there has been an **overall decrease in the numbers of trafficked Albanian minors identified in**

Italy and Greece due to factors such as: heightened border protection measures exercised by these countries and Albania; increased pressure and awareness of trafficking phenomenon by NGOs and the international community, and regularization of Albanian citizens. NGOs assert that traffickers have modified their activities, and it is likely that they have decreased overtly visible activities on the street, while increasing more discreet or hidden activities such as sexual exploitation of minors, making identification more difficult.

- The number of **foreign victims** trafficked to or through Albania for purposes of sexual exploitation and who have been **identified there and referred for assistance has constantly declined since 2001**. Despite the establishment of the Pre-Screening process for all detained foreigners in 2001, police have referred fewer cases each year. It is premature to conclude at this point whether declining identification signals better procedures or other possible explanations. Some of this is likely due to heightened law enforcement measures implemented since summer 2002, but levels of capacity to identify and refer victims and the extent of police cooperation are still in question.
- **Albania lacked a systematic process for identification, screening and referral until October 2002**. At that time, international organizations and NGOs in cooperation with the Albanian government initiated a systematic screening process for female Albanians expelled from transit and destination countries.
- The recently enacted screening process for returned Albanian women (i.e. deported or removed from other countries) finds that a **significant percentage (40%) have been trafficked, mostly to Italy**. None of these trafficking victims had been identified previously or appropriately provided assistance or protection as trafficked victims by the countries of destination that deported them. No systematic coordination between countries of destination and Albania was implemented for the purposes of assistance and protection for these women.
- Profiles of Albanian victims of trafficking for sexual exploitation reveal the following: over **65% of these victims are minors** at the time they were trafficked; 40% are minors at the time of identification and assistance; the **majority have an extremely low level of education**; over **50% are lured by false promises of marriage or engagement**. The transportation routes used by traffickers changed significantly over the last 12 months. Prior to substantial law enforcement measures and tightened maritime control initiated in the summer of 2002, most victims crossed the Adriatic on their way to Italy. Recently victims are rerouted through Greece and transferred by ferry or plane to Italy.
- Profiles of foreign victims of trafficking reveal that despite the fact that over 50% were employed at home, the majority indicate that **poverty and poor prospects caused them to be vulnerable to trafficking**. The number of women and girls trafficked after responding to newspaper ads declined by almost 50% in 2002.
- **Distinct assistance frameworks have been developed for the three categories of victims**: Albanian women and girls trafficked for sexual exploitation, Albanian minors trafficked for begging and forced labor, and foreigners trafficked for sexual exploitation. For the most part, these frameworks operate independently of each other, and the level of their development varies.
- Albanian **governmental social services do not have the capacity to provide services needed for the care of trafficked victims**. Accordingly, private practitioners provide

almost all medical, psychological and other services to trafficked victims. Social structures (governmental and NGO) within Albania must be built up in order to sufficiently address socio-economic needs of at-risk and trafficked women, girls and their families.

- There are **three shelters for trafficked victims in Albania**. They are primarily designed for victims of sexual exploitation. Two are located in Tirana, and one is located in Vlora. Local NGOs manage two of these shelters, and IOM manages one⁵. All combined, these shelters have a maximum capacity of 45 places for national victims. For the near term, this capacity appears sufficient since the number of returning Albanian victims currently is at a comparable level. This is due in part, however, to the failure of authorities in other countries to appropriately identify Albanian citizens as victims of trafficking. Therefore, consideration should be given to establishment of smaller reintegration centers providing long-term lodging and assistance to victims in other areas of origin such as Elbasan and Korce.
- The **scope of psychological care provided to trafficking victims at shelters varies, mostly according to the length of time they spend in shelter**. Most victims require longer-term approaches. Service providers should review possibilities for follow-up counseling that could be provided by specialized NGOs or trained health care workers in communities throughout Albania. A significant percentage of victims require psychiatric care and some need specialized services for the mentally disabled, yet these services are scarce within Albania. It is highly unlikely, at present, that victims can access these kinds of services once they depart the shelters.
- The Albanian government, the National Action Plan and service providers place an **insufficient emphasis upon educational assistance**. Only a handful of victims trafficked for sexual exploitation have been reinserted into mainstream schools, and comprehensive reinsertion agreements and alternative education programs must be developed.
- Very **few housing and independent living opportunities** exist for trafficked victims who do not wish to or cannot return to live with their families. Subsidized housing and foster care systems must be further developed.
- Shelter providers and other NGOs have made recent efforts to expand the number of vocational services and employment assistance programs for victims, but more **comprehensive, long-term vocational and employment programs are needed**. Even though service providers facilitate employment placement (and sometimes multiple placements) for beneficiaries, **only 20%** of the women are able to make proper social adjustments and **keep their jobs**. Programs for victims should recognize that trafficked victims may require a longer recovery period before seeking paid employment and victims should continue to receive counseling and support post-placement.
- Until recently, **most national victims of trafficking did not receive access to legal representation** or advice at early stages of their identification and assistance, and they were only offered individualized counseling by a legal professional if they made a preliminary decision to denounce their traffickers and testify in a court case. However, the Victim Assistance Team project initiated by the OSCE in October 2002 should help to ensure that more extradited Albanian trafficked victims receive information about their legal rights and assistance possibilities. Due to the fact that most Albanian trafficked victims did not possess

⁵. This shelter will be closed once the new shelter managed by the Ministry of Public Order and Ministry for Labor and Social Affairs opens in the summer of 2003.

regularized access to legal representation until recently, and in the absence of consistent monitoring of court outcomes, it is not possible at this time to evaluate the impact of legal representation upon victims' decisions to provide testimony against their traffickers. Legal representation for victims must be consistently provided and duly recognized by the courts. On-going training is needed for victims' lawyers and judges. A court monitoring system is needed to systematically review trafficking cases and make targeted recommendations for specific areas of improvement.

- The assistance framework for Albanian minors trafficked for purposes of forced labor and begging mainly consists of **a network of local and international NGOs that has established an impressive identification and assistance network, including a high level of direct outreach** to at-risk and trafficked minors and their families. Promising pilot programs include the safe, voluntary and expedient return of trafficked Albanian minors from Italy and Greece.
- **Governmental social service structures in Albania are insufficiently developed** to provide social support, educational reinsertion programs and comprehensive case monitoring for trafficked minors and their families; therefore networks of local and international NGOs conduct these services. Social structures within Albania must be built up in order to sufficiently address socio-economic needs of at-risk and trafficked minors and their families.
- **The ability to respond properly to the assistance and protection needs of foreign victims is limited.** For now, the number of short-term transit shelters for foreign victims is adequate due to the low number of beneficiaries found and identified by Albanian authorities. Also, by definition, these transit centers have rapid turnover since their primary purpose is to arrange for a prompt return of the trafficking victims. However there is **a lack of shelter and assistance possibilities for victims who need longer-term assistance but who do not wish to return home.** Thus far, no foreign victims have requested temporary stay/humanitarian visas.

I. NUMBER OF ALBANIAN AND FOREIGN VICTIMS OF TRAFFICKING IDENTIFIED AND ASSISTED

1) Number of Albanian Victims Identified and Assisted

The minimum number of Albanians identified as victims of trafficking and assisted by organizations in Albania between 2000 and April 2003 is **2,241**. This number comprises the minimum number of identified and assisted Albanian victims of trafficking for purposes of sexual exploitation (**1,041**) plus the minimum number of identified and assisted Albanian minors trafficked primarily for purposes of begging and forced labor (**1200**).

▪ Minimum Number of Identified and Assisted Albanian Victims Trafficked for Sexual Exploitation

The following table contains the minimum number of Albanian women and girls trafficked primarily for sexual exploitation and assisted over the years 2000 to April 2003: **1,041**

	2000	2001	2002	April 2003
National Victims	219	392	342	88

This number comprises the minimum number of Albanian women and girls identified as trafficking victims and assisted by organizations within Albania between 2000 and April 2003. 95% have been assisted by local NGOs, the rest assisted by international organizations in partnership with local NGOs.

The above figure was calculated according to information provided by the following organizations: IOM, the International Catholic Migration Commission (ICMC), OSCE, Vatra Women's Hearth, and the Women's Counseling Center. There is no centralized database, victim registry or agreed upon methodology for collecting and analyzing the number of national trafficking victims in Albania. Therefore, the RCP collected individual case statistics from each direct service organization and cross-referenced the numbers for accuracy. One organization's figures contained numerous discrepancies that could not be reconciled, and were therefore not included within the total figures.

The figures do not include numbers of trafficked Albanian victims identified and assisted by organizations or governmental social assistance programs in transit and destination countries who have not been subsequently returned to Albania. For example, approximately 251 Albanian women and girls enrolled in Italy's (Article 18) social assistance schemes for trafficked victims in 2002, but they are not quantified in this report because the present mandate of RCP does not include information collection from Western Europe and Western European NGOs. Furthermore, apart from statistics regarding the participation of Albanian citizens within Article 18 protection in Italy, no other project or organization systematically collects verifiable data regarding Albanian victims assisted in transit and destination countries, so these figures are unavailable at present.

The figures also do not include Albanian trafficked victims who were either extradited or who managed to escape their traffickers, but who were not subsequently identified and assisted within a formal assistance program in Albania.

▪ **Minimum Number of Identified and Assisted Albanian Minors Trafficked for Begging and Forced Labor**

The minimum number of identified and assisted Albanian minors trafficked primarily for begging and forced labor is **1,200**.

This figure comprises the minimum number of Albanian minors (girls and boys) identified as victims of trafficking primarily to Italy and Greece for purposes of begging and forced labor and assisted by organizations within Albania between 2000 and March 2003. This figure was calculated according to information provided by organizations constituting Together Against Child Trafficking (hereinafter TACT), an association of NGOs combining efforts and experience to protect Albanian children from trafficking. Although some member organizations of Together Against Child Trafficking possess an information registry of trafficked and at-risk minors in Albania, their database is confidential and designed strictly for internal use; therefore, RCP cannot gain access to the case figures in order to verify segregated annual data for the reporting period. Estimated figures provided by the Italian International Social Service (ISS) regarding the number of minors returned and assisted from Italy are not included within this figure because ISS does not yet keep separate records for the number of trafficked minors.

2) Number of Foreign Victims Identified and Assisted

The minimum number of foreign victims identified as trafficked victims and assisted by organizations within Albania between January 2000 and April 2003 is **219**.

The following table contains the number of foreign victims assisted from January 2000 to April 2003:

	2000	2001	2002	April 2003
Foreign Victims	117	67	30	5

These figures were calculated according to information provided by IOM, ICMC and Vatra Women’s Hearth. 99% of the foreign victims were assisted by international entities, in collaboration with local counterparts.

The above figure does not include interviewed women who were suspected of being trafficked, but declined all forms of assistance. Reasons that a victim may decline assistance include: distrust of authorities and assistance providers; fear of criminal sanctions, publicity or stigmatization related to the trafficking experience; and reluctance to return to her home country. The number of foreign victims declining assistance has reportedly decreased over the last two years. In 2000, 40 out of 117 suspected victims declined all services. In 2001, 13 women out of 77 suspected victims declined services (three of whom later applied to UNHCR for asylum). But in 2002 and 2003, all 35 foreign victims accepted assistance. Most likely there are various factors behind this trend, but one noticeable trend that might account for increased willingness to receive services and return home is the fact that in 2002 and 2003, a higher ratio of victims suffered from more serious medical and psychological disorders.

Foreign victims who entered an assistance program, but voluntarily departed before receiving the full assistance package (which typically indicates that they changed their minds about returning home), are included in the above figure. Even though they did not receive assistance leading toward a durable solution, the majority received initial shelter, medical care, some counseling and

humanitarian supplies. According to IOM/ICMC figures, 13 out of the 67 victims assisted in 2001 voluntarily departed the program early. At that time, there were no other assistance possibilities (i.e., no assistance programs for foreigners that did not require or want repatriation). The status and whereabouts of these victims are unknown.

The following table contains numbers of assisted foreign trafficked victims per year and per country/entity of origin:

Country/Entity of origin	2000	2001	2002	April 2003
Bulgarian	2	4	0	0
Kosovar	0	0	3	1
Moldovan	67	27	7	3
Montenegrin	0	0	1	0
Polish	0	/	1	0
Romanian	40	30	16	1
Russian	3	1	1	0
Serbian	0	1	0	0
Ukrainian	5	4	0	0
Total	117	67	30	5

Data provided by IOM and ICMC

The vast majority (almost 90%) of foreign victims identified and assisted in Albania are Romanians and Moldovans. Moldovans outnumbered Romanians in 2000, their numbers were roughly equal in 2001, but Romanians comprise the significant majority of victims in 2002 and 2003. Identification and assistance for the small number of victims from Ukraine, Bulgaria and Russia during 2000 and 2001, almost completely disappeared in 2002 and 2003.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

1) Identification and Referral for Albanian Victims

Adult Albanian victims are mainly identified and referred through voluntary returns from transit and destination countries and returns upon extradition.

- **Voluntary Returns from Transit and Destination Countries**

Very few (less than 2%) of all adult Albanian identified and assisted trafficked victims return to Albania via voluntary assisted return programs. Most of the assisted voluntary returns are conducted by the IOM according to formal agreements between the IOM mission in Tirana and IOM missions in destination countries. The number of assisted voluntary returns to Albania is quite low considering the estimates of Albanian women and girls living and working abroad. Possible explanations behind this low figure include victims' reluctance to return to Albania, and the level of willingness of law enforcement bodies within transit and destination countries to refer Albanian victims for assistance rather than to immediately deport them.

- **Returns upon Extradition**

Until autumn 2002, Albania lacked a systematic screening process for identification and referral of national victims; most victims were expelled from transit and destination countries and NGOs estimate that only around 20% of expelled victims were identified and referred for assistance upon their return to Albania. NGOs and international organizations received the overwhelming majority of referrals from the national police and border units. Police identified most of the victims at port facilities (mainly Vlora District) after expulsion procedures, but almost one-third were identified and referred prior to their departure from Albania. Many of these referrals took place as a result of cooperation agreements between police commissariats and NGOs/international organizations, but these agreements were formulated on an individual basis, and service providers called for a more systematic, reliable and widespread approach.

- **Identification and Referral of Trafficked Albanian Minors**

Local and international NGOs have developed several methods of identifying Albanian minors trafficked primarily for begging and forced labor. Most significantly, the NGOs have formulated a comprehensive network of direct outreach programs on the streets, in schools, in community centers, at border crossings, on frequently traveled routes to Italy and Greece, and other high risk areas. This direct outreach also includes working with counterpart NGOs in destination countries. A notable example that has led to the identification and assistance of dozens of trafficked minors is TACT's partnership with a Greek NGO regarding the identification of Albanian children working on the streets in Thessaloniki. This kind of partnership serves as an excellent model for other NGOs and countries.

NGOs working with trafficked minors in Albania observe that in the last few years there has been an overall decrease in the numbers of trafficked Albanian minors to Italy and Greece due to factors such as: heightened border protection measures exercised by these countries and Albania; increased pressure and awareness of trafficking phenomenon by NGOs and the international community, and regularization of Albanian citizens. However, NGOs also point out that traffickers have modified their activities, and it is likely that they have decreased overtly visible activities on the street, while increasing more discreet or hidden activities such as sexual exploitation of minors.

2) Identification and Referral of Foreign Victims

In October 2002, international organizations and NGOs in cooperation with the Albanian government initiated a systematic screening process for the identification and referral of Albanian females expelled from transit and destination countries. This unique model for outreaching trafficking victims requires Albanian national police to refer all Albanian women who have been returned from transit and destination countries to OSCE focal points for screening interviews. At this time, the major (but not all) law enforcement units and border units participate in this process. The OSCE focal point conducts the interview according to a biographical data questionnaire specifically designed to identify trafficked victims. At present, OSCE conducts these interviews at the offices of the police and border units, mainly at Rinas airport in Tirana and the ports of Durrës and Vlora. Police are not present for the interview and OSCE does not share interview information with law enforcement bodies. The interview aims to: 1) identify victims of various forms of trafficking; 2) provide legal advice information to victims of trafficking; and 3) refer victims to appropriate organizations for direct assistance.

Between October 2002 and March 2003, OSCE screened 68 women, 27 (40%) of whom were determined to be victims of trafficking. Most of the victims were trafficked for purposes of sexual exploitation, but a few were trafficked for domestic labor. Most of the women agreed to be interviewed, but women with more than one expulsion order tended to refuse interviews. Most (57 out of 60) of the women were deported from Italy, and their expulsion orders did not mention trafficking status or suspicion of prostitution.

Most of the women identified as trafficked victims expressed an interest in obtaining legal counseling, job training and social assistance. They were referred accordingly. Only 15% of the victims requested, and were referred for, shelter or temporary housing. This program does not contain a monitoring or follow-up component, so it will be difficult to know how many of these women actually seek and receive services and assistance within Albania. In order to more accurately gauge the effectiveness of the referral process and the appropriate level of services, a monitoring component should be developed. However, any type of monitoring must be conducted with discretion and the privacy needs of the victims in mind.

In response to concerns raised repeatedly by members of the international community that Albanian police were not properly identifying, interviewing and referring foreign trafficked victims and asylum seekers, “*Pre Screening Procedures for all detained foreigners*” (male and female) were initiated in 2001. According to pre screening instructions issued by the Ministry of Public Order, police must refer detained foreigners to one of the Pre Screening Partners/Focal Points (UNHCR, Office for Refugees, IOM or OSCE). Representatives from the partner organizations conduct interviews with potential victims, and refer trafficked victims and asylum seekers for further assistance.

Despite the creation of the Pre Screening process in 2001, police have referred smaller numbers of foreigners for screening each year; accordingly the number of trafficking victims identified and referred for assistance has declined. Out of 358 foreigners referred to Focal Points in 2001, 65 trafficked victims were referred for assistance, and out of 277 foreigners referred to Focal Points in 2002, around 30 were referred for assistance. There are several explanations offered for this phenomenon. The state and law enforcement officials mostly attribute this trend to heightened law enforcement measures implemented since the summer of 2002 (in particular, the destruction of speedboats and increased monitoring of boats in the Adriatic). However, the decrease in numbers occurred almost a year before most of the law enforcement actions took place. International organizations and NGOs state that law enforcement counter-trafficking measures have had some effect upon the decreasing numbers of foreigners referred by the police, but they also express their belief that law enforcement officers are not referring all of the detained foreigners for proper screening. Additionally, records are not maintained reflecting those women identified as victims of trafficking, but who declined referral and assistance.

A small number of foreign victims of trafficking have been identified by the Romanian Embassy and a few NGOs and referred to assistance providers.

III. VICTIM PROFILES

1) Profiles of Albanian Victims

The following profiles pertain to Albanian victims trafficked for sexual exploitation. Case profile data for Albanian minors trafficked for begging and labor is insufficiently documented at this time.

- **Age**

Practically all Albanian victims between the ages of 14 and 32 were trafficked for sexual exploitation. According to international organizations, around 30% of their beneficiaries are minors. According to the Vatra Women's Hearth NGO, which has provided services to the largest number of Albanian victims, in 2001 60% of beneficiaries were minors, in 2002 the percentage decreased to 30% minors. However, 65% of adult victims were minors at the time they were trafficked. Shelter managers suspect that fewer minors are returned in most recent period because they are more lucrative for the traffickers than the older women, and traffickers have removed most minors from street work where they could be more easily detected.

- **Level of Education**

The education level of national trafficked victims is extremely low. Approximately 85% of victims possess less than a high school education, most of them attended school until 8th grade (compulsory level in Albania) and approximately 15% possess no education at all. These levels are significantly lower than the average education level in Albania, and also lower than other victims of trafficking to, through and from South Eastern Europe.

- **Reasons for Leaving Home Country**

According to NGO and international organization statistics, the largest number of victims were lured by promises of marriage or engagement; approximately 50% of victims believed that they would marry either an Albanian or foreign citizen and live abroad. In cases involving victims from rural areas, especially northern and northeastern Albania, as many as 80% of the women and girls were lured by promises of false marriage. Some of these victims "married" men who subsequently trafficked them, and others were promised marriages that never materialized.

In other cases, 25% were promised jobs (usually as waitresses, caterers, or babysitters); 15% departed because of poor family or social conditions; 7% were kidnapped and approximately 3% were sold by their own families.

- **Marital Status**

Due to the various and nebulous descriptions of marital status provided by many of the trafficked victims, statistical data on this subject are not reliable. For example, when a trafficked victim is asked if she is married, she might respond in the affirmative, yet she might also state that the marriage is "unofficial," "illegal," "not recognized by family or community," or that she is one of a few of her husband's present wives. Furthermore, official registration of marriage documents is often scarce and difficult to verify.

The majority of victims do not have children. Regarding the victims who are mothers, most of the mothers state that their children live with their grandparents. In contrast to neighboring countries, none of the trafficked victims who were mothers stated that their children were in state care.

- **Place of Origin**

NGOs and international organizations report that there have been notable shifts regarding victims' common places of origin. A significant portion of recorded cases came from urban areas in the late 1990s, followed by increase in cases from rural areas in 1999-2000, and then an

increase in urban cases from 2001 until the present. Some of the increase in victims from urban areas is related to the fact that many families moved from rural areas to the impoverished outskirts of urban areas in the late 1990's.

- **Transportation Routes**

Prior to summer 2002, most victims were trafficked to Italy via illegal speedboats from major Albanian ports, notably Vlora harbor. However, the significant law enforcement measures and tightened maritime control initiated in the summer 2002 substantially changed the trafficking routes. As crossing the Adriatic became increasingly hazardous, women and girls were rerouted through Greece and transferred by ferry or plane to Italy. Simultaneously, internal trafficking for the purpose of sexual exploitation is reported in the main cities and along coastal resorts.

2) Profiles of Foreign Victims

- **Age**

The age range for foreign victims is 14 to 32. This range is similar to that of trafficking victims in neighboring countries. However, a disturbing increase in the number of minors took place last year. In 2001, minors constituted 5% of all cases, but minors constituted almost 30% of cases in 2002. It is too early to ascertain whether this trend has continued in 2003. Reasons for this trend are unclear. On the one hand, police might more easily identify and refer minors for assistance, therefore resulting in higher percentages. On the other hand, international organizations and NGOs suggest that trafficking in minors is more lucrative for traffickers, and that this might contribute to the increase.

- **Level of Education**

Approximately 40% of foreign victims completed middle school; 35% completed high school; 13% completed only primary school, and less than 2% attended university courses. There are no discernible changes in these educational trends from 2000 to 2003.

- **Reason for Leaving Home Country**

The overwhelming majority of foreign victims stated that they left their home country because of poverty and poor prospects for improving their situation in the near or far future. Despite the fact that 74% of victims assisted in 2001 and over 50% of victims in 2002 previously held employment in their home countries, they reported that they received extremely low, sporadic salaries. In 2002, an increased number (25%) of victims stated that they were working abroad when they were trafficked. Most of these victims held low-skill positions within the private, informal and agricultural sectors.

- **Method of Recruitment**

Each year, the greatest percentage of victims was recruited by "friends" or "acquaintances" for false jobs. The number of victims reportedly kidnapped declined more than 50% in 2002. It is interesting to note that the number of victims who were trafficked after responding to newspaper advertisements for work abroad decreased by almost 50% in 2002. This may be attributable to prominent prevention campaigns and hotlines in Romania and Moldova that specifically address potential dangers of such advertisements.

- **Marital Status**

On average, the vast majority (around 75%) of foreign victims are single, and around 15% are married. This profile remained consistent from 2000 until 2003. However, the number of victims who were mothers decreased by half (33% to 13%) in 2002. This may be attributed to the fact that Moldovan women trafficked in the region are more likely to have children at home than other victims, and the number of Moldovans decreased by half in 2002.

- **Place of Origin**

The numbers of foreign victims originating from rural and urban areas did not change appreciably from 2000 until 2003. Each year, approximately 48% came from urban areas, 48% from rural areas, and 4% from capital cities.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

1) Victim Assistance and Protection Services for Albanian Victims

a) Assistance and Protection Services for Albanian Victims Trafficked for Sexual Exploitation

- **Voluntary Assisted Returns**

Although the vast majority of Albanian victims are forcibly returned from transit and destination countries, a small number of victims (approximately 23) voluntarily returned to Albania, primarily via IOM missions in Kosovo and Italy. However, it is worth remembering that the level of willingness to return can be in question when victims are identified by law enforcement and immigration officials, and often presented with only two choices: return to Albania via a repatriation program or face criminal sanctions.

Very small numbers of victims are returned via assistance programs operated by NGOs in Western Europe. Overall, there is a lack of cooperation, coordination and information sharing between NGOs in Western Europe and Albania. More cooperation between these organizations is needed, although it appears that more and more Albanians choose not to return home if they are able to obtain temporary residence permits in countries like Italy and Belgium.

- **Shelter**

There are three shelters for trafficked victims in Albania, and all of them accept national victims. Two are located in Tirana, and one is located in Vlora. Local NGOs manage two of these shelters. Albanian Social Services, with the support of IOM, has recently opened a shelter near Tirana. One of the shelters accepts trafficked victims only; one accepts trafficked victims and irregular or “clandestine” migrants, and one houses trafficked victims alongside female and child victims of domestic violence.

All combined, these shelters have a maximum capacity of 45 places for national victims. Two of the shelters (with a total of around 15 spaces for trafficked victims) provide short-term lodging and other assistance, and one of the shelters (with a maximum of 30 spaces) provides longer-term lodging and rehabilitation assistance. Given the present low level of identification, referral

& shelter intake, these numbers appear sufficient. This is due in part, however, to the failure of authorities in other countries to appropriately identify Albanian citizens as victims of trafficking. Therefore, consideration should be given to establishment of smaller reintegration centers providing long-term lodging and assistance to victims in other areas of origin such as Elbasan and Korçe.

▪ **Medical Care**

Each of the three shelters for national victims offers free of charge medical care for trafficked victims. Confidential medical care is optional for beneficiaries at two of the shelters, and mandatory at one. Almost all beneficiaries request medical care, and are especially concerned about gynecological problems. The medical care, provided by private practitioners according to contracts with shelter organizations, routinely includes a basic physical examination and testing for sexually transmitted infections (STIs). Pregnancy tests are conducted upon request, and most beneficiaries request them.

Almost all beneficiaries test positive and require treatment for various STIs, including syphilis and gonorrhea. Several trafficked victims arrived at the shelter pregnant, most in their first trimester. Some of the beneficiaries discovered they were pregnant while abroad and obtained terminations in illegal, non-hospital settings, thus contributing to the high number of gynecological complications and infections.

HIV testing is not included in the routine examinations. But an increasing number of beneficiaries request it, especially if shelter social workers conducted group information sessions about reproductive and sexual health. At present, the Institute for Public Health is the only facility in Albania capable of conducting and processing HIV tests; in the past the institute frequently ran out of testing kits, so only a small portion of victims received HIV tests until the summer of 2002. The institute now possesses more testing kits, and approximately 20 victims were tested in 2002. Thus far, service providers are only aware of one shelter beneficiary who has tested positive for HIV. However, such a small number of victims have been tested that it is not possible to even estimate the number of beneficiaries who may have contracted the virus.

Albanian law requires that a psychologist discuss HIV test results with each person tested. Shelter managers confirm that their programs provide counseling for beneficiaries undergoing testing, but they are uncertain if the counseling is actually provided to other persons tested. Institute for Public Health employees provide HIV awareness, information and counseling training to shelter social workers. Testing is free of charge and confidential; Albanian law does not require an HIV positive person to be included in a public health registry. At present, there are no adequate treatment facilities or provisions for HIV positive persons in Albania.

▪ **Psychological & Psychiatric Care**

Each of the shelters offers individual and group counseling sessions to beneficiaries. Almost all of the shelter beneficiaries choose to participate in individual counseling, and most of them elect to participate in group counseling sessions as well. Social workers provide the vast majority of the counseling within the shelters, but psychologists and psychiatrists are available for additional counseling in more difficult cases.

The scope and depth of the counseling varies considerably according to the length of time a beneficiary spends at a shelter. Therefore, counseling provided at the longer-term reintegration shelter is more comprehensive and long-term goal oriented than counseling at the shorter-term shelters, which tends to focus more on stabilizing a beneficiary in order to secure placement

within the family. Service providers at the reintegration center state that most victims need at least three to four months of intensive psychological counseling before they are stabilized. Since the majority of victims (over 50%) only stay at the shelters for less than three months, their level of stabilization and the need for follow-up counseling should be examined. In particular, service providers should review possibilities for follow-up counseling that could be provided by specialized NGOs or trained health care workers in communities throughout Albania.

Service providers state that a number of the victims suffer from mental disabilities. These constitute some of the most difficult cases because there are very few resources in Albania for persons with mental disabilities. To make matters worse, one of the only NGOs offering shelter and day services for socialization and reintegration of such persons (including six trafficked victims) will probably close soon due to lack of funds. Professional training for clinicians working with the mentally disabled and provision of specialized services for persons with mental disabilities are major shortcomings in Albania.

Each of the shelters retains a part-time psychiatrist who provides evaluations and treatment to any victims requiring them. A few victims have been diagnosed with psychiatric disorders, including schizophrenia, and at least a dozen victims have attempted suicide. Psychiatric hospitalization of victims is rare, although some victims require psychiatric medication for short periods of time. There are very few qualified, clinical psychiatrists in Albania, and access to psychiatric care is extremely limited throughout the country, so it is unlikely that victims can obtain psychiatric treatment once they leave the shelters.

▪ **Educational Assistance**

Considering the very low level of education of the majority of national victims, the emphasis upon educational assistance for victims is insufficient. Beneficiaries at the short-term shelters do not receive educational assessments or specific educational reinsertion assistance despite the fact that most beneficiaries lack a high school education. However, social workers at the longer-term reintegration shelter provide literacy classes and develop educational plans for beneficiaries, including the formulation of educational goals such as reinsertion within mainstream schools. Only a handful of beneficiaries have been reinserted into mainstream schools, and comprehensive reinsertion agreements are needed in addition to alternative educational programs. These reforms, which are not even mentioned in the present National Plan of Action, should be articulated in the next Plan.

▪ **Vocational Training and Employment Assistance**

Two out of the three shelters presently have the resources to offer comprehensive vocational and job finding assistance to beneficiaries, but all three shelters work to assist the beneficiaries to locate employment opportunities. Each shelter is developing agreements with employers regarding potential opportunities for victims, and each has placed a relatively small, but gradually increasing, number of beneficiaries with jobs.

Even though service providers are facilitating employment placement (and sometimes multiple placements) for beneficiaries, only approximately 20% of the women are able to make proper social adjustments and keep their jobs. This indicates that trafficked victims may require a longer recovery period before seeking paid employment and that they should continue to receive counseling and support post-placement. Furthermore, in order to meaningfully evaluate success of employment training and placement programs as part of a trafficked victim's reintegration and

recovery, one must look beyond statistics of initial placement and verify whether employment has been maintained for at least 12 months.

▪ **Family Mediation and Assistance**

Social workers at the Albanian shelters provide family mediation and family reunification assistance to victims who wish to return to their families. Since most victims express their desire to return home, the family reunification assistance is a critical component of victim services in Albania. The short-term shelters state that reintegration into the family is one of their major goals; this is reflected in the fact that over 75% of their shelter beneficiaries return to their families within a short timeframe of three days to two weeks.

Prior to reinsertion in the family, the shelter social worker contacts the family by telephone in order to facilitate the return, and then meets with the family upon transporting the beneficiary to her home. It appears that some reluctant families are pressured into accepting the women back. For example, one shelter requests the assistance of the police in order to convince reluctant families to agree to return home. Many of these families lack adequate financial and material resources, so the social workers also try to offer food and household supplies to the family. However, when these social workers attempted to follow-up with the beneficiaries at a later period, over 40% of the beneficiaries no longer lived with their families and were presumed re-trafficked. This raises concerns regarding whether the assistance providers conducted a comprehensive family assessment, considered other placement options, provided enough recuperation and recovery time to the beneficiary, and regularly monitored reinsertion within the family.

The longer-term reintegration shelter has thus far returned approximately 35% of its beneficiaries to their families. Social workers at this shelter conduct a more comprehensive and lengthy family assessment, but it is still too early to assess whether these beneficiaries have been more successfully reintegrated into their families.

▪ **Housing Assistance**

Very few housing and independent living opportunities exist for trafficked victims who do not wish to, or cannot, return to live with their families. Yet this is one of the most pressing needs for trafficked victims. Rental prices for private accommodation are prohibitive for most victims, in addition to the fact that it is not considered socially acceptable for an Albanian woman to live independently from her family. One of the shelters maintains three subsidized apartments for beneficiaries who have obtained employment, but sustainability of such subsidized apartments is in question. Governmental resources and support for subsidized housing is needed in order to provide a longer-term option for working beneficiaries.

One of the shelters and a few religion-based NGOs have arranged for foster family placement for a few trafficked victims who are not old enough or well adapted enough to live on their own or with a group of other beneficiaries at the shelter. However, Albanian legislation does not recognize foster care at this time, and no formal placement or custody arrangement exists for fostering. Foster placement is *ad hoc* and dependent upon donor funds. If social services and legislation in Albania are restructured to recognize and provide funds for foster care, then this might be a viable option for some victims, especially young victims who cannot return to their families.

- **Legal Assistance**

Until recently, most national victims of trafficking did not receive access to legal representation or advice at early stages of their identification and assistance, and they were only offered individualized counseling by a legal professional if they made a preliminary decision to denounce their traffickers and testify in a court case. However, the Victim Assistance Team project initiated by the OSCE in October 2002 (described in detail within above section on Victim Identification and Referral) should help to ensure that extradited trafficked victims receive information about their legal rights and assistance possibilities. Since October 2002, OSCE focal points have provided legal information to 68 women expelled from other countries. Trafficked victims who request further assistance are referred to one of three legal assistance NGOs providing free of charge, direct, individualized representation to victims. These services are very similar to the legal services proposed to beneficiaries at the reintegration center (via the same three legal assistance NGOs), but the added advantage of the OSCE program is that all returned women receive legal information at the earliest possible moment upon arrival.

Accordingly, the Victim Assistance Team project should also lead to improved legal access for beneficiaries staying at short-term shelters. In the past, these beneficiaries received most of their legal information and advice from the police and prosecutors; however shelter staff members also discussed legal issues with victims. Even though most beneficiaries at a short-term shelter did not receive access to professional legal representation regarding their decision to testify, approximately 35 of these beneficiaries have collaborated with police and denounced their traffickers, resulting in around eight convictions of traffickers.

Since Albanian trafficked victims did not have regular access to legal representation until recently, and in the absence of consistent monitoring of court outcomes, it is not possible to evaluate the impact of legal representation upon victims' decisions to provide testimony against their traffickers. During the last year, less than 40% of shelter beneficiaries denounced their traffickers. Most service providers postulate that even with legal counsel, victims are not likely to testify in more significant numbers until a witness protection program is in place. Victims are also reportedly less likely to testify if their traffickers are out on bail. A Draft Law for Witness Protection should be signed before the end of June 2003; until then, international organizations will arrange for *ad hoc* witness protection measures. During the last two years, this *ad hoc* group arranged witness protection and eventual third country resettlement for three victims who testified in high-risk cases.

At this early stage, it is also not possible to assess the impact of a victim's direct legal representation upon the outcome of criminal cases against traffickers. It is important to note that victims of crimes are not legally entitled to bring their legal representative to court with them; this is a matter of judicial discretion, and most Albanian judges do not allow the presence of a victim's attorney in court. Until more Albanian judges are sensitized to allow the presence of a victim's legal representative in criminal cases, the influence of such representatives will most likely remain limited. Therefore further training is required for both judges and victims' lawyers, and a court monitoring system is needed to systematically review trafficking cases and make targeted recommendations for specific areas of improvement.

b) Assistance for Albanian Minors Trafficked for Begging and Forced Labor

▪ Voluntary Assisted Return for Trafficked Minors

Typically, Albanian minors caught by police working on the streets in Italy or Greece were either placed in social service centers (if they were under the age of 12) or within detention centers, treated as illegal migrants and deported, usually without any services or notice to Albanian officials or family members. However, some local NGOs and international NGOs have recently made inroads establishing more appropriate, humane mechanisms for returning trafficked Albanians minors from Italy and Greece.

Albania has not yet signed specific agreements for the return of children from Italy or Greece, but TACT partners have drafted coordinated repatriation procedures for trafficked children and created a pilot project for safe, voluntary and legal return of the Albanian children from Greece. TACT partners have established agreements with officials (including the prosecutor for minors and the head of the minors' department of the police from Thessaloniki) who come into contact with Albanian children trafficked to Greece. After the Greek NGO interviews the minor, the NGO enters the case into a database, refers the case to an Albanian NGO for a social investigation and family report, and awaits the repatriation decision of the minor and the family. If the minor wishes to return, and the family (or a foster family) agrees to accept the minor, an NGO escorts the minor to Albania. As a result, in October 2002, for the first time two Greek police escorted a trafficked Albanian child up to the Albanian border, where NGO partners met the child; in other instances, minors are escorted by plane to Albania and met by NGO partners.

The above project is not the first attempt by local and international NGOs to facilitate more humane returns of Albanian minors from Italy and Greece, but it represents a significant improvement upon previous programs because it utilizes and strengthens partnerships between NGOs inside and outside Albania; it acknowledges the wishes of the minor and the minor's family, and it aims to expedite the return process. Thus far, the shortest time it took the new pilot program to return a child from these countries to Albania was ten days; previous cases handled by return programs often took years.

▪ Family Reunification for Trafficked Minors

At present the state's social services system is barely functioning, so TACT members and other NGOs provide the vast majority of family reunification, reintegration, mediation and assistance for trafficked minors. Assistance includes meeting with the family, conducting a social assessment, mediating the minor's return to the family and establishing what kinds of future assistance can secure the placement and reduce the likelihood that the child (or siblings and relatives) will be re-trafficked. Assistance may include material support for the family, family counseling, and vocational training or job finding assistance for family members.

▪ Educational Assistance for Trafficked Minors

Support for educational assistance and reinsertion of trafficked minors is critical because Albanian schools typically refuse to admit children who have been absent from school and are educationally behind their age group. To date, the Albanian government has not made significant effort to reintegrate trafficked minors into the school system, so NGOs have led the way in this area, offering unique opportunities for children to become re-enrolled with the Albanian school system. Local NGOs in Albania have developed model programs that include formulation of educational work plans for minors who were trafficked or who are at high risk for being

trafficked. Over 1,000 minors have been reintegrated under these programs thus far. Most of these programs have taken place in urban areas (such as Tirana, Elbasan, Berat, and Korca). Minors would benefit if these programs and alternative education programs were adopted on a widespread level, enabling rural children to benefit from them as well.

- **Case Monitoring/Follow-up for Trafficked Minors**

Social services structures in Albania are not yet in a position to perform regularized case monitoring for trafficked (or at-risk) minors. Therefore, TACT NGOs conduct case monitoring and follow-up assistance for these children. NGO social workers regularly visit children in their homes, schools and neighborhoods. In order to stem the number of children departing for Greece during the school breaks, the organization also organized summer camps for children at high risk of being trafficked or re-trafficked. The case monitoring performed by these NGOs in Albania constitutes perhaps the most comprehensive case follow-up of trafficking victims in South Eastern Europe, therefore deserving of promotion and replication throughout the region.

2) Victim Assistance and Protection Services for Foreign Victims

- **Voluntary Return**

Foreign victims who are willing to return to their home country are assisted by IOM. Since most victims lack proper identification documents, IOM obtains necessary identification and travel documents. On average, this process takes between two–to four weeks. IOM arranges for air transportation and travel escorts, if necessary (i.e. for minors of victims with acute medical problems). An IOM staff member meets the beneficiary at the airport, provides information about reintegration assistance possibilities, and provides transportation to a shelter or home destination.

- **Shelter**

Two shelters in Albania provide short-term lodging and services to foreign victims, one is managed by an NGO and the other managed by IOM⁶. The NGO-managed shelter is a short-term shelter that houses foreign victims alongside national victims, and the IOM shelter is a short-term shelter that houses foreign trafficked victims on a separate floor within a shelter for irregular foreign migrants. The official maximum capacity for the NGO-managed shelter is 10, and 20 for the IOM shelter; therefore, the maximum capacity for foreign trafficked victims is around 30. Due to the significant decrease in the number of foreign trafficked victims identified and referred to the shelters, the two shelters combined only host an average of three beneficiaries per month. Therefore, the number of shelter spaces for foreign trafficked victims is sufficient at this time. In the middle of June 2003, the Ministry of Public Order (MPO) and the Ministry of Labor and Social Affairs (MOLSA) will open a new shelter for foreign migrants and trafficked victims within center for migrants with a gradual take-over of services by state-employed personnel.

The average stay at the NGO-managed shelter is between three days and two weeks; most of these foreign beneficiaries are transferred to the IOM-managed shelter for further care and assisted return to their home country. The average stay at the IOM-managed shelter is only two to four weeks since this is typically the amount of time it takes to process identification and

⁶ The IOM-managed shelter will be closed when the MOP / MOLSA shelter opens in June 2003. IOM will continue supporting the management of this shelter through a transition and capacity building phase.

travel documents. Most foreign victims state that they want to return home as soon as possible, so this short timeframe may reflect their wishes. However, the fact that their stay at the shelter most strictly correlates to the time it takes to finalize identity and travel documents raises the issue of whether comprehensive assessments of a foreign victim's physical and psychological readiness are included in this decision-making process.

At present there are no shelters in Albania offering dedicated long-term lodging and services for foreign victims who wish to reside in Albania for extended periods or who do not want to return home. The IOM-managed shelter states that such victims could reside there, but none have done so in the past. It remains to be seen whether foreigners who do not wish to return home will be welcomed in the new government-managed shelter.

▪ **Medical Care**

The medical care provided to foreign shelter beneficiaries does not differ substantially from care provided to national beneficiaries. Care providers report that the foreigners present similar physical conditions and ailments as well. Accordingly, almost all foreign beneficiaries test positive for some form of STIs, some test positive for pregnancy, and a few require emergency treatment for other ailments. Since early 2002, HIV tests have been offered on a voluntary basis to foreign victims at the IOM-managed shelter. Numbers of foreign victims requesting the test have sharply increased; all of the victims requested tests in 2003. Thus far, none of the foreign beneficiaries have tested positive.

▪ **Psychological Care**

The psychological care provided to foreign beneficiaries does not appear to differ substantially from the care provided to national victims residing in shelters for short period (i.e. social workers offer individual counseling aimed at reducing trauma and stabilizing beneficiaries before return home, and recommend sessions with a psychologist or psychiatrist in more complex cases). Social workers at the NGO-managed shelter state that language does not pose a great barrier because the counselors and most foreign beneficiaries speak enough Italian to converse effectively. Social workers and the psychologist at the IOM-managed shelter have learned Romanian, so they are able to provide counseling to Romanians and Moldovans, the majority of beneficiaries. The fact that shelter social workers (who formerly worked at the ICMC-managed shelter) have learned the mother language of the majority of beneficiaries for the purpose of improving their ability to provide services to the beneficiaries is a unique practice worthy of replication throughout the region.

▪ **Legal Assistance**

Foreign beneficiaries at the NGO-managed shelter rarely receive direct legal representation or consultation with qualified lawyers, unless they are referred to the IOM-managed shelter in Tirana. Foreign beneficiaries at the IOM-managed shelter receive similar access to legal services as the national beneficiaries; two NGOs provide basic information about their legal rights and individualized representation for those testifying against traffickers in court. Most legal consultations pertain to providing testimony in court procedures, but assistance is available for other issues. For example, one foreign beneficiary who gave birth to a child in Albania received assistance regarding her child's identity documentation and legal status. However, it is interesting to note that foreign beneficiaries are half as likely to provide testimony as national victims. Direct service providers suggest that this may be correlated to the fact that most of them wish to

return home as soon as possible, and they do not wish to delay their departure with lengthy legal proceedings.

Asylum seekers are referred by the Pre Screening Focal Points and shelter managers to UNHCR. Three trafficking victims sought asylum in 2001-2002. One was granted asylum, one left with unknown destination and the procedure for the third is still pending.

- **Temporary Visa/Extended Stay**

Thus far, no foreign trafficked victims have requested a temporary stay or humanitarian visa according to the Tirana Commitment signed by the Albanian government in December 2002. OSCE focal points and other assistance providers state that they explain possibilities for the temporary visa to foreign beneficiaries, but all of them wish to return home.

- **Case Monitoring/Follow-up**

Foreign beneficiary cases are most often referred for follow-up services to IOM missions in countries of destination. These IOM missions send case updates to the IOM mission in Albania after three months. Case update information includes whether the beneficiary was reintegrated within her family and whether she obtained paid employment or entered a vocational or educational program during the three month period. Since the information is limited in scope and in time (a three-month period), it is not possible to assess whether meaningful reintegration took place. Accordingly, it is uncertain whether service providers in sending missions are able to gauge and adjust their service programs according to outcomes of victims' status in home countries.

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COUNTRY REPORT

Bulgaria

This summary analyzes the status of Victim Assistance and Protection for women and girls trafficked to, through and from Bulgaria. The Report is divided into four sections: I) Number of Victims Identified and Assisted, II) Methods of Identification and Referral for Assistance, III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Bulgaria is a **primary country of origin for trafficking in human beings** for purposes of sexual exploitation.
- The minimum number **Bulgarian and foreign trafficked victims** assisted within Bulgaria between January 2000 and June 2003 is **423**. The minimum number of Bulgarian trafficked victims is **352**. The minimum number of foreign victims is **71**.
- The number of Bulgarian victims mainly comprises women and girls **voluntarily returned** to Bulgaria **through assistance programs** as well as women and girls identified during **police operations** and subsequently referred for assistance. The number of Bulgarian **victims assisted within the country increased regularly**, tripling over the years 2000 to 2002. Despite NGO reports regarding substantial numbers of Bulgarians trafficked within Western Europe, it is not possible at this stage to determine the extent of trafficking into Western Europe because the relevant countries and assistance organizations do not systematically collect such data.
- Out of the 352 victims, 51% were identified abroad and assisted through voluntary return programs. In contrast to destination patterns observed in the other South Eastern European countries of origin, **61% of the returned cases come from the EU countries**. It appears that screening processes are not initiated in the main countries of destination and screening procedures upon extradition are not systematically conducted to outreach potential victims upon return in Bulgaria.
- The minimum **number of foreign victims identified** from January 2000 to June 2003 as trafficked victims within Bulgaria and **subsequently referred for assistance is 71**. The

figure includes all foreign victims trafficked primarily assisted within Bulgaria and thereafter voluntarily returned to their countries of origin.

- According to border police investigations, **a considerable number of women from Russia, Moldova and the CIS countries still transit through Bulgaria.** However, without systematic identification mechanisms in place, the border police cannot determine or estimate how many of these women are victims of trafficking.
- All Bulgarian victims are **females trafficked for purposes of sexual exploitation.** A very **high percentage of victims were minors** at the time of their identification and referral for assistance (48% in 2002). **10 to 15% of them are mothers.** They are **primarily lured by false job promises.** Bulgarian victims **originate from a variety of rural and urban settings.**
- Among the countries of origin in the region, **Bulgaria has the highest rate of identification and assistance of internally trafficked victims.** For instance, during Operation Mirage in September 2002, Bulgarian law enforcement bodies identified and referred for assistance 66 internally trafficked women and girls.
- The minimum number of **Bulgarian minors identified and assisted** between January 2000 and June 2003 **is approximately 100.** This figure comprises cases of **Bulgarian minors internally trafficked within Bulgaria** and referred for assistance by specialized police units or by the Bulgarian National Police, as well as cases of **Bulgarian minors trafficked abroad and subsequently returned to Bulgaria.** At this time, there is no centralized database or agreed upon methodology for collecting the number of trafficked minors cases in Bulgaria. Systematic data collection on trafficking is foreseen under the umbrella of the National Commission that should be established in 2004, but it is unclear whether specific data will be segregated for minor victims. Due to incomplete and contradictory data regarding minors' cases in Bulgaria, the estimate of 100 trafficked identified and assisted minors is certainly much lower than the actual figure. For instance, identification, referral and assistance procedures for minors trafficked for begging, stealing and other forms of forced labor are undeveloped, so these figures are unavailable.
- Most of these minors' cases involve **females who were trafficked for sexual exploitation,** rather than other forms of trafficking.
- **Methods for identifying and referring minor trafficked victims in Bulgaria are not uniform** at this time. Upcoming legislation regarding the implementation of counter-trafficking assistance measures should formulate a more uniform structure for identification and referral of minors trafficked abroad and within Bulgaria. Until recently, this identification, referral and assistance did not necessarily include special provisions and consideration for the needs or rights of minors. However, pilot projects regarding identification, repatriation and assistance for Bulgarian minors trafficked in Western Europe are underway, and these may lead to the development of more standardized procedures in the future.
- A range of local NGOs and the IOM provide most of the assistance and protection services for national and foreign trafficked victims in Bulgaria. Overall, **Bulgaria possesses a more diversified group of direct service providers** for trafficked victims than other countries in the region, but most of them are concentrated within Sofia.

- The **new counter-trafficking law aims to establish more assistance and protection mechanisms** for trafficked victims and to promote cooperation between governmental authorities, municipal authorities and NGOs. The government must also create secondary legislation regarding the implementation of plans for: national and local counter-trafficking commissions; temporary shelters; assistance centers for trafficked victims; long-term stay permits for foreign nationals; and special protection for witnesses during the penal process. Secondary legislation should include provisions regarding training for national and local commission members and proper mechanisms whereby local commissions can refer victims and shelter management to specialized, experienced counter-trafficking NGOs.
- Most of the identified and assisted voluntary returns from transit and destination countries are conducted by IOM according to a *Memorandum of Understanding* signed in 2001 between the IOM, SECI and the Bulgarian Government. The range and scope of assistance provided to these victims varies according to the particular programs and practices of service providers throughout the countries where the victims are first identified. **Most victims returning under the IOM program enter some kind of assistance program** upon return. A local NGO also conducts assisted voluntary returns, but these are conducted according to informal cooperation agreements with Western and Eastern European NGOs, and a signed formal cooperation agreement with Bulgarian Border Police.
- There are **five shelters for trafficked victims in Bulgaria**. Three are located in Sofia, one in Sliven, and one in Blagoevgrad. The maximum capacity of these shelters is approximately 50. Local NGOs manage three of the shelters, and the IOM manages two of the shelters. All of the shelters accept Bulgarian and foreign victims of trafficking, and all of the shelters accept minors. Two of the shelters are located within private apartments, but three are located within municipal buildings according to long-term written agreements with local municipalities. The **contribution of municipal space by local governments in Bulgaria is unique** within South Eastern Europe, and represents a positive commitment by local authorities that should be emulated by other countries in the region. All shelters provide short to mid-term lodging and social assistance. The average length of stay varies from one week to two months. The average length of stay has risen slightly over the last year, but it is still quite low compared to other shelters in countries of origin.
- According to Bulgaria's counter trafficking and victim assistance legislation (which will enter into force in January 2004), additional **shelters and consultancy centers should be established within "at-risk" municipalities**. These shelters will accept victims for a maximum period of ten days, with a possibility for extension upon recommendations from the police or judiciary. These stipulations should be revised because shelter stay should not be conditioned upon cooperation or recommendations of law enforcement bodies, and the period of shelter stay is too short. Finally, implementing regulations should assert the responsibility of local councils and municipalities to provide contracts and payments to specialized NGOs for provision of these services.
- Each of the shelters arranges for voluntary, confidential and free of charge medical care for trafficked victims. The provision of medical care is distinguished from other countries in the region because **health care professionals employed by local and international health care NGOs and public hospitals** provide most of the medical care according to written agreements with shelters. Elsewhere in the region, medical care professionals employed directly by the shelters provide most of the medical care. **Bulgaria represents a promising, more sustainable model of health care** provision because the system is less costly, constitutes diversification of services by experienced professionals, and links victims to health services that they can continue to access in the future.

- The **quality and availability of psychological and psychiatric** care for trafficked victims in Bulgaria, particularly in Sofia, is among the **highest in South Eastern Europe**. Each of the shelters refers beneficiaries for voluntary counseling by experienced psychologists and social workers at prominent NGOs. Psychologists and social workers with these organizations possess on average several years experience working with trafficked victims and other victims of violence and trauma, and they have designed models of assistance and numerous training seminars for state social workers and health care providers. Therefore, these service providers could serve as training and consultation resource for other psychological and social service providers in the region. Although the quality of psychosocial service for victims in Bulgaria is rather high, most victims only receive counseling for a brief period, usually a couple of weeks. Provision of longer-term psychosocial services within other communities, in particular communities of origin and at-risk communities must be increased.
- Many of the treating psychologists note that trafficked women who received some direct assistance abroad (i.e., women who received services from an NGO or international organization in the country of transit or destination), appear less traumatized and more receptive to services than women who were directly returned or deported by the police. **This highlights the importance of developing high quality psychosocial services for victims in transit and destination countries.**
- All of the shelters and psychosocial service providers offer some family mediation services to victims. However, these services are mainly available in Sofia at this time. **Family mediation services should be expanded to more rural and at-risk areas**, and the new regulations on implementation of victim assistance should include specific provisions for family mediation and counseling. In particular local Councils and state social service providers must receive more training in areas of family risk (violence) assessment and mediation. Because so many of the victims grew up in abusive and dysfunctional families, service providers must pay particular attention to this area of service.
- **Too little employment assistance has been developed and implemented** for trafficked victims by the competent authorities, and only a few organizations in Bulgaria offer job-finding assistance. One of the main reasons is that comprehensive reintegration programs were not developed for victims until rather recently in 2002. Positive developments in the job search and employment training field include counseling and training sessions aimed at trafficked women and at-risk adolescents, and vocational training programs organized by labor institutions.
- **Most trafficked victims in Bulgaria do not receive comprehensive legal assistance and representation.** Although most service providers possess agreements with two local legal NGOs for free of charge legal counseling, the majority of victims do not receive individualized consultations with lawyers unless they provide court testimony against their traffickers. At present Bulgaria does not have a formal witness protection program for victims who testify against traffickers. Therefore, most victims fear for their safety and do not provide testimony in court. Although service providers encourage development of a comprehensive witness protection mechanism within Bulgaria, most service providers believe that **witness protection should include possibilities for relocation outside of the country** because it is difficult to provide long-term protection and anonymity within such a small country.

- The **lack of comprehensive case monitoring and follow-up** assistance constitutes one of the largest gaps in services for trafficked victims in Bulgaria. On average, the IOM and NGOs conduct case monitoring for two months after the beneficiary departs the shelter. Although a handful of victims receive longer-term attention and assistance from a few NGOs, the vast majority of cases are essentially lost two months after shelter departure. Aside from making referrals to NGOs within the victim's home community, victims are usually not provided with any other follow-up services. Therefore, case monitoring mechanisms and longer-term follow-up services need to be developed and provisions for these should be contained within the upcoming implementation legislation for counter-trafficking assistance.
- The IOM, local counter-trafficking NGOs, local health care NGOs and a few state shelters for minors provide most of the direct assistance and protection services for minor trafficked victims in Bulgaria. Most of these assistance providers are concentrated within Sofia. Until recently, most of these organizations basically provided the **same services to minor and adult** victims of trafficking. **Specialized services and standards were not necessarily developed for minors**, with the exception of compliance with some basic provisions mandated by the Child Protection Act. The new counter-trafficking legislation reaffirms the prominent role of the State Agency for Child Protection within the new assistance and protection programs underway in Bulgaria, but whether or not the Agency assumes a more active and constructive role in the provision of services and development of specific standards of care for minors remains to be seen.
- At present, trafficked **Bulgarian minors are most often provided short-term shelter alongside adults within shelters designed for adult trafficked victims**. The five shelters that provide temporary lodging to adult victims also accept trafficked minors; these shelters provide short-term shelter to almost all of the internally trafficked minors within Bulgaria, and to most of the minors returning under IOM-managed assistance programs from transit and destination countries. However, some trafficked minors are initially placed within one of five transit shelters for minors administered by the Ministry of Interior. New legislation coming into force January 2004 should bring about some changes with regard to sheltering facilities for minors. Most notably, **the new counter-trafficking legislation requires shelter providers to accommodate minor trafficked victims in separate premises from adults**. At this time, shelter providers anticipate that dedicated shelters for trafficked victims will be established, but it is uncertain who will manage these shelters.
- Most Bulgarian service providers do not maintain or provide segregated or detailed data regarding medical or psychological profiles of trafficked minors. Since most service providers in Bulgaria have not developed specialized procedures and service plans for minors, very little information about trafficked minors' medical assistance is available. The IOM and NGOs basically provide the **same medical care to minors as adults**. All service providers offer psychological counseling to minor victims of trafficking, although the scope and length of the counseling varies considerably. Service providers note that **most of the minors suffered abuse within their families**, especially child sexual abuse and incest. **Domestic violence was commonly reported** within their families, and a number of the minors developed drug and alcohol dependencies prior to or during their trafficking experience.
- Overall, **service providers do not conduct long-term case monitoring**, even for minors' cases, so they could not provide specific information regarding how many minors remained with their families for substantial periods of time. Moreover, these **family assessments, family crisis counseling and supportive services should be expanded to more rural and at-risk areas**, and the new regulations on implementation of victim assistance should

include specific provisions for family and child mediation and counseling. Thus far, educational assistance for minors has not received particular emphasis within assistance and protection measures for trafficked minors.

- The new legislation requires that child victims of trafficking receive education within state and municipality schools according to the *Law on Public Education*, but **this law does not contain specific educational reintegration and reinsertion measures** for child trafficking victims or similarly situated minors who were absent from school for long periods of time. Local Councils and other service providers should develop more formal education and non-formal or alternative education programs for trafficked minors.
- **Bulgarian legal procedures for minors contain more protections for minor trafficked victims than most countries in South Eastern Europe**, however application of some of these laws appears uneven. A procedure in Bulgaria that could serve as a good practice for other countries in the region is Bulgaria's law providing that a minor may testify in a closed session of court, where only a judge questions the minor. This way, the trafficked minor does not have to face the alleged perpetrator in court. Prosecutors and court officials have also recently invited specialized forensic experts to provide testimony regarding abuse sustained by minors in child trafficking cases. Although it is too early to assess whether the testimony of forensic experts makes a substantial difference in court, it is likely that this is a positive measure worthy of replication.
- **Dedicated housing and assistance services do not exist for foreign victims in Bulgaria:** they receive assistance within the existing assistance schemes and facilities for national victims. The new legislation contains provisions whereby a foreign trafficked victim can apply for a temporary visa/extended stay within Bulgaria, but this **legislation conditions the visa, special protection and assistance upon the foreigner's willingness to cooperate with law enforcement** for detecting perpetrators of trafficking crimes. Thus far no foreigners have received temporary visas/extended stays in exchange for their cooperation with law enforcement.

I. NUMBER OF BULGARIAN AND FOREIGN VICTIMS IDENTIFIED AND ASSISTED

1) Number of Bulgarian Victims Identified and Assisted

The following table contains the minimum number of trafficked Bulgarian women and girls assisted from January 2000 to June 2003⁷: **352**

	2000	2001	2002	June 2003
Bulgarian Victims	46	96	164	46

The above figures were compiled according to information provided by IOM Sofia, the Animus Association Foundation/La Strada (thereafter referred to as Animus) and the Nadja Center. IOM and Animus both maintain case statistics. Systematic data collection on trafficking is foreseen under the umbrella of the National Commission to be established in 2004.

These figures comprise the number of identified trafficked Bulgarian women and girls, either voluntarily returned to Bulgaria between 2000 and June 2003 through organized return programs or upon extradition and law enforcement identification and referral for assistance. As of today, 51% of the Bulgarian victims have been identified and assisted through organized voluntary returns.

These figures also comprise cases of Bulgarian internally trafficked within Bulgaria and referred for assistance by specialized police units or by the Bulgarian National Police.

However, the figures do not include numbers of trafficked Bulgarian victims identified and assisted by NGOs or governmental social assistance programs in transit and destination countries who have not been subsequently returned to Bulgaria. For example, 21 Bulgarian women and girls who enrolled in Italy's (Article 18) social assistance schemes for trafficked victims in 2002 are not quantified in this report. In general, statistics regarding Bulgarian victims assisted in transit and destination countries are not systematically collected and are unavailable at present. Animus nevertheless reports through its contacts and inquiries across Europe that 485 Bulgarians victims of trafficking have received assistance from Austrian, Czech, Dutch, French, German and Swiss NGOs between early 2000 to May 2002. All of these cases involved Bulgarian women and girls trafficked for sexual exploitation: 39% were first assisted in France, 29% in the Netherlands and 24% in Austria.

The number of assisted cases almost doubled from 2000 to 2001, accounting respectively for 130 and 237 cases. The cases assisted in the first quarter of 2002 already represented half of the cases reported in the previous year. The RCP mandate does not include data collection from other European countries, but recommends the data collection of Bulgarian assisted cases from EU assistance providers in order to outline: a) the minimum extent of Bulgarians trafficked into Western Europe; b) the impact of Schengen visa removal upon trafficking of Bulgarian citizens and c) various forms of trafficking purposes (i.e. sexual exploitation; forced labor; etc.).

⁷ The data for the year 2003 have only been provided by one organization and should therefore be considered as partial.

Also, the figures presented in this report do not contain the 37 trafficked children cases recorded by the Bulgarian National Police Children Crime Unit because these cases are not segregated per-year. The figures also do not include numbers of trafficked Bulgarian minors identified and assisted by NGOs or governmental social assistance programs in transit and destination countries who have not been subsequently returned to Bulgaria. These figures are not included because the RCP does not presently have access to this data, and the current report only includes data pertaining to victims who have received assistance in Bulgaria.

Approximately 100 out of the 352 cases were trafficked minors. This figure was compiled according to information provided by IOM Sofia and Bulgaria's Child Crime Department. This figure comprises cases of Bulgarian minors internally trafficked within Bulgaria and referred for assistance by specialized police units or by the Bulgarian National Police, as well as cases of Bulgarian minors trafficked abroad and subsequently returned to Bulgaria for assistance between January 2000 and June 2003. At this time, there is no centralized database or agreed upon methodology for collecting the number of trafficked minors cases in Bulgaria. Systematic data collection on trafficking is foreseen under the umbrella of the National Commission that should be established in 2004, but it is unclear whether specific data will be segregated for minor victims. According to its mandate, Bulgaria's State Agency for Child Protection should also possess a registry of minor trafficked victims, but the Agency has not yet implemented a registry for trafficked minors.

Most of these cases involve females who were trafficked for sexual exploitation, rather than other forms of trafficking. The majority of these cases (more than 60%) involve national minors identified as internally trafficked victims by Bulgarian law enforcement units during targeted police operations, namely Operation Mirage in September 2002 and Operation LEDA in May 2003. The identification of significant numbers of internally trafficked minors in Bulgaria is a recent phenomenon that seemingly arose with Operation Mirage; minors constituted almost 90% of trafficked victims identified in this operation. Service providers agree that the number of internally trafficked minors (mostly aged 15-17) is on the rise; more minors are reportedly moved from town to town in Bulgaria for purposes of sexual exploitation. However, it is unclear to what extent the high number of recent internal cases is also a result of law enforcement actors widening their operating definitions of trafficking to include variations of sexual exploitation of minors.

The Operation Mirage and Operation LEDA cases are inserted within the total number of trafficked victims included in the Bulgaria report because they are segregated by year. However, the figures provided by the Child Crime Department (37 cases) are not segregated by year, so they are only included within the minors figures in this section of the report, and they are not included within the total number of victims in Bulgaria. These cases include minors trafficked abroad as well as minors trafficked internally for sexual exploitation. Prior to autumn of 2002, most Bulgarian police classified cases of only trafficking abroad (not internal cases) as trafficking, so most of the 37 cases of these trafficked minors represent minors trafficked abroad and subsequently returned to Bulgaria.

Due to incomplete and contradictory data regarding minors' cases in Bulgaria, the estimate of 100 trafficked identified and assisted minors is certainly much lower than the actual figure. For example, many trafficked minors come to the attention of local Committees for Child Delinquency, but the National Committee does not maintain statistics regarding the number of trafficked minors it serves. The Committee plans to develop criteria for case data during 2003. Also, Temunujka Kapchina Shelter for Minors provides services to unaccompanied minors who were returned from transit and destination countries, including trafficked minors, but the shelter does not keep figures regarding the exact number of assisted trafficked cases. In September

2000, the shelter estimated that they provided services to at least 25 victims of trafficking, mostly girls trafficked abroad for sexual exploitation, but this number is not included within the 100 cases because the shelter could not verify the exact number of cases. Furthermore, information collection regarding minors trafficked for begging, stealing and other forms of forced labor are undeveloped, so these figures are unavailable.

Finally, cases regarding missing minors who are suspected of being trafficked are not included within this report because they are not confirmed cases. As of January 2003, the Child Crime Department of the National Police, which maintains statistics on the number of children reported missing in Bulgaria, reported that around 50 minors were listed as missing, and the number of searches conducted by the National Search Unit for missing children is over 300. These figures are not included in the number of identified and assisted cases, and do not all involve suspicions of trafficking, but state counter-trafficking officials should consider including them with systematic data collection as possible indicators of unsolved cases involving trafficked minors.

2) Number of Foreign Victims Identified and Assisted

From January 2000 to June 2003, **71 foreign** victims were identified in Bulgaria as trafficked and subsequently referred for assistance.

Identified victims who refused to enroll in the voluntary return programs (and were thereafter expelled) are not quantified in this number. This figure was compiled according to information provided by IOM Sofia and Animus. The figure includes all foreign victim trafficked cases primarily assisted within Bulgaria and thereafter voluntarily returned to their countries of origin. The following table contains the number of foreign cases identified and assisted according to nationality from 2000 until June 2003:

Nationality	2000	2001	2002	June 2003
Czech	0	0	1	0
Georgian	0	3	1	0
Latvian	1	0	0	0
Moldovan	1	7	0	0
Romanian	0	0	2	2
Russian	0	4	0	0
Ukrainian	22	27	0	0
Total	24	41	4	2

IOM Sofia and Animus Data

To date, these figures do not indicate that Bulgaria is a major country of destination. However, for the reasons listed below, these figures should only be considered as partially representative of trafficking in foreigners through and to Bulgaria.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

1) Identification and Referral of Bulgarian Victims

The majority of Bulgarian trafficking cases come to attention by one the following mechanisms: (1) organized voluntary returns; (2) returns through extradition; (3) identification during police operations and (4) help-lines.

▪ Voluntary Returns from Transit and Destination Countries

As of today, 51% of the victims are identified abroad and enroll in voluntary return programs. Trafficked persons returning to Bulgaria via official channels are referred to IOM Sofia, per the *Memorandum of Understanding* signed in 2001 between IOM, SECI and the Bulgarian Government. Accordingly, the National Bulgarian Police conducts a security assessment for each case prior to arrival and subsequent assistance. Since the year 2000, 70% of the recorded voluntary returns are completed though this channel and mainly come from Germany, Kosovo, FYR of Macedonia and Italy.

Other voluntary returns are facilitated by Animus, through the La Strada network of 40 foreign NGOs. Returns are operated according the organization's internal procedures regarding agreements with foreign counterparts. Victim's needs assessments and case plans are initiated via phone interviews prior to return to Bulgaria. The victims assisted through this network mainly come from Germany and France.

The following table represents the countries of transit or destination of Bulgarian victims at the time of their voluntary return according to data made available by the assistance providers. The 2003 data are partial and represent only cases assisted by one organization.

Destination countries/entity	2000	2001	2002	June 2003
Albania	2	4	0	1
Austria	0	7	2	0
Belgium	0	2	3	2
Cyprus	0	0	1	0
France	0	0	14	6
Germany	0	22	25	2
Holland	0	2	4	1
Italy	1	2	12	0
Kosovo	10	6	6	3
Lebanon	0	0	0	1
fYR of Macedonia	4	10	4	7
Montenegro	0	0	1	0
Poland	0	4	5	0
Slovenia	0	0	1	0
Spain	0	1	0	2
Ukraine	0	1	0	0
Total	17	61	78	25

IOM Sofia and Animus Data

Out of the total number of voluntary returned cases (181), 61% come from Western Europe, contrasting with the destination patterns observed in the other South Eastern European main

origin countries. Most cases come from Germany (27%), France (11%) and Italy (8%). The total number of cases coming from Western countries has increased noticeably during recent years, accounting for 59% in 2001 and 77% in 2002, although voluntarily returned cases from the Netherlands and Austria appear scarce in comparison to the assistance data available from some of the EU assistance providers. There is speculation that changes in Schengen visa regulations are a significant factor in this increase. However, it is impossible at this stage to determine whether the removal of Bulgaria from the list of countries whose citizens are required to obtain a Schengen visa has led to an increase of trafficking in Bulgarian women and girls. Further studies should be carried out to assess the most probable implications.

The absence of Bosnia-Herzegovina as transit or destination country is remarkable as Bulgarian women and girls are found trafficked in Kosovo and FYR of Macedonia and tends to suggest a type of territorial allocation amongst the various human trafficking networks in South Eastern Europe.

Given the breadth of services available and the dispersion of trafficked Bulgarian women and children throughout the continent, contact and services information for Bulgarian direct assistance providers should be broadly disseminated throughout Europe, targeting equally assistance networks, Border and Immigration Services, as well as Bulgarian representations abroad.

▪ **Returns upon Extradition**

The number of Bulgarian extradited females almost doubled between 2000 and 2001, reaching 1,122 persons in 2001 and 1,958 persons in 2002. Over 60% were expelled in 2001 from European Union countries (mainly from Germany, Belgium and the Netherlands) and around 20% from Poland. In the year 2002, 81% were expelled from European Union countries (mainly from Germany, Belgium and Italy). One of the assistance organizations estimates that half of its beneficiaries had been extradited from transit and destination countries, but the organization doesn't keep systematic records of the countries of extradition.

Most of the extraditions are carried out using regular buses and trains. The screening procedures upon arrival in Bulgaria remain unclear. The Bulgarian Border Service uses a screening questionnaire developed by the SECI center to reach out to potential victims of trafficking upon their return in Bulgaria. In the absence of official statistics on victim identification, it is impossible to evaluate the impact of these efforts and to assess if they are implemented throughout the country. Moreover, assistance providers report that even when law enforcement bodies provide suspected victims with details and contacts for direct assistance service providers, many victims do not automatically contact them because they are unable to overcome their fears or they do not necessarily believe that they could receive meaningful assistance.

▪ **Police Operations**

Among the countries of origin in the region, Bulgaria has the highest rate of identification and assistance of internally trafficked victims. For instance, during Operation Mirage in September 2002, law enforcement bodies identified and referred for assistance 66 Bulgarian internally trafficked women and girls. Most of the identified and assisted internally trafficked victims (57 out of 66) were minors. During operation LEDA in May 2003, 12 cases were identified as trafficked and subsequently referred for assistance, including five minors.

According to the records of Child Crime Department of the National Police, 37 Bulgarian children were externally and internally trafficked between 2000 and November 2002. Most of

victims are girls and were trafficked for sexual exploitation rather than other forms of trafficking. Specialized police interview the minors, and after the interview, the police refer minor victims of trafficking and other forms of violence to personnel within one of Bulgaria's Child Protection Units and Local Committees for Child Delinquency for assistance. The Child Crime Department reports that with the European Union waiver of the visa for tourist purposes, the movement of children across borders has increased, but estimates are not possible because there are no official statistics regarding under-aged movement across borders.

▪ **Help-lines**

Two help-lines that address violence as a whole also address counter trafficking issues in Bulgaria. Each is managed by a local NGO based in Sofia. Both of these organizations offer assistance and psychological counseling to the victims and their families, and one of them also provides preventive information such as: lists and details of the licensed agencies offering job abroad (list provided by the National Employment Service); employment conditions abroad (including a new service about employment conditions in Dubai); and lists and details of the Bulgarian Embassies and Consulates, etc. The NGO operating the main hotline also manages a 24-hour program offering crisis assistance and shelter for women and adolescent victims of violence and trafficking.

The main help-line received 190 calls directly related to trafficking in 2002. Out of these calls, 40% were from at-risk girls and women (i.e. intending to work and study abroad); 27% from relatives of trafficked victims or persons concerned about risk of trafficking; 25% from social services & journalists and 8% from trafficked victims (calling from Bulgaria as well as from abroad). In comparison 237 calls directly related to trafficking were recorded in 2001. Out of these calls, 67% were from at-risk women and girls; 22% were trafficked women and girls (in needs of rescue and/or social assistance); and 11% were from relatives.

It is interesting to note that even though the number of calls remained quite similar over the period considered, their nature changed. There was a significant decline of calls preventive in nature or from trafficked victims themselves, and an increase of the calls from relatives and third parties. This seems to indicate that the awareness raising campaigns achieved some success in Bulgaria. However the visible reduction of trafficked victims reaching the help-line suggests that they are not aware of the help-line, they are not able to access the service, or that they are not able to overcome their shame and distrust.

Operators report that in contrast with domestic violence cases, trafficked victims are not inclined to spontaneously contact the help-line. None of the numbers is free of charge, which may constrain some potential users, and publicity about the help-lines is not integrated within a national strategy. Additionally, the efficacy of help-lines depends upon regular information dissemination (i.e. media campaign, posters, etc.). Combined dissemination initiatives conducted together with municipal authorities or public transportation companies should be encouraged throughout Bulgaria. Unlike some other help-lines in the region, none of these help-lines investigates Bulgarians reported missing or trafficked abroad and one help-line does not cooperate with the national police.

▪ **Procedures for Identifying and Referring Trafficked Minors**

Methods for identifying and referring minor trafficked victims in Bulgaria are not uniform at this time. Upcoming legislation regarding the implementation of counter-trafficking assistance measures should formulate a more uniform structure for identification and referral of minors trafficked abroad and within Bulgaria.

Most minor victims identified abroad (primarily in the Balkans and more recently in a few Western European countries) were returned to Bulgaria and assisted according to an agreement between IOM, SECI and the Bulgarian government. Until recently, this identification, referral and assistance did not necessarily include special provisions and consideration for the needs or rights of minors. However, a new pilot program for repatriation and reintegration assistance for unaccompanied minor victims of trafficking from Western Europe to Bulgaria is intended to facilitate mechanisms for more orderly, safe and dignified repatriation and sustainable reintegration of these minors. The program, executed by IOM in cooperation with Bulgarian and Western European authorities and NGOs, will focus mainly on pre-departure assistance to returnees and reintegration within Bulgaria. The program will also work, however, with authorities within destination countries to properly identify and refer cases of trafficked minors. The ultimate success of this program will largely depend on the extent to which destination countries and Bulgaria incorporate principles of orderly, safe and dignified return of minors within their operational standards and legislation.

Regarding identification and referral procedures for internally trafficked minors, there are a few state organizations that most frequently identify and refer minors. Law enforcement units that took part in recent raids during Operation Mirage and Operation LEDA identified the largest number of minors. According to an a formal agreement signed with IOM, partner NGOs and a few state health institutions, law enforcement referred all victims to IOM and the partner service providers, including one shelter for minors. However, specialized provisions and procedures for minors do not appear in the formal agreement.

Bulgaria's National Police possess special procedures for identifying and referring minor trafficked victims. For example, if a minor escapes prostitution and reports to a police officer that she is a victim of a crime, police procedures require that a specialized police officer conduct an initial interview of the victim. These specialized officers must possess pedagogical or psychological training plus training required for police dealing with children, and this should be considered a best practice for police working with children in the region. After the interview, the police refer minor victims of trafficking and other forms of violence to personnel within one of Bulgaria's Child Protection Units and Local Committees for Child Delinquency for assistance.

Local Committees for Child Delinquency are other agencies that occasionally identify and refer trafficked minors. Although the mandate of these commissions is to prevent minors from becoming involved in the penal system and to steer troubled minors away from the penal system and into educational programs, cases of trafficked minors sometimes come to the attention of these commissions because they are originally classified as cases involving child prostitution or "anti-social behavior." The local committees are supposed to refer these cases for further assistance to educational and specialized institutions, but neither the local committees nor the National Committee maintain statistics regarding the number of trafficked minors it serves. Furthermore, the National Committee has not implemented standardized criteria for identification of referral of trafficked minors, but it states its plans to implement a "common system of indicators and service referral for trafficked minors in 2003. It is critical for the National Committee to develop these standards as well as more effective prevention and diversion programs because approximately half of all trafficked minors have delinquency records, thereby comprising a high-risk category of victims.

At this time, child welfare workers and officials do not originally identify many cases of internally trafficked minors. NGOs are presently training groups of child welfare workers to properly identify minor trafficked victims and refer victims for appropriate services. Furthermore, state child welfare workers and other assistance providers should conduct more direct outreach and identification measures to Bulgaria's growing population of street children (estimated between

3,000-5,000) because these children are widely considered to be among the most vulnerable category of minors targeted for trafficking.

2) Identification and Referral of Foreign Victims

IOM is the referral agency assisting foreign women to return from Bulgaria to their countries of origin, upon law enforcement identification and referral for preliminary case assessment.

According to border police investigations, a considerable number of women from Russia, Moldova and the CIS countries still transit through Bulgaria. However, without systematic identification mechanisms in place, the border police cannot determine or estimate how many of these women are victims of trafficking.

During the year 2001, 763 female foreign nationals were expelled from Bulgaria under the *Foreign National Acts* provision that “offence has been committed or [the person] has no grounds to stay in the country”. According the Act, ejection from Bulgaria happens within a short period of time (most of the time at green border points) and no screening procedures are in place. These practices should be revised because they eventually place expelled women at-risk of being abducted into trafficking.

III. VICTIM PROFILES

At this time, the main assistance organizations and service providers within Bulgaria do not systematically collect or segregate victims data. For example, data regarding national victims, foreign victims and minors are often mingled. Furthermore, data is often not segregated by year. Therefore, the following victim profile data reflects the data presently available, but is not necessarily comprehensive.

▪ Age

The average age of victims in Bulgaria is quite low, especially for victims identified and assisted within the last 12 months. For example, almost half of the assisted cases within 2002 were minors at the time of their identification and referral for services. One-third of these cases were 18 to 24 years of age. Unfortunately, data is not available regarding the age of victims at the time of initial recruitment.

▪ Level of Education

The available data regarding victims’ level of education indicates that most women possess a rather low level of education. However, data regarding education levels is contradictory. For example, one organization reports that most beneficiaries attended only primary school, whereas another organization maintains that most of its beneficiaries attended high school.

▪ Reasons for Leaving Home Country

Unemployment and wish for a better life are the main factors contributing to women’s vulnerability to trafficking.

▪ **Methods of Recruitment**

According to available case profiles statistics (recording cases from 2000 to May 2002), the largest number of victims (59%) were lured by promises of jobs within the entertainment and/or service industries (i.e. dance clubs, hotels, restaurants); 4% received false invitations to visit countries abroad and 1% received false promises of marriage.

For adolescents, police describe the following recruitment process: local persons take a young girl (aged 16 to 17) from a small village to a larger town or city where she is thereafter abused and exploited. Then she will be sold to one of the criminal groups operating in the town, forced into prostitution and moved out, perhaps to a foreign country.

▪ **Marital Status**

Most of the victims are single and approximately 10 to 15% are mothers.

▪ **Place of Origin**

A significant percentage of victims come from Bulgaria's southern mountainous areas bordering the FYR of Macedonia, Greece and Turkey; as well as from the border-zones. Cities such as Sofia, Varna, Burgas, Pernik, Plovdiv and Vidin are also significantly represented, yet victims originate from a variety of rural and urban settings.

▪ **Transportation Routes**

Many of the victims have been trafficked to several countries. According to law enforcement bodies, most victims traveled either through FYR of Macedonia and Greece or through Romania and/or Serbia to Hungary and Western Europe.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

A range of local NGOs and IOM provide most of the assistance and protection services for national and foreign trafficked victims in Bulgaria. Overall, Bulgaria possesses a more diversified group of direct service providers for trafficked victims than other countries in the region, however most of these assistance providers are concentrated within Sofia. For example, a cluster of experienced NGOs provide psychosocial assistance, medical care, legal assistance, job finding assistance and shelter for national and foreign victims. The level of cooperation among these NGOs and between the NGOs and state and local authorities tends to be higher than other countries in the region. This is reflected within Bulgaria's new counter-trafficking law, which will enter into force in January 2004.

The new counter-trafficking law aims to establish further assistance and protection mechanisms for trafficked victims and promote cooperation between governmental authorities, municipal authorities and NGOs. Until secondary legislation with more specified implementation provisions is in place, the full extent of cooperation between governmental authorities and NGOs will remain unclear. However it is a positive sign that the initial legislation highlights the need to provide comprehensive services for victims with respect for their human rights, and that NGOs as well as local municipalities will provide assistance and protection measures. The government must also create secondary legislation regarding: the implementation of plans for: national and local counter-trafficking commissions; temporary shelters; assistance centers for

trafficked victims; long-term stay permits for foreign nationals; and special protection for witnesses during the penal process. Secondary legislation should include provisions regarding training for national and local commission members and proper mechanisms whereby local commissions can refer victims and shelter management to specialized, experienced CT NGOs. Finally this process should assert the responsibility of local councils and municipalities to contract with and fairly compensate these specialized NGOs for services rendered to victims.

1) Victim Assistance and Protection Services for Bulgarian Victims

▪ Voluntary Assisted Returns

Most of the identified and assisted voluntary returns from transit and destination countries are conducted through the IOM according to a *Memorandum of Understanding* signed in 2001 between the IOM Sofia, SECI and the Bulgarian Government. The range and scope of assistance provided to these victims varies according to the particular programs and practices of service providers throughout the countries where the victims are first identified. If the original assistance takes place within IOM-managed programs in the Balkans, the assistance typically consists of shelter, medical care, psychosocial care, basic legal information, a humanitarian package, travel documentation, and transportation to the country of origin. The IOM in Bulgaria also requests the sending mission to complete a case history questionnaire designed by the IOM Bulgaria. Bulgarian police conduct a security assessment for each case (i.e. verification of border crossing; children identity, etc.) prior to the victim's arrival and transfer to the IOM for assistance. Detailed information about services provided in South Eastern European countries is located within RCP country reports under "*Victim Assistance and Protection Services for Foreign Victims of Trafficking.*" Most victims enter some kind of assistance program upon return, however it is worth mentioning that in 2002, 10% of returned victims declined all further assistance upon their arrival in Bulgaria and only 33% of victims enrolled in the full range of services. A higher percentage (56%) of returned victims enrolled in the full range of services in 2002, although the reasons for this increase are unclear at this time.

Animus also conducts assisted voluntary returns primarily according to informal cooperation agreements with Western and Eastern European NGOs, and a signed formal cooperation agreement with Bulgarian Border Police. An Animus representative conducts a phone interview in order to assess the person's needs and initiate a case plan. The returnee is then met at the airport by representatives of Animus and the border police together and brought to the Crisis Center. Some of the victims arrive with case history files, while others arrive with very little information about prior assistance or future assistance needs.

▪ Shelter

There are five shelters for trafficked victims in Bulgaria. Three are located in Sofia, one in Sliven (eastern part of the country), and one in Blagoevgrad (southwestern part of the country). Local NGOs manage three of the shelters, and IOM manages two. Two of these shelters are managed by experienced local NGOs who started working in 1996 and 1997. The two IOM-managed shelters opened in 2002. All of the shelters possess counselors who work according to rotating shifts in order to provide 24-hour coverage for shelter beneficiaries, and all of the shelters are licensed to provide social services and shelter according to Bulgaria's social assistance regulations.

All of the shelters accept Bulgarian and foreign victims of trafficking, and all of the shelters accept minors if formal permission is granted by natural parents or child protection authorities.

Two of the shelters provide lodging exclusively to victims of trafficking; the other three shelters provide services to both trafficked victims and domestic violence victims. Two of the shelters are located within private apartments, but three of the shelters are located within municipal buildings according to long-term written agreements with local municipalities. The contribution of municipal space by local governments in Bulgaria is unique within South Eastern Europe, and represents a positive commitment by local authorities that should be emulated by other countries in the region.

The maximum capacity of these shelters is approximately 50. All shelters provide short to mid-term lodging and social assistance, and four of them provide modest rehabilitation assistance. None of the shelters specifically define a maximum stay, however the average length of stay varies from one week to two months. The average length of stay has risen slightly over the last year, but it is still quite low compared to other shelters in the region. Service providers in Bulgaria estimate it takes at least six to eight weeks before victims can more effectively cope with long-term decision-making, so a shelter stay of a couple of weeks is probably inadequate for most beneficiaries. Aside from the fact that most of these shelter programs are not designed to provide longer-term accommodation and services for victims, service providers state that most of the victims wish to depart Sofia and return to their home communities within a short period of time. Since many of the victims are from other cities, towns and villages, long-term shelter possibilities should be established within the most prevalent areas of origin, rather than Sofia.

According to Bulgaria's counter trafficking and victim assistance legislation (entering into force in January 2004), additional shelters and consultancy centers should be established within "at-risk" municipalities. Under the new legislation, municipalities and organizations in possession of appropriate social service licenses can establish these shelters and centers. It is a positive development that Bulgaria's municipalities are committed to expanding the services provided to trafficked victims. However the implementing legislation for these shelters and services must include appropriate provisions for these services. According to the present legislation, these shelters will accept victims for a maximum period of ten days, with a possibility for extension upon recommendations from the police or judiciary. These stipulations should be revised because shelter stay should not be conditioned upon cooperation or recommendations of law enforcement bodies, and the period of shelter stay is too short. Finally, implementing regulations clarify that it is the responsibility of local councils and municipalities to provide contracts and payments to specialized NGOs for provision of these services.

▪ **Medical Care**

Each of the shelters arranges for voluntary, confidential and free of charge medical care for trafficked victims. The provision of medical care is distinguished from other countries in the region because health care professionals employed by local and international health care NGOs and public hospitals provide most of the medical care according to written agreements with shelters. Elsewhere in the region, medical care professionals employed directly by the shelters provide most of the medical care. Bulgaria represents a promising, more sustainable model of health care provision because the system is less costly, constitutes diversification of services by experienced professionals, and links victims to health services that they can continue to access in the future. For example, all of the Bulgarian shelters refer their beneficiaries to the Family Planning Association in Sofia (or to one of its eleven centers located throughout Bulgaria) for gynecological examinations; pregnancy testing; STI testing; reproductive and sexual health counseling; and contraceptive counseling. This Association as well as Médecins Sans Frontières provides free of charge services to socially vulnerable clients on an on-going basis.

Service providers report that almost all assisted victims request medical care, especially routine medical check-ups and gynecological examinations. Especially at the IOM-managed shelter, there has been a notable increase in the number of victims who request medical services, but it is not clear whether this results from increased health knowledge on the part of the victims, more serious health problems of the victims or more encouragement by the staff. Service providers estimate that it takes one to two weeks to stabilize most victims' physical health. Health care providers report that most of the victims test positive and require treatment for STIs. However, they cannot provide overall profiles of the results for trafficked victims because these profiles are not disaggregated from other patients at the health centers.

Similarly, most victims request and receive pregnancy tests. Health care providers do not possess overall percentages of victims who were pregnant at the time of assistance because these statistics are not disaggregated from other patients at the health centers. However, all shelter providers report that some of the assisted victims were pregnant at the time of arrival at the shelter, and most of these women decide to deliver and raise the babies.

Although few trafficked victims requested and received HIV testing in the past, service providers report that almost all new cases of trafficked victims have requested and received HIV tests during the last nine months. It is unclear whether more victims request tests because they possess greater knowledge or concerns about HIV, or whether service providers place more emphasis and encouragement upon these tests. Health care providers refer beneficiaries for free of charge, anonymous HIV tests at several locations in Sofia and a few regional centers. Pre and post-test counseling is provided by the health care NGOs as well as at the testing centers. However, treatment is only available at one hospital in Sofia currently. There are no official statistics regarding the number of trafficked victims who have tested positive for HIV. One assisted trafficked victim is known to have tested positive for HIV. This victim was trafficked in several countries, including Italy and FYR of Macedonia

Shelter providers and health care providers do not report a high incidence of alcohol or narcotic dependency among program beneficiaries, however they postulate that trafficked victims with significant chemical dependencies are least likely to seek or receive any treatment, assistance or rescue from their predicament. Therefore, Bulgaria and other countries should consider development of outreach strategies that specifically target such persons as potential or actual trafficked victims.

▪ **Psychological & Psychiatric Care**

The quality and availability of psychological and psychiatric care for trafficked victims in Bulgaria, particularly in Sofia, is among the highest in South Eastern Europe. Each of the shelters refers beneficiaries for voluntary counseling by experienced psychologists and social workers at Animus, Nadja Center or Médecins Sans Frontières. Psychologists and social workers with these organizations possess on average several years experience working with trafficked victims and other victims of violence and trauma, and they have designed models of assistance and numerous training seminars for state social workers and health care providers. Therefore, these service providers could serve as training and consultation resource for other psychological and social service providers in the region.

Psychologists and social workers at NGOs provide initial assessment interviews in order to gauge the level of services needed by each victim of trafficking. Psychological service providers report that all of the assisted trafficked women exhibited some signs of PTSD. Most victims elect to participate in individual counseling sessions. Group sessions take place mainly at the shelters for trafficked victims only. Most service providers agree that within trafficked victims

and domestic violence victims have quite different emotional needs, and should participate in separate group counseling sessions. Service providers state that cases involving pregnant trafficked women are the most difficult cases to handle because the women suffer many emotional problems in addition to anxiety about the future, and many of the psychologists noted that trafficked women who received some direct assistance abroad (i.e., women who received services from an NGO or international organization in the country of transit or destination), appear less traumatized and more receptive to services than women who were directly returned or deported by the police. This highlights the importance of developing high quality psychosocial services for victims in transit and destination countries.

Although the quality of psychosocial service for victims in Bulgaria is rather high, most victims only receive counseling for a brief period, usually a couple of weeks. This is mainly due to the fact that most of the specialized counseling services for victims are located in Sofia, and most victims return to their rural communities after staying at a Sofia shelter for a couple of weeks. Service providers generally agree that most victims require at least three-to-six months of intensive counseling before they are somewhat stable. Therefore, provision of longer-term psychosocial services within other communities, in particular communities of origin and at-risk communities must be increased. Future regulations regarding implementation of assistance for victims via local Councils should establish such services as a priority. Also, these Councils should build upon existing networks of NGOs that have already received some initial training in psychosocial assistance for victims. For example, Animus has trained a network of women's NGOs to include services for trafficked victims within their portfolio of services for female victims of violence. Therefore, there are NGOs in at least twenty towns that have been trained in this area and should serve as service referral points for victims who come to the attention of local Councils.

Service providers do not report significant difficulties obtaining psychiatric care for victims in need, but service providers vary in their estimation of how many victims require such services. For example, one NGO reports that approximately one-third of their beneficiaries required psychiatric treatment. However the estimates from the IOM managed shelter are considerably lower. The IOM reports that two recent victims required psychiatric hospitalization, and it is interesting to note that both of these victim arrived from Western European countries with certified recommendations for hospitalization. At this time it is unclear whether victims assisted by certain assistance programs within or outside Bulgaria are more or less likely to receive psychiatric consultation and treatment.

▪ **Educational Assistance**

At present, there are no comprehensive educational assistance programs for adult trafficked victims in Bulgaria. The IOM and a few NGOs working with minor victims cooperate with the Ministry of Education and the Ministry for Social Protection regarding educational programs for minors, but formal reinsertion programs are still not in place for these minors. Considering the fact that the majority of victims possess only a primary school education, local councils and other service providers should develop formal education and non-formal or alternative education programs for trafficked victims. In recognition of a beneficiary's need for income generating prospects, such educational programs should be developed in conjunction with (rather than instead of) vocational and employment training programs.

▪ **Vocational Training and Employment Assistance**

To date, too little employment assistance has been developed and implemented for trafficked victims by the competent authorities, and only a few organizations in Bulgaria offer job-finding assistance. One of the main reasons is that comprehensive reintegration programs were not developed for victims until rather recently (in 2002). Employment assistance requires funding, dedicated and trained professionals, and cooperative agreements with labor institutions. It also relies greatly upon general economic opportunities.

Vocational training courses are organized throughout the country by labor institutions or private sector. The average duration of courses is two to three months and costs from \$150 to \$300. Upon referral, victims can access courses organized by the labor bureau free of charge. Most victims attending the courses choose to enroll in computer, sewing, and hairdressing courses. It does not seem that such short courses allow beneficiaries to apply for positions with greater salary potential, and it is not certain whether these courses optimally match the labor demand.

Service providers encourage victims to attend training and information sessions on job orientation organized in the state Labor offices. In the absence of recorded information and case monitoring it is not possible at this stage to determine how many women successfully applied for a position and how many kept their jobs for significant periods. It seems however that most women applied for positions in the service industry, as well as at sewing factories.

Positive developments in preparation for job search and employment include counseling and training sessions aimed at trafficked women and at-risk adolescents (including girls about to leave orphanages) conducted by local NGOs. For instance, in 2002 one NGO provided 230 individual consultations that focused upon employment possibilities within the country, confidence building sessions, and a pilot training project for starting small businesses. Some organizations request the Labor offices to provide preferential job placement for trafficked victims, and one organization reached an agreement with Sofia's National Employment Agency for future cooperation with twelve local employment centers. However, the results of these new programs are not yet available.

▪ **Family Mediation and Assistance**

All of the shelters and psychosocial service providers offer some family mediation services to victims. Contact with the victim's family and family counseling is only initiated at the victim's request. Since approximately half of the victims return to live with their families, this is a vital service. Psychologists and social workers note that considerable attention is spent supporting families to develop appropriate emotional responses and support for their daughters. Upon agreement of the trafficked victim and her family some psychologists and counselors also provide counseling and social assistance to the victim's family members. However, these services are mainly available in Sofia currently.

These services should be expanded to more rural and at-risk areas, and the new regulations on implementation of victim assistance should include specific provisions for family mediation and counseling. Experienced NGOs should be used as a training resource for state social service providers. In particular local councils and state social service providers must receive more training in areas of family risk (violence) assessment and mediation. Because so many of the victims grew up in abusive and dysfunctional families, service providers must pay particular attention to this area of service. Finally, since some of the victims are mothers themselves, service providers should expand counseling and supportive services for these mothers.

▪ **Housing Assistance**

Service providers report that just under half of the trafficked victims cannot return to live with their families. Some of these women cannot return to their families because their families are ashamed of them and will not accept them back. Others cannot or should not return to their family environment due to the abusive, seriously dysfunctional nature of the family environment that contributed to the victim's desire to leave Bulgaria in the first place. However, most victims wish to return to their community of origin, even if they cannot return to their families. Due to the fact that most victims originate from cities and towns other than Sofia, service providers urge victims to locate other relatives (such as grandparents or aunts and uncles) or friends within with whom they can stay at least for a short period.

Most victims must seek longer-term accommodation, but mid-term and long-term housing assistance possibilities are scarce within Bulgaria. At this time, victims must seek out private and public housing possibilities, but long-term public housing opportunities are not addressed within the present legislation or corresponding indicators of future assistance. Similar to Romania, the wage-to-housing ratio for trafficked victims is better than that of other victims in the region, but in order to save enough money to rent a private flat, most victims would first need to work and stay in a mid-term, rent free shelter for at least three to six months. If more mid-term shelters were available (and stipulated in forthcoming legislation regarding the implementation of county commission assistance measures), then more victims would be in a position to secure long-term rental agreements for private housing after they obtained employment for at least three to six months.

▪ **Legal Assistance**

Most trafficked victims in Bulgaria do not receive comprehensive legal assistance and representation. Although most service providers possess agreements with two local legal NGOs (Bulgarian Gender Research Foundation and the Bulgarian Association of Women Lawyers) for free of charge legal counseling, the majority of victims do not receive individualized consultations with lawyers unless they provide court testimony against their traffickers. Furthermore, some victims are referred to the National Investigation Office or other state law enforcement bodies with legal questions, rather than to independent legal counsel. When victims do meet with lawyers, most of their questions pertain to ramifications of witness testimony in cases against traffickers. Service providers report that beneficiaries feel safer testifying abroad than in Bulgaria due to the absence of witness protection programs in Bulgaria.

The provision of comprehensive legal services is also not mentioned within the new legislation regarding assistance for victims. The legislation only states that assistance providers should provide information regarding administrative and court procedures, but it does not state that victims are entitled to individualized consultations with, or access to qualified lawyers. This gap must be addressed in upcoming regulations, especially in light of the fact that the present legislation conditions shelter stay and assistance upon cooperation with law enforcement bodies and participation in criminal proceedings.

▪ **Witness Protection**

At present Bulgaria does not have a formal witness protection program for victims who testify against their traffickers. Therefore, most victims fear for their safety and do not provide testimony in court. In some cases it is reportedly possible to provide an anonymous certified statement in court, but this statement must be corroborated and specific corroboration is often unavailable. Special protection and security are allegedly granted to trafficked victims throughout

the duration of the criminal proceedings, but this *ad hoc* protection rarely consists of more than escorted transportation to criminal proceedings and an extended stay at shelters for trafficked victims. Although service providers encourage development of a comprehensive witness protection mechanism within Bulgaria, most service providers believe that witness protection should include possibilities for relocation outside of the country because it is difficult to provide long-term protection and anonymity within such a small country.

▪ **Case Monitoring/Case Follow up**

The lack of comprehensive case monitoring and follow-up assistance constitutes one of the largest gaps in services for trafficked victims in Bulgaria. On average, the IOM and NGOs conduct case monitoring for two months after the beneficiary departs the shelter. Although a handful of victims receive longer-term attention and assistance from a few NGOs, the vast majority of cases are essentially lost two months after shelter departure. Aside from making referrals to NGOs within the victim's home community, victims are usually not provided with any other follow-up services. In many cases, this is because victims who move back to their home communities prefer to be anonymous. Some service providers postulate that a substantial portion of these assisted trafficked victims sooner or later are re-trafficked, but in the absence of factual data and case monitoring, it is impossible to even estimate the rate or primary causes of re-trafficking. Furthermore, without longer-term information regarding the level or extent of reintegration of victims, it is not possible to gauge the level of impact or efficacy of prevention, assistance and reintegration measures.

Case monitoring mechanisms and longer-term follow-up services need to be developed and provisions for these should be contained within the upcoming implementation legislation for counter-trafficking assistance. Such provisions should be created with sufficient recognition of the fact that many victims want to move on with their lives as regular persons, leaving behind the shame and stigma attached to their victim status. Since the majority of victims were vulnerable to exploitation because of poor employment prospects, most case monitoring mechanisms should be linked with follow-up services related to vocational, educational and/or income-generation programs. Also, many victims suffered emotional trauma from abusive families, so service providers should encourage follow-up counseling to address these issues. Ideally, these services would be provided by organizations that are not automatically associated with service provision to trafficked victims because victims will less likely fear stigmatization and are therefore reluctant to maintain contact with such organizations. Specially trained service providers could more adequately assess the beneficiary's progress and sustainability level, while offering supportive services and specialized counseling and technical assistance if needed.

IOM, local counter-trafficking NGOs, local health care NGOs and a few state shelters for minors provide most of the direct assistance and protection services for minor trafficked victims in Bulgaria. Most of these assistance providers are concentrated within Sofia. Until recently, most of these organizations basically provided the same services to minor and adult victims of trafficking. Specialized services and standards were not necessarily developed for minors, with the exception of compliance with some basic provisions mandated by the Child Protection Act.

▪ **Assistance for Trafficked Minors**

Any organization that comes into contact with a trafficked minor must notify Bulgaria's State Agency for Child Protection, the chief governmental agency responsible for minors according to the Child Protection Act. This Agency, which became operational in January 2001, is placed within the structure of the Ministry of Labor and Social Policy. The Agency is responsible for governance, co-ordination and control of child protection activities aimed to implement a unified

state policy with respect to Bulgarian children. The Agency also provides policy guidance and oversight to the municipal social assistance services and their child protection activities.

At this time, municipal social assistance and state child protection workers do not provide many direct services to trafficked minors. But they are supposed to assume more direct assistance and information collection in the near future, including: carrying out the practical activities and direct services for trafficked victims; compiling and updating registers regarding children in special need of protection; and monitoring services provided to minors. The new counter-trafficking legislation reaffirms the prominent role of the State Agency for Child Protection within the new assistance and protection programs underway in Bulgaria, but whether or not the Agency assumes a more active and constructive role in the provision of services and development of specific standards of care for minors remains to be seen. The new implementing legislation for the counter-trafficking law must include specific guidance with respect to the Agency, its role in the practical application of victim assistance and protection frameworks for minors, and mechanisms for cooperation with experienced counter-trafficking NGOs.

▪ **Shelter for Trafficked Minors**

At present, trafficked Bulgarian minors are most often provided short-term shelter alongside adults within shelters designed for adult trafficked victims. For example, the five shelters that provide temporary lodging to adult victims also accept trafficked minors. These shelters provide short-term shelter to almost all of the internally trafficked minors within Bulgaria, and to most of the minors returning under IOM-managed assistance programs from transit and destination countries.

However, some trafficked minors are initially placed within one of five transit shelters for minors administered by the Ministry of Interior. These five transit centers are located in Sofia, Varna, Burgas, Plovdiv and Targoviste. Although placement of minors technically falls within the responsibility of the State Agency for Child Protection, the Ministry of Education or the Ministry of Social Work, returned children and trafficked children come under police protection and the Ministry of Interior if: (1) the child has become a subject of a crime; (2) the child is lost or in a helpless condition, or (3) the child has been left without supervision.

The procedures for keeping a trafficked minor within a shelter are basically the same for IOM, NGOs and the five transit shelters administered by the Minister of Interior. Immediately upon the minor's arrival at the shelter, the police must locate and notify the minor's parents of the minor's predicament and location. Also, according to law, the minor may not remain in this shelter under police protection longer than 24 hours. If the Minister of Interior shelter management wishes to keep a minor in their custody for longer than 24 hours, it must obtain the parents' permission or a court order specifying the reasons for an extended stay at the shelter. Since the new counter-trafficking law requires continued adherence to the Child Protection Act, this provision will most likely remain a feature of the shelter requirements for minors.

However, the new legislation coming into force January 2004 should bring about some changes with regard to sheltering facilities for minors. Most notably, the new counter-trafficking legislation requires shelter providers to accommodate minor trafficked victims in separate premises from adults. At this time, shelter providers anticipate that dedicated shelters for trafficked minor victims will be established, but it is uncertain who will manage these shelters. Some of the transit centers under the Ministry of Interior are receiving much-needed renovation and restructuring, but more shelters will be needed if the pace of internally trafficked minors continues. Local commissions should consider establishing shelters for trafficked minors in cooperation with experienced NGOs, especially within main municipalities of origin in the

countryside. Furthermore, service providers should develop longer-term case planning for sheltered minors because the new legislation foresees special provisions for minors who will be sheltered for a minimum of two months. This represents a considerably longer period than the average shelter stay of 24 hours at transit shelters under the Ministry of Interior, and the average stay of a couple of weeks for most Bulgarian minors at the IOM and NGO managed shelters.

▪ **Medical Care for Trafficked Minors**

Since most service providers in Bulgaria have not developed specialized procedures and service plans for minors, very little information about trafficked minors' medical assistance is available. IOM and NGOs basically provide the same medical care to minors as adults. Therefore, most minor victims are referred to health care NGOs in Sofia for a general examination, a gynecological examination, pregnancy testing, STI testing and HIV testing. Although most minors at the five transit centers under the Ministry of Interior only spend 24 hours at the shelter, the shelter staff refers each minor for a medical check-up and an initial counseling session before departure. These transit shelters have agreements with state clinics that provide services with a doctor, psychiatrist and nurse if follow-up medical attention is needed. Within the new legislation, there are no references to development of specialized medical care for trafficked minors, so it is unclear whether service providers will develop special medical protocols for them.

▪ **Psychological Care for Trafficked Minors**

All service providers offer psychological counseling to minor victims of trafficking, although the scope and length of the counseling varies considerably. For example, most trafficked minors within the state's five transit centers only receive one or a couple of counseling sessions provided by a psychologist at a state clinic. The IOM-managed shelter offers psychological counseling to trafficked minors via specialized NGOs, but the counseling is very short term (usually less than three weeks), and at least 20% of the minors did not receive any counseling at all. It is uncertain whether these minors declined services because they did not want them, because their parents did not grant permission for such services, or a combination of both.

Bulgarian service providers do not maintain segregated data regarding specific psychological care provided to minors or extensive information regarding the psychological profiles of trafficked minors, however some features stand out. For example, most of the minors suffered abuse within their families, especially child sexual abuse and incest. Domestic violence was commonly reported within their families, and a number of the minors developed drug and alcohol dependencies prior to or during their trafficking experience.

In order to improve the capacity and quality of psychological services for trafficked minors, experienced NGOs are developing psychological care models for persons working with minor victims. These NGOs provide training sessions for juvenile delinquency committees in order to emphasize that trafficked minors and at-risk minors most often suffer from psychosocial problems stemming from poor family environments and these NGOs provide training to social workers within child protection units as well. Furthermore, local and international NGOs educate orphanage workers and girls about to leave orphanages regarding the need to develop life skills and practical decision-making skills that will lessen the likelihood that the girls will seek risky positions outside the country. While the RCP cannot assess the particular content of these service models, the focus of these models and the intended audience are positive measures.

▪ **Family Reunification for Trafficked Minors**

Bulgaria's Child Protection Act mandates that authorities must make primary efforts to return a minor to its family. If written parental permission is absent, authorities may only place a minor outside of his or her family by a regional court order. Regarding family reunification procedures for trafficked minors (and all unaccompanied minors), the police must immediately: notify the minor's family; assess the family conditions for a return; notify the municipal social service center where the protection is implemented; notify the municipal social service center of the child's residence; and in some cases notify the prosecution authorities.

Service providers state that most minors returned from transit and destination countries and most internally trafficked minors returned home to their families within relatively short periods, but service providers did not provide specific statistics regarding this matter. Service providers also maintain that some of the minor victims could not return home, but statistics regarding how many minors were placed within foster homes or longer-term state care institutions were not available. Overall, service providers do not conduct long-term case monitoring, even for minors' cases, so they also could not provide specific information regarding how many minors remained with their families for substantial periods of time. Forthcoming implementation legislation should mandate longer periods of case monitoring by state child protection officials and other appropriate service providers. Absent case monitoring and longer-term supportive services for these minors and their families, it is impossible to gauge the minor's level of safety, the level of case progress and successful reintegration of the minor. Therefore, service providers must pay more attention to this area of service.

These family assessments, family crisis counseling and supportive services should be expanded to more rural and at-risk areas, and the new regulations on implementation of victim assistance should include specific provisions for family and child mediation and counseling. Experienced NGOs should be used as a training resource for state social service providers working with trafficked minors, at-risk minors and their families.

▪ **Educational Assistance for Trafficked Minors**

Thus far, educational assistance for minors has not received particular emphasis within assistance and protection measures for trafficked minors. IOM and a few NGOs working with minor victims cooperate with the Ministry of Education and the Ministry for Social Protection regarding educational programs for minors, but formal reinsertion programs are still not in place for these minors. The new legislation requires that child victims of trafficking receive education within state and municipality schools according to the Law on Public Education, but this law does not contain specific reintegration and reinsertion measures for child trafficking victims or similarly situated minors who were absent from school for long periods of time. Local councils and other service providers should develop more formal education and non-formal or alternative education programs for trafficked minors. Since most of the trafficked minors are between the ages of 15 and 17, these programs should be developed in conjunction with vocational and employment training programs as well.

▪ **Legal Procedures for Trafficked Minors**

Bulgarian legal procedures for minors contain more protections for minor trafficked victims than most countries in South Eastern Europe, however application of some of these laws appears uneven. For example, unlike adult victims of such crimes in Bulgaria, minors are not obligated to provide a written statement to law enforcement and minors should receive legal counsel regarding these statements. This constitutes a positive practice for some minors, but it appears

that this practice is not standardized. For example, although most of the minor trafficked victims identified within Operation Mirage signed written statements for law enforcement officers, service providers cannot confirm that most or even some of the minor victims received legal council or guardianship review regarding this decision. Therefore, further examination of these issues is required in order to assess whether minors receive adequate legal representation in such situations.

Another procedure that could serve as a good practice for other countries in the region is Bulgaria's law providing that a minor may testify in a closed session of court, where only a judge questions the minor. This way, the minor does not have to face the alleged perpetrator in court. This procedure applies to all cases involving sexual violence against a minor, including trafficking of minors.

Finally, some Bulgarian courts and prosecutors have recently initiated a positive development by inviting specialized forensic experts to provide testimony regarding abuse sustained by minors in child trafficking cases. This provides a mechanism whereby experienced professionals may explain injuries sustained by trafficked minors to a court, thereby increasing the amount of information provided to a court and decreasing the emphasis upon the minor's testimony. Forensic experts from a specialized NGO have provided testimony in two cases thus far. Although it is too early to assess whether the testimony of forensic experts makes a substantial difference in court, it is likely that this is a positive measure worthy of replication.

2) Victim Assistance and Protection Services for Foreigners

Dedicated housing and assistance services do not exist for foreign victims in Bulgaria; they receive assistance within the existing assistance schemes and facilities for national victims. The new counter-trafficking legislation implies that future assistance and protection services for foreigners will continue to operate within the services framework developed for national victims. Services for foreigners under this framework should suffice because the legislation specifies that these services should be tailored and provided in a language that the victim understands.

The new legislation contains provisions whereby a foreign trafficked victim can apply for a temporary visa/extended stay within Bulgaria; but this legislation conditions the visa, special protection and assistance upon the foreigner's willingness to cooperate with law enforcement for detecting perpetrators of trafficking crimes. The legislation provides that a foreign victim must make a decision regarding cooperation with law enforcement within 30 days of her initial identification. However, this *Law on Combating Trafficking* will not enter into force until January 2004, and thus far no foreigners have received temporary visas/extended stays in exchange for their cooperation with law enforcement. One foreign victim applied for asylum, and her case is still pending.

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COUNTRY REPORT

Moldova

This report analyzes the status of Victim Assistance and Protection for Moldovan women and girls who are trafficked from Moldova to other countries primarily for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Moldova is a primary country of origin for trafficking in women and girls mainly for purposes of sexual exploitation.
- The minimum number of Moldovan trafficked victims who have been identified and assisted from January 2000 until April 2003 is **1,131**.
- The number of identified and assisted Moldovan victims has not dramatically changed in the last 4 years, and this figure mainly pertains to trafficking for purposes of sexual exploitation. This reflects the fact that these constitute the cases actually identified and assisted in Moldova. At present very little documentation on trafficking for the sole purpose of domestic or other labor exploitation exists, but some cases include dual exploitation for forced labor and sexual exploitation. There are many reasons to believe Moldovans are trafficked for domestic and other types of forced labor, but there is insufficient documentation at this time. There is also speculation about incidents of trafficking of minors for illegal international adoption and trafficking in human organs, but such cases are insufficiently documented, and are not considered in this report.
- Moldova lacks a systematic screening process for identification of national victims (including unaccompanied minors) prior to departure and at the time of their return. Despite the fact that Moldovan women and minors are expelled in significant numbers from third countries, extremely few victims are screened, sought out or referred for assistance upon their return to Moldova. Screening procedures are needed both in Moldova at major exit and entry points and in neighboring countries.

- The vast majority (84%) of victims are identified by law enforcement actors in transit and destination countries in the Balkans, and referred for assistance via cooperative agreements with international organizations and NGOs. These victims are offered enrollment in voluntary return and reintegration programs. A relatively small number of victims are identified and referred via help-lines in Moldova, and very few victims are identified and referred by Western European NGOs. Service providers should examine why so few victims who were either extradited or returned on their own to Moldova access help-lines and referral services thereafter. NGOs in destination countries and Moldova should increase and improve their level of cooperation and information sharing.
- Profiles of Moldovan victims of trafficking for sexual exploitation reveal the following: the **majority** of victims are between **18 and 24 years of age**; **10% are minors** at the time of return; approximately **30% are minors at the time they were initially trafficked**; **46% are mothers**; almost 50% of victims are recruited through direct contact with individuals; the average **length of time trafficked is just under two years**; and approximately 65% of victims are single.
- The **main reasons victims depart Moldova** are low salaries and scarce employment possibilities in the country. Despite the prominence of prevention and awareness campaigns over the last couple of years, there is a consensus that significant numbers of Moldovan women will continue to take their chances on work abroad as long as their economic opportunities in Moldova remain this bleak. The implications for primary and tertiary prevention strategies cannot be underestimated: unless Moldovan women and girls have access to sustainable, income-generating opportunities in Moldova (or out of Moldova, as legitimate guests worker or through migration programs), they will likely remain vulnerable to various forms of trafficking.
- The percentage of **Moldovan victims with children** (around 46%) is **significantly higher than other victims from South Eastern Europe**. Since mothers constitute such a substantial portion of trafficked victims in Moldova, more prevention and assistance programs should be specifically tailored to address the needs of these at-risk mothers and their children.
- The Moldovan **government has not developed social programs for the prevention or rehabilitation of trafficking victims**. Many non-governmental and international organizations work on prevention activities, but few are actively involved in providing reintegration assistance. At this time Salvati Copiii, IOM and their respective networks of NGOs provide almost all direct and reintegration services to trafficked victims. These services are almost exclusively geared toward assistance and reintegration for victims of trafficking; comprehensive prevention, assistance and rehabilitation programs have not been adequately developed for victims of other forms of trafficking.
- There are two **shelters for trafficked victims in Moldova**, both located in the capital city, Chisinau. One is managed by a local NGO, the other one by IOM, and the total number of space in these shelters is 40. The average length of stay at the NGO-managed shelter is four months, and the average stay at the rehabilitation center is approximately three weeks. Given insufficiently developed identification and referral mechanisms, a steady but not increasing numbers of victims, and considering the rather short durations of stay, the number of shelter spaces and the location of the shelters appear adequate at this time. Services offered at the two shelters include: medical care, psychological counseling, material assistance package, family medication, legal assistance, vocational training and job finding assistance.

- Overall, trafficked victims who participate in specific assistance programs receive a higher level of medical care than the average Moldovan, however the **financial sustainability of this level of specialized care is in question**. During the last year, more trafficked victims have requested HIV tests, and the **number of HIV positive cases has risen from one to five** over the same time period. At present, **no HIV/AIDS treatment or assistance protocol exists in Moldova** and case managers face extreme difficulty obtaining outside medical assistance for HIV or AIDS-infected patients, especially for pregnant women and their infants. For now, HIV positive victims receive practically all of their medical care from the staff at the reintegration center. However, international actors and government officials must develop medical assistance programs and a more viable national HIV/AIDS strategy backed with adequate funding.
- Since June 2000, victims at the Chisinau shelters have received expanded psychological psychiatric services on a short-term basis. **Cost-effective, longer-term counseling and support services should be developed in regions outside Chisinau**. If professional capacity is enhanced within NGOs that provide a range of supportive services, then more victims could avail themselves of long-term supportive services with a reduced fear of stigmatization within their communities.
- All of the victims reportedly received some formal schooling in Moldova. Almost **50% of the trafficked victims assisted in 2001 completed primary school**, compared with **33% in 2002-03**. Only 3% possessed a high school degree in 2001, compared with 11% in 2002-2003. These statistics reinforce the need for continued and expanded prevention activities from primary school to high school as well as the need for expanded prevention activities in non-formal venues that target women who left school early. More rigorous follow-up analysis is also needed in order to assess the level of impact of awareness programs and possible ways to enhance their efficacy. Furthermore, specialized educational reinsertion programs should be developed; especially for minors, victims of trafficking and victims who were trafficked at the time they were minors.
- In recognition of the fact that most trafficked victims leave Moldova because they cannot obtain acceptable wages in Moldova, service providers have **increased the number of vocational, employment and business development programs** over the last two years. These programs represent one of the few areas in which the Moldovan government has made a concrete commitment of assistance for trafficked victims. In general, positive developments among various service providers include emphasis on vocational, business development and micro-credit programs geared towards sustainable and targeted urban and rural employment. Continued and expanded support for such income-generating projects is needed, and these projects should include a balanced approach for both urban and rural workers as well as the establishment of a network of supportive business development services.
- Trafficked victims rarely received legal assistance before the **establishment of a service agreement with a specialized legal NGO**, in 2001. Since then, most trafficked victims have the opportunity to speak with lawyers, and the most common services they request pertain to restoration of identification documents and resolution of family and property matters (marital dissolution, child custody, and property settlements). Due to distrust of the legal system, fear of traffickers and the **lack of a solid witness protection program**, very few trafficked victims agree to testify against their traffickers in court. The existing law on state protection for victims and witnesses should be amended. At present, the law exists without proper implementation mechanisms or adequate funding. The law does not provide

special protection for victims as witnesses and it does not include adequate measures such as alternatives to live testimony, physical separation of victims/witnesses from defendants or other safeguards to protecting privacy and safety of victims and their families.

- **Very little case monitoring of trafficked victims' cases was conducted until fairly recently**, and much progress is needed to provide victims with adequate support, and meaningfully assess the impact of prevention and assistance programs in Moldova. Since the majority of victims are vulnerable for exploitation because of dire economic circumstances in Moldova, most case monitoring mechanisms should be linked to follow-up services related to vocational, educational and/or income-generation programs.
- **Specialized services for minors did not exist until recent months.** Most often, trafficked minors were identified, returned and assisted without specific regard for their status and particular needs. However, the state, international organizations and NGOs have recently developed more specifically tailored assistance programs for minors, victims of trafficking. In July 2003, the IOM-managed shelter for trafficked minors will open in a separate wing of the government building that contains the rehabilitation center for trafficked victims. Specific shelter procedures are under development in consultation with UNICEF and specialized NGOs, though it is too early at this stage to assess the level of compliance with the recently developed UNICEF guidelines.

I. NUMBER OF MOLDOVAN VICTIMS IDENTIFIED AND ASSISTED

The following table shows the minimum number of trafficked Moldovan women and girls identified and assisted between January 2000 and April 2003: **1,131**

	2000	2001	2002	April 2003
National Victims	319	382	329	101

The above figures were compiled according to information provided by the IOM Mission in Chisinau, Salvati Copiii and La Strada Moldova. There is no centralized database, victim registry or agreed upon methodology for collecting and analyzing the total number of trafficking victims in Moldova. At this time, the most comprehensive are collected by IOM. The RCP collected individual case statistics from each direct service organization and cross-referenced the numbers for accuracy.

These figures comprise the number of trafficked Moldovan women and girls identified and voluntarily returned to Moldova, as well as, victims forcefully returned to Moldova and assisted between January 2000 and April 2003. The vast majority of these victims (1,088 out of 1,131) returned to Moldova through voluntary repatriation programs, while victims were also forcefully returned by third countries and assisted upon or after arrival in Moldova. Victims who were voluntarily repatriated to Moldova under formal assistance programs, but declined further assistance in Moldova, are included within the assistance figures because they were formally identified and received a basic assistance package including shelter in the country of identification, medical care, transportation home and referrals for further assistance.

Suspected victims who were not properly or formally identified and assisted are not included. For example, an Ukrainian NGO that interviews Moldovan women deported from Turkey to Odessa Harbor, suspects that approximately 20% of the women are trafficked victims; the NGO provides suspected victims with information about assistance programs in Moldova, but if these women never contact the assistance providers, or never reach Moldova, they do not appear within identification and assistance figures.

Also, the above figures do not include Moldovan victims identified and assisted by NGOs or organizations in third countries who are not subsequently returned or assisted in Moldova. For example, under Article 18 of Italy's Immigration Law, 286 trafficked victims may receive temporary residence permits in Italy if they demonstrate that they are endangered by their traffickers or if they take part in criminal proceedings against the traffickers. Moldovans constitute some of the victims who have benefited from Article 18 residence permits, have been identified and have received assistance in Italy, though the exact number of Moldovans who have received Article 18 status is unknown. Because the present mandate of the RCP does not include information collection from Western European NGOs and because no other organization has collected verifiable case data, these figures are not included in the RCP report.

As the table indicates, the number of identified and assisted Moldovan victims has not dramatically changed in the last four years. Following a 20% increase in the number of victims in 2001, the number decreased approximately 15% in 2002. The number of victims identified and assisted during the first quarter of 2003 is consistent with the first quarter of the previous year.

However, most counter-trafficking actors state that it is becoming more difficult to identify victims as traffickers have become more sophisticated in masking their activities, especially by

obtaining legal travel and labor documents for persons working as waitresses and cooks during the day, but are who forced into prostitution at night. Traffickers in places like Kosovo have started to pay the women just enough money to further complicate identification of victims by law enforcement authorities. Despite some improvements in certain law enforcement units in Balkan countries, in light of repeated police raids, many trafficking establishments have moved from public venues (clubs, restaurants and bars) to underground venues (private apartments and motels) more difficult to access. For example, Moldovan women returning from Bosnia-Herzegovina report that while there are few trafficked victims in transit shelters, there are numerous trafficked victims in detention centers in Bosnia-Herzegovina. As a result of the information campaigns and increased recognition of the IOM return programs for trafficked women, it appears that some women do not wish to return to Moldova with IOM assistance because of the likelihood that their family and community members will suspect that they were trafficked. In regard to Italy, more Moldovan women are reportedly aware of the possibility to obtain an Article 18 residence permit and in general these women prefer to remain in Italy rather than return to Moldova via a reintegration program.

The figures above mainly pertain to trafficking for purposes of sexual exploitation and reflect cases actually identified and assisted in Moldova. At present very little documentation of trafficking for the sole purpose of domestic or other labor exploitation exists, but some cases include dual exploitation for forced labor and sexual exploitation. There are many reasons to believe that Moldovans are trafficked for domestic and other types of forced labor, but there is insufficient documentation at this time. There is also speculation about incidents of trafficking of minors for illegal international adoption and trafficking in human organs, but such cases are insufficiently documented at this time, and are not included in this report.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Moldova lacks a systematic screening process for identification and referral of national victims (including unaccompanied minors) prior to departure and at the time of their return.

▪ **Returns upon Extradition**

Despite the fact that Moldovan women and minors are expelled in significant numbers from third countries, extremely few victims are screened, sought out or referred for assistance upon returning to Moldova. There are no screening procedures at Chisinau airport, and although international organizations have provided identification, referral training and technical assistance to border guards, few victims are identified and referred to assistance providers.

For instance, only 43 (around 4%) of the 1,131 cases involved women and minors who were identified and assisted after their return to Moldova. All 43 of these victims had extradition orders and were subsequently identified, sought out and assisted by NGOs in Moldova. These victims were extradited mainly from Turkey and Serbia, but also from Belgium, Bulgaria, Germany, Israel, Romania, Russia and Greece. These 43 cases represent only a fraction of the likely number of trafficked victims amongst extradited Moldovan females. The Moldovan government does not possess reliable figures regarding the total number of extradited Moldovan females, so it is not possible to estimate the number of trafficked victims among them.

In order to more properly identify and refer trafficked victims, systematic screening measures and referral mechanisms are needed at major deportation points in Moldova. Although IOM possesses a cooperative agreement with Moldovan border guards for identification and referral,

and an NGO possesses informal contact and informal referral procedures with some border units in Moldova, a more unified, systematic umbrella agreement is needed in the country. As a substantial number of Moldovans are deported to neighboring countries rather than directly to Moldova, cooperative outreach programs with neighboring governments and specialized NGOs should be established at relevant extradition locations in Crimea, Romania, Bulgaria and Serbia. One promising example of this kind of outreach involves a Ukrainian NGO that interviews female deportees from Turkey pursuant to an agreement with Odessa Harbor officials. NGO representatives provide suspected Moldovan trafficked victims with referrals for assistance in Moldova, including help-line numbers for trafficked victims. However, this kind of outreach program also needs proper funding for transportation of the victims in order to ensure that the identified women safely reach their homes (or shelters) in Moldova. Without adequate funding for reliable transportation, Moldovan victims identified by NGOs in neighboring countries will continue to be “lost” and unreachable after their initial identification, and it is likely that they will be re-trafficked.

- **Help-lines**

Counter-trafficking hotlines in Moldova help to identify and locate victims. Although these help-lines mainly focus on prevention activities such as providing information about employment abroad, help-line operators also assist families who suspect their daughter may have been trafficked abroad, and cooperate with police to seek them out. Three counter-trafficking help-lines in Moldova are operated by local NGOs: two are located in the capital city and one of these opened a branch at the Romanian border, in Unghen. These help-lines are now accessible through a toll-free telephone number. Help-line operators undergo special training, and operators record statistical and information for each case or caller.

From January 2002 to April 2003, 77 victims were sought out according to information assembled by help-lines operators. As of today, 16 cases are awaiting rescue/repatriation (in Turkey; Russia; United Arab Emirates; FYR of Macedonia; Poland; Italy and Belgium) and have not been inserted in overall figures. However, it does not appear that substantial numbers of forcibly returned national victims use these help-lines to access information about assistance direct services. It is also unclear whether victims who managed to return to Moldova on their own (i.e., not via extradition or an international organization or NGO-managed return program) have accessed the help-lines and requested direct assistance. According to assistance providers, these victims are least likely to access help-lines and services because they do not fully recognize their trauma, and they feel they have learned from their experience and can migrate more successfully the next time around.

- **Western European NGOs**

Although a couple of cases handled by help-lines and other assistance providers arose because of referrals from NGOs in Western Europe, very few referrals are initiated by Western European NGOs. Cooperative agreements between destination countries and Moldovan NGOs are scarce. The reasons lay both in deficient identification mechanisms in Western Europe and in information-sharing shortcomings. Direct information sharing and referral procedures must be increased between Western European NGOs, other destination countries and Moldovan assistance providers. NGO networks such as the La Strada network should be expanded in western countries, and the scope of information shared with western counterparts should be regularly updated. Furthermore, the scope of shared information must include information about the full range of assistance possibilities in Moldova- not simply the assistance possibilities offered by the affiliate NGO.

These kinds of direct outreach, assistance and repatriation programs between European and Moldovan NGOs should be developed according to cooperative agreements. One example is a cooperative agreement between the Italian NGO, Association Papa Giovanni 23 and the Moldovan NGO, Salvati Copiii. The Italian NGO identifies Moldovan women and children trafficked in Italy, provides temporary housing, secures travel documents and transportation to Moldova, and the Moldovan NGO provides housing and reintegration assistance to victims upon return. This is a promising form of cooperation with tailored terms of assistance, but the repatriation process is quite lengthy and only 11 victims have been assisted in the first year of the program.

▪ **Voluntary Returns from Transit and Destination Countries**

To date, the vast majority of victims are identified by law enforcement bodies in the Balkans, and offered enrollment in voluntary return programs. Since the year 2000, 96% of the recorded voluntary returns have been assisted by IOM operating programs for trafficked foreign victims in fYR of Macedonia, Kosovo, Bosnia-Herzegovina, Albania and, Serbia and Montenegro.

The following table records the countries of destination at the time of victim’s initial identification and assistance:

Countries/Entity	2000	2001	2002	April 2003
Albania	68	27	9	1
Belgium	0	0	0	1
Bosnia-Herzegovina	92	71	76	6
Bulgaria	0	4	0	0
Croatia	0	0	2	1
Germany	0	0	0	1
Great Britain	0	1	0	0
Greece	1	0	3	0
Israel	0	3	5	1
Italy	12	15	12	0
Kosovo	76	87	32	10
Lebanon	0	0	1	0
fYR of Macedonia	67	150	82	25
Pakistan	0	0	2	0
Poland	0	0	3	0
Romania	0	1	10	2
Russia	0	0	30	7
Spain	0	1	0	0
Switzerland	0	0	1	0
Tajikistan	0	0	0	1
Turkey	0	1	6	20
United Arab Emirates	0	0	1	0
Serbia & Montenegro	0	17	33	10
Total	316	378	308	86

IOM Chisinau, Salvati Copii and La Strada Data

86 % of the victims who enrolled in voluntarily returns came back from Balkan countries where significant resources have been committed to develop assistance programs and train specialized law enforcement units. These figures underline the limited number of victims identified at the

time of their journey across Balkan countries (i.e. in transiting countries such as Bulgaria and Romania). However, the percentage of cases from Albania and the former Yugoslav Republics has decreased over the last three years. Accounting for 96% of the assisted trafficked cases in 2000, these countries returned 92% of cases in 2001, 74% in 2002 and 60% as of April 2003.

This trend seems to indicate a diversification of destinations, particularly to EU countries, Russia, and Turkey. There are several factors that could contribute to these trends. Since the initiation of Schengen visas, traffickers have provided Moldovan victims with stolen Romanian passports that enable them to enter EU countries. One explanation for the sudden increase in the number of identified Moldovan victims in Russia is the development of cooperative agreements between Russian and Moldovan law enforcement officers; when law enforcement units in St. Petersburg and Moscow identify Moldovan trafficked victims, they contact Moldovan law enforcement officials who escort the victims back to Moldova. Other possible reasons for the shifts include a deterrent effect of measures taken to counteract trafficking in human beings in some Balkan countries, however FYR of Macedonia and Serbia remain countries of transit and destination.

III. VICTIM PROFILES

- **Age**

The majority of victims, 58%, are between 18 to 24 years of age when they are returned to Moldova. This percentage remained basically constant over the years 2001-03. Approximately 30% of these women were minors at the time they were trafficked.

The percentage of identified and assisted minors (15 to 17 years of age) doubled in 2001, compared to 2000. Minors accounted for 5% of the assisted returnees in 2000, 10% of the assisted returnees in 2001, and 9% in 2002-03.

Only 4% of returning victims are over 30 years of age. Victims recently deported from Turkey, after being dually exploited for begging and sex, were aged 30-40. This seems to be a recent phenomenon, but it is too early to say whether this is indicative of a trend.

- **Length of Time Trafficked**

The average length of time trafficked is just under 2 years. Trafficking lengths vary from a few months up to four years, and the longest trafficking lengths mainly occurred when a victim was trafficked from country to country in the Balkans. Overall, case statistics do not indicate that the average length of time trafficked has significantly increased or decreased in the last four years.

- **Level of Education**

All of the victims reportedly received some formal schooling in Moldova. Almost 50% of the trafficked victims assisted in 2001 completed only primary school, compared with 33% in 2002-2003. Only 3% possessed a high school degree in 2001, compared with 11% in 2002-2003. This indicates that the level of education of the trafficked victims rose over the period considered. These statistics reinforce the need for continued and expanded prevention activities from primary school to high school as well as the need for expanded prevention activities in non-formal venues that target women who left school early. Also, more rigorous follow-up analysis is

needed in order to assess the level of impact of these awareness programs and possible ways to enhance their efficacy.

▪ **Reasons for Leaving Home Country**

The main reasons victims depart Moldova are low salaries and scarce employment possibilities in the country. During the reporting period, 89% of the women mentioned the need for work as a push factor; over 65% of them were lured by false job promises and 16% by false travel schemes. Despite the prominence of prevention and awareness campaigns over the last couple of years, there is a consensus that significant numbers of Moldovan women will continue to take their chances on work abroad as long as their economic opportunities in Moldova remain this bleak. Many Moldovans hear of success stories regarding family and friends who have resettled in Italy, and it is not uncommon for victims to tell service providers that they would consider trying to work abroad again in the near future. The implications for primary and tertiary prevention strategies cannot be underestimated: unless Moldovan women and girls have access to sustainable, income-generating opportunities in Moldova (or out of Moldova as legitimate guest worker or through migration programs), they will likely remain vulnerable to various forms of trafficking.

▪ **Methods of Recruitment**

Almost 60% of the victims were recruited through direct contact with individuals; approximately half of these were acquaintances. Information regarding an increase or decrease in the number of responses to newspapers ads is unclear at this time because of contradictory information.

▪ **Re-Trafficking Rate**

Nearly 12% of the women assisted and returned to Moldova in the years 2001-2003 reported prior trafficking experiences. However, it is not possible at this time to accurately determine the rate or incidence of re-trafficking. Baseline data for numbers of women who were re-trafficked before the year 2001 do not exist. Service providers started to perform some case monitoring functions in the last 18 months, but monitoring is not comprehensive and lasts a maximum of 12 months. Furthermore, data regarding re-trafficking rates is solely based on statements made by trafficked victims, and victims may not wish to reveal that they had been trafficked before if they feel it might diminish possibilities for assistance. In order to obtain more reliable re-trafficking rates, assistance providers must increase the length and scope of the monitoring component within reintegration programs.

▪ **Marital Status**

Marital status remains similar over the reporting period from 2000-2003: approximately 65% of the victims are single; 15% are married and 15% are separated or divorced.

The percentage of Moldovan victims with children is significantly higher than other victims from South Eastern Europe. Throughout the reporting period, the percentage of victims who are mothers ranges from 42% to 48%. More than half of the mothers reported that they did not receive any financial support from the child's father. Most of the mothers reported that their children were left in the care of family members, and some of the children were left in state childcare institutions. State and NGO child care workers note that several children are left in their care because their mothers have sought employment abroad, but figures regarding these cases are not recorded or available. Since mothers make up such a substantial portion of

trafficked victims in Moldova, more prevention and assistance programs should be specifically tailored to address the needs of these mothers and their children.

- **Place of Origin**

According to available statistics for the years 2000-2001, over 26% of the victims originate from Chisinau District and Municipality; 18% from Cahul district in south of the country; 9 % from Balti the north, 7% in Unghen district at the Romanian border, 6% from Transnistria and others from locations scattered throughout the country. The only notable increase apparent in the last year is a higher number victims originating from Transnistria.

- **Transportation Routes**

At present, state institutions do not have the capacity to record movements of their citizens across borders. The entry into third countries is difficult to assess, as Moldovan citizens, until recently, did not need documents to enter Romania. In addition, statistics recording documentation are not comprehensive: 29% of the victims declare that their documentation was seized, 23% never possessed proper documentation and 42% did not provide documentation information.

It is equally difficult to determine how borders were crossed because victims are often not sure what constitutes a border crossing. Only 1% of victims report crossing all borders illegally, 10% all of them legally, while most of them (57%) state that only some borders were crossed legally. The most common roads to the Balkans have been through Southern part of Moldova (Cahul and Vulcanesti) and from there, to Timisoara.

The northern routes through Ukraine to Russia are not properly documented. The recent increase of trafficked Moldovan women voluntarily returned from these two countries, respectively 25 and 23 cases over the last 12 months, indicates the need to dedicate more attention to the East. For instance, approximately 1,000 women and girls are deported from Odessa to Moldova each year and there are no signs that these numbers are decreasing.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

The Moldovan government has not developed social programs for the prevention or rehabilitation of trafficking victims. Existing protection and assistance programs are thoroughly dependent on funding from donor countries. Many non-governmental and international organizations work on prevention activities, but few are actively involved in providing reintegration assistance. At this time IOM, Salvati Copiii and their respective networks of NGOs provide almost all direct and reintegration services to trafficked victims. These services are almost exclusively geared toward assistance and rehabilitation for victims of sexual exploitation. At this time, comprehensive prevention, assistance and rehabilitation programs have not been developed for victims of other forms of trafficking. Accordingly, the following information pertains to services provided to victims of trafficking primarily for sexual exploitation.

- **Voluntary Return**

The vast majority of identified and assisted Moldovan trafficked victims are assisted via voluntary return programs managed by IOM and a local NGO. The initial assistance takes place

in the country of identification (i.e. transit or destination country). The range and scope of assistance provided to victims varies according to the particular programs and practices of service providers in the countries where the victims are first identified. This assistance typically consists of shelter, medical care, psychosocial care, basic legal information, a humanitarian package, travel documentation, and transportation to country of origin. Detailed information about services provided in South Eastern European countries appears located in RCP country reports under “Victim Assistance and Protection Services for Foreign Victims of Trafficking.”

All of the victims are met upon return at the airport and initially offered overnight accommodation and transportation to final destination. The first assistance programs mainly consisted of meeting returnees at the airport, providing them with overnight shelter and transporting them to their homes. As of June 2000 organizations expanded their services to include more medical and psychological assistance, and in 2001 vocational and job finding assistance was added.

▪ **Shelter**

There are two shelters for trafficked victims in Moldova, both located in the capital city, Chisinau. One is managed by a local NGO, the other one by IOM. The NGO-managed shelter consists of four private rental apartments, able to accommodate up to 24 victims. The IOM-managed shelter is part of a rehabilitation center located in a state-owned building; its formal capacity is 16 but more space is available.

The average length of stay at the NGO-managed apartments is 4 months. This represents a significant rise in length of stay over the last 2 years; recent victims tend to stay longer than their predecessors because of recently developed opportunities to participate in vocational and educational programs.

The average stay at the reintegration center is approximately 3 weeks. Given the rather short durations of stay, a steady but not increasing numbers of victims, and the shelters’ location in the capital (i.e. persons can reach Chisinau in a maximum of 3 hours from any location in the country), the number of shelter spaces and the location of the shelters appear adequate at this time.

Victims at the NGO-managed shelter are referred for most services off-site, whereas victims at the rehabilitation center receive an array of services under one roof. The rehabilitation center possesses a number of unique attributes that constitute a model facility in the region. In addition to providing comprehensive medical, psychosocial and other services under one roof, highly professional staff member’s work at the center, and the center contains flexible entry and exit procedures whereby victims and their families may voluntarily enroll or re-enroll in services at any time. These shelter conditions are quite favorable, although the sustainability of such a center is in question. The center is located in a government-owned building, but it is not foreseen that the government could cover the center’s costs in the near future.

▪ **Medical Care**

Victims who enter formal reintegration and assistance programs in Moldova typically receive better medical care and easier access to specialists than the average person, especially since the expansion of reintegration services in 2001. Staff members at the NGO-managed shelter and the IOM-managed shelter offer free medical care to all trafficked victims. The NGO-managed shelter arranges medical care for victims according to an agreement with state health facilities,

and a grant from the European Union covers the costs. Routine examinations include screening for STIs, gynecological disorders and pregnancy tests. Patients usually spend one night at the hospital, and then return to the shelter. A few patients require further treatment, and they may stay at the hospital for an extended period of time.

Victims at the rehabilitation center receive all medical tests, examinations and care on-site. The overwhelming majority of victims request comprehensive medical evaluations; in 2001 only two victims declined evaluations and treatment and in 2002, no victims declined assistance. The medical staff has compiled detailed protocols for gynecological disorders commonly suffered by trafficked victims, and victims receive individual pre and post-test counseling sessions in order to promote understanding of health issues.

Shelter medical staff reports that all examined victims had infections and most tested positive for some form of STI upon arrival. Considering the fact that the vast majority of these victims were returned according to assistance programs that included medical care and treatment for gynecological disorders (notably STIs), these results should be examined with respect to the efficacy of treatment protocols utilized by care providers in the countries where the victims were first identified and treated.

A rather high number -20%- of victims returned to Moldova pregnant, in 2002. Although this number is significantly higher than the 7.3% of victims that were reported pregnant upon repatriation in 2000, it appears that a smaller percentage of returning victims were tested in 2000, so it is not possible to definitively state whether this represents an increasing trend.

HIV tests are conducted on a voluntary basis, free of charge for victims in a specialized national HIV/AIDS center. By law, HIV/AIDS testing is obligatory for all persons who spend more than three months abroad. However, the legislation is not applied, as no treatment is available. Positive results must be shared by the center with other medical institution, but are otherwise confidential. Medical service providers state that most trafficked victims request HIV/AIDS tests, and this represents a considerable increase from victims requesting tests in previous years. This is most likely due to a combination of factors including: a greater abundance of health information at the shelters, increased willingness of medical staff to discuss HIV/AIDS testing and procedures with their patients and a higher awareness of trafficking-related health risks among victims.

The number of trafficking victims in Moldova testing positive for HIV has risen from one to five during the last 10 months. All but one of these victims learned that they were HIV positive while undergoing testing at the reintegration center. The one victim learned that she was HIV positive while receiving medical care at a transit shelter in another Balkan country. This victim was pregnant when she learned that she was HIV positive, and she was subsequently returned to Moldova where she received medical care at the reintegration center. At present, no HIV/AIDS treatment or assistance protocol exists in Moldova and case managers face extreme difficulty obtaining outside medical assistance for HIV or AIDS infected patients, especially for pregnant women and their infants. For now, HIV positive victims receive practically all of their medical care from the staff at the reintegration center. International actors and government officials must develop medical assistance programs and a more viable national HIV/AIDS strategy backed with adequate funding.

▪ **Psychological & Psychiatric Care**

Since June 2000, all victims returning to Moldova under assistance programs are offered psychosocial assistance, although the scope of assistance varies according to the particular assistance program. Under the NGO-managed return and assistance program, a psychologist meets all victims they are not immediately informed that the person with whom they are speaking is a psychologist: the staff says that victims may feel stigmatized by a meeting with a psychologist, so it is up to the psychologist to decide when or if to disclose the purpose of the meeting. Short-term psychological counseling is provided during the stay at the shelter, but follow-up counseling is rare.

Victims at the rehabilitation center receive comprehensive psychological and psychiatric care. Center staff members include: a psychologist, a psychiatrist, a psychoanalyst and social workers. The professional staff to victim ratio is one of the lowest in the region, and the staff devises individual treatment plans according to international standardized tests. Throughout their stay at the center, victims participate in individual and group counseling sessions. Victims in need of psychiatric care and medication regularly meet with the staff psychiatrist. Common ailments include post-traumatic stress disorder and insomnia: up to 90% of the women suffer from insomnia and are provided with light sleeping medication.

The psychologist and social workers work with victims to create reintegration plans, in consultation with educational and vocational counselors. Center staff members state that the average victims needs at least a few months of counseling to become psychologically stable, far surpassing the average shelter stay of three weeks. Consequently, victims are encouraged to return to the center for follow-up counseling. Most return to the center for counseling at least three times, usually when they visit the center for follow-up vocational or financial matters. Victims rarely receive follow-up counseling in their home communities. In addition to the fact that these services are lacking throughout the country, victims choose to return to the Chisinau center because they are familiar with the staff and they might not wish for members of their home communities to learn of their experience. However, more cost-effective, longer-term counseling and support services should be developed in regions outside Chisinau. If professional capacity is enhanced in NGOs that provide a range of supportive services, then more victims could avail themselves of long-term supportive services with a reduced fear of stigmatization within their communities.

▪ **Educational Assistance**

Little emphasis is placed on educational assistance for trafficked victims. Despite the fact that most victims did not complete high school and many did not even complete primary school, educational reinsertion is not encouraged and formal educational reinsertion agreements have not been developed with the government. This may come as recognition of the fact that formal education does not necessarily lead to gainful employment or living wages in Moldova. Out of the assisted victims, few have resumed formal schooling. Typically, victims are more interested in attending vocational training that could lead to immediate earnings. Specialized educational reinsertion and alternative education programs should be developed; especially for minors, victims of trafficking and victims who were trafficked at the time they were minors. However, these education programs should contain a vocational component, a life-skills orientation and a practical focus on income generation possibilities within respective communities.

▪ **Vocational Training and Employment Assistance**

In recognition of the fact that most trafficked victims leave Moldova because they could not obtain livable wages, service providers have increased the number of vocational, employment and business development programs during the last two years. These programs are offered to returning victims and more recently, to women and girls considered at risk of being trafficked. These programs represent one of the few actions the Moldovan government has taken in regard to assistance for trafficked victims. The Ministry of Labor provides information about employment opportunities to trafficked victims and carries out bi-weekly consultation visits at the reintegration center in order to provide information on employment possibilities and vocational training opportunities.

The Ministry of Labor also sponsors vocational training courses. The courses are available in Chisinau, as well as in Cahul (south) and in Bălți (north), and the Ministry plans to increase the number of courses in the near future. At present, vocational training courses are offered through several public technical schools in the fields of tailoring, hairstyling, secretarial, agro-business and construction. The average duration is six months up to one year and the monthly educational costs is \$30. The Ministry covers the cost of the courses while international organizations and NGOs raise funds for materials and temporary lodging. It is difficult to say at this early stage how many women found work after completion of the courses and how many kept their position. According to the statistics provided by the reintegration center, almost 33% of the victims enrolled in courses and most have maintained employment for six months.

Positive developments among various service providers include emphasis on vocational, business development and micro-credit programs geared toward sustainable and targeted urban and rural employment. These initiatives are still limited to small pilot income generating projects implemented by local and international NGOs. Victims most commonly request agro-business courses and business support. These projects make sense for many victims from rural areas, but these ventures are also risky because of unpredictable weather and other conditions. For example, Moldova is experiencing a drought this year, and huge harvest losses are expected. Thus far, victims working in urban areas have fared better in terms of income generation because they can hold a few jobs at once and make more flexible adjustments to the marketplace. However, housing costs in urban areas are prohibitive, especially for women who cannot live with their families, and urban dwellers must command higher incomes in order to meet the rent. Continued and expanded support for such income-generating projects are needed, and these projects should include a balanced approach for both urban and rural workers as well as the establishment of a network of supportive business development services.

▪ **Material Assistance**

Charitable organizations, notably Caritas, provide humanitarian aid for victims of trafficking and distribute food, general-purpose medicine and hygienic supply packages to vulnerable victims and families. These packages are distributed to victims with children, large families, and those participating in vocational training. Such in-kind assistance should also be distributed on a needs basis to at risk women and girls, as well as women who left shelters and the reintegration center.

Victims enrolled in reintegration assistance programs with IOM receive a \$150 reinstallation grant in three installments: \$50 before departure to Moldova and the last two installments 30 and 60 days, respectively, after their return. Victims must collect these installments at the reintegration center in Chisinau, and this increases the likelihood that a victim will maintain contact with service providers for at least two months. The total reinstallation grant equals about

3 months of the average salary in Moldova, although it is difficult to say whether this amount represents an appreciable difference to the victims. Trafficked victims returning under an assistance program sponsored by the Italian government receive a grant ten times higher. Such an amount is likely to make an appreciable financial difference to recipients, but the other victims are aware of the discrepancy between amounts and this has caused problems. Future reinstallation grants should be re-considered with an eye toward allotments that will make an appreciable difference to victims on a reasonable scale according to a longer time period between installments.

- **Family Mediation and Assistance**

At the request of victims at the NGO and IOM-managed shelters, families are notified about their return to Moldova. Most victims of the NGO shelter stay at the shelter first and then return to their families, but victims at the IOM-managed shelter typically visit with their families for a couple of days and then return to the reintegration center for further assistance. In both cases, social assistants at the shelters provide counseling regarding the return, and social assistants also provide mediation with family members, if needed. Most trafficked victims do not wish to reveal their trafficking experience to their family members, and social assistants try to facilitate constructive dialogue between the victim and family members.

It is not uncommon for women to return to the reintegration center for counseling months after their initial departure, and many victims bring their children to the center for family counseling and medical assistance as well. Considering the fact that almost half of the trafficked victims are mothers and many of them live outside Chisinau, further family support services should be developed in other communities. For example, specialized NGOs experienced in promoting positive parenting and providing counseling to families in crisis (such as Moldova's National Center for the Prevention of Child Maltreatment) could train partner NGOs and state social service employees in regions throughout Moldova to provide counseling and other family support services.

- **Housing Assistance**

At this time, long-term housing assistance basically does not exist in Moldova. If a trafficked victim states that she cannot return home to her immediate family, service providers encourage her to locate another family member or friend who can accommodate her. Although some victims stay at shelters for up to six months, they are almost always encouraged to move in with a family member or friend. On rare occasions, service providers are able to mobilize funds to subsidize longer-term housing for victims. Temporary lodging is also provided to victims participating in vocational training programs with the hope that future earnings can cover future housing costs. Service providers state that they do not plan to expand housing assistance programs because such assistance might result in dependence on an assistance structure, rather than provide a long-term housing solution. Furthermore, average rental prices in urban areas of Moldova typically exceed average monthly income, so long term rental agreements are not likely to offer a durable solution for most of these women.

- **Legal Assistance**

The Center for the Prevention of Trafficking in Women (located in Chisinau) provides free legal assistance consultations in the rehabilitation center, two times per week, as well as consultations for victims outside the Center. The Center has struck a memorandum of understanding with IOM regarding the provision of legal assistance for victims of trafficking willing to testify against

their traffickers and/or in need of other relevant legal assistance. According to the agreement, the Center and service providers coordinate efforts to provide free legal assistance to victims, including: individualized representation for victims testifying against perpetrators; obtaining identification documents for use in the territory of the Republic of Moldova (including for their children); establishing and obtaining property rights in the territory of Moldova; dissolving marriages at register offices and courts of the Republic of Moldova; establishing paternal rights at competent authorities of the Republic of Moldova; and dividing spouses' joint estate.

Most trafficked victims at the center take the opportunity to speak with the lawyers, and the most common services they request pertain to restoration of identification documents and resolution of family and property matters (marital dissolution, child custody, and property settlements). Due to distrust of the legal system, fear of traffickers and the lack of a solid witness protection program, very few trafficked victims agree to testify against their traffickers in court. Therefore, less than 1% of all identified and assisted trafficked victims in Moldova have testified against their traffickers in court, but none of the cases in which these victims provided testimony have resulted in a sentence.

- **Witness Protection**

The existing law on state protection for victims and witnesses should be amended in order to comply with international standards, as described in Palermo Protocol. At present, the law exists without proper implementation mechanisms or adequate funding. The law does not provide special protection for victims as witnesses and it does not include adequate measures such as alternatives to live testimony, physical separation of victims/witnesses from defendants or other safeguards for protecting privacy and safety of victims and their families. Shortcomings of the country's ability to provide witness protection are well known in and out of Moldova, especially in light of the publicity surrounding the case of a Moldovan woman who provided testimony against Montenegrin government officials in Montenegro. Given the publicity of this case and the lack of initiatives demonstrated in the area of witness protection, it is unlikely, at this stage, that victims will provide testimony against traffickers in Moldova.

- **Case Monitoring/Follow up**

Very little monitoring of trafficked victims' cases was conducted until fairly recently, and much progress needs to be achieved in this area in order to provide victims with adequate support and meaningfully assess the impact of prevention and assistance programs in Moldova. Since the majority of victims were vulnerable for exploitation because of dire economic situations in Moldova, most case monitoring mechanisms should be linked with follow-up services related to vocational, educational and/or income-generation programs. Ideally, these services would be provided by organizations that are not automatically associated with service provision to trafficked victims, since many victims fear stigmatization and are reluctant to maintain contact with such organizations. Specially trained service providers could more adequately assess the victim's progress and sustainability level, while offering supportive services and specialized counseling and technical assistance if needed. This kind of monitoring requires cooperative agreements with shelter providers, a substantial technical assistance component and appropriate funding.

- **Assistance for Minors**

Although at least 10% of all identified and assisted trafficked victims in Moldova were minors at the time of return, and at least 30% of victims were minors at the time they were trafficked,

specialized services for minors did not exist until recent months. Most often, minors were identified, returned and assisted without specific regard for their status and particular needs. Nonetheless, the State, international organizations and NGOs have recently developed more specifically tailored assistance programs for minors with an increased recognition for the guardianship role of the State. Service providers agree that when minors come to their attention, they will contact the office of the Inspector for Minors, for guardianship consent regarding housing and medical care.

In July 2003, the IOM-managed shelter for trafficked minors will open in a separate wing of the government building that presently houses the rehabilitation center for trafficked victims. This shelter will have a full-time psychologist, three social assistants, and administrative personnel. The medical staff of the rehabilitation center will provide medical care. Specific shelter procedures are under development in consultation with UNICEF and specialized NGOs, however it is too early at this stage to assess the level of compliance with the recently developed UNICEF guidelines for minors and the level of cooperation with specialized children's NGOs.

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COUNTRY REPORT

Romania

This report analyzes the status of Victim Assistance and Protection for Romanian women and girls who are trafficked from Romania to other countries primarily for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Romania is a primary country of origin for trafficking in women and girls, mainly for purposes of sexual exploitation.
- The minimum number **Romanian and foreign trafficked victims** assisted within Romania between January 2000 and May 2003 is **818**. The minimum number of **Romanian trafficked victims identified and assisted** from January 2000 until May 2003 is **778**. The minimum number of foreign victims is **40**. These figures mainly comprise women and girls voluntarily returned to Romania through assistance programs managed by the IOM and NGOs.
- Considering the high estimates of Romanian trafficked victims that have been postulated over the last few years, these **figures appear quite low**. Also despite many allegations concerning trafficking in Romanian children for begging, adoption and sexual exploitation, very few cases have been properly documented or verified, and are therefore not included within this figure. Moreover, because the mandate of the Regional Clearing Point does not include information collection from Western Europe and because no other project systematically collects verifiable data, it is **impossible to assess the minimum number of Romanian trafficked nationals** who are currently **assisted within the European Union** by NGOs and social assistance programs.
- Most of the Romanian victims **were identified by law enforcement bodies in the former Republics of Yugoslavia**, mainly in fYR of Macedonia and Bosnia-Herzegovina and enrolled within voluntary return programs.

- Returns from European countries through extraditions or bilateral cooperative agreements are only partially documented, but they reveal **shortcomings in the trans-national referral mechanisms**. In order to identify and assist more Romanian victims in third countries, Romanian NGOs need to develop more information sharing and cooperative agreements with foreign counterparts in third countries.
- **Referral for assistance upon extradition is difficult to assess** and is dependent upon the ability of border services to properly identify and refer a trafficked victim for services. The Romanian border services should further develop mechanisms for identifying trafficking victims upon their return. However, service providers describe increased levels of cooperation with law enforcement bodies, leading to more referrals of victims to NGOs and the IOM.
- Victims who have managed to return to Romania on their own rarely contact service providers for assistance. Possible reasons for this include the absence of help-lines within Romania and some shortcomings in the assistance information dissemination; most counter-trafficking campaigns aim messages at persons at-risk for trafficking rather than persons who have already been trafficked. **More outreach should be geared toward victims who returned on their own and lack supportive services.**
- Profiles of the Romanian victims reveal that the overwhelming majority of victims are females (with the exception of few under-aged boys and young adults trafficked to Western Europe), and all were **trafficked for the purpose of sexual exploitation**. Victims are primarily between **18 and 24 years of age** at the time of their return. **25% of them were still minors** (mainly between 16 and 17 years of age) at the time of their return. Most of them come from **families affected by domestic violence** and approximately **20% were mother's** prior leaving Romania. They were most often recruited through acquaintances.
- Approximately **50% of the victims originate from Romania's poorest region, Moldova**, located in the northeast of the country and neighboring the Republic of Moldova. This high percentage of victims coming from Moldova underlines the need to set up regional priorities in future prevention and assistance programs in Romania. It also raises the question of the resources and capacities of the assistance service providers in this region.
- Aside from working in partnership with the IOM, the **Romanian government has not yet implemented specific social programs for the rehabilitation of trafficking victims**. The National Action Plan contains provisions for the creation of sheltering facilities for returning trafficked persons and stipulates legal, social, medical and psychological assistance. However, the government only recently passed implementing norms for these provisions, and many issues related to service delivery and funding, such as whether pre-existing shelters and NGOs qualify for certification and financial support from County Councils, remain unclear.
- Existing **assistance and protection services in Romania are managed by a range of local women's NGOs and social assistance NGOs, as well as by the IOM** working in partnership with a network of local NGOs throughout the country. The composition, operations and working relationships of these networks have not been consistent over the last four years, and these networks do not constitute cohesive structures at present. Cooperation, coordination and strategy formulation among these organizations should be improved, and competition for funding should be lessened. These programs have been developed primarily for victims of sexual exploitation and mostly rely upon funding from external donors.

- There are **six shelters for trafficked victims** in Romania. Only one shelter in the country provides long-term shelter (lodging and services for up to one year) to trafficked victims. The total capacity of these shelters is approximately 50. The number of short-term shelters appears sufficient at this time. However, the **number of mid and long-term spaces available** for victims who require longer recovery periods or do not have families to return to **is inadequate**.
- All of the **shelters provide voluntary, confidential and free of charge medical care**. Almost all victims request and receive gynecological examinations and a general health check-up. Pregnancy tests are not typically included unless a beneficiary requests testing. However, approximately 10% of victims test positive, so **more service providers should consider including pregnancy tests within the minimum package of medical services**. All of the shelters offer HIV tests, and most recent victims undergo testing. To date, shelter providers report that none of their beneficiaries have tested positive for HIV.
- Each of the shelters provides psychological counseling to trafficking victims. **The scope and depth of the counseling varies considerably**, usually according to the length of time a beneficiary spends at the shelter. Service providers report that most trafficking victims show signs of PTSD, and most victims need at least three to four weeks of individualized counseling and support before departing the shelters. It appears that, because they only spend a few days or a couple of weeks at a short-term shelter, the **most victims do not receive sufficient long-term counseling and support services** unless they are provided by an NGO within their home community.
- Shelters and other service providers place little **emphasis upon formal educational assistance programs** for adult trafficked victims. Most of the programs classified as “educational” programs for adult victims of trafficking are more oriented toward vocational and employment skills than toward developing a more solid level of broad-based educational development. Considering that 35% percent of victims only complete primary school, further education and alternative education programs are insufficiently developed and encouraged. In recognition of a beneficiary’s need for income generating prospects, such educational programs should be developed in conjunction with (rather than instead of) vocational and employment training programs.
- Each of the shelters arranges for **vocational training and employment assistance** for interested beneficiaries. However, different organizations possess different levels of access to funds and types of training. Most assistance providers help victims to enroll in short-term (three to six month) vocational courses, but follow-up information regarding whether these courses led to sustainable employment is lacking. Furthermore, it is unclear whether the courses and jobs that beneficiaries are referred to are consistent with the beneficiary’s skills, interests and employment prospects within her home community.
- Due to the fact that **most trafficked victims return to their families**, all service providers in Romania offer family mediation and assistance. Service providers must make a determination of whether it is safe for the woman or minor to return home. However, most service providers do not possess sufficient guidelines, training or human resources. Up to **75% of victims suffered some form of abuse within their families**, and this places them at high risk for a difficult and possibly unsafe return. Service providers should receive more specific training and guidance regarding methods for conducting a proper safety assessment of the home environment, providing counseling to dysfunctional families and exploring alternative placement options in difficult cases.

- **The lack of access to qualified legal representation constitutes one of the most significant gaps** in victim assistance and protection for Romanian victims of trafficking. Despite the considerable amount of legal and law enforcement counter trafficking measures underway in Romania over the last two years, the state of legal assistance and legal representation for victims has barely changed at all. Most often, victims are identified at the border by law enforcement officers and shortly thereafter they are expected to sign statements about their trafficking experience. Yet this rarely takes place after or during consultation with a qualified attorney. Service providers and government officials should develop service agreements with qualified, experienced lawyers and ensure that all trafficked victims have an opportunity to meet with a qualified lawyer, irrespective of whether they provide statements to law enforcement or testimony against traffickers in court.
- Although Romanian service providers have made some improvements in these areas, **case monitoring and follow-up services need to be expanded** in order to provide meaningful, long-term, supportive services for victims. In the early years of service provision for trafficked victims, organizations in Romania hardly maintained contact with victims two to three months after their return. However, the IOM and some of the NGOs working with victims have increased the length of time they maintain contact with victims. It is too early to know whether new models for services referral and case monitoring will be successful, but the future results could prove helpful in designing future programs, determining re-trafficking rates and assessing the success of reintegration programs.
- The Romanian government has devoted more attention and funding to issues regarding child exploitation, child abuse and child trafficking than most countries in South Eastern Europe, yet improvements in services for children have been quite slow and uneven. The National Authority for Child Protection leads an inter-ministerial working group in charge of developing proposals for legal, education and social measures for trafficked minors, but the government's implementation of these proposals is scattered and dependent upon the will of local child protection committees. To date, **NGOs provide the vast amount of direct services for trafficked minors**, with insufficient assistance and support from the local child protection committees.
- Until the last twelve months, cases involving trafficked minors were not handled much differently from cases of trafficked adults. Identification, referral and assistance **procedures for minors were basically handled on an *ad hoc* basis without specific regard for the particular needs and rights of minors**. However, a few changes have taken place in the last year. Positive developments include the establishment of two NGO-managed dedicated shelters for trafficked minors (one for minors trafficked for sexual exploitation and the other for minors trafficked for begging), bilateral agreements between Romania and some European Union countries regarding the unaccompanied minors, and cooperative agreements between Romanian and Western European NGOs for the identification, return and assistance of trafficked minors.
- Overall, counter trafficking NGOs and child protection committees must expand the amount of specialized direct and follow-up services to minors, especially minors in particularly difficult circumstances. **More intensive and specialized services are needed** for pregnant minors, minors who grew up in abusive families, minors who cannot return to their families, and minors who were raised in orphanages.

I. NUMBER OF ROMANIAN AND FOREIGN VICTIMS IDENTIFIED AND ASSISTED

The minimum number **Romanian and foreign trafficked victims** assisted within Romania between January 2000 and May 2003 is **818**.

The following table shows the minimum number of trafficked Romanian women and girls identified and assisted between January 2000 and May 2003: **778**

	2000	2001	2002	May 2003
Romanian Victims	163	261	243	111

These figures were calculated from information provided from each of the following direct service organizations operating in Romania: Artemis, Estuar Foundation, Pro Familia, Reaching Out, SEF (Equal Opportunities for Women), Young Generation and the IOM Mission in Bucharest. One other organization could not provide assistance breakdown per year and subsequently the 33 national cases they assisted over the reporting period do not appear in the above table. All of the case statistics were cross-referenced for accuracy in order to avoid duplication, as more than one service provider sometimes handles the same case.

There is no centralized victim registry or agreed upon methodology for collecting and analyzing the total number of trafficking victims in Romania. The specialized structures of Romanian Ministry of Interior shall, according to the *Law on the Prevention and Combat of Trafficking in Human Beings*, collect data on trafficking including both victims and perpetrators and publish statistical information, but this is not yet available.

The above figures comprise the number of Romanian women and girls who have been identified as trafficked and voluntarily returned to Romania as well as victims extradited and forcefully returned to Romania and referred by law enforcement bodies for assistance upon return. The vast majority (91%) of the identified and assisted Romanian victims are returned according to voluntary repatriation programs managed by international organizations and NGOs. A few cases where women and girls voluntarily returned to Romania according to an assistance program, but declined further assistance after receiving transportation and overnight shelter, are included within the figures because the victims received at a minimum transportation, emergency shelter and referrals for future service possibilities.

The figures do not include numbers of trafficked Romanian victims identified and assisted by organizations or governmental social assistance programs in transit and destination countries who have not been subsequently returned to Romania. For example, approximately 236 Romanian women and girls enrolled in Italy's (Article 18) social assistance schemes for trafficked victims in 2002, but they are not inserted within this report because the present mandate of RCP does not include information collection from Western European NGOs. Furthermore, apart from statistics regarding the participation of Romanian citizens within Article 18 protection in Italy, no other project or organization systematically collects verifiable data regarding Romanian victims assisted in third countries, so these figures are unavailable at present. Therefore, it is also not possible at this stage to assess the impact of the Schengen visa removal upon the incidence of Romanian women and girls who were trafficked, identified and assisted within Western Europe.

These figures also do not include numerous cases of trafficking in young children. Although many minors' cases between the ages of 15 and 17 are included within the figures, cases regarding younger minors (aged under 15) are not properly documented either in Romania or in the European Union. Despite much speculation about trafficking in children for purposes of sexual exploitation, and in trafficking of Roma children for begging or petty crime, there are only a handful of verified cases. This constitutes a serious gap in the current identification and referral for assistance mechanisms.

As the table indicates, the number of identified and assisted Romanian victims is quite low and reaching a maximum in 2001. However, the first quarter of 2003 has seen a rise in the number of cases.

Several factors provide a partial explanation for the overall low number of identified and assisted cases. First, the traffickers in the region have become more sophisticated in masking the trafficking, thereby making it more difficult for law enforcement bodies to identify victims. In Italy, officials report a significant increase in the number of Romanian victims (amongst other East European nationals) but stress that their visibility is decreasing as they tend to work more in apartments or private clubs rather than in the streets, and therefore less likely to be identified by law enforcement bodies or outreach organizations. In Kosovo traffickers have started to pay women just enough money (between 200-300 Euros) to increase the chances that they will not be identified by law enforcement as victims, and to decrease the chance that they will accept any assistance offered to them by law enforcement bodies and assisting organizations. The fact that more victims are being paid also has important repercussions upon the psychological status of the women and girls because even when they are approached by law enforcement or service providers, they feel that they are complicit in the trafficker's activities, and they fear the legal consequences of their involvement with illegal activities.

It is possible that the increased freedom of movement within European borders that came with the lifting of the Schengen visa has made women and girls less vulnerable to traffickers in the departure phase of their quest for work abroad. However it is also possible that these women are equally vulnerable to traffickers when they travel to a Western European country, encounter limited legal working possibilities, and are recruited into trafficking schemes within the destination country itself. Therefore, one of the impacts of the visa regime may be that the recruitment mechanisms are simply transferred from the country of origin to the country of destination. Although there are some early indications that this is the case, identification and assistance mechanisms in Western Europe are deficient in this area, despite recently signed bilateral agreements. Although western officials in countries like Spain, Italy and France have denounced the growing number of Romanian human trafficking networks for purposes of forced begging, street theft and prostitution, only a few counter-trafficking measures have been implemented, resulting in only a modest increase in the number of identified and assisted Romanian victims from these countries.

It is also possible that the series of prevention and awareness campaigns conducted by NGOs, the IOM and government bodies such as the Ministry of Education, have successfully deterred potential victims, thereby contributing to the relatively low numbers of trafficked victims. However, without significant baseline data and follow-up analysis that specifically targets changes in decision-making behavior, it is impossible at this stage to comprehensively assess the overall impact of these preventive measures.

The minimum **number of foreign victims identified** from January 2000 to May 2003 as trafficked victims within Romania and **subsequently referred for assistance is 40**. The figure

mainly includes victims initially assisted within Romania and thereafter voluntarily returned to their countries of origin (especially Moldova).

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Victims are mainly identified and referred through: (a) voluntary organized return assistance programs from transit and destination countries; (b) returns upon extradition; and (c) police operations.

▪ Voluntary Returns from Transit and Destination Countries

To date the vast majority of victims are identified by law enforcement bodies in the Balkans and offered enrollment within voluntary return programs based on cooperative referral procedures. Since the year 2000, 94% of the recorded voluntary returns have been conducted by the IOM assistance programs in fYR of Macedonia, Bosnia-Herzegovina, Albania, Kosovo, Serbia & Montenegro, and its missions in most of the EU countries. Until recently, alternatives to voluntary returns were practically non-existent in most of the transit and destination countries; victims usually had to choose between assisted return to Romania and no assistance at all, coupled with possible deportation or illegal migration charges.

A small number of voluntarily returns were conducted directly by NGOs through cooperative agreements with counterparts located in Austria, Germany, Italy, Serbia & Montenegro and fYR of Macedonia. Positive developments include increased cooperation between these groups, resulting in a relatively small, but gradually increasing number of identified and assisted victims within the European Union.

The following table presents the countries of destination as recorded by assistance providers at the time of victim's identification and primary voluntary assistance prior to their return:

Destination Countries/Entity	Years				Total
	2000	2001	2002	May 2003	
Albania	34	30	16	2	82
Austria	1	0	0	0	1
Bosnia-Herzegovina	41	78	52	2	173
Bulgaria	0	0	2	0	2
Cambodia	5	0	0	0	5
France	0	0	2	1	3
Germany	0	1	2	4	7
Great Britain	0	1	0	0	1
Greece	0	1	0	1	2
Italy	12	9	20	41	82
Kosovo	21	36	19	7	83
fYR of Macedonia	30	68	72	41	211
Moldova	0	2	0	0	2
Serbia/Montenegro	0	10	22	11	43
Spain	0	0	2	2	4
Poland	0	0	1	0	1
Turkey	0	1	0	0	1
Unspecified destination					75
Total	144	237	210	112	778

IOM Bucharest, Reaching Out and Young Generation Data

Most of the victims who enrolled in voluntary returns came back from Albania and the former Republics of Yugoslavia, mainly from FYR of Macedonia and Bosnia-Herzegovina.

There has been a significant shift in preponderance of identified Romanian cases from Bosnia-Herzegovina to FYR of Macedonia. Returns from Bosnia-Herzegovina slightly decreased over the last two years, accounting for 28% of the voluntary assisted cases in 2000, 33% in 2001 and 25% in 2002. Returns from FYR of Macedonia increased to 34% of the cases in 2002, compared to 21% in 2000, and 29% in 2001. During the first five months of 2003, FYR of Macedonia accounted for 37% of the Romanian cases voluntarily returned in the South East European region. Reasons for this include the on-going law enforcement efforts in FYR of Macedonia and the declining success of the bar raids/operations conducted in Bosnia-Herzegovina.

With the exception of Italy, which comprised almost 37% of the overall voluntary returned caseload in the first quarter of 2003, assisted cases from Western European countries are scarce. Whereas Italy has instituted a pro-active and combative governmental policy against human trafficking and humanitarian measures that allows some Romanian victims the right to a recuperation period and a residency permit, other Western European countries have not yet developed similar mechanisms which might result in significant numbers of identified and assisted Romanian victims.

▪ **Returns upon Extradition**

Updated official data regarding extradited victims is not available at this time. Most cases referred for assistance by border police in western Romania have been extradited from the neighboring countries (mainly from Serbia & Montenegro and Bosnia-Herzegovina) and driven to the border by foreign neighboring officers. Service providers in the western part of Romania are not aware of extradited trafficked victims from European countries transported by air to Timisoara. In general, apart from the voluntary returns organized by IOM and NGOs, it is difficult to know if police generally propose assistance or condition it upon a victim's housing possibilities and/or cooperation with law enforcement bodies. For example, some service providers report that women with immediate housing prospects are not systematically offered direct assistance or do not necessarily accept it, and therefore are not informed and referred to mid-term reintegration assistance.

▪ **Police Operations**

In the course of the year 2002, the Romanian police identified 41 trafficking in human beings networks. 68 girls and women from Romania and Moldova were identified and assisted before being transported out of the country to foreign transit or destination locations (mainly Spain, Italy, Greece, Holland, Germany and Austria). All were trafficked for sexual exploitation. Internally trafficked cases are usually exposed during organized police operations; according to law enforcement bodies, most victims are internally trafficked prior to their transfer to other countries.

National police and specialized units refer victims for assistance according to: a) determination of victim status; b) victim's area of origin and c) victims needs.

Apart from the voluntary returns from transit and destination countries handled by IOM and NGOs, most cases are referred by law enforcement bodies. Extremely few victims contact service providers on their own initiative. This can be partially explained by the absence of a national help-line in Romania as well as the changes in the trafficking patterns; as more victims receive some money from traffickers, they feel they are complicit in illegal activities, and

therefore fearful of legal repercussions. In addition, there is an overall dearth of institutionalized response to human trafficking by state social service providers in Romania. For instance, it is remarkable that there are no documented cases involving a health care provider who identified an otherwise unidentified victim and subsequently referred the victim for services. Considering the many health problems experienced by all victims, it is difficult to believe that unidentified trafficked victims returning to Romania have not received medical care from physicians, who should have triggered identification and referral.

- **Voluntary Return to Country of Origin**

IOM is the referral agency assisting foreign women to return from Romania to their countries of origin. These referrals are typically conducted upon law enforcement identification and referral for preliminary case assessment, as well as by direct referral by IOM neighboring Missions.

III. VICTIM PROFILES

Almost all cases were reported trafficked for purposes of sexual exploitation. In the absence of sufficient documentation foreign victim profiles are not inserted within this report. The following profiles are related to Romanian victims.

- **Age**

The majority of victims are between 18 and 24 years of age when they return to Romania. Over the time period considered (January 2000 to May 2003), just over 20% of the cases were minors at the time of their return.

- **Length of Time Trafficked**

The length of time trafficked varies from two months to two years. Available data does not contain sufficient information to ascertain changes in length of time trafficked throughout the reporting period.

- **Level of Education; Family Background**

Almost all Romanian victims attended some schooling. The majority (around 66%) has a limited education (primary and secondary education levels)⁸. IOM statistics illustrate a consistent decrease in numbers of victims with a high school degree: 41% of their caseload in 2000, 33% in 2001, 24% in 2002 and 12% for the first quarter of 2003. These statistics reinforce the importance of the awareness-raising educational sessions organized within the Romanian educational system in high school and suggest that similar modules should be developed for a secondary school audience. Positive measures in this area include compulsory trafficking awareness sessions within the 8th grade and high school curricula.

⁸ In Romania, children should begin school at age 7; primary education = levels 1 to 4, secondary education = levels 5 to 8, high school = levels 9 to 12.

Most of the victims come from families affected by domestic violence and/or sexual abuse and a few were raised outside of their families. Victims come from environments with limited social mobility but they have strong motivations to seek better living conditions.

▪ **Reasons for Leaving Home Country**

Very low income is identified as the primary reason that most women and girls accept positions abroad. Women and girls seek a variety of positions and possibilities, and traffickers seemingly adapt their offers according to the most recent employment interests of the public. For example, most Romanians are aware of recently developed opportunities for legal agricultural work in Spain. Traffickers take advantage of this situation by pretending to arrange agricultural employment in Spain, subsequently exploiting the victims in Spain or other countries.

▪ **Methods of Recruitment**

Victims are most often recruited by acquaintances. Recruiters are paid for each recruit and may also provide transportation to transit locations. In most other cases, victims reply to newspaper advertisements.

▪ **Re-trafficking Rate**

Overall there are incomplete data and insufficient monitoring mechanisms in place that could lead to reliable conclusions about re-trafficking rates. Until recently, most organizations only maintained contact with assisted victims for a matter of months, and the final contact usually consisted of telephone calls, rather than in-person communication. However, one NGO has conducted case monitoring for an average period of twelve months after shelter departure, and their statistics reveal that 16% of the victims failed to reintegrate and are presumed re-trafficked.

▪ **Marital Status**

According to NGO data, 10% of victims are mothers before departing. Most of the mothers leave their children in the care of relatives. However, IOM data indicates that 20% of recent cases were mothers at the time of their departure, and this represents an almost 50% increase in the percentage of cases compared to 2000.

▪ **Place of Origin**

According to IOM statistics, 50% of the cases originate from the Moldova region, located in the northeast of the country. This trend was remarkably stable over the reporting period. Moldova is the poorest region of Romania and according to women's organizations involved in domestic violence, the highest rates of violence against women are found in the counties of eastern Romania, especially Iasi and Suceava, from which most of the trafficked victims originate. An additional 15% come from Transylvania; 13% from Muntenia (comprising Bucharest and central part of the country), 10% from Oltenia (located in the southwest) and 1% from Dobrogea along the Black Sea. Dobrogea is new place of origin, with cases reported only since 2002.

Increasingly women and girls come from urban areas. They accounted for 52% of the IOM assisted caseload in 2000, 61% in 2001 and 71% in 2002.

- **Transportation Routes**

Victims trafficked into the Balkan countries report that they increasingly enter foreign countries illegally through unofficial border entry points. This could be in response to the heightened attention paid at international border points by Border Services. Most victims are transported by middlemen (Romanian, Yugoslav as well as Austrian nationals) to the countries of destination where they are handed over to bar and nightclub owners. In order to reach Western Europe, traffickers encourage women to declare tourist travel as the purpose of entering the Schengen space, thereby legally exiting Romania.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

Aside from working in partnership with the IOM, the Romanian government has not yet implemented specific social programs for the rehabilitation of trafficking victims. The National Action Plan contains provisions for the creation of sheltering facilities for returning trafficked persons and stipulates legal, social, medical and psychological assistance. However, the government only recently passed implementing norms for these provisions, and many issues related to service delivery and funding remain unclear, such as whether pre-existing shelters and NGOs qualify for certification and financial support from county councils.

Existing assistance and protection services in Romania are managed by a range of local women's NGOs and social assistance NGOs, as well as by the IOM working in partnership with a network of local NGOs throughout the country. Most of the services provided by members of these networks are available to foreign as well as national victims. For example, assistance programs offered shelter, medical and psychosocial services to approximately 40 foreign victims during the last four years. Language usually does not pose a barrier because most of the foreign victims are Moldovans who speak Romanian.

The composition, operations and working relationships of these networks have not been consistent over the last four years, and these networks do not constitute cohesive structures at present. For example, organizational membership of the networks often shifts. The local NGO partner providing direct services at the IOM shelter has changed twice in the last few years. Cooperation, coordination and strategy formulation among these organizations should be improved, and competition for funding should be lessened. These programs have been developed primarily for victims of sexual exploitation and mostly rely upon funding from outside donors.

- **Voluntary Assisted Returns**

Most of the identified and assisted voluntary returns are operated through the IOM according to a *Memorandum of Understanding* with the Romanian Ministry of Interior. The initial assistance takes place in the country of identification (i.e. transit or destination country). The range and scope of assistance provided to these victims varies according to the particular programs and practices of service providers in the countries where the victims are first identified. If the original assistance takes place within IOM programs in the Balkans, the assistance typically consists of shelter, medical care, psychosocial care, basic legal information, a humanitarian package, travel documentation, and transportation to country of origin. Detailed information about services provided in South Eastern European countries is located within RCP country reports under "*Victim Assistance and Protection Services for Foreign Victims of Trafficking.*"

There has been a recent increase in the number of assisted voluntary returns conducted according to cooperation agreements between Romanian and Western European NGOs. In particular, a few Romanian NGOs have developed cooperative agreements with Italian NGOs. Italian NGOs facilitate Article 18 social protection (including shelter, social services and usually a temporary residence permit) within Italy, and then victims are returned to Romania. Like the beneficiaries of the IOM program, most of the victims are met upon return at the airport, transported to a shelter, and offered reintegration services. Although a few victims wish to return directly to their families, most elect to stay at the shelter and receive initial medical and psychosocial care. It would be useful to evaluate the differences in care (and possible links to likelihood of successful reintegration) between the victims assisted under Article 18 social protection programs in Italy versus the victims assisted by other programs, but data regarding the former is unavailable at this time. In order to gauge the impact of these services and a possible relationship between the longer lengths of recovery and recuperation periods upon the ultimate reintegration levels for victims, more attention is needed in this area.

▪ **Shelter**

There are six shelters for trafficked victims in Romania. One of the shelters is located in Bucharest, three in Timisoara, one in Pitesti and one in Bistrita. Local NGOs manage five of the shelters, and one is managed in a partnership between the IOM, the Ministry of Internal Affairs, and the Church and Society Service of the Romanian Orthodox church.

All of the shelters accept Romanian and foreign trafficking victims. All but one of the shelters provides lodging exclusively to victims of trafficking; the other shelter provides lodging and services to both trafficking victims and domestic violence victims. All of the shelters are located within private apartments, except for the shelter managed in the IOM, Ministry of Internal Affairs and the Church and Society Service partnership, which is located within a building owned by the Ministry of Internal Affairs/National Office for Refugees. All of the shelters are open shelters, where beneficiaries' are unrestricted.

The shelter in Pitesti is the only shelter in the country that provides long-term shelter (lodging and services for up to two years) to trafficked victims. The shelter in Bucharest provides mid-term (one to four months) lodging, and refers beneficiaries to specialized NGOs for further shelter and assistance. The other shelters provide short-term shelter (a few days to two months). The total capacity of these shelters is approximately 50. The average shelter stay varies greatly, from one year at the long-term shelter in Pitesti to a couple of days at transit centers in Timisoara. Police and other referring organizations are aware of the longer stay permitted at the Pitesti shelter, and are more likely therefore to refer to this shelter those victims who have no place to which to return. However it is likely that victims would spend more recovery time at the other shelters if offered the opportunity. Considering the relatively low number of victims identified and referred to shelters, the number of spaces within short-term shelters for victims who are ready and able to return to their families or friends appears sufficient, but the number of long-term spaces available for victims who require longer recovery periods or do not have families to return to is inadequate.

The current geographic distribution of shelters should be complemented by at least one short and long-term shelter in the northeast part of the country. Despite the prevalence of victims from this region (at least 50% of victims originate from the northeast of the country, especially Iasi), there are no dedicated shelters and comprehensive service centers for victims in this area.

The status of these shelters (especially short-term shelters) may be affected by future establishment of shelters and shelter standards set by the government. According to Chapter V

of Romania's *Law on the Prevention and Combat of Trafficking in Human Beings*, the Romanian government should provide temporary accommodation in centers for assistance and protection which operate under the authority of councils within the counties of Arad, Botosani, Galati, Giurgiu, Iasi, Ilfov, Mehedinti, Satu-Mare and Timis. This legislation states that Romanian and foreign victims may stay in council shelters for up to ten days, or longer if the victim takes part in lengthy criminal proceedings. The legislation seems to imply that cooperation with law enforcement is a condition for shelter stay and services. This needs to be corrected to assure that shelter stay and victim services are not contingent on cooperation with law enforcement. It also stipulates that each center must submit its rules and organizational structure for approval by the Minister of Public Administration and the Minister of Interior.

It is unclear at this point how this legislation will affect existing shelters operated by independent NGOs and the IOM. The legislation states that associations and foundations that have social service programs for trafficking victims shall have priority receiving subsidies from the state or local budgets, but the funding has not been forthcoming. NGOs are not sure yet if their centers may serve as the council centers, and licensing and standardization issues are unclear. In March 2003, some norms regarding implementation of this legislation were ratified, although precise provisions for shelter standards and funding are lacking. To date, a few NGOs have applied to the councils for funds, but no funds have been awarded to NGOs yet.

▪ **Medical Care**

Each of the six shelters provides voluntary, confidential and free of charge medical care for trafficked victims. Most of the organizations arrange for initial examinations and care immediately after the victim's arrival. Five out of six of the shelters do not have formal (or written) agreements regarding the provision of medical care. These shelters usually use the services of private physicians according to informal relationships, and many of them state that they prefer to operate this way because of discriminatory behavior against victims by public institutions. The IOM shelter had a medical services agreement with a private clinic, but it recently entered into a services agreement with physicians at the National Office for Refugees.

The range of medical care varies slightly between organizations, but almost all victims request and receive gynecological examinations and a general health check-up. Gynecological examinations and laboratory testing reveal that almost all of the victims test positive for vaginal infections and some forms of sexually transmitted infection (STI). Among the STIs are a notable number of syphilis cases. Pregnancy tests are not typically included unless a beneficiary requests testing.

The numbers of beneficiaries requesting pregnancy tests vary considerably between service providers, so it appears that some service providers encourage these more than others. Because the numbers of beneficiaries taking pregnancy tests varies considerably, reliable trends regarding pregnancy rates are not available. However, among service providers who routinely encourage pregnancy tests, approximately 10% of victims test positive for pregnancy. This percentage suggests that more service providers should consider including pregnancy tests within their minimum package of medical services offered to beneficiaries.

All of the shelters offer to arrange free of charge HIV testing and pre and post-test counseling for trafficking victims. Beneficiaries who request this undergo an initial HIV test, and then a follow-up test three months later. Testing and counseling facilities are located throughout Romania, and service providers have not reported any problems obtaining tests for beneficiaries. Service providers report that most victims within the last year have elected to be tested. Because HIV testing was not routinely proposed in the past, it is not possible to state whether an

increasing number of victims elect testing because of increase in general awareness, or because of an increase in the amount of information provided by shelters and service providers. To date, shelter providers report that none of the trafficking victims have tested positive for HIV.

Only one of the shelters routinely tests beneficiaries for TB. Many trafficked victims are held at some point in some type of detention facility where TB is more prevalent, so other service providers should consider including TB tests within the minimum package of medical services offered to beneficiaries.

▪ **Psychological & Psychiatric Care**

Each of the shelters provides psychological counseling to trafficking victims. All of the shelters offer individual counseling, and some offer group counseling sessions as well. A few of the shelters have a psychologist on staff or an agreement with an outside psychologist who provides services at the shelter, but most of the shelters have social workers who provide the majority of counseling. The scope and depth of the counseling varies considerably, usually according to the length of time a beneficiary spends at the shelter. For example, a beneficiary at the Pitesti shelter can work with the same counselor for twelve to twenty-four months, whereas beneficiaries at most of the short-term shelters receive counseling for a period of weeks or months.

Since the end of 2002, beneficiaries at the IOM shelter are referred to social service NGOs within their respective home communities for longer-term counseling and development of reintegration plans. Although it is too early to assess whether these referrals truly result in long-term counseling and support services for beneficiaries, this could constitute a positive, sustainable model for provision of services because it encourages long-term care provided by NGOs within the beneficiary's community. The specialized NGOs provide case progress reports to the IOM every two months, so it is possible for the original case manager to gauge the beneficiary's progress and reintegration status. To a significant degree, the success of this model will depend upon the experience and level of specialized counseling and reintegration services provided by the NGOs within the referral network.

Service providers report that most trafficking victims show signs of Post Traumatic Stress Disorder (PTSD), and most victims need at least three to four weeks of individualized counseling and support before departing the shelters. Therefore, it appears that the majority of victims who only spend a few days or a couple of weeks at a short-term shelter do not receive sufficient counseling and support services unless they are provided by an NGO within their home community. Service providers also report that the most difficult cases are those in which minors also suffered abuse, especially sexual abuse, within their families. These cases require particularly intensive counseling and care, which is probably outside of the scope of what many of the shelter social workers can provide at this time. Such cases should be referred to specialized services and NGOs experienced in providing treatment in this area. Also, minors and young adults who grew up in orphanages typically require specialized counseling and life skills training for longer periods of time than other victims.

Each of the shelter providers reports that a few beneficiaries have required psychiatric care, and a relatively small number required psychiatric hospitalization. None of the shelters has a psychiatrist on staff, so a physician must make a referral to a specialized psychiatric institution. Service providers have not reported any difficulties obtaining psychiatric care for beneficiaries.

Romania's counter-trafficking legislation states that Romanian and foreign victims of trafficking are entitled to psychological and psychiatric counseling, but the legislation is vague and does not state who will provide these services, or the standards according to which they would be

provided. Specialized NGOs are not sure whether they may provide services under this provision, and therefore receive state or county reimbursement for such services. Specific normative laws are needed in order to clarify the provision of these services.

- **Education Assistance**

Aside from some educational reinsertion programs for beneficiaries who are minors, shelters and other service providers place little emphasis on formal educational assistance programs for trafficked victims. Most of the programs classified as “educational” programs for adult victims of trafficking are more oriented toward vocational and employment skills than toward developing a more solid level of broad-based educational development. Considering the fact that 35% percent of victims only complete primary school, further education and alternative education programs are insufficiently developed and encouraged. In recognition of a beneficiary’s need for income generating prospects, such educational programs should be developed in conjunction with (rather than instead of) vocational and employment training programs.

- **Vocational Training and Employment Assistance**

Each of the shelters arranges for vocational training and employment assistance for interested beneficiaries. However, different organizations possess different levels of access to funds and types of training. Most assistance providers help victims to enroll in short-term (three to six month) vocational courses, but follow-up information regarding whether these courses led to sustainable employment is lacking. Furthermore, it is unclear whether the courses and jobs to which beneficiaries are referred are consistent with the beneficiary’s skills, interests and employment prospects within her home community. For example, entire clusters of beneficiaries in particular shelters enroll in sewing or hairdressing courses, and it is hard to tell at this point whether this reflects decisions about individual cases, or whether it reflects which courses or material resources happened to be available for a particular shelter or group of beneficiaries.

A beneficiary’s access to particular programs may depend on the specific county employment office and even the relationship between the service provider/shelter and the local employment office. According to Romania’s trafficking law, the Ministry of Labor and Social Solidarity, through its structures at central and territorial levels, shall develop vocational training programs and employment schemes (including programs for employers granting trafficked victims priority in the hiring process) for persons at risk of trafficking or trafficking victims. Under this legislation, council employees are supposed to organize short-term vocational and training programs for trafficking victims, and grant priority counseling and mediation to find jobs. Although some service providers report that they are able to access these services for beneficiaries, others report that these county offices will not provide adequate services to trafficked victims.

Regarding the creation of small businesses and access to micro-credit programs, a few NGOs have stated an interest in creating small businesses comprised of beneficiaries. However, it does not appear that beneficiaries are encouraged or trained to create small businesses or seek out micro-credit programs. More attention is needed in this area.

- **Family Mediation and Assistance**

Since most trafficked victims return to their families, all service providers in Romania offer family mediation and assistance. With the consent of the beneficiary, service providers often contact the family to let them know approximately when the beneficiary will return home. The content of the conversation is discussed with the beneficiary first, and the beneficiary decides

whether she wants her family to know about her trafficking experience or not. Depending on whether or not the beneficiary wants the service provider to explain aspects of trafficking experience to her family, the service providers will offer initial counseling to the family as well. In order to better assess the family environment, some of the counselors meet with the family first, and then meet the family with the daughter/relative present. Service providers are also expected to make a determination of whether it is safe for the woman or minor to return home or not, but most service providers do not operate with sufficient guidelines to make this decision. Victims' data reveal that up to 75% of victims suffered some form of abuse within their families, and this places them at high risk for a difficult and possibly unsafe return. Service providers should receive more specific training and guidance regarding methods for conducting a proper safety assessment of the home environment, providing counseling dysfunctional families and exploring alternative options for family placement in difficult cases.

▪ **Housing Assistance**

According to service providers, many trafficked victims cannot return to their families. Since there are few long-term shelter possibilities for victims in Romania, victims must seek private and public housing possibilities. Overall, the wage to housing ratio for Romanian trafficked victims is better than that of victims in other countries, but in order to save enough money to rent a private flat, most victims would first need to work and stay in a mid-term, rent free shelter for at least three to six months. If more mid-term shelters were available, then more victims would be in a position to secure longer-term rental agreements for private housing. Despite the fact that Romania's counter-trafficking legislation states that victims of trafficking should receive priority access to social housing provided by local councils in their town of residence, NGOs report that victims have not yet received these social housing benefits. However, it is not clear to what extent NGOs and victims are aware of these procedures, and whether they have fully pursued public housing benefits.

▪ **Material Assistance**

Each of the shelters provides some basic humanitarian packages to victims, including necessary clothing and hygiene supplies, although the number and type of items provided depends on the resources of the organization. For example, the IOM shelter also provides food for victims' families and sometimes assists in the purchase of farm animals for rural beneficiaries. The NGO in Pitesti ensures that beneficiaries possess adequate clothing for an entire year, including winter clothing items that might otherwise be too expensive for victims to purchase with their modest incomes.

▪ **Legal Assistance**

The lack of qualified legal representation constitutes one of the most significant gaps in victim assistance and protection for Romanian victims of trafficking. Despite the considerable amount of legal and law enforcement counter trafficking measures underway in Romania over the last two years, the state of legal assistance and legal representation for victims has barely changed. Most often, victims are identified at the border by law enforcement officers and shortly thereafter they are expected to sign statements about their trafficking experience. Yet this rarely takes place after or during consultation with a qualified attorney. This practice is particularly troubling in Romania because under Romanian law (*Emergency Ordinance 112*), trafficked victims can be prosecuted for illegal border crossing and prostitution. Some of the service providers state that there is a tacit agreement that victims will not be prosecuted if they cooperate with law enforcement and sign the requested statements, while others believe that this kind of

cooperation offers no protection and leaves the victims open to possible criminal liability in the future. Regardless, Emergency Ordinance 112 violates the provisions of Palermo.

Service providers and government officials should ensure that all trafficked victims have an opportunity to meet with a qualified lawyer, irrespective of whether they provide statements to law enforcement or testimony against traffickers in court. Although a few service providers provide access to legal information, this service is most often deficient. For example, the IOM shelter arranges for law students to provide legal counseling to women in the shelter. Although these law students may provide some useful information about civil matters, by definition, they do not possess adequate criminal experience and they could not represent victims in court. Service providers should develop service agreements with qualified, experienced lawyers who are trained specifically in matters including and affecting trafficking laws.

▪ **Case Monitoring/Follow up**

Although Romanian service providers have made some improvements in the area of case monitoring and provision of follow-up services, such services need to be expanded in order to provide meaningful, long-term, supportive services for victims. In the early phases of service provision for trafficked victims, organizations in Romania hardly maintained contact with victims more than two to three months after their return. However, the IOM and some of the NGOs working with victims have increased the length of time in which they maintain contact with victims. For example, the Pitesti NGO maintains contact with beneficiaries up to twelve months after they depart the shelter. This continued contact serves as a reminder to the beneficiary that she can access counseling or other supportive services if needed, and it enables the NGO to better assess the level of the beneficiary's reintegration. The IOM shelter refers beneficiaries in need of medium to long-term services to NGOs within their communities, and these NGOs are supposed to provide services and maintain regular contact with the beneficiaries for at least several months. It is too early to know whether this services referral and case-monitoring network will be successful, but the future results could prove helpful in designing future programs, determining re-trafficking rates and assessing the success of reintegration programs.

▪ **Assistance for Minors**

The Romanian government has devoted more attention and funding to issues regarding child exploitation, child abuse and child trafficking than most countries in South Eastern Europe, yet improvements in services for children have been quite slow and uneven. The National Authority for Child Protection leads an inter-ministerial working group in charge of developing proposals for legal, education and social measures for trafficked minors, but the government's implementation of these proposals is scattered and depends upon the will of local child protection committees. To date, NGOs provide the vast amount of direct services for trafficked minors, with little assistance or support from the local child protection committees. NGOs and international organizations assisting trafficked minors must obtain guardianship approval from the committees, and this process has improved throughout the last year.

Until the last twelve months, cases involving trafficked minors were not handled much differently from cases of trafficked adults. Procedures for identification, referral and assistance of minors were basically handled on an *ad hoc* basis without specific regard for the particular needs and rights of minors. However, a few changes have taken place in the last year. A Timisoara NGO opened the first dedicated shelters for trafficked minors at the beginning of the year. One shelter provides lodging and services to minors trafficked for sexual exploitation, and the other

for minors trafficked for begging. These shelters are located within private apartments, and minors may stay up to six months if needed.

Romania has also recently signed bilateral agreements regarding unaccompanied minors with a few European Union countries, and ties between service providers and law enforcement actors in the European Union and Romania have increased. For example, more Romanian NGOs have established agreements with NGOs in European Union countries regarding the identification, assistance, return and reintegration of Romanian minors trafficked in European Union countries, especially Italy.

NGOs in Pitesti and Timisoara have cooperative agreements with Italian NGOs that identify trafficked Romanian minors and contact the Romanian NGOs. The Italian NGOs provide shelter, medical care and other social services to the minor, and the Romanian NGO conducts a home assessment in order to determine whether the minor can or should return to its family in Romania. If the NGO makes a preliminary determination that the minor can return to his or her family, then the Italian NGO arranges for the minor's return. Romanian NGO staff members meet the minor at the border, and typically escort the minor to a shelter for a brief stay that includes a medical examination and some psychological counseling. The Romanian NGO must also contact the child protection committee within the minor's home community regarding the minor's arrival. NGO service providers visit the child in their home one or two times per month, and provide material assistance, psychosocial assistance and other services as needed. Because many of these minors did not attend school regularly or at all before they were trafficked, NGOs and local child protection workers must place particular emphasis upon the need for the minor to attend school.

Thus far, service providers have placed most identified, returned and assisted minors within their biological families and original communities, but this is not always possible. Therefore, NGO and international organization service providers must work with child protection committees to locate a suitable alternative such as a foster home or an NGO managed maternal center. Counter-trafficking NGOs, international organizations and child protection committee employees also must expand the amount of specialized direct and follow-up services to particularly difficult minors cases. During the last few months, a number of trafficked minors have arrived in Romania pregnant, and these cases will require particular attention and long-term follow up care. Romanian service providers have also recently received an increased number of cases involving minor boys trafficked to EU countries for sexual exploitation. These cases will require specialized services, and it is not yet apparent whether appropriate assistance mechanisms are in place for these minors. Overall, it is a positive sign that cases of minors are receiving more specialized care and resources. But these programs have only recently been developed, so it is too early to tell whether assisted minors have been successfully reintegrated within their families, schools and communities.

- **Assistance for Foreigners**

Dedicated housing and assistance services do not exist for foreign victims in Romania. Foreign victims receive assistance within the existing assistance schemes and facilities for national victims and are offered voluntary return support.

Romania is one of the few countries in the region that has not signed the Tirana Statement on Commitments to legalize the status of trafficked persons.

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COUNTRY REPORT

Bosnia-Herzegovina

This summary analyzes the status of Victim Assistance and Protection for women and girls who are trafficked to, through or within Bosnia-Herzegovina for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Bosnia-Herzegovina is primarily a **destination country for trafficking in women and girls** for purposes of sexual exploitation. It is the **primary South Eastern European country of destination** for trafficking in women and girls for purposes of sexual exploitation.
- The minimum number of **foreign and BiH trafficked women and girls identified and assisted** in Bosnia-Herzegovina, between January 2000 and June 2003 is **714**. The minimum number of **foreign victims** identified and assisted is **697**. The minimum number of **BiH victims** identified and assisted is **17**.
- Numbers of **identified and assisted victims started to decrease significantly in the last quarter of 2002**. Despite continuous law enforcement actions and a belief that trafficking in women in Bosnia-Herzegovina has not decreased, trafficking appears to have moved underground, making it more difficult for law enforcement to locate and identify victims. This situation is exacerbated by a lack of continuity in operations as the national police take over from the International Police Task Force between international and national police forces; limited police operations carried out over the last twelve months; and a dearth of referral for assistance.
- Since 2002, **BiH citizens** have been found trafficked in the country: eight cases were identified and assisted in 2002, nine in the first six months of 2003. Service providers express concerns about what they suspect is a **growing phenomenon of internal trafficking in BiH citizens** triggered by poor socio-economic conditions. Also, traffickers may resort to

trafficking more nationals because they do not require false documentation or working permits and are less likely to attract the attention of authorities.

- There is **no official, structured, victim referral system** in Bosnia-Herzegovina and victims continue to be referred for assistance services on an *ad hoc* basis. A few days before the launch of Operation Mirage in 2002, efforts to initiate a binding and structured assistance framework in the country resulted in the issuance of a *Temporary Instruction* by the Ministry for Human Rights and Refugees. The Instruction was not broadly disseminated and its principles were not systematically applied. A new Instruction is being drafted as a by-law within the new *Law on Movement and Stay of Aliens and Asylum*.
- **Profiles** of victims assisted within Bosnia-Herzegovina reveal the following: **44% come from Moldova, 37% from Romania and 12% from Ukraine**. In the course of the last three years, Romanian nationals have been increasingly identified and assisted in Bosnia-Herzegovina, suggesting an increase in the number of Romanian trafficked women and girls, and strong links between the trafficking networks. With the exception of Serbian nationals, no victims from former Yugoslav countries were identified, indicating that, with the exception of Kosovo, no former Yugoslav countries have become substantial countries of origin thus far. Out of the total number of assisted victims, **2% are BiH nationals** trafficked within Bosnia-Herzegovina for purposes of sexual exploitation.
- The majority of the victims **are between 18 and 24 years of age** when they are identified in Bosnia-Herzegovina: **7% are minors** (between 14 and 17 years of age); 70% of the minors are from Romanian origin and 77% of the women older than 25 years come from former Soviet Republics; most are single and approximately **20% are mothers**.
- The length of time women are trafficked varies between a few months to several years. Victims primarily leave their home countries to **find employment abroad (64%)**; most victims (70%) have been **directly recruited through an acquaintance**. Most of the foreign victims come from Moldova, Romania and Ukraine, and they are usually transported in vehicles and sold by middlemen when transferred from one country to the next. Almost all cases entered Bosnia-Herzegovina through Serbia via Belgrade or Vojvodina.
- In Bosnia-Herzegovina there is an **impressive array of experienced NGOs** that provide direct services and advocacy for trafficked victims and many international organizations are involved in development of victim assistance and protection services, but **instability within state and entity institutions** and a myriad of bureaucratic structures have **hindered forthright progress for the development of a reliable framework for victim assistance and protection**. The Temporary Instruction for assistance to trafficked victims represented a step forward in the creation of an assistance framework for adults and minors, foreign and national trafficked victims. However distribution, understanding and application of the Instruction was uneven throughout Bosnia-Herzegovina. According to the Instruction, victims should receive: shelter, information on their legal status, and information on possibilities for witness protection, social care, medical care and information about possibilities to return home. In practice, application of the Instruction greatly depends on training and awareness of law enforcement, and whether or not NGOs have cooperative relationships with the police.
- The assistance and protection framework for trafficked victims in Bosnia-Herzegovina has **mainly been geared toward repatriation assistance for foreign adult victims**. Local NGOs and IOM provide the vast majority of assistance for foreign and national victims. The

government has not played a prominent role in the provision of direct services to foreign or national victims. Local NGOs should receive increased financial and structural support to provide more direct services, including assistance to foreign victims who do not wish to return home immediately, and national victims in need of comprehensive reintegration assistance.

- There are five **shelters for trafficked victims** in Bosnia-Herzegovina. One of the shelters is located in Sarajevo, two in Mostar, one in Bijeljina and one in Dobož. Local NGOs manage four of the shelters, and one is directly managed by IOM. All of the shelters accept foreign and BiH trafficking victims at least on a short-term basis. Each of the shelters accepts adult and minor victims. **Services offered to victims include: accommodations, medical examinations, psychological counseling, legal assistance and short-term courses.** Shelter capacities range from 6 to 32, with a total capacity in the country of 67 spaces for trafficked victims. The average length of stay for foreign victims is one month, and for BiH victims two weeks. If the relatively low and decreasing level of identification and referral of victims persists, then the **capacity of the shelters to provide short-term lodging and services (for up to 3-4 weeks) should be sufficient** for victims requiring short-term care. However, the number of **long-term spaces** available for victims who require longer recovery periods or do not have families to return to is still inadequate, and there is a lack of overnight shelter possibilities for victims identified by law enforcement units in the northwest part of the country.
- Each of the five shelters provides optional, confidential, and free basic medical care for trafficked victims. None of the service providers have formal agreements with hospitals for provision of emergency care and hospitalization, and all are confronted with higher fees for foreign victims at the hospitals. **NGOs and international organizations should pursue agreements with relevant state and entity health authorities regarding fee scales and services for foreign and national victims.** The range of medical care varies slightly between organizations but gynecological examinations and laboratory tests reveal that almost all of the victims test positive for some forms of sexually transmitted infection.
- In contrast to many service providers in neighboring countries, **most of the shelters in Bosnia-Herzegovina arrange free-of-charge HIV testing and pre and post-test counseling** for foreign and BIH victims. Service providers do not report significant problems obtaining tests or maintaining confidential results for beneficiaries. Approximately 70% of victims within the last year have elected to be tested. Shelter providers report that **three of the trafficking victims** (all foreigners) have tested **positive for HIV**. No problems obtaining medical care in Bosnia-Herzegovina or repatriation assistance for these victims were reported.
- Each of the shelters provides psychological counseling to trafficking victims. Victims receive counseling twice a week. Service providers report that most trafficking victims present signs of depression, and a high percentage reveal suicidal ideations. Service providers also report that the **most difficult cases are those with long-standing psychological and psychiatric disorders.** NGOs face extreme difficulties obtaining psychiatric hospitalization for foreign beneficiaries. A significant number of victims also appear to suffer from drug and alcohol dependency.
- Regarding the **scope of legal assistance**, most victims receive basic legal information during their stay at shelters, but less than half of shelter victims receive direct legal assistance from a lawyer. It appears that practically all of the victims who receive direct legal assistance are

those willing to testify against traffickers in legal proceedings. Approximately **one-third of foreign victims in Bosnia-Herzegovina provide testimony** against traffickers in court. Service providers believe that this number would be higher if the legal processes were faster, if proper arrangements were in place whereby victims could be repatriated and then return to Bosnia-Herzegovina for testimony and if comprehensive witness protection was established. More specialized training programs and resources are needed for prosecutors, judges and lawyers representing trafficked victims, especially in regard to applying rules of confidentiality and protection of privacy and dignity.

- Bosnia-Herzegovina is one of the few countries in the region where it is **possible for trafficked victims to obtain a temporary residence permit**, although the application process is lengthy and under modification. Local NGOs have assisted one trafficked victim in obtaining a temporary residence permit to provide testimony against traffickers in a lengthy court case, and several more applications are pending. The permit allows the victim to remain in Bosnia-Herzegovina for three months, and to apply for additional three-month extensions. In addition to defining rules and standards for the issuance of the temporary visa, the **government and service providers must develop an appropriate assistance framework**, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in Bosnia-Herzegovina under the temporary visa.
- There is a **lack of reintegration assistance and rehabilitation for BiH victims and foreign victims who wish to reside in Bosnia-Herzegovina**. Although there have not been a large number of identified national cases, the number of identified BiH victims has risen throughout the last year. Local NGOs and local Social Work Centers possess little funding for reintegration services, and there is only one local NGO that presently provides mid- to long-term shelter and services. Reintegration programs should be developed by local NGOs in cooperation with appropriate governmental authorities, such as the Ministry of Labor and Employment, the Ministry of Social Welfare and local Social Work Centers.
- Overall, cases involving **trafficked minors have not been handled much differently from cases of trafficked adults**. Procedures for identification, referral and assistance of foreign and BiH minors were basically handled on an *ad hoc* basis without specific regard for the particular needs and rights of minors. Local NGOs and IOM provide assistance to trafficked minors, with little assistance or no support from the local Social Work Centers. However, a few initiatives (mostly from the international community) have taken place during the last year that might lead to more specialized treatment of foreign and trafficked minors, including the Temporary Instruction which contains a section on special protections for minors and UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe". These initiatives require a practical implementation strategy, including specific training and funds for specialized NGOs and local Social Work Centers.

I. NUMBER OF FOREIGN AND BiH VICTIMS IDENTIFIED AND ASSISTED

Bosnia-Herzegovina is primarily a destination country for women and girls trafficked for purposes of sexual exploitation. Consequently, most of the trafficked victims identified and assisted within the country are third country nationals.

The following table shows the minimum number of foreign and BiH trafficked women and girls identified and assisted within Bosnia-Herzegovina, between January 2000 and June 2003: **714**

	2000	2001	2002	June 2003
Trafficked Victims	200	200	275	39

The above figures were compiled according to information provided by the IOM Mission in Sarajevo, and the following local NGOs: Lara, La Strada/Mostar and the International Forum for Solidarity. These figures primarily pertain to women and girls trafficked for purposes of sexual exploitation and assisted in Bosnia-Herzegovina. The total number of foreign victims identified and assisted between January 2000 and June 2003 is **697**. The total number of BiH victims identified and assisted between January 2000 and June 2003 is **17**.

The figures presented in the table comprise the number of trafficked foreign victims identified in Bosnia-Herzegovina and assisted, including voluntarily repatriation to their countries of origin. Victims who were not properly screened or identified are not included within these figures. Victims who were informally screened and identified as potential trafficked victims, but who not assisted are not included either within these figures. For example, a local NGO monitoring Internet chats involving young boys, met with fourteen of them and concluded that they were trafficked. However, in the absence of case documentation such figures cannot be included within RCP reports.

Aside from cases assisted and reported by IOM and local NGOs, figures contained in the United Nations International Police Task Force trafficked victim database are not contained within the above figures. Although the United Nations International Police Task Force initiated a comprehensive victim database in Bosnia-Herzegovina, this organization has not made the data available. Also, victims who are identified as trafficked and are not referred to proper channels for assistance by law enforcement are not included within these figures. These persons most likely faced limited imprisonment for illegal stay and may have been expelled. In the absence of deportation mechanisms and transit centers for irregular migrants, it is feared that the victims may simply return to their traffickers. Expulsion orders are delivered at the local level and centralized data regarding these expulsions do not exist at present. Therefore, at this stage it is not possible to gauge how many women and girls have been subjected to this procedure. From July 2001 to October 2002, 2,185 women and girls were interviewed as a result of police operations: only 255 were referred or accepted assistance.

As the figures demonstrate, Bosnia-Herzegovina is one of the primary countries of destination in South Eastern Europe for trafficking in women and girls for purposes of sexual exploitation; weak institutions and powerful criminal networks have impeded development ever since the end of the war in 1995; the massive deployment of peacekeepers and aid workers prompted traffickers' activities in Bosnia-Herzegovina. In order to respond to this expanded phenomena,

IOM set up in 2000 a program aiming to assist foreign victims and **200** women and girls received repatriation assistance under this program that year.

In 2001, the United Mission Nations Mission in Bosnia-Herzegovina (UNMBiH), responsible for restoring the rule of law, launched a Special Trafficking Operations Program. **200** foreign women and girls were identified and referred for assistance in 2001, while **267** more were identified and referred in 2002. Despite continuous law enforcement actions, the level of victims' identification and referral for assistance started to wane significantly during the last quarter of 2002. As of June 2003, only **30** foreign trafficked victims have been identified and assisted.

These figures also contain the number of BiH women and girls identified trafficked in Bosnia-Herzegovina and referred for assistance. Since 2002, Bosnia-Herzegovina citizens have also been found trafficked in the country: **8** victims were identified and assisted in 2002, **9** in the first six months of 2003. Service providers express concerns about what they suspect is a growing phenomenon triggered by dire socio-economic conditions. Also, traffickers may resort to trafficking more local females because they do not require false documentation or working permits and they are less likely to attract the attention of authorities.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Until the end of 2002, foreign victims were mainly identified and referred for assistance by international specialized law enforcement units during targeted raids or by regular police forces. Since the withdrawal of the international police, there has been a dearth in victim identification and referral. Also, few BiH internally trafficked victims are identified and referred for assistance via an NGO help-line or in the course of police activities.

a) Victim Identification

▪ Law Enforcement

Until the withdrawal of the United Nations Mission at the end of 2002, victim identification mainly depended on the International Police Task Force (IPTF). Within the IPTF, a Special Trafficking Operation Program (STOP) was constituted, comprising 50 international police officers and approximately 150 Bosnia-Herzegovina police officers exclusively responsible for uncovering and tackling human trafficking networks all over the country. As a result of STOP team investigations, numerous establishments were identified and inspected, and 2,185 women and girls were interviewed between July 2001 and October 2002. The international police believed that 90% of these women were trafficked, but only 12% of the women reported being exploited at the time of their interview. Victim interviews were conducted according to a standardized STOP form, "*Questionnaire for first screening of women suspected of being trafficked*".

The withdrawal of the International Police brought to light weaknesses of Bosnia-Herzegovina law enforcement's institutional framework and the absence of coordination and joint mechanisms at State level. For instance, under the current framework, local police stations in the Federation answer to one of the ten Cantonal Ministries of Interior who are under the Ministry of Internal Affairs FBiH. In the Republika Srpska (RS), local police stations answer to the Public Security Centers who are under the Ministry of Internal Affairs RS. A Ministry of Security with state competency level was recently established but is not fully operational as of yet. Besides this absence of central authority, Bosnia-Herzegovina also lacks harmonization of criminal

procedures. In terms of human resources allocated to combat human trafficking, structural differences are noticeable among the entities. For instance, five officers (out of forty criminal police officers) are responsible for combating human trafficking in the Brčko District; seven inspectors have been appointed within the Federation Ministry of Internal Affairs in the early months of 2003, and inspectors must still be appointed within Republika Srpska Ministry teams.

Compared to the latest STOP team identification figures (70 cases identified and referred between October and December 2002), the 39 cases identified altogether by BiH police units between January and June 2003 appear low. These figures seem to indicate: (a) a lack of continuity in operations as the national police take over from the International Police Task Force; (b) limited police operations carried out over the last twelve months; and (c) a dearth in referral for assistance.

Meanwhile, BiH law enforcement units report that trafficking in women for purposes of sexual exploitation has not decreased, but rather has moved more underground. For instance, 145 foreign women and girls were officially registered as dancers in Bijeljina in 2001 (even though their number is believed to have been much higher), but only two were registered as official dancers in the early months of 2003. Confronted with repeated controls and raids, bar and club owners removed women and girls from their establishments and transferred them to private accommodations. Women are often waitresses during the day and forced into prostitution at night. New trends are emerging, such as bringing trafficked victims to weekend houses. Also, traffickers began paying women just enough money to dissuade them from accepting assistance, resulting in fewer victims who accept assistance and voluntarily repatriate to their home countries.

In the Federation, upon completion of raids or routine controls, all foreign identification documents (originals or copies) are systematically sent to the Ministry of Internal Affairs in Sarajevo for verification. This procedure can take up to one month. Foreign women without proper documentation can be charged with illegal border crossing, illegal residency, false documentation or prostitution and sentenced with a criminal expulsion order and/or up to six months of detention. However, in the absence of effective deportation mechanisms victims are not removed from the country and are even more vulnerable vis-à-vis their “protectors”.

The State Border Service (SBS), established by UNMiBH at the end of 2002, controls all Bosnia-Herzegovina borders. Despite the importance of SBS responsibilities, the State allocation is insufficient to cover the functioning costs, and current staffing does not allow for an effective state border service. International Organizations and local NGOs are conducting regular awareness-raising sessions for SBS personnel and thus far SBS officers have identified 10% of the victims.

Overall, BiH law enforcement units are still under transition and are assisted in their evolution by the European Union Police Mission, the successors of IPTF. BiH police forces need to develop a consistent national approach in dealing with human trafficking but lack resources, harmonized criminal procedures and fully functioning centralized institutions and procedures at the state level.

- **Help-line**

One dedicated help-line deals with human trafficking in Bosnia-Herzegovina. It is managed by a local NGO, based in Mostar in the western part of the country. The NGO launched the help-line in August 2002, which mainly provides preventive information on human trafficking and

employment conditions abroad. The help-line also collects information about girls and women reported at risk or trafficked, by callers, and this type of information is passed to relevant law enforcement representatives throughout the country. The help-line is operated by three persons and is accessible Mondays, Wednesdays and Fridays on a fixed number, or 24/24 hours through a mobile phone number.

It is not possible, at this stage, to assess the national visibility of the help-line, but both numbers were largely advertised during a national awareness raising campaign carried out from August to December 2002.

During its first three months of operation, the help-line received 614 calls from all over the country. 86% of the calls pertain to information on traveling/working abroad and 5% on human trafficking (i.e. family members, customer and victims). The help-line gathered information about seventeen women and girls (twelve Bosnia-Herzegovina nationals, one Moldovan, one refugee from Kosovo and three other foreigners).

b) Referral for Assistance

There is no official, structured, victim referral system in Bosnia-Herzegovina and victims continue to be referred for assistance services on an *ad hoc* basis. A few days before the launch of Operation Mirage in 2002, efforts to initiate a binding and structured assistance framework within the country resulted in the issuance of a *Temporary Instruction* by the Ministry for Human Rights and Refugees. Nevertheless, the Instruction was not broadly disseminated and its principles not systematically applied.

▪ Law Enforcement Referral for Assistance through the Temporary Instruction

The *Temporary Instruction on Treatment of Trafficking Victims* does not provide referral mechanism per se, but states that alleged trafficked victims have to be referred to a shelter. Pursuant to the issuance of the Instruction, victims and potential victims should be accommodated “into institutions for acceptance and care of trafficked victims in order to provide them with assistance and protection, as well as to protect them from further exploitation and mistreatment (Art. VII).” The “institutions” referred to in the Temporary Instruction are eight local NGOs. Owing to the lack of a state organ at the time of the drafting process and the absence of ownership of the Ministries of Internal Affairs Federal and RS, the extent of distribution of the Instruction throughout the country remains unclear. Therefore the Instruction has not yet led to the development of an official referral mechanism. A new Instruction is being drafted.

▪ Law Enforcement Referral for Repatriation Assistance

Almost all foreign victims identified who accepted repatriation assistance were referred to IOM's repatriation assistance program by the STOP teams, the regular police forces or by local NGOs. As of today, referrals are conducted without formal agreements. Out of the 2,185 victims interviewed by the STOP teams, less than 12% were referred or accepted assistance.

▪ NGO Help-line Referral for Assistance

At this time, there is insufficient documentation regarding the number of help-line calls resulting in direct service referral and ultimate assistance for trafficked victims.

III. VICTIM PROFILES

According to IOM statistics, victim profiles are as follows:

- **Nationality**

The following table records victims identified and assisted according to their nationalities, (except for fifteen foreign cases whose nationality was not recorded):

Countries of Origin	2000	2001	2002	June 2003	Total
Belarus	1	4	1	1	7
Bulgaria	0	0	1	0	1
Hungary	1	0	0	0	1
Moldova	97	80	109	12	298
Romania	65	89	92	7	253
Russia	2	6	11	1	20
Serbia & Montenegro	2	6	6	4	18
Ukraine	32	15	32	5	84
Total	200	200	252	30	682

IOM Sarajevo, La Strada/Mostar, Lara Data

Out of the 682 identified and returned victims foreign victims, 44% come from Moldova, 37% from Romania and 12% from Ukraine.

In the course of the last three years, Romanian nationals have been increasingly identified and assisted within Bosnia-Herzegovina, suggesting an increase in the number of Romanian trafficked women and girls, and strong cross-border links between the trafficking networks. According to RCP data, over the last three years Bosnia-Herzegovina and FYR of Macedonia became the main countries of destination for Romanian nationals trafficked for purposes of sexual exploitation.

The table also reveals that only one Bulgarian woman was formally identified as a victim or assisted within Bosnia-Herzegovina over the last three years. With the exception of Serbian nationals, no victims from former Yugoslav countries have been identified, highlighting that, with the exception of Kosovo, former Yugoslav countries are not countries of origin.

Out of the total number of 714 assisted victims, 2% are BiH nationals trafficked within Bosnia-Herzegovina for purposes of sexual exploitation.

- **Age**

The majority of the victims are between 18 and 24 years of age when they are identified in Bosnia-Herzegovina. 7% are minors (between 14 and 17 years of age); 69% are between 18 and 24 years of age, 19% are between 25 and 30 years of age and 5% older than 30 years. Noticeably, 70% of the minors are of Romanian origin and 77% of the women older than 25 come from former Soviet Republics (45% from Moldova, 22% from Ukraine, 8% from Russia, and 3% from Belarus).

The percentage of adult women over 24 years of age at the time of identification and referral for assistance (is remarkable 24% of the cases) indicating that women are trafficked for a long period of time before their rescue and assistance.

Regarding BiH victims, out of the five assisted victims, four are between 18 and 24 years of age and one is a minor.

- **Education**

The available data regarding victims' level of education is incomplete and cannot be compared over the time period covered by this report.

- **Length of Time Trafficked**

Service providers report that the length of time victims are trafficked varies between a few months to several years.

- **Reasons for leaving Home Country**

According to IOM statistics, victims primarily leave their home seeking employment abroad. 64% of the foreign victims trafficked within Bosnia-Herzegovina were lured by false work promises but information is missing for 23% of the assisted cases.

- **Methods of Recruitment**

Similar to other destination countries in the region, most victims (70%) have been directly recruited through an acquaintance or by answering advertisements promising lucrative jobs abroad (9%). Information is missing for approximately 13% of the assisted cases.

- **Marital/Family Status**

According to available statistics, most victims are single and approximately 20% are mothers. It should be noted however that information is not available for 26% of the cases and therefore exact percentages cannot be determined.

- **Transportation Routes**

Since most of the foreign victims come from Moldova, Romania and Ukraine, they are usually transported in vehicles and sold by middlemen when transferred from one country to the next. Almost all cases entered Bosnia-Herzegovina through Serbia via Belgrade or Vojvodina.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

In Bosnia-Herzegovina, there is an impressive array of experienced NGOs that provide direct services and advocacy for trafficked victims and many international organizations are involved in the development of victim assistance and protection services, but instability within state and entity institutions, and a myriad of bureaucratic structures, have hindered forthright progress for the development of a reliable framework for victim assistance and protection. The 2001 National Plan of Action listed valuable principles of protection (including victims' rights to privacy,

services and fair treatment irrespective of cooperation with law enforcement) and called for the government to establish a shelter for trafficked victims. However the Plan lacks, among other things, a budget and specific allocation of responsibility for implementation.

In 2002, a Temporary Instruction for assistance of trafficked victims represented a step forward in the creation of an assistance framework for adults and minors, foreign and national trafficked victims. Yet, distribution, understanding and application of the Instruction were uneven throughout Bosnia-Herzegovina. According to the Instruction, victims should receive: shelter, information on their legal status, information on possibilities for witness protection, social care, medical care and information about possibilities to return home. The Instruction calls for ten-day shelter stay for suspected victims, but the Instruction does not explicitly require the victim's consent. In practice, application of the Instruction greatly depends on training and awareness of law enforcement, and whether or not NGOs have cooperative relationships with police. Therefore, in areas where police understand the Instruction, are familiar with counter-trafficking measures and work well with local NGOs, suspected trafficked victims are referred to NGOs for services before they are extensively questioned by police.

The assistance and protection framework for trafficked victims in Bosnia-Herzegovina has mainly been geared toward repatriation assistance for adult foreign victims of sexual exploitation. Local NGOs and IOM provide the vast majority of assistance for victims. Several local NGOs have been providing *ad hoc* shelter and assistance to victims since the late 1990s. Most of these NGOs have formalized their assistance structures within the last year, but attempts to transform an informal NGO network into a more strategic body have not been successful, thus far. Most NGOs possess multidisciplinary teams of professionals who are association members as well as service providers. The government has not played a prominent role in the provision of direct services to adult or minor foreign or BiH victims. Local NGOs should receive increased financial and structural support to provide more direct services, including assistance for foreign victims who do not wish to return home immediately, and to BiH victims in need of comprehensive reintegration assistance. Cooperation and service provision with Social Work Centers should also be increased. At this time, there are no assistance frameworks under development for potential or actual victims of other forms of trafficking, such as trafficking for domestic labor, begging, etc.

▪ **Shelter**

There are five shelters for trafficked victims in Bosnia-Herzegovina. One shelter is in Sarajevo, two in Mostar, one in Bijeljina, and one in Dobož. Local NGOs manage the four shelters, and IOM manages the Sarajevo shelter. IOM is presently taking steps to relinquish the management of its shelter to a local NGO.

Assistance offered to victims includes: lodging, medical examinations, counseling, legal assistance and short-term courses.

All of the shelters accept foreign and BiH trafficking victims on a short-term basis, and some victims are transferred to the shelter in Sarajevo after a couple of days. For example, local NGOs usually provide immediate support shelter to foreign victims identified in their district, but foreign victims who wish to return to their home country under a repatriation program are transferred to the IOM-managed shelter. Each of the shelters accepts adult and minor victims, including mothers with small children, although none possesses formal policies regarding admission of minor victims or minor children of adult victims.

It should be noted that other domestic violence shelters have also provided *ad hoc* assistance to foreign and national trafficked victims throughout the last few years. Government authorities have not allocated any space or facilities for trafficked victims. Proposals for a government run shelter have not been carried out for a variety of reasons. At this time it is uncertain whether a government run shelter for trafficked victims is necessary, but increased governmental support for NGO managed shelters is needed.

Shelter capacities range from 6 to 32, with a total capacity in the country of 67 spaces for trafficked victims. The IOM-managed shelter requires victims to remain within its confines for security reasons (i.e. restricted movement shelters where victims cannot enter and exit the premises without an escort). Closed shelter for high-risk cases on a short-term basis appears necessary, but in general shelters (especially shelters providing lodging for more than two weeks) should operate on a more flexible basis for most victims.

The average length of stay for foreign victims is one month. The longest stay for a foreign victim was almost twelve months. The length of stay for foreign victims primarily depends on the duration of the process for procuring travel documents, the time required by authorities for the initial investigation and the eventual issuance of an exit visa. There is no official maximum stay in the shelters, though one month is an expected average. Women with proper travel and identification documentation stay in the shelter as little as three days, while those without documents stay as long as necessary (citizens from Romania, Moldova or Ukraine can wait up to two-three months). The duration of shelter stay for BiH victims is approximately two weeks, but service providers believe that the duration for nationals will likely increase. The length of stay for a BiH victim mainly depends on whether she has a family to which she can return.

If the relatively low and decreasing level of identification and referral of victims persists, then the capacity of the shelters to provide short-term lodging and services (for up to three-four weeks) should suffice for victims requiring short-term care. However, the number of long-term spaces available for victims who require longer recovery periods or do not have families to return to is inadequate. At this time, only one NGO can provide accommodation to foreign and BiH victims for a period over three months.

Regarding the overall distribution and availability of shelters for trafficked victims, there is a lack of overnight shelter possibilities for victims identified by law enforcement units in the northwest of the country. Law enforcement bodies and service providers should explore overnight shelter possibilities in the northwest part of the country.

The number of foreign victims who wish to remain in Bosnia-Herzegovina for at least three months is likely to increase with the introduction of the three months residency permit under the Tirana Commitment. Except for high-risk cases, closed, restricted-movement shelters are not appropriate housing options for these women. Service providers must create alternative shelter options and develop mid to long-term assistance possibilities for foreign victims wishing to stay in Bosnia-Herzegovina under a temporary residence visa.

▪ **Medical Care**

The shelters provide confidential and free of charge basic medical care for trafficked victims. Most of the shelters do not have formal (or written) agreements regarding the provision of medical care. In case of need, the shelters without formal agreements recur to the services of private physicians according to informal relationships, and some of the NGOs' members are physicians who provide these services. Service providers in Bosnia-Herzegovina do not report

many problems with access to basic medical care or discrimination against victims by medical care providers with whom they established informal agreements. However, most service providers face financial difficulties when victims- especially foreign victims- require emergency care and hospitalization. None of the service providers possess formal agreements with hospitals for provision of emergency care and hospitalization, and all are confronted with higher fees for foreigners at the hospitals. Although a relatively small number of victims require hospitalization, fees for these cases can run into thousands of Euros, and local NGOs are rarely in a position to pay these costs on behalf of victims. Therefore, NGOs and international organizations should pursue agreements with relevant state and entity health authorities regarding fee scales and services for foreign and national victims.

Regarding routine care for victims, the range of medical care varies slightly between organizations, but most foreign and national victims request and receive gynecological examinations and a general health check-ups at private clinics. Routine gynecological examinations include tests for pregnancy and sexually transmitted infections (STIs). These tests are conducted on confidential terms according to a contract with private laboratories. The total percentage of victims testing positive for pregnancy while staying at a shelter in Bosnia-Herzegovina is unavailable, but each shelter reports that at least a few of its beneficiaries tested positive for pregnancy upon arrival at the shelter. The gynecological examinations and laboratory tests reveal that almost all of the victims test positive for some forms of STI. Service providers do not report substantial difficulties obtaining treatment and medication for victims with gynecological disorders.

In contrast to many service providers in neighboring countries, shelters in Bosnia-Herzegovina offer to arrange free of charge HIV testing and pre and post-test counseling for foreign and national trafficking victims. Service providers do not report significant problems obtaining tests or maintaining confidential results for beneficiaries. Approximately 70% of victims within the last year have elected to be tested. Service providers report that three of the victims (all foreign) have tested positive for HIV. No problems obtaining medical care in Bosnia-Herzegovina or repatriation assistance for these victims were reported.

▪ **Psychological and Psychiatric Care**

All of the shelters provide psychological counseling for victims. In addition to individual counseling some offer group-counseling sessions as well. All of the shelters have either a psychologist on staff or a psychologist (usually a member of the NGO association) who can provide counseling for victims according to an informal agreement.

The scope and depth of the counseling varies considerably, usually according to the length of time a beneficiary spends in the shelter and the resources available. On average, victims receive counseling twice a week. Most service providers state that victims need at least two-three days of initial rest before they are able to engage in in-depth conversations with psychologists and other counselors. However, interpretation for counseling sessions is scarce and usually *ad hoc*. Service providers report that most victims speak some Bosnian, so they can communicate on a basic level. If further translation is necessary, the shelters usually ask one of the other victims to translate.

Service providers report that most trafficking victims present signs of depression, and a high percentage reveal suicidal ideations. Service providers also report that the most difficult cases are those with long-standing psychological and psychiatric disorders.

Most of the service providers have informal contracts with psychiatrists who provide care at a reduced cost for victims. IOM reports that only a small number of victims have required psychiatric care, though half of the victims receive medication for psychological or sleep disorders. NGOs reported a much higher number of beneficiaries with psychiatric disorders, and a few beneficiaries required hospitalization for psychiatric disorders. NGOs do not report significant difficulties obtaining psychiatric care and hospitalization for national victims, however they faced extreme difficulties obtaining psychiatric hospitalization for foreign victims. Some psychiatric facilities refuse outright to accept foreign victims, and others require high fees that cannot be met.

NGOs and IOM state that a significant number of victims appear to suffer from drug and alcohol dependency, reporting higher overall rates than service providers in other countries in the region. Service providers also note that trafficked minors from BiH are more likely to have problems with drugs and alcohol than adult foreign victims, and that these problems in many cases pre-dated the trafficking experience and made them more vulnerable to trafficking. Three of the shelter staff have experience in providing treatment to persons with drug and alcohol addictions. Their experience and heightened awareness of drug and alcohol dependencies may partially account for the increased reports of victims with drug and alcohol dependencies.

▪ **Recreational Activities**

Overall, very few recreational and educational activities are offered to beneficiaries in the shelters. Although some of the shelters offer informal lessons in computer skills, crafts and foreign language lessons, programs are neither highly-structured nor geared toward particular interests of individual beneficiaries. Until recently, most assistance programs were *ad hoc* and focused on meeting immediate needs, with little time or staff resources available for recreational and educational programs. However, there are plans to expand recreational and educational offering, in line with the development of reintegration programs and programs for foreign victims who stay in Bosnia-Herzegovina under the three-month residency permits.

▪ **Legal Assistance**

Three categories of legal assistance are provided to victims in the shelter: (1) documentation assistance necessary for return home; (2) legal information regarding the victim's overall status as a victim of trafficking, and (3) individualized legal advice and representation for those participating in legal proceedings against traffickers.

IOM is primarily responsible for obtaining the identity and travel documents that foreign victims need in order to return to their home country. Approximately 80% of foreign victims in Bosnia-Herzegovina do not possess proper identity documents, so IOM must make arrangements for the issuance of these documents with the victim's embassy or consular in Bosnia-Herzegovina or in the nearest diplomatic office. The process takes approximately four weeks if victims possess no forms of valid identity documentation.

Most identified and assisted victims receive some form of legal information from NGOs or IOM regarding their overall status as a victim of trafficking in Bosnia-Herzegovina. The Temporary Instruction introduced in autumn 2002 states that trafficked victims should receive legal information in a language they can understand and information about witness protection possibilities. Upon initial identification and prior to extensive questioning of a victim, police officers are supposed to refer suspected victims to shelters for legal counseling and other services. In locations where NGOs have good working relationships with police, suspected

victims are allowed to recover and receive care and legal information at a shelter before speaking extensively with law enforcement authorities. These victims enjoy a greater opportunity to make an informed decision regarding whether to make a written statement to police or submit to questioning by an investigative judge. However, application of these procedures remains uneven.

Regarding access to individualized, professional legal services, less than half of shelter victims receive direct assistance from a lawyer. Practically all of the victims who receive direct legal assistance are victims willing to testify against traffickers in legal proceedings. Approximately one-third of foreign victims in Bosnia-Herzegovina provide testimony against traffickers in court. Service providers believe that this number would be greater if the legal process were faster; many victims wish to return home within a relatively short period, and do not wish to wait for an uncertain number of months to provide testimony. Also, some victims express their willingness to go home and then return to Bosnia-Herzegovina for future court hearings, but there are no systematic programs in place to bring back victims and compensate them for time and expenses incurred from the subsequent testimony. Introduction of the Temporary Residence Permit will most likely lead to a greater number of victims willing to provide testimony, but in the absence of a comprehensive witness protection program, many victims may remain wary of possible repercussions.

Prosecutorial and judicial treatment of victims and witnesses varies between cities and entities. Service providers report that victims receive better treatment when they are accompanied by their own legal representative, however some service providers still maintain that it is the prosecutor's responsibility to represent the interest of the victim. Experience throughout the region demonstrates that prosecutors do not always act in the best interest of the victim, so it is preferable for lawyers to accompany victims to all legal proceedings. OSCE's field staff and court monitors have noted some progress regarding treatment of victims and collection of evidence, but in some instances prosecutors and judges treated victims in a degrading manner. Furthermore, official legal interpreters for court and other purposes are scarce. Overall, service providers recommend more specialized training and resources for prosecutors, judges and lawyers representing trafficked victims, especially in regard to applying rules of confidentiality and protection of privacy and dignity.

▪ **Voluntary Assisted Repatriation**

At present, IOM is the primary organization responsible for overseeing the assistance package for foreign trafficked victims willing to return to their home country from Bosnia-Herzegovina. As described above, the range and scope of assistance includes: shelter, medical care, psychological care, recreational activities and legal assistance. On average, beneficiaries spend one month in the shelter before they return to their home country. IOM secures identity papers, travel documents and an exit visa on the beneficiary's behalf and contacts other missions or NGOs in the victim's country of origin, regarding the beneficiary's case file, transportation arrangements and reintegration possibilities. Service providers should become more familiar with specific aspects of reintegration programs and assistance possibilities in the victim's country of origin.

Victims returning to neighboring countries usually return home by car, while some return by air. IOM or NGO personnel meet all returning victims at the airport (or other point of arrival within the home country) and typically offer overnight accommodation and transportation to the victim's desired destination. Most victims enroll in an assistance program at least for a short period that includes shelter, medical care, psychosocial assistance, material assistance package, and referrals for vocational and employment assistance. Detailed information about the range,

scope and participation levels of reintegration programs in countries of origin in South Eastern Europe are contained in the “*Victim Assistance and Protection Services*” sections of RCP’s Country of Origin reports.

- **Temporary Residence Status**

Bosnia-Herzegovina is one of the few countries in the region where it is possible for trafficked victims to obtain a temporary residence permit (humanitarian visa), although the application process is lengthy and under modification. Local NGOs have assisted at one trafficked victim to obtain a temporary residence permit, and several more applications are pending. The permit allows the victim to stay in Bosnia-Herzegovina for three months, and may apply for additional three-month extensions. To date, authorities have granted a temporary visa to a victim providing testimony against traffickers in a lengthy court case. Specific provisions for temporary residence visas for trafficked victims also appear within Article 37 in the new *Draft Law on Movement and Stay of Aliens and Asylum*. Under the Draft law, the Ministry of Security is responsible for providing special protection and assistance, including temporary visas, to victims for the purpose of their rehabilitation and repatriation to their country of origin. The Ministry of Human Rights also plays a supervisory role. However, specific rules and standards for this protection are still under development. In addition to defining rules and standards for the issuance of the temporary visa, the government and service providers must develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in Bosnia-Herzegovina under the temporary visa. Doubts exist whether the Bosnian government can fund this additional assistance framework, and it is likely that it will rely upon external donor funding.

- **Reintegration Assistance**

Lack of reintegration assistance and rehabilitation for BiH and foreign victims who wish to reside in Bosnia-Herzegovina constitute gaps in victim assistance and protection. Although there have not been a large number of identified national cases, the number of identified internally trafficked cases has risen throughout the last year. To date, most of the identified and assisted BiH victims received *ad hoc* shelter support and assistance from local NGOs. IOM provides shelter to national victims for a couple of days, but refers these cases to local NGOs for further and assistance. Local NGOs possess little funding for reintegration services, and there is only one local NGO that presently provides mid-to long-term shelter and services. Local NGOs have tried to enlist cooperation and support for services from local Social Work Centers, but in most cases the Social Work Centers state that that do not possess the funds or expertise to handle such cases.

Comprehensive reintegration assistance programs are needed for national victims, especially for vocational training, job-finding assistance and long-term housing. Service providers report that BiH victims are most interested in receiving medical care, job-finding assistance and obtaining long-term housing possibilities. Accordingly, such programs should be developed by local NGOs in cooperation with appropriate governmental authorities, such as the Ministry of Labor and Employment and Social Work Centers.

- **Assistance for Minors**

In past years in Bosnia-Herzegovina, cases involving trafficked minors have not been handled much differently from cases of trafficked adults. Procedures for identification, referral and assistance of foreign and BiH minors have been handled on an *ad hoc* basis without specific

regard for the particular needs and rights of minors. Overall, the state has not appointed official guardians for these minors, and it has not developed specialized assistance or repatriation programs. Most minors assisted by IOM have been placed together in the shelter, however no special provisions were in place for minor residents of that shelter and they basically received the same medical, psychological, legal and repatriation services as adults. To date, local NGOs and IOM provide assistance for trafficked minors, with little assistance or no support from the local Social Work Centers. At this time, the local Social Work Centers state that they do not possess the requisite training or funds to work with trafficked minors.

A few initiatives (mostly from the international community) have been developed during the last year that might lead to more specialized treatment of foreign and trafficked minors. For example, the Temporary Instruction on treatment of victims contains a section on special protections for minors. According to the Instruction, protection for suspected minor trafficked victims is automatic. Minors without valid documents and minors with valid documents found in locations suspected as trafficking venues are referred to the shelter, as well as minors who do not meet the above categories but who might be mistreated by a caretaker. The Instruction calls for minors to be accommodated in separate children's departments of shelters and a social worker shall prepare a report for submission to appropriate authorities. Specific responsibilities of state authorities are not fully outlined in the Instruction, but supplemental guidance for appropriate procedures is contained in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe." UNICEF is also working with the Ministry of Social Welfare to forge a larger role for the Ministry and its corresponding local Social Work Centers in counter-trafficking activities. The future role of the Ministry and its local Social Work Centers will significantly depend on availability of funds for training and service provision. Future training programs and funding allocation for service provision to minors should be conducted in cooperation with experienced local NGOs.

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ENTITY REPORT

Kosovo

This report analyzes the status of Victim Assistance and Protection for women and girls who are trafficked to, through and from Kosovo for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Kosovo is primarily a **destination province**, as well as a **land of origin for women and girls** trafficked within Kosovo for purposes of sexual exploitation.
- The minimum number of **foreign and Kosovar trafficked victims** assisted within Kosovo between December 2000 and May 2003 is **640**. The minimum number of foreign victims is **354**. The minimum number of Kosovar victims is **286**.
- The annual totals of **identified and assisted victims increased consistently** over the last three years; but identification and assistance of foreign victims declined whereas numbers of identified and assisted Kosovar victims increased over that period.
- Foreign victims are **primarily identified through law enforcement operations and routine controls** and **referred for voluntarily repatriation**. The Trafficking and Prostitution Unit (TPIU) is responsible for coordinating operational activities for discovering trafficking in human beings. Despite continuous operations and the commonly held belief that trafficking in women in Kosovo has not decreased, **fewer victims are being identified**. Law enforcement and service providers assert that trafficking has mainly moved underground, making it more difficult to locate and identify victims.
- **More than half of the foreign women** screened by law enforcement and believed to be trafficking victims **refused the voluntary repatriation assistance** scheme and they are,

according to law enforcement and service providers, likely to have returned to their traffickers.

- **Referral for assistance** is based upon **detailed Standard Operative Procedures** developed by the organizations providing services to foreign victims and the TPIU. The TPIU initiates referrals for coordinated assistance to the shelter and voluntary repatriation program.
- **Kosovo is the only entity** in the former Yugoslav countries to report such high numbers of internally trafficked cases. They are **primarily identified by women's organizations and by law enforcement units**.
- In response to the growing concern of internal trafficking within the province, **Operative Referral Procedures** were developed in March 2003. However it is too early to assess the actual functioning of these referral mechanisms. As of December 2002, out the **286 Kosovar victims** who received assistance, **92% were assisted by a local NGO**.
- Profiles of the **foreign trafficked women and girls** assisted within Kosovo reveal that **52% come from Moldova, 23% from Romania and 14% from Ukraine**. The majority of these victims (77%) were trafficked for purposes of sexual exploitation. Most are **between 18 and 24 years of age** when identified in Kosovo and **10% are minors**.
- The usual **length of time foreign women and girls are trafficked** within Kosovo can vary from **three months to two years**. **83%** of the foreign victims left their home countries to **find employment abroad**. While 76% had some type of professional background in their home countries, 60% state that their monthly wages were less than \$30.
- Most foreign victims were **recruited by acquaintances** through false promises of a lucrative job abroad. 40% of the foreign victims assisted in Kosovo were lured by false employment promises in Italy. Most are single (66%) and **38% were mothers** when they left their home countries. Most foreign victims entered Kosovo through Serbia (59%) and Macedonia (22%). 5% came from Albania.
- **Kosovar victims** are primarily **girls and women of ethnic Albanian origin**, mainly trafficked for purposes of sexual exploitation. The **percentages of minors appear very high** compared to other countries of origin in the region, except Albania. NGO statistics on victims' ages reveal that **49% are between the ages of 15 and 18, 32% between 11 and 14, and 19% between 19 and 31**.
- Most Kosovar victims possess a low level of education. **84% have almost no education at all** and come from poor families with **disadvantaged socio-economical** background. 62% come from rural areas. Most victims are **single and lived with their families**. The level of coercion within recruitment methods appears higher than in other origin countries.
- **Distinct assistance frameworks** have been developed for foreign and Kosovar trafficking victims. Most assistance to foreign victims is provided by international organizations. Local NGOs provide most of the services for Kosovar victims.
- Until recently, the assistance framework in Kosovo has been geared mainly toward repatriation for foreigners trafficked for purposes of sexual exploitation, developed by international organizations and an international NGO. UNMIK Regulation 2001/4 on the

Prohibition of Trafficking in Persons in Kosovo created a framework of assistance for trafficking victims calling for: temporary safe housing, psychosocial services, medical care, interpretation, legal counseling and social welfare assistance, as well as establishing a Victim Advocacy and Assistance Unit (VAAU), under the Department of Justice. The full scope and responsibilities of the VAAU vis-à-vis trafficked victims are still under development.

- There is **one dedicated shelter for foreign victims** in Kosovo, located in Pristina. The shelter is managed by an international NGO. The shelter accepts minors and adults. At this time, the capacity for **short-term** shelter and services for foreign victims is **sufficient**, but shelter possibilities and assistance **services for foreign victims who do not wish to immediately return home are undeveloped**.
- **40% of the foreign victims have physical injuries** as a direct result of abuse suffered during the trafficking experience. In the absence of appropriate laboratory equipment, foreign victims receive presumptive medication for the STI if they have symptoms, and almost all are prescribed treatment.
- Most foreign victims receive **comprehensive psychological services in their native language** from a professional psychologist. Individual counseling is conducted according to a methodology specially designed to intervene in the immediate crisis, address specific symptoms and identify solutions for the most immediate problems. Service providers assess that without early counseling, trafficked victims would hardly reach a full recovery from the effects of the psychological trauma they experienced.
- According to UNMIK Regulation 2001/4, **victims and witnesses** who provide information regarding a trafficking case may be **granted temporary permission to remain in Kosovo** for a period as long as authorities deem fit. Accordingly, authorities and service providers must further develop shelter and assistance possibilities for foreign victims who apply for temporary residence permits.
- There are **no specialized procedures and services for foreign trafficked minors** in Kosovo. Service providers basically provide minors the same assistance package as adult victims of trafficking. However guidelines and specialized protocols are currently under-development.
- The formal **scope of legal assistance** in UNMIK Regulation 2001/4 affords trafficking victims more legal protection and assistance than in most countries of the region. But in practice these protections are not fully or even partially implemented. The **lack of access to individualized legal representation represents one of the most significant gaps** in the protection and services for foreign trafficked victims in Kosovo.
- There are **three shelters managed by experienced local women's NGOs** for domestic violence cases in the province that **accommodate Kosovar trafficking victims**. They provide short-term lodging, medical care, psychological counseling and some legal assistance. The geographical distribution of the shelters indicates an **absence of facilities in the north and southwest parts of the province**. None of the local organizations has enough capacity or resources to offer long-term shelter and services.
- Each of the shelters arranges for **confidential medical care free of charge**, in the organization's medical examination room or through a public health institution. Almost all assisted Kosovar victims **have signs of physical abuse**.

- Each of the shelters offers **psychological support** to beneficiaries by practitioners in their main offices. It is reported that most victims have lost aspects of their former personality, and **many victims suffered from child abuse and domestic violence**. Victims receive counseling for very short periods of time, usually during the course of a few days or weeks spent at the shelter.
- The scope of **reintegration assistance** for Kosovar trafficked victims is **limited** at present and activities are **under-developed**. More resources should be allocated to longer-term reintegration assistance schemes including educational assistance, vocational training and income generating projects.
- The Centers for Social Work (CSWs) and assistance providers are in the process of **developing specific and comprehensive guidelines for the assistance of internally trafficked minors**. Previously, minor trafficked victims basically received the same services as adult Kosovar victims of trafficking.
- UNMIK Regulation No. 2001/20 established **witness protection mechanisms** for injured parties (victims) and witnesses in criminal procedures, but these witness protection mechanisms are used mainly in high profile political cases, not in trafficking cases.

I. NUMBER OF FOREIGN AND KOSOVAR VICTIMS IDENTIFIED AND ASSISTED

Kosovo is a transit and destination province, as well as a land of origin for human trafficking, primarily for purposes of sexual exploitation. Therefore both foreign and Kosovar victims are trafficked to, through, within and from Kosovo.

The following table contains the minimum number of trafficked victims identified and assisted within Kosovo, between December 2000 and May 2003: **640**

	2000	2001	2002	May 2003 ⁹
Trafficking Victims	167	202	248	23

The above figures were compiled according to information provided by each of the following organizations: the IOM Mission in Pristina, the United Methodist Committee of Relief (referred to as UMCOR), the Center for the Protection of Women and Children (referred to as CPWC), the Women Safe House, and the Women Wellness Center.

These figures mainly pertain to women and girls primarily trafficked for purposes of sexual exploitation. They comprise the minimum number of foreign and Kosovar trafficked victims identified and assisted in Kosovo. Thus far, the minimum number of foreign victims between December 2000 and May 2003 is **354**. The minimum number of Kosovars between January 2000 and December 2002 is **286**.

As the table indicates, the number of identified and assisted victim shows regular progression within the last 3 years. However the annual number of identified and assisted foreign victims has decreased during the last 3 years whereas the annual number of identified and assisted Kosovars has increased during the last 3 years. More detailed information about the trafficking figures and trends to, through and from Kosovo are contained within following “*Number of Victim Identified and Assisted*” sections of this report.

Several factors during the last few years have contributed to the development of the trafficking phenomenon in Kosovo, turning the province into a transit, destination and origin location for trafficking women for sexual exploitation. Both foreign and Kosovar victims are trafficked to, through, within and from Kosovo. Because of its geographical position and its proximity to Albania, Kosovo has long acted as a smuggling corridor. Since the NATO intervention and according to United Nation Security Council Resolution 1244, Kosovo is under interim international administration and has a unique and unsettled status. The international community had to reestablish a rule of law and simultaneously build up a domestic police system. Kosovo’s initial vacuum of power, combined with the deployment of peacekeeping troops and the massive arrival of aid workers, created a magnet for traffickers of human beings.

⁹ The data collected pertaining to Kosovar victims are partial for the first 5 months of 2003, as only one organization was able to make figures available.

1) Number of Foreign Victims Identified and Assisted

The following table shows the minimum number of foreign trafficked victims identified and assisted in Kosovo, between December 2000 and May 2003: **354**

	2000	2001	2002	May 2003
Foreign Victims	113	135	86	20

These figures were compiled from information provided by the IOM Mission in Pristina and UMCOR.

They comprise trafficked women and girls voluntarily repatriated to their countries of origin. Victims who are not screened or identified are not included within these figures. Also, victims who were identified as trafficked but refused repatriation assistance are not included. From January 2000 to May 2003, assistance providers screened **621** alleged trafficked women and girls: 40% of them declined all forms of services and voluntary repatriation. According to law enforcement and service providers, they are likely to have returned under trafficker's control and remain in Kosovo.

The majority of victims (77%) were trafficked for purposes of sexual exploitation, including 3% who were held by individuals as domestic slaves within private accommodations. 10% were trafficked for forced labor, mostly as waitresses and entertainers.

Despite the establishment of dedicated counter-trafficking units, the increase of bar raids and the development of an assistance referral mechanism for foreign victims, the number of victims identified and referred for repatriation has decreased significantly in the past two years. The 40% decrease in the number of identified and referred foreign victims in 2002 can partly be explained by the fact that more victims are kept within private accommodations rather than public establishments, making it more difficult for law enforcement units to reach them using the regular operative methods. Also traffickers began paying women just enough money (around 200-300 Euros) to make it more difficult for law enforcement units and service providers to identify victims, and to make it less likely that victims would accept assistance. Therefore, fewer victims are referred to, and are willing to accept, voluntary repatriation to their home countries.

In the first five months of 2003, only **20** foreign victims were referred for assistance. According to service providers, this significant decrease of referral for assistance is likely to persist.

The UNMIK Police maintains a database registry for foreign women residing and working in Kosovo. However this data registry does not segregate suspected trafficked cases from irregular migrants and therefore this data is not included in this report. Due to the fact that no regulations for police registration procedures exist currently, the data collection process is *ad hoc*, based on input from law enforcement patrols/controls (including checkpoints), border service, and police investigation and registration. 1,727 persons were registered as of December 2002, of which 30% are Moldovan, 26% are Bulgarian, 12% are Albanian, 7% are Romanian, and 7% are Ukrainian.

2) Number of Kosovar Victims Identified and Assisted

The following table contains the minimum Kosovar victims able to be identified and assisted in Kosovo, between January 2000 and December 2002: **286**

	2000	2001	2002	2003
Kosovar Victims	54	67	165	n/a

The above figures were compiled from information provided by the Center for the Protection of Women and Children (CPWC) and IOM Pristina. IOM and CPWC both maintain case statistics, but CPWC 2003 data is not yet available. Some of the actors involved in counter-trafficking efforts in Kosovo raise concerns about the figures provided by the CPWC, arguing that the Center does not always distinguish between domestic violence, sexual abuse and trafficking cases. However, the 2002 CPWC Annual Report, which largely addresses human trafficking within Kosovo, clearly defines the phenomenon according to the Palermo Protocol.

These figures comprise the number of identified Kosovar women and girls identified in Kosovo and who subsequently received assistance. These figures also contain Kosovar victims trafficked for purposes of sexual exploitation to transit and destination countries and voluntarily repatriated to Kosovo through organized returns.

As of today, 94% of the Kosovar assisted victims were internally trafficked and identified within the province. Most victims are women and girls trafficked for purposes of exploitation, but a few boys also received assistance.

Kosovar victims represent 67% of the total number of identified and assisted cases in Kosovo in 2002, compared to 33% in 2001 and 32% 2000. The main factors behind this increase are Kosovo's lingering post-conflict situation, rural poverty, the existing human trafficking networks and the gender disparities in socio-economic opportunities. **54** Kosovar victims were identified and assisted in the course of the year 2000, **67** in 2001. In 2002, **165** were identified and assisted, constituting a 300% increase compared to 2001-2002. Counter-trafficking actors postulate that this is a direct result of a surge in growth of prostitution venues all over the province, particularly at the outskirts of the cities, as well as in villages.

Kosovo is the only entity in the former Yugoslav countries to report such high numbers of internally trafficked cases. Data concerning Kosovar victims assisted in early 2003 are not available at present, but all service providers report growing concerns about the development of internal trafficking, primarily for purposes of sexual exploitation.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

1) Identification and Referral of Foreign Victims

Foreign victims in Kosovo are mainly identified through law enforcement operations and referred to the IOM and its partner international NGO, UMCOR, for assistance.

a) Victim Identification

▪ Law Enforcement

Police identify the vast majority of the foreign victims. Within the UNMIK Police, the TPIU (Trafficking and Prostitution Unity) is responsible for coordinating operational activities for discovering trafficking in human beings and collecting evidence to charge perpetrators. The unit was established within Pristina's Regional Serious Crime Department. TPIU Pristina centralizes all trafficking information coming from the five regional TPIU teams. Each unit is composed of international police investigators and includes at least one Russian or Romanian speaker. Efforts are being made to include Kosovo Police Service (KPS) officers in TPIU teams. However, given the influence and power of the traffickers, KPS officers are deemed too vulnerable to pressures; their incorporation within the teams is minimal at this time.

Through law enforcement operations or routine identification checks, alleged victims are brought to the nearest police station for pre-screening interviews. TPIU officers conduct the interviews to collect evidence, determine trafficking status and assess victims' needs. Interviews are conducted according to a standardized questionnaire. If officers determine that a victim is trafficked, the victim is transferred from the region to Pristina and IOM or OSCE is called in for assistance assessment interviews. These interviews are held in a secure and private room at the police station.

TPIU officers regularly conduct sensitization sessions for the border units. Border officers are instructed to record documents and working contracts of women and girls matching trafficking profiles and to transmit this information to TPIU Pristina for follow up. So far, border officers have been able to identify only a few cases. To respond to the growing trend of victims entering and exiting Kosovo via Pristina international airport, a TPIU officer should be deployed at the airport.

When police suspect that they have a trafficked person in custody (in the female Detention Center located in Lipljan), they contact OSCE human rights officers to conduct a victim interview. So far only one case was identified using this procedure.

Women who are not identified as trafficked victims can be charged with prostitution, illegal border crossing, illegal residency in Kosovo or false documentation, and sentenced up to 20 days of detention. As no deportation mechanisms exist, women are thereafter free to leave and usually return into the bars and clubs in which they were discovered. It is estimated that more than half of the foreign women screened by the law enforcement units and the direct assistance service providers in Kosovo refuse voluntarily repatriation.

Law enforcement special interviewing techniques for trafficked victims and victims of violence are under-development and training will be conducted over the summer with the support of the Stability Pact.

As a result of TPIU investigations, numerous establishments have been identified throughout Kosovo as accommodating trafficked women and girls. These establishments are primarily under scrutiny because they "employ" foreign women. As of April 2003, 203 establishments were listed as "off limits premises" and forbidden to all international staff in Kosovo. Non-compliance with this administrative directive results in disciplinary sanctions, but it is not officially known whether any personnel have been sanctioned and repatriated to their home countries.

▪ **International Organizations**

When contacted by UN Police or military peacekeepers, OSCE human rights officers (scattered throughout the province) conduct preliminary case assessments, and contact TPIU unit in case women are found trafficked according to the Palermo Protocol and in need of assistance.

Once TPIU contacts IOM, a representative conducts a preliminary interview in order to determine whether the person fits the victim profile according to the Palermo Protocol, and to assess whether the victim wishes to enter its repatriation assistance scheme.

b) Referral for Assistance

Current referrals for assistance are based upon detailed Standard Operative Procedures developed for foreign victims of trafficking in 2001 and upgraded since then. The signatories form the Direct Assistance Coordination Group and comprise IOM Pristina, OSCE Mission in Kosovo, TPIU and UMCOR, the shelter provider. These procedures describe the responsibilities and services to be provided by each of the signatories and provide a good example of assistance cooperation in the region.

Since the year 2000, 92% of the recorded voluntarily repatriations have been conducted through IOM, which operates a program specially designed for assisting foreign victims trafficked to or through Kosovo.

▪ **Law Enforcement Referral for Repatriation Assistance**

TPIU initiates the referral of foreign victims for coordinated assistance to the shelter and voluntary repatriation program. Upon determination of the victim's status, TPIU officers contact international organizations for further assessment in conformity with the repatriation program. They also provide the direct assistance providers with a risk-threat assessment before a victim's admission into the assistance program.

▪ **International Organizations Referral for Assistance**

Upon TPIU referral, IOM or OSCE trafficking focal point conducts a preliminary case assessment according to a specialized questionnaire, and determines if the case qualifies for assistance. When the assessment is completed, the victim is informed about the sheltering conditions and asked if she voluntarily consents to enter the shelter. The IOM focal point thereafter contacts the UMCOR shelter management for admission. UMCOR shelter management makes the final determination of admission of the victim to the shelter.

2) Identification and Referral of Kosovar Victims

a) Identification

Victims are mainly identified by women's organizations and by law enforcement units. Some victims are also identified upon voluntary organized returns. Until recently, the identification efforts in Kosovo primarily targeted foreign victims trafficked for purposes of sexual exploitation and there were no concerted efforts to identify Kosovars trafficked within Kosovo (i.e. internally trafficked victims). Moreover, it is more difficult to identify internally trafficked victims as most often, Kosovar under-aged girls do not have identification documents and their identity and age is often difficult to establish.

The vast majority of Kosovar women and girls are internally trafficked (i.e. both origin and destination lie within Kosovo), primarily for purposes of sexual exploitation. A few documented cases also relate to trafficking to transit or destination countries for purposes of sexual exploitation.

Victims are mainly identified through women's organizations or through law enforcement (i.e. police operation, routine control, etc.). Some victims approach women's organizations for support and assistance, but not necessarily with initial recognition of themselves as trafficked victims. Despite the fact that local women's NGOs have become more active and aware of assistance possibilities for vulnerable women, there is still a considerable level of stigmatization of trafficked victims in Kosovo.

Victims are also identified upon repatriation from transit and destination countries through IOM and NGO voluntary return assistance programs. As of May 2003, eighteen Kosovar women and girls were repatriated and referred for assistance within Kosovo. Nine came from Italy, four from France, three from Macedonia, one from Belgium and one from Ukraine.

b) Referral for Assistance

In order to respond to the growing concern of internal trafficking within the province, Operative Referral Procedures were established in March 2003 for providing direct assistance to internally trafficked cases. The signatories form the Direct Assistance & Shelter Coordination group. It includes the TPIU for law enforcement, IOM and OSCE for the international organizations, the Department of Social Welfare from the Ministry of Labor and Social Welfare, the Victim Advocacy and Assistance Office of the Department of Justice, and the Center for Protection of Women and Children (CPWC, a shelter provider). The victim's voluntary consent to enroll within the assistance frame is paramount. It is too early at this stage to assess the success of these referral mechanisms. So far a breakdown of referral figures are only available from the period 2000-2002, prior to the establishment of coordinated mechanisms.

From January 2000 to December 2002, 92% of the Kosovar victims were assisted by the CPWC. Source of referrals include: **44%** reached one of the organization's ten centers located throughout Kosovo (i.e. self-referral); **24%** by law enforcement bodies (Kosovo Police Service, TPIU or Italian Military Police Carabinieri), **11%** by (governmental) Centers for Social Work, **6%** by family members, **4%** by other local NGOs and **3%** by OSCE field officers.

IOM statistics include 17 cases until the end of December 2002. 65% of these cases were referred by law enforcement, 29% by NGOs and 6% by IOM Missions.

These percentages underline the extent of each organization's network. The high level of referrals from law enforcement to the IOM (65% of its assisted cases) seems to indicate strong working relationship with the law enforcement units (especially TPIU), whereas this link appears weak between TPIU and the CPWC (only 24% of assisted cases).

▪ **Self-Referral**

Women NGOs in Kosovo play a considerable social role by denouncing and addressing all forms of violence against women and children. Because of the lack of health structures, particularly in the rural areas, these organizations often offer mental health care and medical care. The CPWC is composed of ten centers scattered throughout the entity and plays a primary role in the direct assistance framework. According to the Center statistics, 44% of the victims directly contacted one of the organization's ten centers seeking assistance. The Center staff conducts an interview in order to assess victims' identification and assistance needs.

▪ **Law Enforcement**

As of December 2002, law enforcement bodies, comprising Kosovo Police Service, TPIU units and international peacekeeping forces, referred 23% of the Center beneficiaries.

▪ **Centers for Social Work**

The Department of Social Welfare has a local Center for Social Work (CSW) in each municipality. The CSWs address the social needs of vulnerable population groups. Within the Direct Assistance & Shelter Coordination group, the CSWs are responsible for referring beneficiaries for psychological and psychiatric treatment or for medical diagnosis. Within the CSWs, thirty-one social workers were appointed as trafficking focal points and are available in theory on a 24-hour basis. According to CPWC statistics, 11% of its beneficiaries were referred by the CSWs for shelter, psychological counseling and/or medical diagnosis.

▪ **Repatriation Assistance through Voluntarily Return**

As of May 2003, 17 Kosovar victims were repatriated from transit and destination countries through voluntarily returns programs run by IOM. Victims are met upon return by one of the organization representative and referred for further assistance to a local NGO. Notably, two victims deported from Italy to Albania were referred for assistance by the Carabinieri to IOM in Tirana, and were subsequently assisted by IOM to return to Kosovo.

III. VICTIM PROFILES

At this time, the main assistance organizations and service providers within Kosovo systematically collect or segregate victims data. For example, data regarding national victims, foreign victims and minors are segregated by year.

1) Foreign Victim Profiles

▪ **Nationality**

The following table shows the number of victims by country of origin:

Countries of Origin	2000	2001	2002	May 2003	Total
Albania	2	1	9	1	13
Bulgaria	10	4	6	1	21
Moldova	72	71	32	8	183
Romania	20	36	19	7	82
Russia	1	2	0	0	3
Serbia	0	1	0	0	1
Ukraine	8	20	20	3	51
Total	113	135	86	20	354

IOM Pristina and UMCOR Data

Out of the 354 identified and returned victims, 52% came from Moldova, 23% from Romania, and 14% from Ukraine. This proportions continued during the first five months of 2003.

- **Age**

The majority of the victims are between 18 and 24 years of age when they are identified in Kosovo. Out of the 354 cases, 10% are minors (between 14 and 17 years of age); 60% are between 18 and 24 years of age and 22% are between 25 and 30 years of age.

Minors accounted for 8% of the victims in 2000, 11% in 2001 and 10% in 2002. No minor was assisted in the first five months of 2003. Out of 36 cases of minors, 20 are Romanian citizens.

- **Length of Time Trafficked within Kosovo**

The length of time trafficked varies from less than three months to two years.

- **Reasons for Leaving Home Country**

According to IOM statistics, 83% of the victims left their home countries to find employment abroad. While 76% have some type of professional background in their home countries, 60% state that their monthly wages were less than \$30. About half of the victims had never left their home countries before their trafficking experience.

- **Methods of Recruitment**

Most victims are first recruited by acquaintances through false promises of a lucrative job abroad. Italy stands among the most desired destinations: 40% of the victims assisted in Kosovo were lured by false employment promises in Italy. In cases of direct recruitment, almost 50% of the recruiters were females.

- **Marital/Family Status**

Victims are mainly single (66% of the assisted cases) and 21% are divorced or separated. Most (75%) were living with their families prior to their departure. Out of the 354 cases, 38% were mothers when they left their home countries.

- **Transportation Routes**

Since most of the victims come from Moldova, Romania and Ukraine, they are usually transported in vehicles and sold by middlemen as they are transferred from one country to the other. Most of the victims entered Kosovo through Serbia (59%), Macedonia (22%) and 5% came from Albania. About 5% of the assisted caseload arrived by air from Turkey, Austria and Switzerland. Assistance providers also relate that women and girls are often first trafficked to Romania and Serbia before reaching Kosovo. They can be entrapped up to a few months into these countries. Recently, a few victims were also transferred from Macedonia, where they had been previously exploited.

2) Kosovar Victim Profiles

Kosovar victims are mainly trafficked within Kosovo for purposes of forced prostitution. Few cases are reported trafficked abroad for purposes of sexual exploitation. According to information collected by the CPWC and IOM, almost all victims are ethnic Albanians.

- **Age**

The NGO statistics reveal that 49% of the victims are between 15 and 18 years of age, 32% are between 11 and 14 years of age, and 19% are between 19 and 31 years of age. The percentages of minors appear very high compared to other countries of origin in the region, with the exception of Albania. These percentages are alarming and have significant implications for the type of service assistance needed for victims' re-integration. Moreover, these figures relate to victims' age at the time of their identification and at this time it is not possible to gauge victims' age at the time of their entrapment.

The IOM statistics also emphasized the young age of the victims 35% between ages 13 and 15, 12% between ages 15 and 17, and 53% between ages 18 and 25.

- **Education Background**

Most victims possess a fairly low level of education: 46% have reached the 4th and 5th grades and 38% have only completed primary school. Therefore, 84% possesses an extremely basic level of education, and 5% are reported illiterate, without any formal schooling at all.

- **Marital/Family Status**

Most victims come from poor families with disadvantaged socio-economic backgrounds. Some suffered from domestic violence and child abuse. Given their young age, most victims are single and lived with their families.

- **Place of Origin**

The majority of assisted victims (more than 62%) come from rural areas across Kosovo, but 18% originate from the capital city, Pristina. The high level of victims living in the capital city can primarily be explained by the vast rural exodus that took place at the end of the Kosovo crisis, resulting in the resettlement of impoverished villagers within the outskirts of Pristina.

- **Methods of Recruitment**

Detailed statistics on traffickers' methods of recruitment are only available from IOM case profiles. 35% of the victims were lured by false job promises; 29% were trafficked by physical coercion, rape and blackmail. 18% were lured by false marriage promises and 18% were entrapped by false travel arrangements. Noticeably, the level of physical coercion appears higher in Kosovo than in other origin countries. Many victims are too afraid and ashamed to speak up to their parents and friends, their young age making them even more vulnerable to intimidation and threats.

- **Length of Time Trafficked**

Given the absence of documentation, it is not possible to assess the length of trafficking. Estimates are difficult to make because victims sometimes return to their home and families for intermittent periods of time.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

1) Victim Assistance and Protection Services for Foreign Victims

In the aftermath of the 1999 crisis there was an absence in Kosovo of local governing structures and well-developed local NGOs. Therefore, the international community has carried out the bulk of the counter-trafficking assistance and protection services for foreign victims. UNMIK Regulation 2001/4 on the *Prohibition of Trafficking in Persons in Kosovo* (recently endorsed by Kosovo's Prime Minister) created a framework of assistance for trafficking victims incorporating temporary safe housing, psychosocial services, medical care, interpretation, legal counseling and social welfare assistance as needed.

Until recently, an IOM and UMCOR have provided most of the repatriation assistance, including shelter, medical care, psychosocial assistance, and repatriation to home country. However, new structures are under development in line with UNMIK Regulation 2001/4. These structures include a Victim Advocacy and Assistance Unit (VAAU), under the Department of Justice. Although the full scope and responsibilities of the VAAU are still being determined, the VAAU aims to assist trafficked victims (along with victims of other forms of violence) by providing advocacy and training to relevant actors and providing direct assistance and support services to victims. The VAAU, in cooperation with TPIU, and WPU, also plans to establish an interim transit facility for victims. However, its assistance parameters and intended beneficiaries are not defined yet. Shelter and assistance services for foreign victims who do not wish to immediately return home are undeveloped, and it is unclear which organization(s) will provide such mid and long-term assistance for this category of foreign victims.

▪ Shelter

There is only one dedicated shelter for foreign victims of trafficking in Kosovo, located in the capital city, Pristina. The shelter is managed by UMCOR and its beneficiaries primarily come from the repatriation program for foreign victims. The shelter accepts foreign minor and adult victims of trafficking. It is a restricted movement shelter, which means that beneficiaries may not enter or exit the shelter unaccompanied by shelter staff.

The official capacity of the shelter is 15. The average length of stay is two to three weeks, depending primarily on the time it takes to secure identity and travel documents. The official maximum stay is one month, but victims may stay longer in exceptional cases. So far the longest stay by a beneficiary was two months. On average, there are usually not more than eight victims at the shelter at a time. Given the recent decrease in the number of identified and referred victims, the shelter seldom reaches full capacity.

Upon admission to the shelter, residents must sign a contract in their native language regarding their voluntary admission to the shelter and acknowledgement of shelter rules and regulations. Residents also sign departure forms in their native language upon their exit from the shelter.

With the introduction of the three-month residency permit for foreign victims, service providers will need to re-assess the lodging environment and services provided at the shelter. Moreover, service providers must develop alternatives to lodging beneficiaries within a closed, restricted movement shelter. It is possible that foreign victims who do not wish to be repatriated or foreign victims who wish to remain in Kosovo under a three-month temporary residency permit could receive shelter and services within a new facility under development by TPIU, WPU and VAAU.

However, the facility's intended beneficiaries and assistance parameters are unresolved at this time.

▪ **Medical Care**

General medical examinations are offered on a voluntary basis and most beneficiaries avail themselves of this service. The shelter's medical coordinator and a part-time gynecologist conduct the examinations in a medical examination located within the shelter. The general medical examination includes TB testing. To date only one beneficiary has tested positive for TB.

Shelter medical examinations reveal that 40% of the beneficiaries have physical injuries as a direct result of physical abuse suffered during the trafficking experience. Most of these beneficiaries have hematoma at several locations on their bodies. A few of the beneficiaries suffered from broken bones. In these cases, KFOR medical units provide emergency medical care and the shelter transfers the beneficiary to a local hospital or clinic. One patient was so severely beaten, that she was immediately repatriated under medical evacuation in order to obtain ophthalmologic surgery to save her eyesight.

Gynecological examinations are voluntary also and include testing for pregnancy. Thus far several beneficiaries tested positive for pregnancy. Six of these women were more than four months pregnant at the time they arrived at the shelter. Due to the fact that Kosovo lacks appropriate laboratory equipment for detailed STI testing, beneficiaries receive presumptive medication for the STI if they have symptoms. Practically all of the beneficiaries present symptoms of STIs. Beneficiaries must sign an agreement regarding the prescribed treatment. Approximately 75% of beneficiaries agree to take the prescribed medication, but 25% decline all forms of treatment. This medication is prescribed according to World Health Organization (WHO) protocols, usually including a 14-day medicine regiment.

Due to the difficulty of ensuring secure, confidential and reliable HIV tests in Kosovo, shelter beneficiaries are not offered HIV tests. Therefore, no figures regarding HIV positive beneficiaries are available. However, group counseling sessions and reproductive health booklets include information about HIV, and counselors recommend that beneficiaries obtain HIV tests after they return to their home country. At present no information is available regarding the number of victims who tested positive for HIV in their home countries after returning from Kosovo.

Until now, no beneficiary has shown symptoms of drug addiction. However service providers report that several of the beneficiaries developed a dependency upon alcohol use during the time they were trafficked.

▪ **Psychological and Psychiatric Care**

A professional psychologist provides psychological counseling to victims at the shelter according to a methodology designed to intervene in the immediate crisis, address specific symptoms and identify solutions for the most immediate problems. The psychologist is a Romanian national and she is able to provide counseling in most beneficiaries' mother tongue. Psychological services consist of individual and group counseling sessions. One-hour individual sessions are offered two times per week, and these sessions address the victim's trauma. Group sessions are designed to improve the beneficiaries' communication skills and to offer a forum for sharing their problems.

Most shelter residents take part in the voluntary individual and group counseling sessions. The scope and depth of the counseling is difficult to assess given the short term most victims spend in the shelter. However, the psychologist is certain that without early counseling, trafficked victims would hardly reach a full recovery from the effects of the psychological trauma they experienced. Furthermore, many victims return to difficult family and social environments, so they need support to develop effective coping and decision-making skills. These counseling sessions also reveal beneficiaries' emotional status and personality profile. These counseling sessions allow for assessment of the beneficiary's emotional status, and facilitate the development of personality profiles and individual psychological reports. These reports are given to the international organization Mission in the victims' country of origin prior to their return in order to enable more targeted reintegration assistance.

Many of the shelter residents have psychosomatic complaints including trouble sleeping, headaches and losing consciousness. The doctor at the shelter used to administer sedatives for such complaints on a case-by-case basis. However in 2002 the shelter changed its procedure, and such medication is only administered upon consultation and recommendation of a psychiatrist.

If beneficiaries present mental and neurological symptoms, a private psychiatrist makes a psychiatric examination. Thus far, 2% of the shelter residents have required psychiatric treatment and hospitalization. Psychiatric treatment facilities in Kosovo are limited and the repatriation and reintegration process of such beneficiaries is often complicated.

▪ **Recreational Activities**

To enhance the recuperation process and alleviate the burden caused by restricted freedom of movement, residents take part in cooking and housekeeping at the shelter. An activity coordinator is responsible for organizing activities for the beneficiaries. Due in part to the physical confines of the shelter, and the fact that all activities take place at the shelter, recreational activities are rather limited. Activities offered by the staff include: arts, crafts, aerobics and knitting. Beneficiaries can also take part in basic courses in English and computer skills. The shelter has recently acquired more reading materials in victims' mother language, although more reading and recreational materials are needed.

▪ **Legal Assistance**

The intent of the provisions contained within UNMIK Regulation 2001/4 and the Yugoslav Criminal Procedure Code afford more legal protection and assistance for trafficked victims than other laws in the region. They state that victims are entitled to: safeguards against delayed repatriation due to lengthy criminal investigations and trials; free legal counseling; interpretation during all legal proceedings; alternatives to providing live testimony in court cases; protection from cross-examination regarding certain aspects of the victim's personal history and character; and the possibility to obtain monetary compensation from traffickers. In practice, many of these protections are not fully or even partially implemented, but the provisions are worth reviewing because they present promising (although unrealized) legal assistance mechanisms for victims inside and outside Kosovo.

UNMIK Regulation 2001/4 provides a safeguard against delayed repatriation of trafficked victims caused by lengthy criminal investigations and trials. For the most part, the practical application of this regulation is that a victim provides a written statement during the investigative stage of the criminal proceeding, rather than remaining in Kosovo to provide live testimony in a trial. This provision significantly lessens the likelihood that a victim who wishes to return home

will be kept within Kosovo solely due to on-going investigations by law enforcement officers and investigating judges. Overall, this regulation is applied in practice. Unlike neighboring countries that lack such a provision and frequently delay a victim's repatriation because of on-going criminal proceedings, this provision recognizes the primacy of the victim's rights and recovery.

UNMIK Regulation 2001/4 also states that victims should receive free legal counsel for civil and criminal matters related to trafficking, and that victims should be informed of their right to access these services at the earliest available opportunity. In practice, this does not happen. Although victims are often apprised of possibilities to seek other forms of assistance (including shelter, medical care, psychosocial assistance and repatriation services for foreigners), access to legal counsel has been practically absent. For example, foreigners who enter the IOM repatriation program do not meet with lawyers or discuss their cases with legal professionals. Even when victims provide written or live testimony in criminal cases against their traffickers, victims do not usually possess adequate notice of the proceedings or individualized legal representation.

The lack of access to individualized legal representation represents one of the most significant gaps in protection and services for trafficked victims in Kosovo. Service providers and governmental structures must address this gap in the immediate future. Although international organizations and the VAAU have drafted proposals calling for the establishment of core groups of lawyer and non-lawyer victim advocates, realistic implementation strategies are needed that clearly address the lawyers' selection process, qualifications, training requirements, professional fees and scope of services provided to victims.

According to the Regulation, a victim should receive free interpreting services in the language of her choice throughout investigative and court procedures. For the most part, social service providers or Department of Justice personnel provide interpretation on an *ad hoc* basis when available. It is unclear whether interpretation is provided to foreign victims who are able to speak moderate, but not fluent, Albanian or Serbian. Service providers state that there are an adequate number of interpreters available, but the presence of an interpreter needs to be better coordinated in order to ensure that victims routinely receive interpretation during legal proceedings.

The UNMIK Regulation states that a court may only allow evidence of a victim's personal history under exceptional circumstances. This kind of provision is important for trafficked victims, because it lessens the chance that the defense can question the victim about personal matters such as her sexual history. By curtailing the introduction of this kind of personal information, it is possible to decrease the amount of secondary trauma experienced by victims during legal proceedings. Judicial application of this evidentiary rule remains uneven, and it mostly depends upon whether a judge has been sensitized to the issue. On-going sensitization and training of judges is needed as well as training for victim's lawyers regarding how to make proper objections to this kind of testimony.

Another UNMIK provision designed to lessen the amount of secondary trauma and personal vulnerability of the victim calls for alternatives to live victim and witness testimony. In order to protect victims and avoid direct confrontation between the victim and the defendant, a court may permit victims and witnesses to present evidence *in camera* or by other electronic means. These alternatives are rarely used in practice. Most courts in Kosovo lack the technical equipment (such as audio and video links) necessary these alternative forms of testimony; however more modest substitutes are available and should be used more. In the meantime, the

substantial majority of victims should be allowed to provide written testimony rather than live or indirect testimony.

Finally, the Regulation calls for the establishment of a reparation fund for victims, funded by property confiscated from traffickers. The VAAU is supposed to secure external funding and resources, and set up this mechanism. This fund has not yet been established, and mechanisms for legally confiscating traffickers' property must be finalized. According to the Yugoslav Criminal Procedure Code, victims of crime can also pursue civil claims for monetary damages and restitution alongside criminal proceedings against traffickers. Therefore, victims could attach compensation claims to criminal proceedings, without having to initiate separate civil proceedings. To date, there are no reports of such cases. Pursuit of such claims is not likely to happen until victims receive individual legal representation by experienced lawyers.

▪ **Voluntary Assisted Returns**

As of today, foreign victims referred for assistance are voluntarily repatriated to their countries of origin. Victims must sign a declaration of voluntary repatriation. Victims spend an average time of two to three weeks in the shelter before repatriation. In most cases, the length of stay is determined primarily by the time it takes to secure identity documents because more than 50% of victims' passports are stolen, lost or unavailable. The range and scope of assistance provided includes: shelter, medical and psychological cares, legal information, reinstallation grant, travel documentation and administrative procedures, transportation to the country of origin, documentation confirming that the person is fit to travel, and referral for further assistance upon return. Medical escorts are provided when needed. IOM or NGO personnel meet all returning beneficiaries at the airport (or other point of arrival within the home country) and typically offer overnight accommodation and/or transportation to the beneficiary's desired destination.

In their home countries most beneficiaries enroll in an assistance program, at least for a short period. Such program may include shelter, medical care, psychosocial assistance, material assistance package, and referrals for vocational and employment assistance. Information about the range, scope and participation levels of reintegration programs in specific countries of origin in South Eastern Europe may be found in the "*Victim Assistance and Protection Services*" sections of specific RCP Country of Origin reports.

▪ **Witness Protection**

National and foreign victims have access to the same witness protection provisions. See *Victim Assistance and Protection Services for National Victims of Trafficking in Kosovo* above for more information on these mechanisms.

▪ **Temporary Residence Status**

According to UNMIK Regulation 2001/4 Section 4, foreign victims and witnesses who provide information regarding a trafficking case may be granted temporary permission to remain in Kosovo for a period as long as authorities deem fit. This Regulation should be revised in order to separate the initial stay from an obligation to provide information to law enforcement authorities. Authorities should grant trafficked victims an initial stay of at least 90 days before linking cooperation with authorities to extension of the temporary residency permit. However, authorities and service providers must also further develop shelter and assistance possibilities for foreign victims who apply for temporary residence permits. At this time, there are no dedicated shelter or assistance programs for these foreign victims, and service providers should identify alternative shelter options for victims residing in Kosovo for more than a couple of weeks.

▪ **Assistance for Minors**

Despite the fact that dozens of foreign minors have been identified as victims of trafficking for purposes of sexual exploitation and assisted within Kosovo during the last few years, specialized procedures and services for trafficked minors were not in place. There were no specialized interview procedures, identification processes or referral mechanisms in place for trafficked minors. The province did not appoint official guardians for these minors, and it did not develop specialized assistance or repatriation programs for them.

Service providers offered minors basically the same assistance package as adult victims of trafficking. Accordingly, foreign trafficked minors received repatriation assistance consisting of shelter, medical care, psychosocial care, legal assistance, transportation to home country, and referrals for reintegration and rehabilitation assistance within the home country. Trafficked minors were sheltered alongside adults, and they basically participated in the same psychosocial programs as the adults. However, unlike adults, minors have not been offered the same presumptive treatment for gynecological problems and STIs. For the most part, minors received general medical examinations and were referred for follow-up, specialized care within their home countries.

However, recently service providers have developed more guidelines and specialized protocols for handling minor's cases. Cases involving foreign and Kosovo minors are technically the responsibility of the Centers for Social Work (CSW), so service providers are trying to implement cooperative agreements with the CSWs. For example, a representative from the CSW should participate in the identification and referral of foreign minors, and the shelter must receive permission from the CSW before accepting a minor into the shelter. In theory, the CSW should grant formal permission for each stage of the assistance process for minors, but this does not happen at present. Service providers and Kosovo's CSWs must create practical protocols and service agreements regarding the assistance for foreign minors, including appropriate allocation of responsibility and availability of the respective organizations.

2) Victim Assistance and Protection Services for Kosovar Victims

With the exception of the CPWC, local NGOs' involvement in assisting trafficking victims is recent. However, under the broad umbrella of violence against women, local women's NGOs have started to provide direct assistance and support to Kosovar victims of trafficking.

▪ **Shelter**

There are three shelters for trafficked Kosovar victims in Kosovo, located in Pristina, Peć/Peja and Jakova/Đjakovica. This geographical distribution indicates an absence of shelter facilities in the north as well as in the southwestern part of the province, notably in Prizren where numerous “off limits” establishments are recorded by TPIU (86 as of January 2003). All of these shelters are managed by experienced local women NGOs that are primarily involved in combating violence against women.

All of these shelters provide lodging for both Kosovar trafficking victims and domestic violence cases. Two of the organizations provide short-term *ad hoc* lodging for Kosovar trafficked victims. The other organization has a more permanent structure for victims at greater risk of violence. Cases can be referred to the shelter on a 24 hours basis through one of the organization centers.

The maximum capacity of these shelters is approximately 35 to 40. None of the shelters has enough capacity or resources to offer long-term shelter. The average length of stay varies from a couple days to two and a half months in one facility, while victims may a maximum of three weeks at the shelter in Pristina.

▪ **Medical Care**

Each of the shelters arranges for confidential and free of charge medical care within the organization’s medical examination room or through a public health institution. The beneficiaries in Pristina are provided with gynecological examinations at the Center and tested for HIV at the University Institute. Testing is voluntary and no positive result is reported thus far. However, the percentage of shelter residents requesting HIV testing is not available. Assistance providers report that most of the trafficked victims have hematoma, indicating physical abuse. If a victim takes part as a witness in an investigation, the victim usually undergoes a medical examination at the Forensic Medicine Institute. The Forensic Medicine Institute provides medical expertise related to injuries inflicted upon victims and this documentation is forwarded to relevant authorities to sustain case prosecution. However, the Institute fee is expensive, up to 45 Euros, and local NGOs are requesting preferential fees for their beneficiaries.

Medical services offered in Jakova/Đjakovica include medical examination and treatment that is arranged and provided free-of-charge according to an agreement with a nearby public hospital. All 11 cases assisted by the organization received a medical test before shelter admission, and service providers report that most of the beneficiaries feared pregnancy.

▪ **Psychological and Psychiatric Care**

Each of the shelters offers psychological support to beneficiaries by practitioners in their main offices. In Gjakovë/Đjakovica, the organization’s psychologist conducts counseling sessions with shelter residents two times per week. The counseling sessions last as long as the beneficiaries reside at the shelter.

In Pristina, individual counseling sessions and psychological support is offered to the shelter residents as well as to the victims who found alternative lodging (i.e. living with their family). The duration of the sessions and the type of the psychotherapy used depend upon: (a) the level of trauma suffered, (b) the age of the victim, as well as (c) the ability of family members to accept the victim. Rational Emotive Therapy (RET) is often used. In order to maintain utmost confidentiality and avoid social stigmatization, trafficking victims do not take part within group

therapy sessions. Service providers report that victims most have lost aspects of their former personality. Service providers do not report psychiatric cases among their beneficiaries. However, psychiatric diagnosis and treatment possibilities are scarce in Kosovo.

- **Reintegration Activities**

Reintegration assistance possibilities for Kosovar victims of trafficking are rather limited at present. However all shelters attempt to offer some type of reintegration activities, similar to the ones available to domestic violence beneficiaries. These activities typically include family mediation, educational activities (such as alphabetization, computer skills, knitting, handicrafts), and agricultural development (such as bee keeping). These activities should comprise comprehensive efforts to empower women, but such programs are presently under-developed in Kosovo.

More resources need to be allocated to longer-term reintegration assistance schemes including educational assistance, vocational training and income generating projects. The Centers for Social Work have limited resources and are not provided with sufficient assistance guidelines for cases involving Kosovar victims. The OSCE is currently arranging some training seminars for the social workers throughout the province including a module on human trafficking. Assistance for Kosovar victims is envisioned in the near future by an IOM program that will include reintegration assistance for six to twelve months and the development of income generating programs. Given the current inadequate budgets of governmental units (e.g. Department of Health and Social Welfare, Department of Labor and Employment, municipalities), such programs currently are entirely dependent on external donor support.

- **Legal Assistance**

Local NGOs provide court representation and lawyers are provided to the victim/witness by NGOs at the time of the investigation. In order to respect confidentiality, service providers do not disclose much about their legal information or services for victims. In general, victims are only advised to testify when the perpetrators are already under arrest, pending prosecution.

- **Witness Protection**

Although UNMIK Regulation No. 2001/20 established witness protection mechanisms for injured parties (victims) and witnesses in criminal procedures, these witness protection mechanisms are most often used in high profile political cases. Due to limited resources, victims and witnesses in trafficking cases typically do not receive the types of protection outlined in the Regulation. Trafficked victims rarely received special protection within the WPU safe house or measures to conceal the victim's identity. According to OSCE, this kind of victim and witness exposure sometimes resulted in witness intimidation, and retraction of testimony.

TPIU, WPU, Victim Advocacy and Assistance Unit (VAAU) proposed to establish an interim and secure transit facility to protect victims and witnesses in trafficking cases in Kosovo. However, at this date it is unclear whether the recently developed facility will offer reliable and secure shelter for victims. For example, it is unclear whether the facility's screening procedures will include assessments for low and high risk cases, and it unclear whether other victims of violence (such as victims of domestic violence) will receive shelter and services within the same facility as witnesses providing testimony against traffickers in criminal cases. Service providers and law enforcement officials must determine whether this facility will, in fact, provide the kind

of protection stipulated in the Regulation, or whether a separate facility dedicated for victims and witnesses in criminal cases is needed.

▪ **Assistance for Minors**

With a few exceptions, specialized assistance and protection services have not been systematically developed for internally trafficked minor victims of trafficking. Aside from the fact that law enforcement units and other responsible bodies must notify a representative from the municipality's Center for Social Work upon suspected identification of a minor, specific guidelines for assistance and protection of trafficked minors are not yet in place. The Centers for Social Work and the assistance providers are in the process of developing more specific and comprehensive guidelines for the assistance of internally trafficked minors. These guidelines must address the division of responsibility and practical allocation of service provision for minors, in addition to protocols for appointment of a guardian and mechanisms for obtaining consent in cases of medical emergency. Furthermore, specific legal assistance provisions for minor trafficked victims must be addressed because they are absent from the UNMIK regulations. Presumably, the Centers for Social Work and assistance providers would collaborate with the VAAU office regarding these measures, but the mandate of the VAAU with respect to minors' cases is unclear at this time.

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COUNTRY REPORT

fYR of Macedonia

This report analyzes the status of Victim Assistance and Protection for women and girls who are trafficked to or through fYR of Macedonia for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- The fYR of Macedonia is a main **country of destination within South Eastern Europe for trafficking in foreign women and girls** for purposes of sexual exploitation. fYR of Macedonia is also a **transit country** for trafficking in women and girls, between victims' country of origin and country of destination.
- The minimum number of **foreign trafficked women and girls** able to be **identified and assisted** within fYR of Macedonia between January 2000 and June 2003 is **690**. This figure pertains to foreign victims voluntarily repatriated to their countries of origin. The number of trafficked Macedonian nationals is insufficiently documented and therefore unknown at this time.
- Victims are **mainly identified and referred for assistance during police operations** and referred to the *Transit Center for Foreigners and Asylum Seekers*. fYR of Macedonia is the only destination country to have maintained in the year 2003 a high level of identification and referral for assistance. However law enforcement raids on public establishments seem to have resulted in more under-ground trafficking venues with victims kept in private accommodations, so the number of identified and assisted victims could decrease in the second half of 2003. **Police determine** that most of the women questioned after operations against suspected establishments are **not trafficked** and consequently do not offer them assistance. A few cases have been identified based upon information collected by an NGO help-line.

- There are **no agreed upon standard operating referral procedures** between Macedonian law enforcement bodies and the assistance service providers. The Department for Foreigners and Immigration Issues automatically transfers all determined victims to the *Transit Center for Foreigners and Asylum Seekers*. Victims are referred thereafter to the IOM for repatriation assistance.
- **Profiles** of the victims trafficked within FYR of Macedonia reveal that **50% come from Moldova, 31% from Romania and 11% from Ukraine**.
- Victims are primarily **between 18 and 24 years** of age at the time of their identification within FYR of Macedonia, and **13% are minors**.
- The **average lengths of time women are trafficked** within FYR of Macedonia vary from **one to three years**. Victims primarily leave their country to **find employment abroad**. Most victims believed that they were going to Italy or Greece.
- Most victims are first **recruited by acquaintances** and job advertisements promising lucrative jobs abroad. **37% were mothers** when they left their home countries, and Moldovan citizens constitute the most significant portion of mothers. Since most women come from Moldova, Romania and Ukraine, they transit through and are often trafficked within locations in Romania and Serbia before reaching FYR of Macedonia. The **transportation patterns are trans-national** and composed by multi-ethnic networks that cooperate with each other.
- The assistance and protection framework for trafficked victims in FYR of Macedonia has mainly been geared toward repatriation assistance for foreign victims of sexual exploitation. Although the National Action Plan of the FYR of Macedonia includes prevention and associated socio-economic measures that could apply to national victims, the envisioned **activities only address foreign victims willing to repatriate**. Thus far, the IOM has provided most of the repatriation assistance to foreign victims but local NGOs are becoming more actively involved in developing services.
- There is only **one dedicated shelter** for trafficked victims in FYR of Macedonia, and this shelter only provides services to foreign victims. Located in Skopje, the shelter is part of the *Transit Center for Foreigners and Asylum Seekers* and is thus far the only example of a government-run shelter in the region. The Ministry of Interior, the IOM and a local NGO that provides direct assistance **jointly manage** the shelter.
- The shelter provides **lodging, medical care, psychological assistance, legal assistance and repatriation** services to adult and minor foreign victims. The official capacity of the shelter is 40 and the average length of stay prior to repatriation is three to four weeks. Women willing to testify in court tend to remain for a longer period. Capacity of the short-term shelter for foreigners appears adequate. However, there is a **need to develop housing and assistance capacities** for foreign victims who do not qualify for the existing repatriation program or do not want to return to their home countries.
- **General medical examination** is mandatory for all beneficiaries entering the shelter. Gynecological examination is voluntary and most beneficiaries are treated for STIs. There is an **agreement** with Skopje's main hospital for hospitalization and emergency care to victims. This particularly needed because several victims have suffered physical injuries during police raids.

- A **specialized mental health NGO** provides psychological care to victims and ensures a daily presence of a team of social workers and psychologist at the shelter. All of the victims reportedly suffer from PTSD, and victims who were trafficked for more than a year present particularly acute symptoms and low self-esteem. A few of the beneficiaries presented signs of mental incapacity or long-term disability. Also, **special counseling sessions** and particular attention are devoted to **victims who provide testimony in legal proceedings**.
- The **scope of legal assistance** programs recently developed for victims in FYR of Macedonia is **more comprehensive than legal services received by most other trafficked victims** in South Eastern Europe. Local NGOs provide written legal information and conduct legal information seminars for victims at the shelter. Lawyers from specialized legal NGOs also provide individualized representation to victims who testify against traffickers in legal proceedings and victims with mental disabilities.
- However, law enforcement and court officials often do not enable victims to realize their rights. Most often, victims are not informed of the right to speak with a lawyer at an early stage, victims are pressured into signing statements before they've been afforded an opportunity to speak with a lawyer, and victims' lawyers are sometimes prohibited by judges from attending court hearings. In order for victims to receive full legal protection and representation, **law enforcement and court officials must adapt their procedures and fully recognize the rights of victims** to access legal assistance at an early stage as well as the right to receive adequate notification of legal proceedings and to be accompanied by a lawyer to all legal proceedings.
- Despite high rates of arrests on suspicion of trafficking in human beings, there is a low rate of conviction and sentences for convicted traffickers are extremely light. The lack of prosecution awareness and sensitization combined with the **absence of a witness protection program** for trafficking victims in FYR of Macedonia partially may explain the discrepancy between the high number of identified victims and the low number of prosecutions. An amendment to the Penal Code on witness protection is currently under examination.
- Current Macedonian legislation does not contain provisions for issuance of temporary residence visas, although in December 2002 FYR of Macedonia signed the Tirana Statement of Commitment regarding the legalization of trafficked victims' status. **Provisions for issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted to government approval.** Accordingly, the government and service providers must develop an appropriate assistance framework.
- Until recently, there were no specialized procedures and services for trafficked minors in place in FYR of Macedonia. Law enforcement officers did not use specialized interview procedures, identification processes or referral mechanisms when encountering minors. While the transit shelter automatically provides services and reintegration assistance to foreign trafficked minors, until recently minors received the same assistance package as adult victims of trafficking. However, service providers have made **recent efforts to develop more specialized assistance and protection programs for foreign trafficked minors**, according to some of the principles outlined in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe." A few Macedonian trafficked minors are reportedly trafficked within the country, but information about these minors and specific services provided is unavailable.

I. NUMBER OF FOREIGN VICTIMS IDENTIFIED AND ASSISTED

FYR of Macedonia is a main country of destination; foreign women and girls are trafficked to FYR of Macedonia for purposes of sexual exploitation. Besides being a destination, FYR of Macedonia is also a transit country between the country of origin and the country of destination, and can serve as temporary destination for foreign victims. Therefore, most of the trafficked victims able to be identified and assisted are foreigners.

The following table shows the minimum number of foreign trafficked women and girls identified and assisted in FYR of Macedonia, between January 2000 and June 2003: **690**

	2000	2001	2002	June 2003
Victims	106	262	212	110

The above figures were compiled from information provided by the IOM Mission in Skopje and Open Gate/La Strada Macedonia (referred to as Open Gate).

These figures only pertain to females trafficked for purposes of sexual exploitation, as no data exist yet on trafficking of males nor on trafficking for forced labor and begging. Despite a few reports on trafficking that include Macedonian juveniles trafficked for sexual exploitation and domestic labor within FYR of Macedonia, no reliable data on internal trafficking of human beings is presently available.

The figures presented in the table comprise the number of trafficked foreigners identified within FYR of Macedonia and voluntarily returned to their countries of origin. Victims who are not properly screened or identified are not included in these figures. Also, victims who were identified as trafficked but refused repatriation assistance are not included. It is likely that they faced illegal migrant charges or other criminal offenses and were rapidly deported. Unfortunately, official statistics on forced repatriation are not available. Therefore, it is not possible to gauge how many foreign women and girls have been subjected to these expedited measures.

These figures do not contain Macedonian nationals trafficked because the number of trafficked Macedonian nationals is insufficiently documented and therefore unsubstantiated at this time. For instance, a local NGO reports that it recently assisted ten Macedonian nationals, but the NGO has not provided verification of specific case data regarding these ten cases. Therefore these cases are not included within Regional Clearing Point data

As the table indicates, the number of identified and assisted victims significantly varied during the last four years. The number of identified and assisted victims increased by almost 150% between 2000 and 2001. That number decreased by almost 20% in 2002. The number of victims identified and assisted during the first half of 2003 is almost the same as the first half of 2002, signaling an upswing again.

Several factors have contributed to these fluctuations and help to explain why FYR of Macedonia has been a foremost country of transit and destination as well as a leading country in the identification and assistance for trafficked women during the last few years. Because of its geographical position between eastern and western countries, FYR of Macedonia has long acted as a smuggling corridor, particularly as a gateway to Greece. However, since 1999 the substantial NATO military presence in FYR of Macedonia and Kosovo, its neighboring province, acted as a magnet for human traffickers and became a significant destination country. In response to the

emerging phenomenon of trafficking in women for sexual exploitation, the IOM started to provide assistance to victims. **106** victims received repatriation assistance under this program in 2000. In 2001, IOM and the Ministry of Interior reached an oral agreement regarding referral of foreign victims for repatriation assistance, resulting in a significantly higher number of assisted victims (**262**) that year.

The 20% decrease in the number of identified and referred victims in 2002 can partly be explained by the fact that law enforcement operations within the north and northwestern parts of the country were basically brought to a halt by the ethnic Albanian uprising and ensuing unrest. However, this crisis also precipitated international foreign assistance and support for stabilization of that region, including specific support for counter-trafficking measures. Therefore, the number and scope of counter-trafficking law enforcement activities substantially increased during the final months of 2002. Law enforcement units conducted numerous raids on various establishments of prostitution (mainly bars, clubs, and motels) resulting in identification and referral of **212** victims.

FYR of Macedonia increased its level of regional cooperation, including establishment of bilateral law enforcement cooperation agreements with Serbia & Montenegro, Bulgaria and the United Nations authorities in Kosovo. FYR of Macedonia also appointed a liaison officer to the SECI Center in Bucharest. In 2003 FYR of Macedonia's newly elected government proclaimed combating organized crime as one of its major priorities. Compared to overall law enforcement identification and referral for assistance within Albania, Bosnia-Herzegovina and Kosovo in the year 2002 and the first quarter of 2003, FYR of Macedonia is the only country of transit and destination to maintain a substantial level of victim's identification and referral for assistance.

The number of victims identified and referred in the first half of 2003 (**110**) constitutes half of the victims assisted during the prior year. Therefore, the numbers for 2003 could be similar to 2002. However, in response to more effective law enforcement raids on public establishments, more underground trafficking venues may be emerging. When more victims are kept within private accommodations rather than public establishments, it is more difficult for law enforcement units to reach victims using the regular operative methods. Consequently the number of identified and assisted victims may decrease in the second half of 2003.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Foreign victims are mainly identified and referred to the *Transit Center for Foreigners and Asylum Seekers* by law enforcement units. To date, no victims have been identified at border points. A few victims have been identified through missing-person reports collected by an NGO help-line.

a) Victim Identification

▪ Law Enforcement

Macedonian police identify the vast majority of victims. Within the Macedonian Criminal police, the Organized Crime Department is responsible for coordinating the operational activities for exposing trafficking in human beings and prosecuting the perpetrators. The Department for Foreigners & Immigration Issues is responsible for documenting victims' data as well as for providing temporary shelter prior to their repatriation. Police identify these victims primarily through raids on suspect establishments or by routine administrative controls (i.e. inspecting working contracts of employees; checking residence permits of foreigners, etc.).

The normal procedure upon completion of a police operation is for representatives of the Anti-Organized Crime Department and/or the Department for Foreigners & Immigration Issues to transport victims to the nearest police stations and conduct interviews. The dual purposes of these interviews are collection of evidence and determination of trafficking status. It is difficult at this stage to determine if these interviews are mainly conducted according to a standardized questionnaire and whether the interview data are centralized within the Department for Foreigners & Immigration Issues. However, the Organization for Security and Cooperation in Europe (OSCE) field officers have started to attend some of these initial identification interviews, and therefore more information should be available in the near future regarding the content, format and reliability of the identification process.

Because the Departments' interviews with foreigners are not regulated, the exact number of those interviewed and identified as victims of trafficking is not known. Police contend that most of the foreign women detained and questioned after raids of suspected establishments are not victims of trafficking. If these foreign women possess legal papers regarding their presence in FYR of Macedonia, they are released. However, service providers believe that many of the women without legal papers are trafficked victims who are most often immediately expelled, without any assistance or referral possibilities.

It is remarkable that no victims have been identified while entering or exiting FYR of Macedonia. This can be mainly explained by the absence of a professional border management system in FYR of Macedonia. At present, conscripts from the Ministry of Defense control the borders. However, FYR of Macedonia, with the assistance of the European Union, is in the process of establishing a Police Border Service. The establishment of such a service combined with relevant training should lead to substantial improvement in the identification of trafficked or at-risk victims at border crossing points.

- **International Organizations**

As part of its recently expanded counter-trafficking efforts in FYR of Macedonia, a few OSCE field officers have been tasked with attending identification interviews of potential trafficked victims conducted by police units. These OSCE field officers do not conduct the interviews or directly question suspected victims. If all parties consent, then the OSCE officers observe the interviews and submit overall impressions to the counter-trafficking officers. However, other OSCE field officers occasionally come across potential victims during the normal course of their field activities. In these instances, the field officers refer victims to the nearest police station. These officers recently started to work and collect trafficking data in this capacity, so it is too early to assess the results of their presence.

- **NGO Help-lines**

There are two help-lines that address trafficking in human beings in FYR of Macedonia. One is a dedicated help-line managed by an NGO that belongs to the La Strada network, and the other is a community-oriented help-line managed by a Roma NGO.

The dedicated help-line, the "SOS Preventive and Informative Line", was established in October 2002 and is managed by a Skopje-based local NGO. The help-line aims to provide preventive information (i.e. information about employment agencies; working conditions abroad, etc.), as well as to inform callers about assistance services and referral mechanisms. The help-line, through La Strada network, also collects information on missing women and girls and cooperates

with the Anti-Organized Crime Department. The help-line operates 12 hours per day from 8 a.m. to 20 p.m.

As of June 2003, out of the 164 calls, 15% concerned trafficked victims in need of assistance. Callers are either regional partner NGOs reporting information on women and girls allegedly trafficked in FYR of Macedonia or relatives and friends calling from within FYR of Macedonia. Help-line operators then contact relevant law enforcement. To date, nineteen foreign women and girls and six Macedonian girls were assisted through this information chain. All of these victims were minors, trafficked in the western part of the country for purposes of sexual exploitation.

The visibility of the help-line will be enhanced with the launch in early fall 2003 of an awareness raising campaign conducted by local NGOs in partnership with the United Nations Children's Funds (UNICEF). Service providers believe that increased visibility of the help-line and the trafficking phenomenon will bring more cases into the open. In order to achieve a higher level of efficacy and sustainability, the help-line should be integrated within a Macedonian national strategy to combat human trafficking, and information campaigns should be conducted together with the State Agency for Information.

The second help-line is managed by a Roma local NGO out of Skopje. It started functioning in January 2003 and aims at raising awareness in the Roma community on reproductive health matters, domestic violence and human trafficking. The help-line operates four days per week from 12 p.m. to 14 p.m. and from 16 p.m. to 18 p.m. The help-line did not receive any calls pertaining to human trafficking in its first six months of operation. This initiative, however, represents one of the few outreach programs targeting violence within the Roma community.

b) Referral for Assistance

Thus far, there are no agreed upon standard operating referral procedures between Macedonian law enforcement bodies and assistance service providers.

▪ Law Enforcement Referral for Repatriation Assistance

Pursuant to an oral agreement reached in June 2001 between the Ministry of Interior and the International Organization for Migration Mission in Skopje (IOM), foreign victims are referred to IOM for repatriation assistance. It is only after the Department for Foreigners & Immigration Issues completes its information gathering process that it officially contacts the IOM for services and repatriation assistance for the victim. This process can take as long as several days. If the Department determines that the foreigner is a victim of trafficking, law enforcement is supposed to automatically transfer the foreign victim to the *Transit Center for Foreigners and Asylum Seekers* in Skopje. The Department apparently transfers foreigners whom they suspect are trafficked victims to the Transit Center regardless of whether the foreigners themselves believe they are victims or wish to go to the Transit Center for assistance.

Upon arrival at the Transit Center, a representative from the IOM screens each of the suspected victims to determine whether the person qualifies as a victim according to the definition with the Palermo Protocol. If the representative determines that a person is a victim of trafficking, the representative explains the IOM's assistance program to the victim in a language the victim can understand, and asks the victim if she voluntarily consents to enter the program. After the victim signs a document in her own language indicating that she voluntarily consents to receive

assistance, she is eligible for reintegration assistance. All of the suspected victims pre-screened by the IOM in the first half of 2003 requested assistance and received repatriation assistance, but precise data is unavailable regarding the percentages of suspected victims in previous years who did not meet entrance criteria because they either did not meet the definition of trafficked victim or because they did not agree to voluntarily enter the repatriation program.

Discussions are currently underway between international organizations and the National Commission to Combat Trafficking regarding the formulation of a formal agreement on standardized operating procedures for the systematic referral for services of foreign women and girls found trafficked in FYR of Macedonia. At this point it does not appear that Macedonian national victims of trafficking will be considered within such an agreement, and there are no plans underway for development of a formal referral mechanism for Macedonian victims. Furthermore, there are no plans underway for the development of formal identification or referral mechanisms for victims of other forms of trafficking, including domestic labor, begging, etc.

▪ **International Organization Referral for Assistance**

Above-mentioned OSCE field officers make indirect referrals for suspected trafficked victims whom they discover during the normal course of their field and monitoring activities. OSCE field officers refer suspected victims to local police units. These units are responsible for making service referrals for identified victims.

▪ **NGO Help-line Referral for Assistance**

Help-line operators refer victims for direct assistance. But at this time there is insufficient information on the number of help-line calls resulting in direct service referral and ultimate assistance.

III. VICTIM PROFILES

All documented cases are women and girls, reported trafficked for purposes of sexual exploitation. According to IOM Skopje statistics, victim profiles are as follows.

▪ **Nationality**

The following table indicates victims' countries of origin:

Countries/Entity of Origin	2000	2001	2002	June 2003	Total
Belarus	7	3	0	1	11
Bulgaria	0	9	4	8	21
Croatia	0	0	1	0	1
Czech	0	0	1	0	1
Kosovo	0	2	2	1	5
Lithuania	0	0	1	0	1
Moldova	67	148	80	47	342
Romania	30	66	72	44	212
Russia	1	8	8	0	17
Serbia and Montenegro	0	0	1	0	1
Ukraine	1	26	42	9	78
Total	106	262	212	110	690

Out of the 690 identified and returned victims, 50% come from Moldova, 31% from Romania and 11% from Ukraine. According to the figures available for the first six months of 2003, the nationality distribution is likely to remain consistent with the previous year.

Despite the high number of identified victims within FYR of Macedonia, few citizens from Serbia, Montenegro and Kosovo are found trafficked into FYR of Macedonia. Surprisingly, not a single Albanian citizen was formally identified as a victim or assisted within FYR of Macedonia over the last three years. There are several possible explanations for the lack of identified Albanian victims within FYR of Macedonia. The national police may not come in contact with Albanian women and girls if these victims are mainly trafficked within the Albanian populated area of the territory. The police may rapidly return Albanian women and girls to near-by border points rather than conduct victim identification interviews and referrals for assistance.

- **Age**

The majority of the victims are between 18 and 24 years of age when they are identified in FYR of Macedonia. Out of the 690 cases, 13% are minors between 14 and 17 years of age; 60% are between 18 and 24 years of age and 22% are between 25 and 30 years of age.

According to available statistics, minors accounted for 18% of the victims in 2000, 9% in 2001, 15% in 2002 and 11% for the first six months of the year 2003. The percentage of victims aged 25 to 30 years of age has risen throughout the last couple of years, but reasons for this trend are unclear.

- **Length of Time Trafficked within FYR of Macedonia**

Most often victims are trafficked throughout several areas in FYR of Macedonia, mainly Struga, Gostivar, Tetovo and Kumovo in the northern and western parts of the country, as well as in the south around Bitola. The length of time trafficked varies from one to three years.

- **Reasons for Leaving Home Country**

According to IOM statistics, 80% of the victims left their home countries to find employment abroad. Few of them knew that FYR of Macedonia was their country of destination; most believed they were heading to Greece or Italy.

- **Methods of Recruitment**

Most victims were first recruited by acquaintances and job advertisements promising lucrative jobs abroad. However, the number of women and girls “forced” and “coerced” to leave their homes rose during the reporting period. While almost non-existent in 2000, the number of victims forced to leave their homes constituted 15% of the cases trafficked within the first six months of 2003. This signals a change in some of the recruitment patterns, perhaps indicating that in the face of increased public awareness of trafficking, traffickers employ more force and coercion with potential victims.

- **Marital/Family Status**

Service providers report that most of the victims are single. 37% were mothers before they left their home countries. Moldovan victims constitute the most significant portion of mothers.

- **Transportation Routes**

Since most of the victims are Moldovan and Romanian, the traffickers transport victims through Romania and Serbia on their way to FYR of Macedonia. Traffickers and/or middlemen usually transport the victims in automobiles, and middlemen transfer victims from one country to the other. Assistance providers relate that women and girls are often trafficked between locations in Romania and Serbia before reaching FYR of Macedonia. Some victims are trafficked for weeks or years in these countries before ending up in FYR of Macedonia. A few victims were also transferred from Kosovo, where they had been previously exploited. The transportation trafficking patterns within and surrounding FYR of Macedonia are trans-national and composed of multi-ethnic networks that cooperate with each other.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

The assistance and protection framework for trafficked victims in FYR of Macedonia has mainly been geared toward repatriation assistance for foreign victims of sexual exploitation. The IOM has provided most of the repatriation assistance to foreign victims in FYR of Macedonia over the last few years. The focus on foreign victims trafficked within FYR of Macedonia is apparent throughout the provisions of the country's National Action Plan. Although the Plan includes prevention and associated socio-economic measures that could apply to national victims, the Plan envisions activities that almost exclusively address foreign victims who are willing to repatriate. This allocation of attention and resources makes overall sense with regard to the fact that almost all documented trafficking cases pertain to foreign victims willing to repatriate, but this exclusive strategy does not take into consideration the fact that the number of foreign victims who do not wish to return home is unknown (mostly because foreigners were not provided with options other than repatriation or expulsion), and the numbers of trafficked Macedonian nationals is basically undocumented and unknown at this time.

Local NGOs are becoming more actively involved in counter-trafficking activities and services, and service providers have made recent efforts to broaden the assistance framework to include foreigners who do not wish to repatriate immediately as well as actual and potential Macedonian trafficked victims. Therefore, it appears that NGOs and international organizations will offer more comprehensive assistance to these groups in the near future. At this time, there are no assistance frameworks under development for other potential or actual victims of other forms of trafficking, such as trafficking for domestic labor, begging, etc.

- **Shelter**

There is only one dedicated shelter for trafficked victims in FYR of Macedonia, and this shelter provides services to foreign victims. The shelter, located in Skopje, is part of the *Transit Center for Foreigners and Asylum Seekers*, a highly secure, isolated government facility. It is a restricted movement shelter in which beneficiaries cannot freely enter or exit the building without official accompaniment. The shelter is jointly managed by the Ministry of Interior (Department for Foreigners & Immigration Issues), which maintains its own office and administrative personnel within the building. This Department provides general facility management. The IOM, together with its partner NGOs, provides direct service assistance to foreign trafficked victims at the shelter.

This transit shelter is thus far the only example of a government-run shelter in the region. The Ministry of Interior assumes financial responsibility for general maintenance, utilities bills,

providing meals, and security. The IOM provided most services for the shelter's beneficiaries until August 2002 when a local association assumed gradual responsibility for daily management and provision of direct psychosocial and recreational services to beneficiaries. The fact that an international organization designed a shelter hand-over process whereby a specialized NGO and relevant Ministries assume daily management and direct provision of social services on a gradual basis is a good example of shelter management and cooperation in the region.

The official capacity of the shelter is 40. The average length of stay is three to four weeks. The length of time primarily depends upon how long it takes for completion of administrative documents (i.e., identification and travel documents) as well as the length of legal proceedings involving the beneficiary, and the willingness of Ministry of Interior authorities to issue and exit visa. For example, victims willing to testify in court against alleged traffickers tend to remain for a longer period (up to twelve weeks so far). Given the latest increase in raids and high number of identified victims, the transit shelter occasionally reaches full capacity. If the number of victims exceeds the number of spaces at the transit shelter, the Ministry of Interior places extra victims in private hotel rooms and provides security for them. This measure was necessary on only one occasion since the opening of the Transit Center in 2001.

Although the Macedonian government has fulfilled its pledge within the National Action Plan to provide a shelter facility for trafficked victims, on-going shelter management procedures exercised by the Ministry of Interior raise several concerns regarding an apparent primacy of law enforcement objectives over comprehensive human rights protection of the victims. For instance, Ministry of Interior officials automatically transfer identified foreign victims to the Transit Center irrespective of whether the foreigner considers herself to be a victim, wishes to stay at the transit shelter or wishes to enter a repatriation assistance program. This compulsory measure is believed to potentially increase chances of obtaining more evidence from the victims, thereby increasing the likelihood of successful prosecution procedures.

In accordance with the best interest of the victims, the responsibility for facilities management of the transit shelter should be transferred from the Ministry of Interior to the Ministry of Labor and Social Affairs. This change in management should be possible under the National Action Plan as well as Article 53 on the *Law on Movement and Residence for Foreigners* because language in both allocates responsibility for services to Ministry of Labor and Social Affairs and Ministry of Interior. Until now, counter-trafficking activities of the former have been scarce, but the role of the Ministry of Labor and Social Affairs should be increased according to guidelines designed with respect to human rights principles and the well-being of victims, and with proper cooperation and input from experienced service providers, international organizations and NGOs.

There is also a genuine need to develop housing and assistance capacities for foreign victims trafficked within FYR of Macedonia who do not want to return to their home countries or who do not qualify for the existing assistance repatriation program. The number of foreigners who wish to remain in FYR of Macedonia for at least three months is likely to increase with the practical introduction of the three months residency permit under the Tirana Commitment. Closed, restricted-movement shelters are not appropriate housing options for these women, so service providers need to assess shelter capabilities and needs. One local NGO has made efforts to establish a safe house for national and foreign victims, and it is currently seeking funding for the project. In the meantime, this NGO has provided temporary *ad hoc* accommodation within a rented flat to a foreign victim with a baby.

- **Medical Care**

General medical examinations (including TB testing) are mandatory for all beneficiaries entering the transit shelter. One victim tested positive for TB in 2002. Victims with TB receive treatment within a specialized state hospital in Skopje. A part-time physician and two nurses conduct examinations at the shelter in a designated medical examination. Gynecological examinations are voluntary, but most beneficiaries request and receive gynecological examinations. Sexually Transmitted Infection (STI) tests are conducted on a voluntary basis, and most beneficiaries request tests and receive some treatment for STIs. Pregnancy tests are conducted on a voluntary basis, and many of the beneficiaries request this test. Approximately 5% of victims tested positive for pregnancy during the first half of 2003.

HOPS, a specialized HIV/AIDS and reproductive health NGO is providing awareness sessions and counseling to beneficiaries at the shelter. Up until October 2002, the shelter offered HIV tests to beneficiaries on a voluntary basis, but this practice was discontinued. Shelter staff members recommend interested beneficiaries to receive testing within their home countries instead. None of the beneficiaries who received HIV tests before October 2002 tested positive. However, some victims who were trafficked in FYR of Macedonia tested positive for HIV only a few weeks after they returned to country of origin. The total number of beneficiaries who received tests and tested positive for HIV upon return to their country of origin is unknown.

Some shelter beneficiaries required medical treatment and hospitalization for injuries sustained during police operations and raids. Physical injuries suffered by victims during raids included gunshot wounds, broken limbs and broken ribs. Although police referred some of these injured victims directly to the hospital for treatment, some victims were referred to the shelter before receiving any medical attention for their injuries. It is unacceptable that victims injured during police operations are not immediately brought to the hospital, and police procedures must secure emergency medical care for injured victims prior to questioning the victims or transferring them to police stations or the Transit Center.

The IOM reached an agreement with Skopje General Hospital regarding hospitalization and provision of emergency medical care to victims. The agreement stipulates that the hospital provides medical care according to the same fee scale used for local residents. This constitutes a good practice.

- **Psychological and Psychiatric Care**

A specialized mental health NGO provides psychosocial care to victims at the transit shelter. Psychological services include physical daily presence of a team of social workers and a psychologist, individual counseling sessions, and group counseling sessions. Shelter staff consists of six persons: a program coordinator; two psychologists (specialists in medical psychology and mental health); two social workers (specialists in clinical social work and social protection) and one consulting psychologist. The psychologist conducts psychological assessments of individual beneficiaries using tests (including MMPI and similar testing tools) that assist the staff to create individual plans for the beneficiaries.

All of the victims reportedly suffer from Post Traumatic Stress Disorder (PTSD), and victims who were trafficked for more than a year present particularly acute symptoms and low self-esteem. Service providers propose individual counseling sessions on a voluntary basis and almost all of the beneficiaries attend these sessions. The scope and depth of the counseling is difficult to assess given the short term most victims spend in the shelter. Victims participate in as few as two

to three sessions, or as many as fourteen to fifteen individual sessions, depending on individual needs, requests and length of stay at the shelter. A substantial amount of the sessions are devoted to building self-esteem and establishing healthier living habits, especially habits relating to sleeping hours, nutrition and personal hygiene. Service providers state that most of the beneficiaries speak the local language well enough to directly participate in counseling sessions. However, a Moldovan caseworker at the shelter can provide translation for most beneficiaries when needed.

If a beneficiary requires psychiatric treatment, she is referred to a psychiatrist at a private clinic. Within the last year, three beneficiaries suffered from epilepsy, and one victim suffered from amnesia. During the last six months, at least three beneficiaries required psychiatric care, but very few beneficiaries require psychiatric hospitalization. Service providers report that only a few beneficiaries presented signs of mental incapacity or long-term disability. One of these mentally disabled victims was a minor. The shelter made preliminary arrangements with the Ministry of Labor and Social Welfare for special placement of the minor within a state institution for the mentally disabled, but the minor's home embassy arranged for the minor's expedited return.

The shelter psychologist provided special counseling sessions and particular attention to victims who provide testimony in legal proceedings. The staff psychologist notes these victims experience a significant amount of anxiety if they testify. In particular, victims grow especially anxious if legal proceedings are lengthy or of an uncertain duration, thereby prolonging their stay and delaying return home. It is important to note that the staff psychologist makes an independent determination regarding whether the victim is competent, willing and able to testify. Moreover, the psychologist provides an on-going assessment regarding the overall effect of the testimony upon the victim's well being. Although the psychologist's opinion is not necessarily binding, it is nonetheless a good practice that a psychologist conducts and submits an assessment regarding the victim's competence and willingness to testify, as well as monitoring the impact of the testimony upon the victim.

Specialized practitioners from local NGOs also provide recreational therapy workshops as well as HIV/AIDS prevention and counseling sessions to interested beneficiaries at the shelter.

Service providers state that very few of the victims appear to suffer from drug and alcohol dependencies. Thus far, only two victims were treated for drug and alcohol dependency.

▪ **Recreational Activities**

During its first year of operation there were few recreational opportunities at the restricted movement shelter. However service providers have improved the shelter facilities and developed more activities for beneficiaries. In recognition of the need to enhance possibilities for physical exercise and other recreational activities, a recreation and exercise room with a lounge was added to the building. To enhance the recuperation process, build confidence levels and decrease stress of the beneficiaries, assistance providers have upgraded recreational offerings to include yoga and other exercise classes, self-defense courses, art therapy and craft classes.

Within the additional space, the social worker and psychologist teams conduct educational sessions for the beneficiaries, including employment strategies and options, building positive views, and improving communication skills. At present, service providers do not provide longer-term vocational courses because such courses require more time than the three to four weeks that most beneficiaries spend at the shelter. Service providers encourage beneficiaries to enroll in such programs when they return to their home countries. Brief courses are offered in areas such

as English language, computer skills and sewing. Participation in all of the above activities is strictly voluntary, but almost all beneficiaries have elected to participate in one or more of the above recreational, psychosocial and educational activities.

▪ **Legal Assistance**

The scope of legal assistance programs recently developed for victims in FYR of Macedonia is more comprehensive than legal services received by most other trafficked victims in South Eastern Europe. However Macedonian law enforcement and court officials must improve their practices in order to enable victims to realize their rights and protections. Three categories of legal assistance are provided to beneficiaries at the transit shelter: (1) documentation assistance necessary for return home; (2) legal information regarding the beneficiary's overall status as a victim of trafficking, and (3) individualized legal advice and representation for victims who participate in legal proceedings against traffickers and for victims with mental disabilities. A Moldovan caseworker provides translation for Romanian, Moldovan and Russian-speaking beneficiaries. Official legal interpreters for court and other purposes are scarce.

The IOM is primarily responsible for obtaining the identity and travel documents that foreign victims need in order to return to their home country. Approximately 65% of victims in FYR of Macedonia do not possess proper identity documents, so the organization must make arrangements with the victim's embassy or consular in FYR of Macedonia for issuance of these documents. Victims from Romania, Ukraine and Bulgaria have an embassy in Skopje, but paperwork for Moldovan victims must be obtained via the Moldovan embassy in Sofia, Bulgaria. On average, it takes two-four weeks to complete paperwork related to identity and travel documents.

Regarding general legal information pertaining to issues of trafficking, migration and legal procedures, beneficiaries receive information at the shelter via written materials and information sessions conducted by the Macedonian Bar Association. Upon arrival at the shelter, beneficiaries receive general legal information about trafficking in leaflets printed in six languages. Two times per week, the Macedonian Bar Association conducts information sessions explaining legal issues and answering beneficiaries' questions. Participation in these sessions is not mandatory, but most beneficiaries elect to attend at least a few initial group sessions.

Pursuant to a contract with the international organization, lawyers from the Macedonian Bar Association and Temis NGO also provide individualized advice and representation to victims who participate in legal proceedings against their traffickers. Unfortunately, victims are not granted access to legal representation or legal information regarding their rights and responsibilities until relatively late in the process. For example, many victims are pressured to make formal statements and commitments regarding testimony against traffickers during their initial identification by law enforcement, long before they've been given an opportunity to speak with a lawyer or been apprised of their rights.

Service providers also report that victims and their lawyers often do not receive adequate notice and time to prepare for legal proceedings. For example, sometimes without prior notification to the service providers, to the victim or to the victim's lawyer, law enforcement officers arrive at the shelter and escort the victims to a legal proceeding. Service providers, the relevant ministries and law enforcement bodies should formulate and implement standard operating procedures regarding notification, transportation and representation for victims who provide testimony, in order to avoid such instances and secure more orderly procedures for victims.

Lawyers for the victim/witness may attend the trial at the discretion of the presiding judge. Most of the time judges do not allow the victims' lawyer to attend the court proceedings. In order to increase the level of judicial awareness and respect for the rights of victims, including the important role of their lawyers, international organizations in partnership with local legal associations have recently conducted workshops and seminars for judges and prosecutors. It is too early to know whether these seminars have resulted in increased cooperation on the part of judges and prosecutors, but court monitoring and case assessment programs could assess results of these seminars and identify steps for further improvements.

Under Macedonian legislation, it is possible for victims to attach civil damage claims to criminal cases against traffickers. Service providers report that at least three victims have successfully pursued civil claims against traffickers, but it is unclear whether the victims actually received the monetary compensation.

Temis, a local legal NGO, provides legal consultations regarding victims whose competency is in question because of a temporary or long-term mental disability. Since only a small number of victims within FYR of Macedonia reportedly suffer from mental disabilities, Temis has only provided services and analysis regarding a victim's state of competency on a few cases. However, the recognition of the need to address legal mental competency issues in select victims' cases is an important one, and the provision of specialized legal services and assessments by local legal NGOs is a unique practice worthy of replication within other countries.

▪ **Witness Protection**

At present, FYR of Macedonia lacks a formal witness protection program for trafficked victims. If victims agree to testify, police and international organizations provide protection on an *ad hoc* basis. Due to the absence of a formal witness protection program and occasional exposure of victims' details and cases within the media, most victims do not feel that they will receive adequate protection if they testify against traffickers. Therefore, the number of victims willing to testify in court is relatively low. This partially accounts for the discrepancy between the high number of counter-trafficking law enforcement operations and arrests and the low number of prosecutions. However, questionable practices within the law enforcement bodies and the judiciary also contribute to the low number of prosecutions and the issuance of short sentences for traffickers. In most cases criminal charges are not filed. Even when trials take place, sentences for traffickers have been extremely light. For example, one of the most notorious traffickers within the region received only a six-month sentence for several trafficking offenses committed against numerous women and girls.

In order to increase fairness and reliability of court procedures and decisions, international organizations and local legal NGOs have initiated a series of training programs for law enforcement and judicial personnel. These trainings should be conducted on an on-going basis. Furthermore, a comprehensive court monitoring system is needed. At present, OSCE is launching a pilot court monitoring program, to be followed-up and expanded by experienced, local legal NGOs.

An amendment to the Penal Code on witness protection is currently under examination by the government. It includes the possibility to keep the identity of a witness secret, personal protection measures, resettlement, and change of a victim's identity. According to these provisions, the public prosecutor in consultation with an investigative judge will decide upon adoption of specific protection measures on a case-by-case basis.

▪ **Voluntary Assisted Repatriation**

At present, the IOM is the primary organization responsible for overseeing the assistance package for foreign trafficked victims willing to return to their home country from FYR of Macedonia. As described above, the range and scope of assistance includes shelter, medical care, psychological care, recreational activities, and legal assistance. On average, beneficiaries spend three to four weeks in the shelter before they return to their home country. IOM secures identity papers, travel documents, and an exit visa on the beneficiary's behalf and contacts the IOM mission or partner NGO in the beneficiary's country of origin, regarding the beneficiary's case file, transportation arrangements and reintegration possibilities. At present, NGOs working with beneficiaries in the transit shelter do not have direct contact with service providers in the beneficiaries' home countries. However, they would like to discuss case histories and reintegration plans directly with future service providers. This kind of direct information exchange and case planning should be encouraged.

Beneficiaries returning to neighboring countries usually return home by car, all others return by air. IOM or NGO personnel meet all returning beneficiaries at the airport (or other point of arrival within the home country) and typically offer overnight accommodation and/or transportation to the beneficiary's desired destination. Most beneficiaries enroll, at least for a short period, in an assistance program that includes shelter, medical care, psychosocial assistance, a material assistance package, and referrals for vocational and employment assistance. Detailed information about the range, scope and participation levels of reintegration programs within specific countries of origin in South Eastern Europe are found in the "*Victim Assistance and Protection Services*" sections of Regional Clearing Point Country of Origin reports.

▪ **Temporary Residence Status**

Current Macedonian legislation does not yet contain provisions for issuance of these visas, although in December 2002, FYR of Macedonia signed the Tirana Statement of Commitment regarding the legalization of trafficked victims' status, including a pledge to issue temporary residence permits to victims of trafficking. To date, no legislative amendments that would enable this temporary residence permit for foreign victims of trafficking have been drafted or submitted for consideration.

Provisions for issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted for government approval, but these permits should not be initially conditioned upon a victim's willingness to participate in legal proceedings. In order for the temporary permit to serve its foremost purpose as an instrument to facilitate a reflection and recovery period for the victim, the victim should be provided with an initial period of stay that affords her enough time to achieve emotional and physical stability, and an opportunity to make a fully informed decision about future options, including possible participation within legal proceedings. Accordingly, the government and service providers must develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in FYR of Macedonia under the temporary visa. However, even if these measures are introduced, it is uncertain whether the Macedonian government could fund this additional assistance framework, and it is likely that it will rely upon external donor funding.

To date, no foreign victims trafficked in FYR of Macedonia have applied for asylum based on their trafficked victims status, but the United Nations High Commissioner for Refugees (UNHCR) is exploring the possibility of asylum claims for trafficked victims.

▪ **Assistance for Minors**

Despite the fact that almost 100 minors have been identified as victims of trafficking for purposes of sexual exploitation and assisted within FYR of Macedonia during the last few years, specialized procedures and services for trafficked minors were not initiated until recent months. There were no specialized interview procedures, identification processes or referral mechanisms in place for trafficked minors. The state did not appoint official guardians for these minors, and it did not develop specialized assistance or repatriation programs for them.

The transit shelter automatically granted services and reintegration assistance to foreign trafficked minors, but until recently service providers basically provided minors the same assistance package as adult victims of trafficking. Accordingly, foreign trafficked minors received repatriation assistance consisting of shelter, medical care, psychosocial care, legal assistance, transportation to home country, and referrals for reintegration and rehabilitation assistance in the home country. Trafficked minors were sheltered alongside adults, and they basically participated in the same psychosocial programs as the adults.

Service providers have made recent efforts to develop more specialized assistance and protection programs for foreign trafficked minors, according to some of the principles outlined in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe." The NGO providing services at the Transit Center recently hired a special psychologist to work exclusively with the minors. For the last several months, minors at the shelter have received individual counseling sessions at least three times per week, specialized educational and social activities, including group sessions addressing issues of particular concern to adolescents. Most of these minors come from dysfunctional, abusive family environments, so individual counseling sessions focus upon developing positive relationships and building self-esteem. Depending on their age and level of interest, the minors participate in educational and recreational activities along with the adult shelter residents. Minors who were sold by their families constitute some of the most difficult cases for service providers. These minors receive additional counseling and therapeutic services. The UNICEF guidelines call for separate accommodation for minors, but it does not appear that in the near future minors will receive separate accommodation from adult victims.

Ten minors were identified by local law enforcement after parents reached the Open Gate help-line and the NGO contacted law enforcement. These minors were trafficked for sexual exploitation within FYR of Macedonia. Unfortunately, the NGO has not yet provided verification of specific case data. Therefore, it is unclear exactly what forms of direct assistance were provided to these minors.

Temis, a specialized legal NGO, has recently started to provide individualized legal services to trafficked minors at the transit shelter. International organizations and local NGOs are exploring ways to make legal and court procedures involving minors conform to international standards for protection of minors. For example, they are exploring alternatives for live testimony by minors in court cases.

Plans for practical implementation of several other necessary provisions remain scarce. For example, under the UNICEF guidelines, all minor victims of trafficking should receive a guardian, but guardians have not been appointed for minor trafficked victims in FYR of Macedonia thus far, and the Ministry of Labor and Social Affairs and the country's Centers for Social Work have not yet played an active role in the actual protection and assistance of victims. Reliable guardianship procedures must be established in the near future. Also, the office of the

Ombudsman for Children, part of the Department of Children's Rights within the Public Attorney's Office, could play a more substantial advocacy and monitoring role regarding development and monitoring of services for trafficked minors.

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COUNTRY REPORT

Montenegro

This summary analyzes the status of Victim Assistance and Protection for women and girls who are trafficked to, through or from Montenegro for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted, II) Methods of Identification and Referral for Assistance, III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Montenegro is primarily a **destination country for trafficking in women and girls** for purposes of sexual exploitation. Montenegro is also a **transit country**, between victims' country of origin and country of destination.
- The minimum number of **foreign and Montenegrin trafficked women and girls identified and assisted** within Montenegro, between January 2000 and June 2003 is **33**. The minimum number of **foreign victims** identified and assisted is **30**. The minimum number of **Montenegrins** is **3**.
- NGOs and international organizations believe that the **actual number of victims is significantly higher** than the number of victims identified and assisted thus far. Statements provided by victims assisted inside and outside of Montenegro and the number of hotline calls regarding victims, traffickers and trafficking establishments within Montenegro, indicate the presence of a considerably higher number of unidentified and unassisted victims within the country.
- Until The "Moldova case" erupted in December 2002, **trafficking cases primarily came to the surface through police operations**. In 2000, police referred identified victims to a shelter on an informal basis. In 2001, Montenegro developed a unique victim identification and referral framework, the **Victim Protection Program (VPP)**, **aimed at identifying victims, referring victims to designated service providers, and providing trafficking victims with protection and rights**. However, respect of these principles was **not usually applied in practice** (i.e., most suspected trafficked victims are deported rather than referred for assistance). Whether or not key law enforcement actors were willing or able to identify or

refer trafficked victims for assistance is uncertain. Furthermore, in the aftermath the “Moldovan case,” **working relationships between counter-trafficking actors were eroded, and law enforcement units have not referred a single case to service providers since the case arose.** Relatively few cases are identified via border services or help-line.

- **Profiles** of victims reveal the following: **33% come from Moldova, 27% from Romania and 27% from Serbia.** The majority are **between 18 and 24 years of age** upon being identified in Montenegro. **19% of the foreign victims are minors, and two out of three Montenegrin victims are minors.** The figure of 39% of adult women over 24 years of age at the time of identification and referral for assistance is unique within the region. Most possess a rather low level of education (62% of the women have only completed primary school).
- The **length of time victims are trafficked** within Montenegro varies from **two to three months up to almost four years** for some of the foreign victims, and half of these victims were reportedly **trafficked within Serbia before their arrival** in Montenegro. Most of the foreign victims come from Moldova, Romania and Serbia and are usually transported by road into Montenegro. Most of the victims entered Montenegro via Serbia through Romania. Victims primarily leave their home countries for **employment abroad.** Two out of three victims were lured by false promises of marriage. Almost all victims have been directly **recruited through an acquaintance.**
- Victim assistance and protection services in Montenegro are framed by the **Victim Protection Program, (a National Project Board) that oversees counter-trafficking activities.** In the wake of the trafficking scandal surrounding the “Moldovan case,” it is expected that this Board and its activities will be reconstituted in September 2003. The VPP and its Board possess some positive attributes that should remain within the new structure. The Board recognizes the following as key elements: local counterparts as the main implementers of protection and assistance, cooperation between government authorities and civil society, and development of joint fundraising proposals for assistance and protection programs. Furthermore, the VPP has enunciated several principles regarding the primacy of victims’ rights in all counter-trafficking activities. Unfortunately, as the events in the “Moldovan case” amply demonstrated, there were many **fissures within the established system,** cooperation and trust among key counter-trafficking actors broke down, and protection and assistance services for victims were deficient on numerous levels.
- There is only **one dedicated shelter for trafficked victims** in Montenegro, located in Podgorica. The shelter is **managed by the Women’s Safe House NGO** in cooperation with IOM. The shelter provides: **lodging, preliminary legal information, psychological support, medical care, humanitarian assistance and brief vocational courses.** The shelter accepts adults and minors, foreign and national victims of trafficking. The shelter accepts foreign victims who wish to return home under the IOM-managed repatriation program, as well as foreign victims who do not necessarily wish to return home. The capacity of the shelter is 10. The average length of stay for foreign victims is 1 month. If the relatively low level of identification and referral of victims persists, then the capacity of the Podgorica shelter to provide short-term accommodation should be sufficient for victims requiring short-term care. But there is an absence of **overnight shelter possibilities** for victims identified by law enforcement units and service providers, especially **in northeast and southern Montenegro.**

- Medical care is voluntary but almost all of the beneficiaries who stay at the shelter for at least one-week request and receive medical care, especially gynecological examinations that include tests for STIs and pregnancy. Most of the victims required and received treatment for STIs, and at a few tested positive for pregnancy while residing in the shelter. No specific protocols or formal agreements have been established with hospitals regarding medical care, privacy standards and costs for victims requiring hospitalization. **Formal agreements are needed in order to secure access to emergency assistance, standard levels of care for victims and appropriate payment schemes.**
- Psychosocial counseling is provided on an informal basis at the shelter, but overall psychological profiles of victims are not compiled or made available. The NGO has stated that several of the victims require psychiatric treatment, especially victims expressing suicidal ideations. Overall, service providers **must improve the standards of psychological care and psychiatric care provided to foreign and Montenegrin trafficked victims.**
- The **scope of legal assistance** provided to trafficked victims in Montenegro is inadequate. In theory, Montenegrin legislation provides trafficked victims with rights to legal assistance, but most of these rights are not fully applied. Despite some promising elements inserted within the VPP framework regarding procedures and legal information for victims, victims almost never receive comprehensive legal assistance from qualified legal professionals. While it is a positive measure that an NGO representative provides victims with basic information about their legal rights and accompanies a victim to most legal proceedings, interpreters are rarely used, and victims are not provided advice or representation by legal professionals. The VPP and service providers **should establish a mechanism whereby victims can access free, individualized legal representation.** Furthermore, comprehensive counter-trafficking education of court and other legal officials must take place.
- There is **no witness protection program** in place for trafficked victims in Montenegro. Victims who testify against traffickers in court cases, even high-profile cases, are provided no more protection than other victims. Since the “Moldovan case” which erupted in December 2002, there has been a general consensus that the government must address this gap and develop an appropriate legislative framework for a comprehensive witness protection program. Foreign donors have provided initial funds for the development of a legislative framework, under the management of the Women’s Safe House NGO.
- Montenegrin legislation does not yet contain provisions for the issuance of temporary residence permits for trafficked victims, although in December 2002 Montenegro signed the Tirana Statement on Commitments regarding the legalization of trafficked victims’ status, including a pledge to issue temporary residence permits to foreign victims of trafficking. **Provisions for the issuance of temporary residence permits for foreign trafficked victims should be drafted** and submitted for government approval, but these permits should not be conditioned on a victim’s willingness to participate in legal proceedings. The government and service providers must also develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in Montenegro under the temporary visa.
- **Reintegration assistance programs for Montenegrin victims of trafficking are practically non-existent** at present. Because Montenegro is primarily recognized as a transit and destination country, rather than a country of origin, the reintegration assistance framework for Montenegrin victims has received little attention and funding. Assistance for Montenegrin victims is envisioned within original assistance projects, but there have been

only three verified cases of trafficked Montenegrins during the last four years. IOM and the Women's Safe House NGO provide short-term assistance to Montenegrin victims, including shelter, medical care, psychosocial assistance, basic legal information, and material assistance, but service providers state that Montenegrin victims only stay at the shelter for one or two days and that the victims do not request follow-up services.

- Although a few counter-trafficking prevention and awareness programs have been developed for minors in Montenegro, **foreign or national trafficked minors have not received specialized or standardized services.** Interview procedures, identification processes, referral mechanisms and the scope of assistance provided to minors are basically the same as for adult victims of trafficking. NGOs, international organizations, the Ministry of Social Welfare and the VPP must collectively establish standardized procedures and assistance mechanisms for foreign and Montenegrin trafficked minors. Standards and specific assistance programs trafficked minors should be elaborated along the lines of the principles outlined in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe."

I. NUMBER OF FOREIGN AND MONTENEGRIN VICTIMS IDENTIFIED AND ASSISTED

Montenegro is primarily a destination country for trafficking in women and girls for purposes of sexual exploitation. Montenegro also serves as a transit country, between a victim's country of origin and country of destination. Thus far, the majority of victims identified and assisted within the country are third country nationals primarily trafficked for purposes of sexual exploitation.

The following table shows the minimum number of foreign and Montenegrin trafficked women and girls identified and assisted within Montenegro, between January 2000 and June 2003: **33**

	2000	2001	2002	June 2003
Trafficked Victims	14	5	11	3

The above figures were compiled according to information provided by the IOM office in Podgorica and the Women's Safe House. The Women's Safe House was the only organization that provided direct assistance to victims of trafficking in the year 2000, and is the only organization able to provide data for that year.

These figures pertain to foreign and Montenegrin women and girls primarily trafficked for the purpose of sexual exploitation, and assisted in Montenegro. Thus far, the total number of foreign victims identified and assisted between January 2000 and 2003 is **30** and the total number of Montenegrins identified and assisted between January 2000 and June 2003 is **3**.

The figures presented in the table mainly comprise the number of trafficked foreigners identified within Montenegro and voluntarily repatriated to their countries of origin. Victims who may have been identified as trafficked but refused or were denied assistance by law enforcement are not included within these figures; most likely they faced illegal migrant charges or other criminal offenses and were expelled at the Serbian border, or taken to the *Reception Center for Foreign Citizens* located in Belgrade, and expelled thereafter. Official statistics on deportation relate that 310 foreign citizens were forcibly expelled from Montenegro in the first 6 months of 2003. However, it is not possible to gauge at this time how many trafficked victims may have been among them.

These figures also contain the number of Montenegrin women identified as trafficked within Montenegro or in neighboring countries and referred for assistance within Montenegro. Three Montenegrins are reported trafficked within the reporting period, two within Montenegro and one abroad.

With the exception of one case (a Roma refugee from Kosovo), these figures do not include internally displaced persons (IDP) or refugees residing in Montenegro who are trafficked within or outside the country. Given the significant presence of this vulnerable, displaced population, and the absence of outreach/preventive activities targeting the collective centers, the number of trafficking cases within the IDP population is likely to increase.

The data presented in the table appears low and does not represent the true extent of the trafficking phenomenon in Montenegro. Montenegro underwent a decade of turmoil and economic sanctions that led to the development of smuggling and criminal frameworks within the country. Most NGOs and international organizations believe that the actual number of victims is considerably higher than the number of victims identified and assisted thus far. The

number of foreign women and girls identified and referred for assistance is extremely low, and is contrary to statements and evidence provided by victims assisted in and out of Montenegro. Assisted victims in Montenegro consistently report that other victims were “left behind” in trafficking venues, and victims identified and assisted in Albania and Kosovo often report that they were trafficked through Montenegro on their way to another destination. Also, the number of hotline calls regarding suspected trafficking establishments, traffickers and trafficking victims substantially outweighs the number of identified and assisted cases.

Furthermore, widespread allegations of corruption and possible direct involvement of Montenegrin officials in trafficking of women have led to suspicion about the government’s willingness to combat trafficking or efforts to reveal the full extent of the trafficking phenomenon, including numbers of trafficked victims, within the country. Since December 2002 when a Moldovan victim alleged that several Montenegrin officials, including the Deputy Prosecutor and other high-ranking officials, were involved in either trafficking her or abusing her, intense speculation has put into question the government’s commitment to eradicate trafficking. The decision to dismiss the allegations and not proceed to trial was perceived by many as an unwillingness to combat trafficking and take the victims’ rights seriously.

Regarding the number of identified and assisted Montenegrin victims, available data indicates that three Montenegrin trafficked victims have been identified and assisted within the last 18 months. However, assistance providers within Montenegro do not systematically collect and share information about trafficked victims who are Montenegrin nationals. Thus far, service providers state that case data and profiles involving Montenegrin victims require more discretion than cases involving foreigners, so precise numbers and comprehensive data regarding these victims remain scarce.

II. METHODS OF IDENTIFICATION AND REFERRAL ASSISTANCE

Until the “Moldovan case” erupted in December 2002, trafficking cases for purposes of exploitation primarily came to the surface through police operations. In 2000, police referred identified victims to a shelter on an informal basis. In 2001, Montenegro developed a victim identification and referral framework, the Victim Protection Program (VPP), aimed at identifying victims and referring them to designated service providers, while providing protection and rights. However, respect of these principles was not well applied in practice and the commitment of key law enforcement actors to abide by the principles of the VPP is questionable. Whether or not key law enforcement actors were willing or able to identify or refer trafficked victims for assistance is uncertain. Furthermore, in the aftermath the “Moldovan case,” working relationships between counter-trafficking actors eroded, and law enforcement units have not referred a single case to service providers since.

Overall, few victims have been identified through the NGO help-line, and next to no victims are identified and referred by border personnel.

a) Victim Identification

▪ Law Enforcement

Police identify most of the victims. Within the Ministry of Interior an expert team on human trafficking and smuggling was established in 2001, responsible for uncovering human trafficking and smuggling networks. As a result of the reorganization of the Montenegrin Ministry of

Interior in 2003, the expert team was integrated into the Department for Combating Organized Crime, a new section established within the Criminal Police. The human resources and operative structure of the Department have yet to be revealed. Moreover, the operative instructions and reporting mechanisms developed (or to be developed) with the regional Centers for Security in the region are unclear at this time.

As a result of police investigations during the last two years, some establishments have been identified as prostitution and possible trafficking venues. In June 2003, the Montenegrin police conducted coordinated law enforcement actions throughout the country. According to official information, all suspected catering facilities and nightclubs were inspected. However, no cases of human trafficking or prostitution were reported in the aftermath of this action. A few Serbian women were found without residence permits and instructed to register at the nearest Center for Security. In the course of such police operations, women are generally interviewed and asked whether they are “forced to work” in the establishment. Service providers report that most of the women and girls deny any exploitation during their first interview and are not subsequently proposed any type of assistance. It is not possible at this stage to assess how many women were interviewed by law enforcement and how many were in fact informed about assistance possibilities.

According to the Federal *Law on Movement and Sojourn of Foreigners*, foreign women found in Montenegro without proper documentation are transferred to the *Reception Center for Foreign Citizens*, located in Belgrade. Despite the fact that the Victim Protection Program requires that persons who are illegal residents and/or work without labor permits, and/or are involved in prostitution be offered extensive information on their rights and assistance possibilities, service providers maintain that this does not usually occur, and most of foreign trafficked victims are forcefully expelled.

Very few victims are identified and referred for assistance by border personnel. Thus far, border control stations are not adequately equipped (lacking equipment and a centralized computer data system), resulting in a technical incapacity to register personal data or vehicles. However, restructuring and specialized training of border units may result in increased capacity to identify and assist victims. The Department for State Border and Border Affairs was formed in February 2003 and will be responsible for Montenegro’s borders. Some internationally funded programs currently provide technical assistance and training to improve Montenegrin border management mechanisms: equipment for Podgorica international airport; Bar, (the country main harbor), as well as for the border point covering Tivat airport and the crossing with Croatia. Also, in the fall of 2003, the European Agency for Reconstruction will fund a comprehensive training for border officers, including sessions on human trafficking.

Regional cooperative agreements between law enforcement units in the region may also lead to the identification of more victims as well as the apprehension of traffickers. A recent Agreement on Police Cooperation signed with the FYR of Macedonia, resulted in the arrest in July of Macedonia’s most famous «prostitution kingpin» in the southern part of the country. The same type of agreement should be signed in the course of the year with Albania and Bosnia-Herzegovina.

▪ **Help-line**

One SOS help-line addresses human trafficking in Montenegro. The Montenegrin Women’s Lobby NGO manages the help-line out of Podgorica. The help-line was intended to link trafficked victims in need of assistance with relevant service providers. The help-line primarily

provides information related to working and studying conditions abroad but also gathers information on women and girls reported missing by relatives and friends. Informants are told that the collected information will be passed on to relevant law enforcement representatives pursuant to the *Memorandum of Understanding* signed with the Ministry of Interior and the shelter provider. The SOS help-line is operated by four persons, working from Monday to Saturday from 10 a.m. to 20 p.m. but is accessible 24/24 hours with call transfer to mobile phones.

The help-line received 1,843 calls during its first 16 months of operation. 20% of the calls came from trafficking victims, relatives or citizens filing reports about bars and locations alleged to be venues for forced prostitution, as well as bar owners. At this time, there is insufficient documentation available regarding the number of help-line calls that have resulted in law enforcement identification and ultimate assistance of victims. The majority of the missing persons reports pertain to Serbian women and girls (especially from southern Serbia and Vojvodina) and Bosnia-Herzegovina nationals from the Republika Srpska. Noticeably, most of the calls (41%) came from Podgorica and the main cities located in the north of the country as well as from Ulcinj in the south. Help-line operators report also that the number of incoming calls tripled in the midst of the trafficking scandal, including an increase of direct threats calls.

Through national awareness campaigns undertaken throughout 2002-2003, the SOS help-line number was broadly disseminated via campaign materials (posters, leaflets, sugar packets, bus tickets, etc.), and television spots.

b) Referral for Assistance

Victim referral procedures were established in November 2001 with the signing of a *Memorandum of Understanding* between the Ministry of Interior and the two local NGOs active in implementing counter-trafficking activities. However, ever since the “Moldovan trafficking scandal”, the police have not referred a single victim for assistance.

▪ **Law Enforcement Referral**

Thus far, victim referrals have been initiated by law enforcement. According to the above-mentioned MoU, victims tentatively identified by police during raids or other police activities were informed about the possibility to join the Victim’s Protection Program and were escorted to the shelter. Until December 2002, almost all cases were directly referred for assistance by law enforcement bodies. However, since the eruption of the trafficking scandal no trafficking victims have been identified and subsequently referred for assistance by law enforcement bodies.

▪ **Law Enforcement Referral for Repatriation Assistance**

Foreign trafficked victims are brought to the shelter, and if they wish to receive repatriation assistance, the shelter then refers the victims to IOM. Since 2001, 16 foreign victims trafficked in Montenegro have been assisted to return to their home countries through the IOM voluntary return assistance program: five from Romania, three from Moldova two from Ukraine, one from Georgia, and five from neighboring Serbia. More detailed information can be found in the “Victim Assistance and Protection Services” section of this report.

▪ **NGO Help-line Referral for Assistance**

At this time, there is insufficient data regarding the number of help-line calls resulting in direct service referral and ultimate assistance.

III. VICTIM PROFILES

According to statistics (covering the period 2001-June 2003) victim profiles are as follows.

▪ **Nationality**

The following table records victims identified and assisted by country of origin:

Country of Origin	2000	2001	2002	June 2003	Total
Georgia	0	0	1	0	1
fYR of Macedonia	1	0	0	0	1
Moldova	7	1	2	0	10
Romania	3	2	3	0	8
Serbia	3	1	3	1	8
Ukraine	0	1	0	1	2
Total	14	5	9	2	30

IOM and Women’s Safe House Data

In regard to foreign victims, 33% come from Moldova, 27% from Romania and 27% from Serbia.

For reasons explained above, the figures presented in this table are scarce and do not thoroughly reflect trafficking patterns in Montenegro. As is the case in other countries of the region, Moldovan trafficked nationals again outnumber other nationalities. Of note, Serbian nationals are found trafficked within Montenegro; the presence of Serbian victims can be explained by the geographical proximity and by the strong links existing between the two republics which form the State Union of Serbia and Montenegro. The absence of Bulgarian citizens formally identified as trafficking victims within Montenegro in the last 3 years, is also notable.

▪ **Age**

Regarding foreign victims, the majority are between 18 and 24 years of age when identified in Montenegro. Out of the 16 foreign cases, 19% are minors (between 14 and 17 years of age); 44% between 18 and 24 years of age, 25% between 25 and 30 years of age, and 14% over 30 years of age. The high percentage (39%) of adult women over 24 at the time of identification and referral for assistance is unique within the region.

As for the three Montenegrin victims, two were minors between 14 and 17 years of age and one was between 18 and 24 years of age.

▪ **Education**

Available data regarding victims’ level of education indicates that most of the women possessed a rather low level of education: only 62% of them completed primary school.

- **Length of time Trafficked**

Service providers report that the length of time victims were trafficked within Montenegro varies from two to three months up to almost four years for foreign victims. Also, half of the cases are reported to have been trafficked within Serbia at some point. However, in absence of detailed statistics, it is not possible to accurately gauge how they may have been entrapped.

- **Reasons for leaving Home Country**

Victims primarily leave their home countries seeking employment abroad. Among foreign victims, 50% believed that they were going to Italy, while the remaining 50% knew that Montenegro was their country of destination.

Regarding the three Montenegrin national victims, two were lured by false promises of marriage and one by a false job offer. Montenegrin victims originated from the northern part of the country.

- **Methods of Recruitment**

Almost all victims were directly recruited through an acquaintance.

- **Transportation Routes**

Most of the foreign victims come from Moldova, Romania and Serbia and are usually transported by road into Montenegro. According to IOM statistics, most of the victims entered Montenegro via Serbia and Romania.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

Victim assistance and protection services in Montenegro are framed by the Victim Protection Program (VPP) and a National Project Board that oversees counter-trafficking activities. In the wake of the trafficking scandal surrounding the “Moldovan case,” this Board and its activities will be reconstituted as of September 2003. The VPP and its Board possess some positive attributes that should remain within the new structure. For example, the Board recognizes the following as key elements: local counterparts as the main implementers of protection and assistance; cooperation between government authorities and civil society and development of joint fundraising proposals for assistance and protection programs. Furthermore, the VPP has enunciated several principles regarding the primacy of victims’ rights in all counter-trafficking activities. Unfortunately, as the events in the “Moldovan case” amply demonstrated, there were many fissures within the established system, cooperation and trust among key counter-trafficking actors eroded, and protection and assistance services for victims became deficient on numerous levels.

The reconstituted Board should incorporate these positive aspects, while establishing a more comprehensive assistance and protection framework for foreign and national victims. In particular, the Board must address the formulation of standardized operating procedures, criteria for identification of a trafficking victim, a code of conduct for key actors and guidelines for delivery of professional services to victims. Direct service providers must provide services according to professional standards within a more structured environment. However, service

providers should also incorporate client-focused, results-based services for victims, taking into consideration the victim's individual psychological, physiological, social and legal needs. While it is anticipated that local NGOs will continue to provide most of the direct services to victims, future services for victims should involve support and assistance from the Ministries of Labor and Social Welfare and Education. Future Board activities should also include the development of a Witness Protection Program, and development of assistance and protection services for foreign victims who do not wish to return home. Furthermore, specific services and standards for assistance and protection of trafficked minors are required.

At this time, there are no assistance frameworks under development for potential or actual victims of other forms of trafficking, such as trafficking for domestic labor, begging, etc.

▪ **Shelter**

There is only one shelter for trafficked victims in Montenegro, located in Podgorica. It was opened in October 2001. The shelter is managed by the Women's Safe House NGO in cooperation with IOM. The shelter provides: accommodation; preliminary legal information; psychological support; medical care; humanitarian assistance package and brief vocational courses.

The shelter accepts adults and minors, foreign and national victims of trafficking. The shelter accepts foreign victims who wish to return home with the IOM repatriation program, as well as foreign victims who do not wish to return home. According to shelter management, the maximum stay for foreign victims is three months, in the event that they are willing to testify against traffickers in court. Officially, there are no shelter or assistance options after the initial three-month period for foreigners who do not wish to return home (see section on *Temporary Residence Permit*), but this policy has not been strictly applied.

The shelter also accepts Montenegrin trafficked victims. There is no maximum stay for Montenegrin victims, but the shelter management states that national victims have never stayed at the shelter for more than one day. It is unclear why Montenegrin victims stay for such a short period, but shelter management posits that national victims do not want to be stigmatized by residing at a shelter for trafficked victims.

The director of the Shelter NGO oversees the work of the five shelter staff members. Most of these staff members are responsible for services at a domestic violence shelter as well. Overall, the shelter management and structure of services provided to trafficking victims should be conducted on a more consistent basis.

The official capacity of the shelter is 10 persons. On average, the shelter accommodates two victims per month. Due to the low number of identified and referred victims, the shelter has never reached full capacity. The shelter was initially intended to be a transit shelter for victims staying seven to fourteen days, but the average length of stay for foreign victims is one month. The longest stay for a foreign victim was three months. The length of stay for foreign victims participating in a repatriation program primarily depends on how long the process takes for obtaining documents through Embassies (i.e., identification and travel documents) as well as the length of legal proceedings requiring the presence of the victim, and the decision to issue an exit visa. There is no average length of stay recorded for foreign victims who do not wish to return home.

Gaps clearly exist in Montenegro regarding the overall distribution and availability of overnight accommodations for trafficked victims. There is a lack of overnight shelter possibilities for victims identified by law enforcement units and service providers, especially in northeast Montenegro (i.e. Rozaje) and southern Montenegro (i.e. Ulcinj). Law enforcement bodies and service providers should explore overnight shelter possibilities with NGOs in Rozaje and Ulcinj. If the relatively low level of identification and referral of victims persists, then the capacity of the Podgorica shelter to provide short-term shelter will be sufficient for victims requiring short-term care.

Also, the number of foreign victims who wish to remain in Montenegro for at least three months is likely to increase, with the eventual introduction of residence permit, as stipulated in the Tirana Statement on Commitments. At present, Montenegro lacks mid to long-term shelter and assistance possibilities for foreign victims wishing to stay in Montenegro under a temporary residence visa as well as reintegration facilities for Montenegrin victims who cannot return to live with family members.

▪ **Medical Care**

The shelter has an informal agreement with a state hospital to provide medical examinations and treatment for trafficked victims. Medical care is voluntary but almost all of the victims who stay at the shelter for at least one-week request and receive medical examinations, especially gynecological examinations. Gynecological examinations include tests for STIs and pregnancy. Shelter staff reports that most of the victims required and received treatment for STIs, and a few tested positive for pregnancy while residing at the shelter. According to shelter staff, a private pharmacist provides medication free of charge for trafficked victims.

HIV tests are proposed to foreign and Montenegrin victims staying in the shelter. Testing, pre and post-test counseling takes place at the Center for Transfusion, which conducts free tests for all trafficking victims. Most foreign victims receive HIV tests, but Montenegrin victims have apparently not expressed interest in the tests. Service providers speculate that Montenegrin victims are reluctant to receive these tests because they fear for their confidentiality and privacy in such a small country. Service providers report that no foreign trafficking victims have tested positive for HIV in Montenegro, thus far. Because Montenegrin victims at the shelter generally do not submit to testing, the number of HIV positive national trafficked victims remains uncertain.

Some trafficked victims required hospitalization for physical ailments and psychiatric disorders. Specific protocols or formal agreements have not been established with hospitals regarding medical care, privacy standards and costs for victims requiring hospitalization. This has been handled on an *ad hoc* basis, and medical facilities sometimes refuse to treat trafficked victims. It has been stated that some hospital doctors use discriminatory practices with trafficked victims because they do not understand the trafficking phenomenon. For example, in the past, some doctors at state hospitals separated trafficked victims from other patients, and other private practitioners were sought who were more sensitive to patients' needs. Difficulties in meeting costs for the treatment of foreign victims are also apparent. Formal agreements are needed in order to secure access to emergency assistance, standard levels of care for victims and appropriate payment schemes. Accordingly, service providers and the Montenegrin Project Board should establish an appropriate MoU with the Ministry of Health regarding medical care for foreign and national trafficked victims.

▪ **Psychological and Psychiatric Care**

A psychologist provides counseling to foreign and Montenegrin victims at the shelter. Counseling is provided on an informal basis at the shelter, and overall psychological profiles of the victims are not compiled or made available. Translation is not typically used during the counseling sessions, and service providers state that most victims speak enough of the local language to communicate with the psychologist.

Service providers have stated that several of the victims require psychiatric treatment, especially victims expressing suicidal ideations. Some victims received outpatient psychiatric care, while a small number were hospitalized at local psychiatric hospitals. These cases were basically handled on an *ad hoc* basis, and the Shelter NGO contacted private psychiatrists for treatment.

Overall, service providers must improve the standards of psychological care and psychiatric care provided to foreign and Montenegrin trafficked victims. Victims should receive an initial psychological assessment conducted by an experienced professional with specific training in assessment and treatment of traumatized victims. Follow-up counseling should be provided on a regular basis with an orientation toward development of short-term goals and an individualized case plan for the victim. Victims presenting signs of psychiatric disorders should be referred to a physician who can make a formal referral to an experienced psychiatrist. Follow-up counseling and treatment provided by psychologists and psychiatrists should be provided and complemented by reliable supervision and continuous presence of support staff at the shelter. Psychological and psychiatric practitioners should be mindful of the potential and actual stress that providing court testimony can have upon a victim, and they should provide an informed opinion regarding whether a victim is psychologically fit and able to provide initial and/or continuous testimony in court. Finally, service providers should adhere to a professional code of conduct regarding patient confidentiality: without expressed, informed consent of the victim, service providers should not publicly or privately reveal details of the victim's personal history to anyone.

The Shelter NGO states that a few victims appear to suffer from drug and alcohol dependency, but no formal screening or counseling for such dependencies takes place, so the parameters for these dependencies and treatment needs are unknown.

▪ **Recreational Activities**

Recreational possibilities for victims staying in the shelter are loosely structured. The shelter possesses some sewing machines, computers and hairdressing kits and some victims take part in sewing, computer and hairdressing classes. Occasionally, shelter staff members arrange for income earning opportunities, by cleaning houses. The shelter staff states that it plans to expand the number of on-site and off-site vocational opportunities offered to trafficked victims at the shelter.

▪ **Legal Assistance**

In theory, the Victim Protection Program (VPP) and Montenegrin legislation provide trafficked victims with entitlements to legal assistance, but most of these are not necessarily applied. Despite some promising elements inserted within the VPP framework regarding procedures and legal information, victims almost never receive comprehensive legal assistance from qualified legal professionals. While it is a positive measure that an NGO representative provides victims with basic information about their legal rights and accompanies the victim to most legal

proceedings, interpreters are rarely used, and victims are not provided advice or representation by legal professionals.

According to shelter documents, professional legal advisors are expected to visit the shelter regularly, and all women who provide testimony should be represented by an experienced attorney. Although practically every victim who stays at the shelter speaks with an investigative judge about her trafficking experience in Montenegro, only one victim has ever received representation by an experienced attorney. In the “Moldovan case” an attorney was provided several weeks after the victim began testifying. This high-profile case amply demonstrated the need for victims to receive individualized representation in the early stages of proceedings, yet there are no informal or formal plans in place for future victims to receive individualized legal advice or representation from qualified lawyers. Some service providers maintain that victims do not need individual lawyers because it is the state prosecutor’s job to “represent” the interests of the victim, despite the widespread observation that this does not happen in practice. The VPP and service providers should establish a clear mechanism for victims to access individualized legal representation.

Furthermore, education of court and other legal officials must take place. Some training programs aimed at sensitizing prosecutors and judges to international legal principles that should be observed in trafficking cases have been organized in Montenegro with International support and more are planned. In addition to educating prosecutors and judges about the essential elements of trafficking crimes, these training programs should also emphasize the rights of victims and witnesses as well, including possibilities of victims to adhere civil damages claims against defendants in criminal cases.

Finally, foreign victims who wish to return via a repatriation program, usually require assistance obtaining identification and travel documents. IOM is primarily responsible for obtaining these documents. Practically no foreign victim rescued in Montenegro is in possession of proper identity documents, and arrangements must be made to obtain these through the appropriate embassy or consular office in Belgrade, or in a neighboring country (Moldovan victims must obtain documents via the Moldovan embassy in Sofia, Bulgaria). If victims possess at least one form of identity documentation, the process of obtaining travel documents only takes a few days. However, the process can take three to four weeks if the victim possesses no valid identity documentation at all.

- **Witness Protection**

There is no Witness Protection Program in place for trafficked victims in Montenegro. Victims who testify against traffickers in court cases, even high-profile cases, are provided the same protections as other victims. Since the trafficking scandal erupted in December 2002, there has been a general consensus that the government must address this gap and develop an appropriate legislative framework for a comprehensive witness protection program. Foreign donors have provided initial funds for development of a legislative framework, under the management of the Women’s Safe House NGO.

- **Voluntary Assisted Repatriation**

At present, the Women’s Safe House in coordination with IOM manages the assistance package for foreign trafficked victims willing to return home. As described above, the range and scope of assistance includes: shelter, medical care, psychological care, recreational activities and legal assistance. On average, victims spend four weeks in the shelter before returning home. IOM

secures identity papers, travel documents and an exit visa on the victim's behalf and contacts other IOM mission and/or NGOs in the victim's to facilitate the return and prepare for reintegration.

IOM and/or NGO personnel meet all returning victims at airports (or other points of arrival within the home country) offer overnight accommodation along with transportation to the victim's desired destination. Most victims enroll in an assistance program, at least for a short period, that includes shelter, medical care, psychosocial assistance, material assistance package, and referrals for vocational and employment assistance to facilitate initial reintegration. Detailed information about the range, scope and participation levels of reintegration programs within specific countries of origin in South Eastern Europe are contained within "*Victim Assistance and Protection Services*" sections of RCP's Country of Origin reports.

▪ **Temporary Residence Status**

In December 2002, Montenegro signed the Tirana Statement on Commitments regarding the legalization of trafficked victims' status, including a pledge to issue temporary residence permits to foreign victims of trafficking, but most service providers and government officials state that Montenegrin legislation does not yet contain legal provisions or practical mechanism for issuance of temporary residence visas for trafficked victims. To date, no legislative amendments that would enable this temporary residence permit for foreign victims of trafficking have been drafted or submitted for consideration. However, given the experience gained with the "Moldovan case", it is likely that the newly constituted VPP will address the issue of necessary legislative amendments and development of services for victims requesting temporary stay within Montenegro.

Provisions for the issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted for government approval, but these permits should not be conditioned on a victim's willingness to participate in legal proceedings. In order for the temporary permit to serve its foremost purpose as an instrument to provide a reflection and recovery period for the victim, the victim should be provided with an initial period of stay that gives enough time to achieve emotional and physical stability, and an opportunity to make a fully informed decision about future options, including possible participation in legal proceedings. Accordingly, the government and service providers must develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who reside in Montenegro counting on a temporary visa. Even if these measures are introduced, it is uncertain whether the Montenegrin government could fund this additional assistance framework, and it is likely that it will rely upon external donor funding.

▪ **Reintegration Assistance**

Reintegration assistance programs for Montenegrin victims of trafficking are practically non-existent at present. Because Montenegro is primarily recognized as a transit and destination country, rather than a country of origin, the reintegration assistance framework for Montenegrin victims has received little attention and funding. Assistance for Montenegrin victims is envisioned within the original assistance projects, but there have been only three verified cases of trafficked Montenegrins during the last four years. Two of these cases involved Montenegrins trafficked within Montenegro, and one involved a Montenegrin trafficked abroad. Although service providers state that this figure does not accurately represent the true number of trafficked Montenegrins, no additional information is available to back up claims for more cases.

To date, the Women's Safe House NGO provides short-term assistance to Montenegrin victims. Upon a victim's return to Montenegro, IOM and the NGO offer victims short-term assistance such as: shelter, medical care, psychosocial assistance, basic legal information, material assistance, and vocational courses. The NGO has stated that the Montenegrin victims only stayed at the shelter for one or two days and that they did not request follow-up assistance. However, it is unclear which assistance possibilities were offered to these victims, and no case monitoring takes place for these victims.

At this time, the government does not offer any special vocational programs or preferential placement within vocational training or job placement programs for trafficked victims. Neither the Ministry of Labor and Employment nor the Ministry of Social Welfare has actively participated in counter-trafficking or VPP programs in Montenegro. The newly constituted VPP should include participation of these Ministries, and encourage their involvement and assistance in trafficking cases.

▪ **Assistance for Minors**

Although a few counter-trafficking prevention and awareness programs have been developed for minors in Montenegro, there are no specialized services provided to minors in Montenegro. Interview procedures, identification processes, referral mechanisms and the scope of assistance provided to minors are basically the same as those provided to adult victims of trafficking. Despite the fact that Montenegrin legislation calls for specialized treatment for minors who are victims of crime, foreign and national trafficked minors have not received specialized or standardized services in Montenegro. The state has not appointed official guardians for these minors, and service providers state that local Social Work Centers have not been involved in any cases of trafficked minors. Minors are just as likely as adults to provide testimony in criminal cases, and yet receive no individualized professional legal advice or representation for their cases.

NGOs, international organizations, the Ministry of Social Welfare and the VPP must collectively establish standardized procedures and assistance mechanisms for foreign and Montenegrin trafficked minors. Standards and specific assistance programs trafficked minors should be elaborated along the lines of the principles outlined in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe."

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COUNTRY REPORT

Serbia

This summary analyzes the status of Victim Assistance and Protection for women and girls who are trafficked to, through or from Serbia for purposes of sexual exploitation. The report is divided into four sections: I) Number of Victims Identified and Assisted; II) Methods of Identification and Referral for Assistance; III) Victim Profiles and IV) Victim Assistance and Protection Services.

EXECUTIVE SUMMARY

- Serbia is primarily a **transit country for trafficking in women** for purposes of sexual exploitation between victims' country of origin and country of destination. Serbia is also a **temporary destination or destination country**.
- The minimum number of **foreign and Serbian trafficked women and girls** identified and assisted within Serbia between January 2001 and June 2003 is 138. The minimum number of foreign victims is **124**. The minimum number of Serbian victims is **14**.
- These relatively low figures do not reflect the role that Serbia has played as a **key transit country** for trafficking in South Eastern Europe, in part because victims who are not properly screened or identified within Serbia are not included within these figures. At least 1,311 victims were trafficked and in and through Serbia, yet were not identified and assisted until they reached Bosnia-Herzegovina, Kosovo, FYR of Macedonia or Montenegro. The minimum number of **victims who transited and/or were temporarily trafficked in Serbia, yet never identified and assisted there (1,311), is approximately 10 times higher than the number of victims actually identified and assisted within Serbia (138)**. Accordingly, it appears that at least 9 out of 10 victims trafficked in and through Serbia are not identified or assisted within Serbia.
- Foreign victims are **mainly identified and referred for assistance by law enforcement units during targeted raids** against suspected trafficking establishments. As a result of police investigations over the last 12 months, numerous public establishments such as nightclubs have been closed, and traffickers appear to have changed their *modus operandi*,

shifting victims to “on-call agencies” in private locations. Consequently, victims become harder to identify and to reach, resulting in lower numbers of identified and assisted victims. **Very few foreign victims are identified at border points**, and some foreign victims are initially identified and referred by consular representatives. Although a small number of Serbian victims are identified and referred for assistance in the course of police operations and via an NGO help-line, most Serbian victims are in fact identified by law enforcement units in third countries, and returned to Serbia under a voluntary organized return program.

- Efforts are underway to develop an official, structured referral system within Serbia. Due to logistical difficulties including uncertainties regarding the respective competencies of various Ministries, given the fairly recent transfer of responsibilities from Federal powers to the Republic level, the **referral structure is not yet functional**. Victims come to the attention of the authorities mainly through police operations and continue to be referred for assistance services on an *ad hoc* basis.
- **Profiles** of victims assisted within Serbia reveal the following: **48% come from Moldova, 30% from Romania and 16% from Ukraine; 10% are Serbian nationals**. Most Serbian victims are trafficked abroad. It would appear from this pattern that there are relatively few victims originating from former Yugoslav countries indicating a trend of movement from northeast to southwest, and east to west, rather than northern-bound.
- The majority of foreign and Serbian victims are **between the ages of 18 and 24 years**, when identified in Serbia. **11% of them are minors**. Most victims possess a rather **low level of education** (42% attended primary school, 42% secondary school), but the proportion of victims with high school level of education has increased throughout the reporting period.
- The **length of time women are trafficked** within Serbia can vary from **one week up to four years**. Most often victims are coerced into sexual exploitation upon reaching a transit or final destination, or even during the transport. Victims primarily leave their home countries to **find employment abroad (85%)**.
- Most victims have been directly **recruited through an acquaintance (64%)**; most of the victims are single (67%); and **36% are mothers**. Since most of the foreign victims come from Moldova, Romania and Ukraine, they are usually transported in vehicles and sold by middlemen when transferred from one country to the other. Most of the victims entered Serbia through Romania (72%), Hungary (20%) and FYR of Macedonia (6%).
- A Working Group on Victim Assistance and Protection was established within the Yugoslav Team for Combating Trafficking in Persons, but the composition and achievements of this group have been hampered, among other reasons, as a result of unclear transfer of competencies between the defunct Federal and Serbian Ministries of the Interior. Moreover, **Serbia does not yet possess an updated, comprehensive National Plan of Action** that outlines structured development and responsibility for victim assistance and protection services in the country. There are no legal provisions guaranteeing trafficked victims access to protection and services, but international organizations, NGOs and a few Ministries have entered into agreements regarding assistance and protection services for trafficked victims.
- The assistance and protection framework for trafficked victims in Serbia has **mainly been geared toward repatriation assistance for adult foreign victims of sexual exploitation**. Most services and assistance provided in Serbia have been designed for foreign victims, reflecting the fact that Serbia is primarily a transit and destination country. Nonetheless, the

number of identified and assisted Serbian victims has risen over the last year, and **reintegration possibilities are insufficiently developed for Serbian victims**. IOM and local NGOs from Belgrade provide the vast majority of assistance for foreign and national victims. The government has yet to play a prominent role in the provision of direct services to adult or minor foreign or Serbian victims. Local NGOs and Social Work Centers from throughout the country should receive more financial and structural support for provision of direct services, especially to foreign victims who do not wish to immediately return home and Serbian victims in need of comprehensive reintegration assistance.

- There is only **one dedicated shelter for trafficked victims** in Serbia, located in Belgrade. The shelter is managed by the Counseling Center for Family Violence NGO in cooperation with IOM. The shelter provides **lodging, medical care, psychosocial assistance, and legal assistance to foreign and Serbian victims**, and additional reintegration services to Serbian victims. The shelter accepts adults and minors, victims of trafficking. The capacity of the shelter is 15. The average length of stay for foreign and Serbian victims is one month.
- There is a **lack of overnight shelter possibilities** for victims identified by law enforcement units, especially **in border areas in northern and southern parts of the country**. Should the relatively low level of identification and referral of victims persists, then the capacity of the Belgrade shelter to provide short-term accommodations (for up to two weeks) should be sufficient.
- Mid and long-term services to foreign and Serbian victims should be made available.
- In terms of medical needs of trafficked victims, approximately 90% of the women required medical treatment for gynecological problems. NGOs and international organizations have yet to establish agreements with hospitals regarding medical care, privacy standards and costs for victims requiring hospitalization. **Formal agreements are needed in order to secure access to emergency assistance, standard levels of care for victims and appropriate payment schemes.**
- As for psychological profiles of victims, NGOs report that approximately **90%** of the victims suffer **from shock** during their first days in the shelter, and PTSD is prevalent for at least a couple of weeks. Service providers state that a significant percentage of the foreign and Serbian beneficiaries at the shelter come from **problematic family backgrounds**. Alcoholism, single-parent households and physical abuse predominate and many of the victims were educationally neglected.
- The scope of **legal assistance provided to victims in Serbia is more comprehensive than legal services received by most other trafficking victims in South Eastern Europe**. Although most of the victims give statements to the police before they are referred to the shelter or informed about their right to speak with a lawyer, the lawyer accompanies victims to all subsequent legal proceedings. Serbian legislation stipulates that victims/witnesses have a right to be accompanied by a lawyer throughout legal proceedings, and judges in recent cases have respected this right. It is a positive development that victims have recently attempted to lay civil damages claims against traffickers, but mechanisms and possibilities for confiscation of traffickers' assets are still unclear in Serbia.
- Although judges require more comprehensive training in counter-trafficking and victim rights issues, **judicial treatment of trafficked victims has somewhat improved** over the last six months. Owing in part to judicial recognition of trafficking as a distinct crime and, in

part, to a change in jurisdiction from Municipal courts to Belgrade County Courts, judges have reportedly treated victims with more respect than in the past. There is a general consensus that **prosecutors must significantly improve their handling of trafficking cases** in general, and their handling of trafficking victims/witnesses in particular.

- There is **no witness protection program** in place for trafficked victims in Serbia. The Victim Assistance and Protection Working Group must address the absence of a comprehensive witness protection program, and appropriate legislation establishing protection mechanisms, including concealment of witness identify and possibilities for relocation should be drafted.
- Serbian legislation does not yet contain provisions for the issuance of temporary residence permits for trafficked victims, although in December 2002 Serbia signed the Tirana Statement of Commitment regarding the legalization of trafficked victims' status, including a pledge to issue temporary residence permits to foreign victims of trafficking. **Provisions for issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted for government approval**, and these permits should not attach conditions such as the willingness to participate in legal proceedings. Accordingly, the government, along with service providers, must develop an appropriate assistance framework, including medium-term shelters and corresponding rehabilitation assistance programs, for foreign victims who find themselves in Serbia.
- **Reintegration assistance possibilities for Serbian victims of trafficking are limited at present.** Because Serbia is primarily recognized as a transit country, rather than a country of origin, the reintegration assistance framework for Serbian victims has received little attention and funding. Most of these victims were identified and initially assisted by IOM Missions in third countries, and returned to Serbia. Upon their return, victims received short-term services including accommodation, medical care, psychosocial assistance, legal assistance, material assistance, vocational training, and educational assistance. At this time, the government does not offer any special vocational programs or preferential placement within vocational training programs for trafficked victims. **More comprehensive assistance programs are needed, especially in the area of vocational training, job finding, mid-term housing assistance and counseling.** Such programs should be developed by local NGOs in cooperation with appropriate governmental authorities, such as the Ministry of Labor and Employment and the Ministry of Social Affairs.
- Despite the fact that Serbian legislation calls for specialized treatment for minors who are victims of crime, minors who are unaccompanied or otherwise vulnerable and in need of protection, **foreign or national minors have not received specialized or standardized services** in Serbia. There are no specialized interview procedures, identification processes or formal referral mechanisms in place for trafficked minors; the state has not appointed official guardians for these minors and has not develop specialized assistance or repatriation programs for them. **Experienced counter-trafficking and children's rights NGOs should work with the Victim Assistance and Protection group** to develop practical application and implementation of standards for foreign and Serbian minors along the lines of the principles outlines in UNICEF's "Recommendations for Special Measures to Protect Children Victims if Trafficking in South Eastern Europe."

I. NUMBER OF FOREIGN AND SERBIAN VICTIMS IDENTIFIED AND ASSISTED

Serbia is primarily a **transit country for trafficking in women** for purposes of sexual exploitation between victims' country of origin and country of destination. Serbia is also a **temporary destination or destination country**. Most of the trafficked victims identified and assisted within Serbia are third country nationals primarily trafficked for purposes of sexual exploitation.

The following table contains the number of foreign and Serbian trafficked women and girls identified and assisted within Serbia, between January 2001 and June 2003: **138**

	2001	2002	June 2003
Trafficked Victims	37	63	38

The above figures were compiled according to information provided by the IOM Mission in Belgrade, and the Counseling Center for Family Violence NGO. Another prominent local NGO was not able to provide segregated data for identified and assisted cases, so their data are not included within these figures. The Ministry of the Interior's anti-trafficking team is responsible for collecting and processing general data on human trafficking but thus far their data mainly concerns traffickers, not victims.

These figures mainly pertain to foreign and national victims primarily trafficked for purposes of sexual exploitation and assisted in Serbia. The number of **foreign and Serbian trafficked women and girls** identified and assisted within Serbia between January 2001 and June 2003 is **138: 124 foreign victims and 14 national victims**.

Victims who are not properly screened or identified within Serbia cannot be included. Therefore, these figures do not consider trafficked victims identified and assisted in neighboring countries despite having been trafficked in and through Serbia. According to reports, victims identified and assisted in the following countries were trafficked in and through Serbia, yet never identified or assisted at that time: 557 out of 697 victims in Bosnia-Herzegovina; 212 out of 354 victims in Kosovo; 517 out of 690 victims in FYR of Macedonia and 25 out of 30 victims in Montenegro. This means that a minimum number of 1,311 trafficked victims were in fact trafficked in and through Serbia. By this account, the number of victims identified as having been trafficked in and through Serbia, reaches 1,311, which is nearly 10 times higher than the 138 victims actually identified and assisted in Serbia. Accordingly, it appears that at least 9 out of 10 victims trafficked in and through Serbia are not identified or assisted within Serbia.

The figures presented in the table above comprise the number of trafficked foreign victims identified within Serbia and voluntarily repatriated to their countries of origin. Victims who are informally screened and identified as potential trafficked victims, but who are not assisted are not included. For example, in 2001 the *BeoSupport* NGO interviewed 58 female sex workers in Serbia, and concluded that more than half of these women were trafficked. Because these cases were not verified and because the women did not enter into the established and recognized assistance framework, these figures do not appear within the number of identified and assisted cases. Yet, one can conclude from this that a substantial number of victims remain unaccounted for.

Additionally, victims who were identified as trafficked but later refused repatriation assistance, or were not referred to the proper channels for repatriation assistance, are also not included within

these figures; one could suppose that these women were in fact treated as illegal migrants, charged with an offense and subsequently deported. Official statistics on deportation relate that 4,573 foreign citizens were forcibly expelled in 2002. However these data are not segregated per gender and offence, making it impossible to gauge how many potential trafficked victims have been subjected to these expedited measures.

Overall these relatively low figures fail to reflect the role that Serbia plays as a key transit country for trafficking in South Eastern Europe. Several factors have contributed to Serbia's part in the trafficking phenomenon over the past years. During a decade of turmoil, powerful and wealthy criminal networks organized a gray economy throughout the country. Owing to its geographical location, between eastern and western countries, Serbia became the center of South Eastern Europe's smuggling routes, including human trafficking.

In response to the emerging phenomenon of trafficking in women for sexual exploitation, IOM started to provide assistance to foreign victims in 2001. Some 36 women and girls received repatriation assistance that year. In the course of 2002, the government established a Directorate Against Organized Crime to include a counter-trafficking unit, and 63 foreign women and girls were identified and assisted. In the first six months of 2003, 38 trafficked victims have been assisted, representing 60% of the total victims assisted in the previous year. Despite the increase in law enforcement activities during the State of Emergency (March-April 2003) only 2 victims were referred for assistance during that period. Since 2002, Serbian nationals were also reported and found trafficked abroad or within the country: 10 cases were identified and assisted in 2002, and 3 in the first months of 2003.

II. METHODS OF IDENTIFICATION AND REFERRAL FOR ASSISTANCE

Foreign victims are mainly identified and referred for assistance by law enforcement units during targeted raids against suspected trafficking establishments. Extremely few foreign victims are identified at border points. A few foreign victims are initially identified and referred by consular representatives. Although a small number of Serbian victims are identified and referred for assistance in the regular course of police operations and via an NGO help-line, most Serbian victims are identified by law enforcement units in third countries, and returned to Serbia under a voluntary organized return program.

a) Victim Identification

▪ Law Enforcement

Police make initial determinations in regard to victims. Within the Ministry of Interior's Border Police & Aliens Department, an anti-trafficking team was established in 2002 and operates within the Belgrade City Police. This team is responsible for uncovering human trafficking networks and protecting trafficking victims. The four-person team can request specific assistance from each of the police Departments. The team has successfully arrested prominent human traffickers in its 12 months of operation.

As a result of police investigations, numerous establishments have been identified, particularly in Belgrade, as prostitution venues. Almost all of these nightclubs have been closed in Belgrade during the last 12 months and this resulted in traffickers shifting their *modus operandi* opting for "on-call agencies". Women were removed from establishments and transferred to private

accommodations. In 2002, 423 foreign women (escorts, waitresses, strip-dancers, etc.) were interviewed during bar raids operations conducted in Belgrade. Out of these 423, 60 were identified as trafficked victims and referred for assistance. In the first 6 months of 2003, 106 foreign women were interviewed by law enforcement and 22 identified as trafficking victims. This increase of controls has had a direct result: bar owners are increasingly hiring local females who do not require false documentation and who can easily obtain working permits.

According to Serbia's *Law on Movement and Sojourn of Foreigners*, police directly transfer foreign women who lack proper documentation (including potential trafficked victims) to the *Reception Center for Foreign Citizens*. Pursuant to an Administrative Agreement signed between the Federal Ministry of Interior and IOM in August 2001, the Center's officials must provide accommodation and meals for trafficked victims, and IOM reimburses the Center for these costs. This Agreement requires the Center to contact IOM when potential trafficked victims (i.e. foreign women without proper documentation) are transferred there, though the Agreement does not explicitly state that the Center will systematically refer all foreign females, this remaining at the discretion of the Ministry of the Interior. Once the Center contacts IOM, a representative conducts a preliminary interview in order to determine whether the person fits the victim profile according to the Palermo Protocol, and to assess whether the victim wishes to enter its repatriation assistance scheme. From mid 2001 to June 2003, 81 women have been identified and assisted from the *Reception Center*. All screened cases elected to enter IOM's voluntary repatriation assistance program.

Foreign women without proper documentation can be charged with prostitution, illegal border crossing, and illegal residency in Serbia, along with possession of false documentation, if that is the case. Sentences range up to forty days of detention or a fine (approximately \$30). If the person possesses papers, a stamp is placed in their passport to impede a return for a determined period, and a three day-notice is given to leave Serbia. Current extradition data mainly includes cancellation of residence permits but does not specify the reasons leading to this administrative measure. In the absence of segregated data it is therefore impossible to estimate how many foreign women have been issued expulsion orders based on illegal entry, false documentation, prostitution, etc.

When foreigners are identified in irregular situations near the border, they are usually escorted back to the nearest border crossing point. Notably, few victims have been identified and referred for assistance by the Border Service. As borders are still under Army control, staffed by conscripts, sensitization training targeting border service personnel is necessary and currently conducted in some selected border crossing points by OSCE and IOM in partnership with European law enforcement representatives (i.e. awareness raising, interviewing procedures, etc.), as part of an overall border management support program.

Overall, Serbian law enforcement units are still under transition. They need to develop a consistent national approach in dealing with human trafficking but lack resources and specific understanding of the issue. In order to increase their operational capacity, the anti-trafficking unit requires more human resources, counter-trafficking training modules, a counter-trafficking manual, and development of direct communication and information-sharing channels with counterparts in neighboring countries.

- **Help-line**

One dedicated SOS help-line addresses human trafficking in Serbia. A local, Belgrade-based NGO (ASTRA) manages the help-line, which mainly provides preventive information on human

trafficking and employment conditions abroad. The SOS help-line also gathers information about girls and women reported missing by their families; this information is passed to relevant law enforcement representatives. The visibility of the help-line is high in Belgrade and preventive material distribution is organized throughout the year, covering almost all region of Serbia. The help-line is operated by four persons and is accessible Monday to Friday from 14 p.m. to 20 p.m. The managing NGO is a considered partner for a “Mobile Team”, which OSCE is attempting to establish for victim referral in Serbia.

The help-line received 432 calls during its first year of operation. Two calls were received directly from trafficked victims. The help-line gathered information about 38 women and girls reported as missing. Of these 38 individuals, 28 alleged victims were Serbian citizens and 10 were foreign. Through cooperative efforts with law enforcement, 17 victims were reportedly rescued.

▪ **Voluntary Organized Returns**

Since 2001, nine trafficked Serbian nationals have been identified in third countries and returned to Serbia through the IOM voluntary return assistance program. Three more were identified in Italy, two in FYR of Macedonia, three in Bosnia-Herzegovina and one in Montenegro. For more information on identification procedures, please see the Identification section within respective *RCP Country Reports for Transit and Destination Countries*.

b) Referral for Assistance

Throughout the course of 2002, OSCE led efforts to develop an official, structured referral system within the country, known as the “Mobile Team”. However, due to logistical difficulties including the structural uncertainties regarding the respective competencies of various Federal and Serbian Ministries, the structure is not yet functional. Owing to the absence of a clear referral system, victims mainly come to the attention of the police through police operations and continue to be referred for assistance services on an *ad hoc* basis.

▪ **Mobile Team**

A referral structure, composed by a “Mobile Team” was established in early October 2002 for the screening and processing of the identified victims of trafficking. The team comprises four NGO representatives: two representatives of the Counseling Center for Women and Children, two representatives of ASTRA NGO and is coordinated by a member of the Ministry Social Welfare. In theory, police should refer women to the “Mobile Team”, in order for the team to make a clear determination. Despite a promising outline for operations, the operational framework among the NGO partners and the Ministry of Interior and the Ministry of Social Welfare has not been finalized and is not operational; no cases have been processed for assistance thus far.

Despite the Mobile Team’s current status, promising developments include a coordinating role for the Ministry of Social Welfare and a referral frame to be handed over to the Ministry of Social Welfare within a two-year timeframe. Since the “Mobile Team” coordinator is part of the Ministry of Social Welfare, he/she will also work to strengthen ties between the police mobile units and service providers, including the 143 social work centers in Serbia. As each of Serbia’s social work centers contains multidisciplinary teams tasked with providing assistance to vulnerable and disadvantaged persons, an increased role for these centers within the referral and services process can be anticipated.

- **Law Enforcement Referral for Repatriation Assistance**

Pursuant to an Administrative Agreement reached in 2001 between the Federal Ministry of Interior and the IOM Mission in Belgrade, foreign victims identified as trafficking victims are referred for repatriation assistance.

Once authorities complete their information gathering process the Reception Center contacts IOM for assistance. A representative then screens each of the potential victims. If it is determined that the person is a victim of trafficking, information is provided in the victim's mother tongue (i.e. via a translator) regarding the assistance program and the possibility of voluntary return. Victims are then relocated from the Reception Center to the shelter, where they reside until they are ready for repatriation. However, formal terms of reference are absent regarding the timeframe in which the transfer from the Reception Center to the shelter takes place, as well as the custodial implications of this transfer.

- **NGO Help-line Referral for Assistance**

According to the local NGO managing the help-line, help-line operators refer potential and actual victims for direct services. At this time however, there is insufficient documentation regarding the number of help-line calls resulting in direct service referral and ultimate assistance.

- **IO Referral for Voluntary Organized Return**

Since 2001, nine trafficked Serbian nationals have been assisted to return to Serbia by IOM: three were referred from Italy, two from FYR of Macedonia, three from Bosnia- Herzegovina and one from Montenegro. For more information on referral procedures, please see Referral section within respective "RCP Country Reports for Transit and Destination Countries".

- **Embassies**

The Romanian and Ukrainian consular representatives in Belgrade directly call IOM in Belgrade for repatriation assistance when contacted by a citizen who is a suspected trafficking victim. Thus far, eight women have sought assistance by contacting their embassies or consulates. If the woman's profile matches that of a trafficked victim, the consular representatives contact IOM to carry out an interview. Thereafter, IOM contacts the Republican Ministry of Interior who transmits the case to the anti-trafficking team for further processing. Victims are subsequently transferred to the shelter and later provided with repatriation assistance.

III. VICTIM PROFILES

▪ Nationality

The following table records victims identified and assisted according to countries of origin:

Countries of Origin	2001	2002	June 2003	Total
Belarus	2	0	0	2
Moldova	19	26	15	60
Romania	10	16	11	37
Russia	1	1	3	5
Serbia	1	10	3	14
Ukraine	4	10	6	20
Total	37	63	38	138

IOM Belgrade and Counseling Center for Family Violence

Of the 124 foreign victims, 48% come from Moldova, 30% from Romania and 16% from Ukraine. According to the figures available for the first 6 months of 2003, the nationality distribution is likely to remain consistent with the previous year.

Of the total number of victims, 10% were Serbian nationals. Of 14 Serbian cases, nine were trafficked abroad for purposes of sexual exploitation abroad and four within Serbia.

In the absence of a dedicated assistance program for victims of trafficking in 2000, assistance figures were not recorded for that year. Although official data is not available for that year, Serbian police report that they encountered trafficked victims during that year and the Counseling Center for Family Violence NGO provided *ad hoc* assistance.

Surprisingly, not a single Bulgarian citizen was formally identified as a victim or assisted within Serbia over the last 3 years. Despite a shared border with Serbia and the fact that few Bulgarian victims are identified and assisted in neighboring countries, there are no identified and assisted cases involving Bulgarians in Serbia. Some possible explanations for this include expedited expulsion measures for Bulgarian victims (because of their proximity to the border) and/or collusion between strong Serbian and Bulgarian trafficking networks.

There is also a low incidence of victims from former Yugoslav countries, which tends to underline the pattern of traffic moving from northeast to southwest, and east to west, rather than north. This also reveals that, with the exception of Kosovo, few former Yugoslav countries have become substantial countries of origin.

▪ Age

Regarding foreign victims, the majority are between 18 and 24 years of age when identified in Serbia. Of the 124 foreign women, 11% are minors (between 14 and 17 years of age); 50% between 18 and 24 years of age, 28% between 25 and 30 years of age and 10% over 30 years. Minors account for 28% of the assisted cases in 2001, yet 0% during the first 6 months of 2003. The 18-24 years category regularly increased (44% in 2001, 49% 2002; 57% for the first 6 months of 2003).

As for Serbian victims, the majority fall between 18 to 24 years of age and three were 25 years old.

▪ **Education**

The available data regarding victims' level of education indicates that most women possess a rather low level of education: 42% attended primary school, 42% secondary school. The proportion of victims with high school education has increased throughout the reporting period, compared to 3% in 2001, 10% in 2002 and 20% in the first 6 months of 2003. While some of the rise in level of education is probably related to the rise in age of the victims in the last 2 years, other reasons behind this phenomenon require further study in the countries of origin.

▪ **Length of time Trafficked**

The length of time women are trafficked within Serbia can vary from one week up to four years. Most often victims are coerced into sexual exploitation upon reaching a transit or final destination, or even during the transport.

Serbian victims trafficked to Bosnia-Herzegovina and FYR of Macedonia spent up to ten months in these countries. Information is not available for the three victims trafficked to Italy.

▪ **Reasons for leaving Home Country**

According to IOM statistics, victims primarily leave their home countries to find employment abroad (85%) in order to improve their living standards. They belong to a disadvantaged socio-economic category and 80% consider themselves to be "poor" or "very poor".

Also, out of the five victims from Russia, three were trafficked while traveling to visit a friend/relative and two Belorussians were also traveling for tourism purposes when entrapped. Overall, it does not seem that Russian women are preferred victims for trafficking in South Eastern Europe.

▪ **Methods of Recruitment**

Most victims are directly recruited through an acquaintance (64%), a friend (17%) or a relative (4%); or through job advertisements promising lucrative conditions abroad (approximately 5%). According to available data, methods of recruitment have remained consistent throughout the reporting period.

▪ **Marital/Family Status**

Most of the victims are single (67%). 36% are mothers and come primarily from Moldova (21 cases), Ukraine (13 cases) and Romania (6 cases). Only one Serbian national is reported to be a mother.

▪ **Transportation Routes**

Most foreign victims originate from Moldova, Romania and Ukraine, and are usually transported in vehicles and sold by middlemen when transferred from one country to the next. According to IOM statistics, most of the victims entered Serbia through Romania (72%), Hungary (20%) and FYR of Macedonia (6%). Noticeably none of the victims entered through Bulgaria.

IV. VICTIM ASSISTANCE AND PROTECTION SERVICES

A Working Group on Victim Assistance and Protection was established within the *Yugoslav Team for Combating Trafficking in Persons*, but the composition and achievements of this group have been hampered, among other reasons, by uncertainty surrounding Federal and Republic jurisdiction and authorities. Moreover, Serbia does not yet possess an updated, comprehensive National Plan of Action that outlines structured development and responsibility for victim assistance and protection services in the country. There are no legal provisions guaranteeing trafficked victims access to protection and services, but international organizations, NGOs and a few Ministries have entered into agreements regarding assistance and protection services for trafficked victims.

The assistance and protection framework for trafficked victims in Serbia has mainly been geared toward repatriation assistance for adult foreign victims of sexual exploitation. The fact that most of the services have been designed for foreign victims reflects the fact that Serbia is primarily a transit and destination country. However, the number of identified and assisted Serbian victims has risen over the last year, and reintegration possibilities are insufficiently developed for these victims. IOM and local NGOs (Counseling Center for Family Violence and ASTRA) provide the vast majority of assistance for foreign and national victims. The government has not played a prominent role in the provision of direct services to adults or minors, foreign or Serbian victims. However, active participation of the Ministry of Social Affairs and its corresponding Social Work Centers is likely to increase upon realization of the Ministry's central role within the "Mobile Team" and Victim Assistance and Protection Working Group.

Although local NGOs play a prominent role in prevention and awareness activities, few presently provide direct services to foreign and Serbian victims. Local NGOs and Social Work Centers from throughout the country should receive more financial and structural support for provision of direct services, especially to foreign victims who do not wish to return home immediately, and Serbian victims in need of comprehensive reintegration assistance. At this time, there are no assistance frameworks under development for potential or actual victims of other forms of trafficking, such as trafficking for domestic labor or begging.

▪ **Shelter**

There is only one dedicated shelter for trafficked victims in Serbia, located in Belgrade. The shelter is managed by the Counseling Center for Family Violence NGO in cooperation with IOM. The shelter provides accommodation, medical care, psychosocial assistance, and legal assistance to foreigners and Serbian victims, and additional reintegration services to Serbian victims. It is unclear whether foreign victims who do not wish to return to their country of origin can stay at the shelter. Although the shelter's Code of Conduct states that return to country of origin is not a pre-condition for a foreigner's admission to the shelter, the shelter's internal rules state that foreign beneficiaries may stay at the shelter until finalization of procedures securing return to their country of origin. The shelter should develop a clear policy regarding acceptance of foreign victims who do not wish to return home, and harmonize its Code of Conduct and internal rules.

The shelter accepts adult and minor victims of trafficking. At the behest of the Ministry of the Interior, the shelter cannot grant freedom of movement to foreign beneficiaries lacking a legal status in the country. Both foreign and Serbian shelter residents must sign a form indicating their voluntary consent to stay at the shelter and participate in assistance schemes.

The director of the NGO managing the shelter oversees the work of the five shelter staff members. The five shelter staff members work separate, rotating shifts and at least one shelter assistant stays at the shelter overnight. One of the shelter assistants is a nurse who provides additional medical assistance (such as administration of injections if required). Shelter staff members do not speak Romanian or Russian, so translators are called upon when necessary.

The capacity of the shelter is 15. On average, the shelter houses 8 beneficiaries per month. Full capacity has been reached when law enforcement bodies have conducted raids. In the wake of the trafficking scandal in Montenegro, Serbian law enforcement units conducted a number of raids upon suspected trafficking establishments, resulting in the identification and referral of over 20 victims. Although these raids were planned in advance, law enforcement units did not contact service providers (perhaps for the sake of secrecy) to alert them that a high number of victims might arrive at the shelter, and no back-up shelter plans could be devised. Some contingencies should be considered by the NGO and IOM for such instances.

There is no established maximum stay for foreign or Serbian victims. The shelter was initially intended to be a transit shelter for victims staying 7-14 days, but the average length of stay for foreign victims is now 1 month. The longest stay for a foreign victim was 5 months. The length of stay for foreign victims primarily depends on the duration of the process for procuring travel documents, the time required by authorities for the initial investigation and the eventual issuance of an exit visa. Law enforcement bodies have demonstrated a tendency to delay issuance of exit visas in an effort to obtain more evidence from victims. This practice subordinates the victim's rights to law enforcement efforts.

By comparison, the length of stay for national victims varies greatly. For instance, one Serbian victim has now been in the shelter for 18 months. The length of stay depends on the victim's psychological stability and whether she has a family to which she can return. There is a significant gap in the provision of mid and long-term housing and reintegration possibilities for nationally trafficked victims.

Some gaps exist in Serbia regarding the overall distribution and availability of safe houses. There are no overnight shelter possibilities for victims identified by law enforcement units outside of the Belgrade area. Law enforcement bodies and service providers should explore the need to establish such safe houses in Vojvodina (north), Niš (south) and Bor (east).

If the relatively low level of identification and referral of victims persists, then the capacity of the Belgrade shelter to provide shelter should be sufficient for victims. However, the restricted movement policy as well as the ability to provide mid and long-term services to foreign and national victims must be reviewed.

▪ **Medical Care**

Shortly after their arrival at the shelter, trafficked victims are informed that a physician conducts routine medical examinations for victims. These examinations are voluntary, but most beneficiaries request and receive them. The medication examination takes place at the shelter, and the physician refers beneficiaries to specialists if needed. TB tests are not routinely included within the examination, but if a beneficiary possesses TB symptoms, appropriate tests are conducted.

The shelter and IOM have informal agreements with private clinics for gynecological examinations. Approximately 90% of the women required medical treatment for gynecological

problems. STI tests are conducted on a voluntary basis, and most beneficiaries request tests and receive some treatment for STIs. Pregnancy tests are conducted on a voluntary basis, and many of the beneficiaries request them. Shelter staff report that a couple of the beneficiaries tested positive for pregnancy while residing at the shelter.

HIV tests are not proposed to shelter beneficiaries. While it is not uncommon for foreign beneficiaries to receive HIV tests in their home country rather than in a country of transit and destination, the reasons why HIV tests are not proposed to Serbian beneficiaries are unclear. Pre and post-test counseling and HIV tests are available in Belgrade, and the NGO and IOM should consider incorporating discussion of these tests within the reintegration services for national victims, at least.

A few trafficked victims have required hospitalization for physical ailments and psychiatric disorders, but no specific protocols or agreements have been struck with hospitals regarding medical care, privacy standards and costs for victims requiring hospitalization. These cases are presently handled on an *ad hoc* basis. For instance, in one case police took a foreign victim, who suffered spinal injuries after trying to escape from a trafficker, to the hospital. However, the hospital would not perform surgery on the victim until funds were guaranteed to cover the cost of the surgery. After a few days, IOM learned about the case (nearly by coincidence) and agreed to provide the necessary resources. On a more disturbing note, the victim was photographed while in hospital and her picture was published, along with her name, in Serbian newspapers.

Similar instances take place regarding Serbian victims, and service providers face difficulty obtaining hospitalization at local rates, even for national victims, when they are not in possession of proper identification or social insurance documentation. Formal agreements are needed in order to secure access to emergency assistance, standard levels of care for victims and appropriate payment schemes.

▪ **Psychological and Psychiatric Care**

A clinical psychologist provides psychosocial care to foreign and Serbian victims at the shelter. The psychologist has developed an assistance structure for shelter beneficiaries including an initial diagnostic interview, followed by individual and group counseling sessions.

Service providers report that approximately 90% of the victims are still suffering from shock during their first days in the shelter, and PTSD is prevalent for at least a couple of weeks. The psychologist conducts an introductory meeting shortly after the victim arrives at the shelter. Loosely structured counseling sessions that encourage spontaneous dialogue with the victim take place after the introductory meeting and a diagnostic interview. After the victims enter the recovery phase, the psychologist works with them in a more therapeutic and goal-oriented approach. For Serbian and foreign victims who stay at the shelter for more than a couple of weeks, the psychologist explores personality issues and individual counseling on a more in-depth basis.

Overall, the beneficiaries at the shelter are more receptive to individual counseling by comparison to group counseling. The psychologist occasionally conducts group-counseling sessions for foreign victims with the assistance of a translator. Group sessions tend to elicit more active participation in smaller groups with a common mother tongue.

A significant percentage of foreign and Serbian victims in the shelter appear to have problematic family backgrounds. Alcoholism, single-parent households and physical abuse predominate.

Furthermore, education for many of the victims has been neglected and victims experience difficulty grasping abstract concepts and in decision-making. Because of the limited time available for the provision of assistance (especially for foreign victims) and in the absence of diagnostic tools that help identify specific learning disorders, the shelter NGO is unable to properly identify the extent of the learning disability and provide durable solutions at this time. This area should receive more attention in the countries of origin, as this requires a long-term effort.

In regard to providing testimony, the shelter psychologist has stated that she believes it important to make an independent, multidisciplinary determination to assess whether victims are competent, willing and able to testify. This rarely happens. Service providers report that victims who testify or provide evidence in criminal cases tend to experience a great deal of stress because their stays are prolonged indefinitely. The “Moldovan Case” in Montenegro clearly showed how victims suffer from the uncertainties associated to such situations.

If a beneficiary requires psychiatric treatment, she is usually referred to a psychiatrist who can make a referral for psychiatric care and hospitalization if necessary. The shelter NGO reports that a relatively low number of victims required outpatient psychiatric care. However, in 2003, two Serbian beneficiaries required psychiatric hospitalization.

The NGO states that very few of the victims appear to suffer from drug and alcohol dependency.

▪ **Recreational Activities**

Initially, there were very few recreational possibilities available in the shelter, but since the shelter moved to a more spacious facility, the NGO has increased the number and variety of activities. Shelter residents make take part in arts and crafts activities, such as sewing and embroidery. They may also use the recreation rooms for reading, watching television and playing computer games. Participation in all of the above activities is voluntary, but most beneficiaries elect to participate in one or more of the above recreational, psychosocial, and educational activities. The shelter psychologist notes that participation in such activities has a positive effect on the women, and these kinds of activities should be expanded.

▪ **Legal Assistance**

Three categories of legal assistance are provided to beneficiaries at the shelter: 1) documentation assistance necessary for return home; 2) legal information regarding status as a victim of trafficking; 3) individualized legal advice and representation for victims who participate in legal proceedings against traffickers.

IOM is primarily responsible for obtaining identity and travel documents needed to return to home country. Approximately 62% of foreign victims assisted in Serbia do not possess proper identity documents, and IOM must make appropriate arrangements with embassies or consular sections. Victims from Romania and Ukraine have an embassy in Belgrade, but paperwork for Moldovan victims must be obtained via the Moldovan embassy in Sofia, Bulgaria. If victims possess at least one form of identity documentation, the process of obtaining travel documents only takes a few days. In the absence of any identification, the process can take three to four weeks.

A lawyer associated to the Shelter NGO provides general legal information pertaining to issues of trafficking, migration and legal procedures. Victims receive information via written materials

and information sessions. The lawyer has created a legal information fact sheet answering the most commonly asked questions. Once or twice a week, the lawyer conducts information sessions explaining legal issues and answering questions in person. Participation in these sessions is voluntary, and practically all of the beneficiaries have chosen to participate and speak with the lawyer over the last eight months.

The lawyer also provides individualized advice and representation to victims who participate in legal proceedings against their traffickers. Over the last eight months, all victims in the shelter who have provided evidence in criminal cases have received some individual advice and representation. The scope of representation in Serbia is more comprehensive than legal services offered to most other victims of trafficking in South Eastern Europe. Though most of the victims gave statements to the police before they were referred to the shelter or informed about their right to speak with a lawyer, the 'shelter' lawyer then accompanies victims to all subsequent legal proceedings once they are referred to the shelter. Serbian legislation provides that victims/witnesses have a right to be accompanied by a lawyer throughout legal proceedings, and judges in recent cases have respected this right. Furthermore, the shelter NGO has struck an agreement with law enforcement officers regarding proper notice for a victim's appearance at legal proceedings. Official court translators are available for foreign victims, and no problems have been reported obtaining official translation in trafficking cases.

Although judges require more comprehensive training in counter-trafficking and victim rights issues, it appears that judicial treatment of trafficked victims has improved over the last six months. Owing in part to judicial recognition of trafficking as distinct crime and, in part, to a change in jurisdiction from Municipal courts to Belgrade County Courts, recent judges have reportedly treated victims with more respect than in the past. In recent cases judges have accepted the presence of the victim's lawyer, and victims are usually offered an opportunity to avoid direct confrontation with the defendant(s). There is a general consensus that prosecutors must significantly improve their handling of trafficking cases in general and their handling of trafficking victims/witnesses in particular. In addition to specialized training for prosecutors, international organizations and NGOs should support monitoring of prosecutorial management of trafficking cases.

Under Serbian legislation, it is possible for victims to adhere civil damage claims to criminal cases against traffickers. Service providers report that three victims in a trafficking case recently filed a claim, but a formal decision is still pending with the judge. It is a positive development that victims have started to seek such damages, but the mechanisms and possibilities for confiscation of traffickers' assets are still unclear in Serbia. Victims may also pursue separate civil claims against traffickers, but such cases are quite costly and take approximately two to three years.

Other activities aimed to assess and improve court procedures, prosecution of trafficking cases and legal protections for victims acting as witnesses include a court-monitoring component by OSCE, and an Office for Victim Support, initiated by the Victimology Society of Serbia. The Office for Victim Support is a new project that aims to provide legal and practical support to victims of violence (including victims of trafficking) who testify in criminal proceedings. Hopefully, these kinds of projects will lead to an overall increase in the legal protections afforded to victims and a decrease of secondary trauma experienced by victims providing testimony in criminal cases.

▪ **Witness Protection**

There is no witness protection program in place for victims of trafficking in Serbia. Although the Ministry of Interior has entered into an agreement with the shelter regarding provision of security for victims, practical implementation of security arrangements is unreliable. The Victim Assistance and Protection Working Group must address the absence of a comprehensive witness protection program, and appropriate legislation establishing protection mechanisms, including concealment of witness identify and possibilities for relocation should be drafted.

▪ **Voluntary Assisted Repatriation**

At present, IOM is the primary organization responsible for overseeing the assistance package for foreign trafficked victims willing to return home. As described above, the range and scope of assistance includes: shelter, medical care, psychological care, recreational activities and legal assistance. On average, beneficiaries spend four weeks in the shelter before returning to their home country; however this time period has been increasing over the last six months. IOM secures identity papers, travel documents and an exit visa on the beneficiary's behalf and contact other IOM mission or NGO in the victim's to facilitate the transit and reintegration possibilities. At present, the shelter NGO does not have direct contact with other service providers in the countries of return. As the NGO would need like to discuss case histories and reintegration plans directly with partner NGOs, this kind of direct information exchange and case planning should be encouraged.

IOM personnel and NGO personnel meet all returning beneficiaries either at the airport or other points of arrival within the country of return and usually offer overnight accommodation and transportation to the beneficiary's desired destination. Upon return, most beneficiaries enroll within an assistance program, at least for a short period, that includes shelter, medical care, psychosocial assistance, material assistance package, and referrals for vocational and employment assistance. Detailed information about the range, scope and participation levels of reintegration programs within specific countries of origin in South Eastern Europe are contained within "*Victim Assistance and Protection Services*" sections of RCP's Country of Origin reports.

▪ **Temporary Residence Status**

Serbian legislation does not yet contain provisions for the issuance of temporary residence visas for trafficked victims, although in December 2002 Serbia signed the Tirana Statement of Commitment regarding the legalization of trafficked victims' status, including a pledge to issue temporary residence permits to foreign victims of trafficking. At this time, Serbian authorities state that trafficked victims do not qualify for temporary residence permits according to the "humanitarian visa" exceptions within Serbia's *Law on the Movement and Sojourn of Foreigners*. To date, no legislative amendments that would enable this temporary residence permit for foreign victims of trafficking have been drafted or submitted for consideration.

Provisions for issuance of temporary residence permits for foreign trafficked victims should be drafted and submitted for government approval, but these permits should not be initially conditioned on a victim's willingness to participate in legal proceedings. In order for the temporary permit to serve its foremost purpose as an instrument to facilitate a reflection and recovery period, the victim should be granted an initial period of stay that provides enough time for emotional and physical recovery/stability, and an opportunity to make a fully informed decision about future options, including possible participation in legal proceedings. Accordingly, the government and service providers must develop an appropriate assistance framework,

including medium-term accommodations and corresponding rehabilitation assistance programs, for foreign victims who reside in Serbia under the temporary visa. Should these measures be introduced, it is uncertain whether the Serbian government could fund this additional assistance framework, and it is likely that it will rely upon external donor funding.

To date, no foreign victims trafficked in Serbia have applied for asylum based on their trafficked victim status.

▪ **Reintegration Assistance**

At present, reintegration assistance possibilities for Serbian victims of trafficking are limited. Because Serbia is primarily recognized as a country of transit, rather than a country of origin, the reintegration assistance framework for Serbian victims has received little attention and funding. Assistance for national victims is envisioned in various documents pertaining to the overall Assistance and Protection framework for Serbia, but implementation of assistance for national victims is weak. Plans are considered to have the Ministry of Social Affairs exercise a more active role in the provision of services for Serbian victims. To date, the Ministry and its correspondent Centers for Social Work have not provided sufficient assistance or guidance for cases involving Serbian victims. The OSCE has recently organized specific training seminars for administrators and social workers, and a *Memorandum of Understanding* regarding the Ministry's role in counter-trafficking assistance as well as development of guidelines for Social Work Centers could lead to more positive results.

Most of the identified and assisted Serbian victims receive assistance from IOM and the Shelter NGO. Most of the victims were initially assisted by IOM Missions in third countries, and returned to Serbia. Upon return to Serbia, IOM and the shelter NGO offer victims short-term assistance: shelter, medical care, psychosocial assistance, legal assistance, material assistance, vocational training, and educational support. Only half of the Serbian victims opted to stay in the shelter after returning to Serbia. Two of the victims required psychiatric hospitalization rather than shelter stay, and the other victims preferred to return to their families. Victims who directly return to their families are unlikely to return to IOM or NGO for further assistance, and little case monitoring or follow-up is conducted regarding their future status.

Service providers report that Serbian victims are most interested in receiving initial medical care, vocational training and educational assistance. Thus far, IOM facilitated the participation of four victims in private vocational training programs. At this time, the government does not offer any vocational training programs or preferential placement within vocational training programs for trafficked victims. Under the IOM assistance program, two victims have re-enrolled in high school and one victim is taking an entrance examination for college. Three victims have reportedly found jobs, but service providers are uncertain whether these women have been able to keep these jobs or whether these jobs provide them with sustainable income. Clearly, more comprehensive assistance programs are needed, especially in the area of vocational training and job finding. Such programs should be developed by local NGOs in cooperation with appropriate governmental authorities, such as the Ministry of Labor and Employment.

Furthermore, assistance providers and the Ministry of Social Affairs must develop more possibilities for mid and long-term housing and psychosocial support for Serbian victims. Victims who cannot return to their families are in a particularly vulnerable state because housing costs are prohibitive and social allowances do not even enable a person to rent a room within a

flat, in an urban area. In order to save enough money to rent a private flat, most victims would first need to stay in a rent-free shelter for at least three to six months, while they work.

In order to facilitate meaningful recovery and social reintegration of the victims, the Ministry of Social Affairs and its corresponding Centers for Social Work must increase their willingness and capacity to provide direct psychosocial services to victims on a medium term basis. Direct counseling and support services should be provided to victims in cooperation with local NGOs. At present, there are only a few NGOs involved in providing direct services to victims, and these are located in Belgrade.

▪ **Assistance for Minors**

Despite the fact that Serbian legislation calls for specialized treatment for minors who are victims of crime, who are unaccompanied or otherwise vulnerable and in need of protection, foreign or national victims have not received specialized or standardized services thus far, in Serbia. Law enforcement bodies state that all trafficking cases involving minors are referred to and handled by special juvenile officers. However, service providers state that juvenile officers have not been involved in minors' cases referred from police, thereby raising doubt about the involvement of the juvenile police. Accordingly, there are no specialized interview procedures, identification processes or formal referral mechanisms in place for trafficked minors. The state has not appointed official guardians for these minors, and it did not develop specialized assistance or repatriation programs for them.

Although the introduction of an increased role for the Ministry of Social Affairs should bring about some changes in the assistance framework for trafficked minors, it remains that at present they are basically provided the same assistance package as adult victims of trafficking. Accordingly, foreign trafficked minors received repatriation assistance consisting of shelter, medical care, psychosocial care, legal assistance, transportation to home country and referrals for reintegration and rehabilitation assistance within the home country. It is more likely that the Social Work Centers play at least an administrative role regarding Serbian trafficked minors, but these minors have also received basically the same treatment as adults. Foreign and Serbian trafficked minors were sheltered alongside adults, and they essentially participated in the same medical assistance and psychosocial programs.

Experienced counter-trafficking and children's rights NGOs should work with the Victim Assistance and Protection group to develop practical application and implementation of standards for foreign and Serbian minors. Standards for treatment of trafficked minors should be elaborated, along the lines of the principles outlined in UNICEF's "Recommendations for Special Measures to Protect Children Victims of Trafficking in South Eastern Europe."

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