

CHILD TRAFFICKING

IN CENTRAL, SOUTH EASTERN EUROPE AND BALTIC COUNTRIES

REGIONAL REPORT – 2003

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1. | ARGUMENT

Child trafficking is mainly a cross-border phenomenon. For this reason, a good analysis of the extent of the phenomenon and the possible ways of reducing it has to be made at regional level, from a broader perspective that covers social, economical, political, geographical and cultural aspects. The present Regional Report is a synthesis of the National Reports from the following countries: Albania, Bulgaria, Bosnia & Herzegovina, Croatia, Estonia, Lithuania, Macedonia, Moldova, Romania, Serbia and Montenegro, and Slovenia.

The countries were selected using geographical and political criteria, all of them having a common past and a present problem. Still, not all the countries that were intended to be included in the report participated to this project because of the unavailability of experienced partners.

Child trafficking is one of the worst violations of the human rights and also child rights, and the tendency of the phenomenon is to expand itself at different levels: number of children that become victims, territorial extension of the phenomenon and also the traffickers networks become more powerful and more specialized.

It is estimated that each year 700,000 persons from all over the world become victims of trafficking¹. In the European Union, it is estimated that 120,000 women and children are trafficked each year, coming especially from the Balkan area². Children represent 10 to 30 percents from the trafficked persons.

The main purpose of child trafficking is sexually exploitation, but thousands of girls and boys are trafficked for other purposes, including forced labour, begging, petty crimes. These children are also extremely vulnerable to sexual exploitation and abuse.

The report intends to offer a picture of the current situation (forms of trafficking, profile of the victims, routes of trafficking) and the existing responses at different levels: governmental, NGOs, international organizations. The data was collected since 2002 until 2003, and updated with the most important legislative changes made at the beginning of 2004. The report is finalized with a set of recommendations for different stakeholders.

¹ US Government Report, 2002

² Trafficking in Human Beings in South Eastern Europe, UNICEF, 2002

2. | METHODOLOGY OF THE RESEARCH

The methodological approaches generally aimed at gathering and synthesizing the existing information and data regarding the issue of child trafficking from various sources (such as reports and available research findings) and completing it with fresh information based on the interviews and discussion groups with representatives of the authorities and nongovernmental organizations at local, national and even international level.

Quantitative research was also undertaken among young children, mainly aimed at depicting their awareness regarding trafficking in children and young women.

There were several difficulties that were met during this endeavor:

- “child trafficking” is not defined and considered as a distinct category in several countries. Therefore specific legislation and data on this is missing, and mere estimations of the phenomenon could be made by the authors and specialists in the field.
- the existing data was not always easy to obtain (due to the poor co-operation from some of the institutions that work on child / human beings trafficking)

Albania

- interviews with the representatives of the Anti-Trafficking Directorate, Criminal Police in the Ministry of Public Order; with local and national authorities, national and international NGOs that work on combating child trafficking in Albania;
- reports and materials of government and local, national, and international NGOs that work in combating trafficking children in Albania;
- secondary data analysis of the existing statistics, data and publications related to the issue.

Difficulties:

- no specific previous research on the topic;
- all of the existing data are on the trafficking of human beings and do not treat children as separate group;
- bureaucracy / no response in the attempt to gather data from governmental and nongovernmental institutions;
- a certain resistance from the governmental officials with regard to the requests for information that came from different NGOs (they were seen as an attempt to interfere with and question the work of the institutions).

Bosnia and Herzegovina

- secondary analysis of previous reports on trafficking in human beings;
- partial data from the NGOs involved in the first research on child trafficking and worst forms of child labour (just started at the moment the country report was written);
- attendance to anti-trafficking working group meetings;
- daily newspapers monitoring;
- Internet research.

Difficulties / limitations:

- all of the existing data and reports at the time the country report was written were focused on trafficking in women and not on child trafficking;
- difficult access to government institutions / Centres for Social Work data (especially after ministers and staff changes).

Bulgaria

- data provided by different institutions and organizations;
- official reports of national and international bodies;
- researches;
- interviews with officials and representatives of organizations active in working on children trafficking problem.

Croatia

- data was gathered from governmental and international institutions (Ministry of Social Welfare, the report of the Governmental Office for Human Rights, International Office for Migration data and reports, UNHCR data, Centre for Social Policy Initiatives data);
- media information.

Difficulties:

- lack of official data related to trafficking in human beings and children.

Estonia

- short questionnaire for organisations that are connected to this field: Ministry of Social Affairs, different NGOs, governmental organisations aimed at revealing the extent of the phenomenon (the number of trafficking cases each organisation dealt with; their awareness on the extent of the phenomenon, the existence and characteristics of any group at risk);
- Internet search for the legislation, different articles and documents on the topic;
- interviews with specialists working in the field of child protection.

Difficulties:

- there is no specialized institution / organization working on child trafficking in Estonia (all the existing organizations deal with child trafficking as part of their work preventing / treating abused children).
- little research was done, showing the novelty of the issue;
- there was a very poor answer / co-operation from the local governmental representatives (poor return rate to the questionnaire, there is no national programme aimed at co-ordinating the work of different institutions / NGOs in this area).

Lithuania

- interviews with state and public organizations officers working in the field;
- analysis of the existing statistical data;
- monitoring the press (Internet search);
- analysis of the press releases on the Police Department website;
- secondary analysis of public opinion surveys.

Difficulties:

There is no clear border for charging a person for child trafficking (in case his/her financial gain is not obvious and the child is not clearly abused).

Macedonia

- interviews with NGOs and governmental representatives;
- the data and findings in already existing reports / published materials (main source: IOM).

Difficulties:

- Some very important data regarding child trafficking to and from Macedonia is not available or completely missing at central national level.

Moldova

- analysis of the existing statistical data and legislation;
- monitoring two popular newspapers and two radio stations;
- comparative analysis: human trafficking vs. child trafficking (particularities) and national legislation vs. international legislation (differences);
- interviews with experts in the prevention, protection, recovery and rehabilitation of the victims of the human trafficking.

Difficulties:

- Insufficient monitoring and centralization of data collection and dissemination;
- The report is focused on “young trafficked girls” (due to the fact that child trafficking is studied within the framework of the women trafficking).

Romania

- data from previous projects conducted at national and regional level on the issue of child trafficking (ENACT, Joint East West Research Project on Trafficking in Children for Sexual Purposes in Europe: The Sending Countries, Child Trafficking in Central and South Eastern Europe and Baltic Countries, ISCA Regional Child Trafficking Response Program South Eastern Europe, Rapid Assessment Survey on the Trafficking of Children for Labour and Sexual Exploitation in the Balkans and Ukraine);
- interviews and group discussions with professionals from governmental and nongovernmental bodies and institutions with an important and permanent role in preventing and combating trafficking in children and assisting the victims of trafficking;
- analysis of existing researches and documents;
- questionnaire based research amongst the NGOs and local departments of child protection (focused on child trafficking issues, target groups, types of activity, services offered, main problems encountered in their activity, recommendations).

Difficulties:

Low response rate to the questionnaires sent to local departments of child protection

Serbia and Montenegro

- content analysis of the existing writings on the issue of trafficking in human beings;
- interviews with professionals in institutions;
- analysis of the current legislation in the field;
- quantitative research (based on a questionnaire) among secondary school population regarding their awareness regarding trafficking in women.

Difficulties:

- trafficking in children is not considered as a separate category **and there is no specific law**;
- no previous research on child trafficking (therefore unofficial data or estimates and opinions of the professionals employed in the institutions were used in the country report).

Slovenia

- ascertain the state of legislation in the field of child trafficking;
- applying a questionnaire to governmental organizations and NGOs that work in child trafficking (regarding available data and procedures);
- focus groups workshop with the governmental organizations and NGOs that work in child trafficking;
- secondary analysis was attempted (but without success as no existing research was done so far);
- inquiries at government and NGOs abroad aimed at gathering any data on Slovenian victims of trafficking in children abroad (without any response though).

Difficulties:

- Modest / no co-operation from institutions dealing with child trafficking issues;
- Human trafficking data overlap with the ones for illegal migration thus making it very difficult to estimate the extent of child trafficking phenomenon.

3. GENERAL OVERVIEW OF THE SITUATION IN THE REGION

3.1 Socio-economic situation

The countries included in the report are situated in the South-Eastern Europe and Baltic region, being part of the ex-communist block. They experienced, in the last decade, the transition to a capitalist market, with its negative socio-economical effects and some of them experienced the war. All these affected in a negative way the whole population, and in a bigger extent the families with children. These countries are also in the process of profound transformations at institutional level, most of them experiencing high degree of unemployment, poverty and extreme poverty, with big differences between the poorest and the richest people.

Still, between these countries there are differences at the level of living standards, economic and institutional development. These differences existed during the communist period and were accentuated in the last decade. Thus, in May 2004, three countries (Slovenia, Estonia and Lithuania) became members of the European Union, whilst other two are still in the accession process (Bulgaria and Romania) and the other six countries (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Moldova, and Serbia and Montenegro) haven't started the negotiations yet.

According to Human Development Report 2004, Slovenia is the country with the highest GDP per capita in 2002 (18,540 PPP US\$) in the region, while Moldova recorded the lowest GDP (1,470 PPP US\$).³ The statistics provided by the World Bank show that in 2001, Moldova had a rate of extreme poverty of 22% which is more than 10 times bigger than in the rest of the countries analysed in the present report, except for Bulgaria where 4.7% of the population was living with less than 1\$ per day. Unfortunately there is no data available on poverty extent in Albania. A good indicator of the poverty level is also the infant mortality (0-1 year) rate. The UNICEF estimates for 2002, according to World Bank statistics, reveal big discrepancies between the countries in the region: Moldova 27‰, Albania 26‰, Macedonia 22‰, Romania 19‰, Serbia and Montenegro 16‰, Bosnia and Herzegovina 15‰, Bulgaria 14‰, Estonia 10‰, Lithuania 8‰, Croatia 7‰ and Slovenia 4‰.

Also, Albania has the lowest literacy rate (98.3% of the population aged 15-24 years old), with important differences between women and men (97.2% women, 99.4% men). Analysing the net primary and secondary enrolment ratio for the period 2001-2002⁴, there were identified three types of situations:

- a low enrolment ratio in both educational cycles (in Croatia and Moldova⁵)
- relatively high enrolment ration in primary school and lower in the secondary level (Albania, Macedonia, Bulgaria and Romania)⁶
- relatively high enrolment ratios in both educational cycles (Estonia, Lithuania and Slovenia)

³ "Human Development Report 2004 – Cultural liberty in today's diverse world", United Nations Development Programme – <http://hdr.undp.org>

⁴ idem

⁵ Croatia – net primary enrolment ratio – 88%, net secondary enrolment ratio – 86%
 Moldova - net primary enrolment ratio – 78%, net secondary enrolment ratio – 68%

⁶ Albania: net primary enrolment ratio – 97%, net secondary enrolment ratio – 74%
 Macedonia: net primary enrolment ratio – 93%, net secondary enrolment ratio – 82%
 Bulgaria: net primary enrolment ratio – 93%, net secondary enrolment ratio – 86%
 Romania: net primary enrolment ratio – 93%, net secondary enrolment ratio – 80%

The school enrolment is a very important aspect because school abandonment is increasing the risk of being trafficked or exploited.

Another factor that contributes to the extension of the phenomenon is the political instability. The war in Kosovo and the ethnical conflicts reduced the control of the borders and determined the flourishing of organized crime, especially trafficking in human beings for sexual exploitation purposes. The presence of foreign police armies increased the demand for sexual services in the region. This is one of the reasons why the countries from the Balkans are transit and destination countries for trafficked persons. Also, the internal displaced persons, especially children have a high risk of becoming victims of trafficking.

High rates of unemployment were recorded in all these countries during transition process. In most of them, the problem still exists, determining the migration of the active population in search for legal or illegal jobs abroad. In Eastern European countries there is a general believe that life in Western countries is much easier and the only chance for success is there.

Albania⁷

The long political instability in the country, the existence of a weak private market, the lack of an adequate budget allocated by the Government, and the lack of policies on the economic and social development of the country constitute the major characteristics of Albania in the years of transition. These characteristics had their influence on promoting trafficking of children in Albania.

Bosnia and Herzegovina

In the past decade the state of Bosnia and Herzegovina (BiH) has been under major political, social and economic transitions. The country, still in post war recovery, suffers from a stagnant economy, chronically high unemployment and porous borders. To most local and foreign observers, these problems are far more pressing and visible than human trafficking. Post war conditions, including the infusion of large amounts of cash through the international communities' rehabilitation efforts, the consequent development of a local and international clientele for commercial sex, alongside significant social changes and porous borders have turned BiH into a lucrative and easy trafficking destination.

Bulgaria

As many other post-communist countries Bulgaria is in the period of transition of political and economical system. But these reforms in Bulgaria as elsewhere in the region have a high social cost. The level of unemployment rapidly increased, the welfare of population decreased.

Croatia

The geographic position of Croatia and its current economic situation indicate that Croatia is mainly a country of transit for numerous illegal migrants whose goal is to reach western, developed countries. Some children will on the other hand seek for asylum in order to be locally integrated.

Estonia

Young Republic of Estonia is economical growth oriented. Till now mostly economical system has been developed instead of developing a well functioning social system. There is no sense of security neither for young or old people. [...] Problematic for Estonia is the topic of

⁷ The paragraphs with border represent quotes from the national reports.

integration. 38% of non-Estonians are without citizenship, 29% are citizens of Estonia, 27% are citizens of Russia or other countries and 6% are in Estonia illegally. [...] Bad or no language skills are stopping from getting the citizenship, finding a job and also set limits to the possibilities of studying or taking part to cultural and political life.

Lithuania

The year 2000 can be considered the finishing point when Lithuania concluded transition period from centralized to market economy. [...] However low living standards (the GDP per capita was barely 35 percent of the EU average) and increasing structural unemployment caused many troubles for people in Lithuania. Youth suffered from many problems due to macroeconomics, structure of the market, lack and inefficiency of state investments into the social field and incompatibility of different groups and generations interests.

Macedonia

Since its independence in 1991, Republic of Macedonia has lived a decade that was filled with problems – economic difficulties that have impoverished the citizens, social uncertainty, war clashes in the neighborhood, armed conflict at home, unsuccessful, painful and often unfruitful transformations of many of the established systems – health, education, economy. All of this has brought to the Macedonian citizens a sense of fear for their future and the future of their children, tensions and ultimately, despair. As a result, there are many young people who have left, or are planning to leave the country and search for their happiness in the developed countries.

Moldova

The economic crisis, which came as a repercussion of the political crisis, increased every year, thus the data presented by the international organizations at the beginning of 2002 classified the Republic of Moldova as being the poorest country in Europe. Human migration began in 1991-1992, but woman trafficking phenomenon increased in the Republic of Moldova beginning with 1994-1995, when the economic crisis began to affect seriously the population.

Romania

In the last decade, the negative consequences of the transition process have lead to a rapid and substantial degradation in the living standard of a large category of population. The most affected by these changes are families with children. [...] The migration to western countries represents the most common solution to poverty. More and more young people consider that the only chance for a good life is abroad.

Serbia and Montenegro

At the end of 80's SFRY became very attractive for women from East-European countries. The main reason for the high position of Yugoslavia in sex trafficking is that former Yugoslavia had better living standard comparing to other East-European countries. **Afterwards**, war conflicts and criminalization of the society created conditions for strengthening of the organized crime, and among others, groups that organized trafficking in human beings.

Slovenia

The collapse of communism impacted Slovenia far less than other east European countries in terms of economic development. Slovenia managed to avoid tragic Balkan wars thus encountering less difficulties and much lower crime rate than other countries in transition.

3.2 The extent of child trafficking

The economic and social development are factors which determine the features of trafficking in human beings in each country. Most of the reports on trafficking agree that there are differences between the countries in the region regarding the origin of the victims. The main origin countries are Albania, Bulgaria, Macedonia, Moldova, Romania and Serbia and Montenegro. As it was shown before, these are the countries with the highest rates of poverty. Estonia and Lithuania are also origin countries, but there is no official data to show a big extent of this phenomenon. In Bosnia and Serbia there were reported cases of internal trafficking also.

The main destination countries are Albania, Bosnia and Herzegovina, Macedonia and Serbia and Montenegro, and to a lower extent Croatia, Romania and Slovenia.

Due to their geographical position and in some cases due to the easier way of crossing the border, Albania, Bulgaria, Croatia, Bosnia and Herzegovina, Romania, Serbia, Slovenia and Estonia are also transit countries.

It is very difficult to estimate how many children are trafficked each year, the only available data referring to the cases that were discovered and assisted by different institutions. IOM's offices report the cases that were assisted since 2000, the data showing in the main origin countries hundreds or thousands of identified victims: Albania 2,241 (until April 2003), Bulgaria 352 and Moldova 1,131, Romania – 778 ⁸. Also, from the total numbers of persons who were assisted, 10% to 40% are children. A special case is Albania, where, according to existing data, in the last ten years, the children represented 87% of the total number of trafficked persons. Also it has to be noted the high percent of young girls (18-21 years old) who were trafficked before the age of 18, the trafficking history lasting few years. The Regional Clearing Point Report shows that in Albania it was reported for the period 2000-2003 the number of 1,200 children who were trafficked for labor exploitation (begging, forced labor).

The main purpose of trafficking is sexual exploitation, all the countries mentioning examples or figures on this. In Croatia, the problem of trafficking in children is not clear because there is no public evidence. Still, the unaccompanied children who are in risk of being trafficked and the paedophiles networks discovered in the last years are good reasons for further attention to this issue.

Labour exploitation is reported in some of the analysed countries: Albania, Bulgaria, Moldova, Romania and Serbia and Montenegro. Labour exploitation includes begging, working on the street, working as slaves. Also, in Albania, criminal networks and small mafia are using trafficked children in their criminal activities (thefts, trafficking in drugs etc.).

Although there are no official reports, the interviews with stakeholders and media analyses revealed that in Bulgaria and Serbia selling children for adoption is also one of the forms of trafficking.

⁸ according to Regional Clearing Point Country Reports, Albania, Bulgaria, Moldova and Romania

3.3 Who are the children in risk of being trafficked?

Common characteristics were identified from the national reports. Usually children who are in risk of being trafficked have weak relations with their families. They are children without parental care or children coming from disorganized families, facing abuses, maltreatment, and neglect. There are different categories of children without parental care: children in residential care institutions⁹, street children¹⁰, separated children abroad¹¹. In each country from the region the groups identified above are in different extent exposed to the risk of trafficking. There are cases, although rare, when the parents are selling their children to traffickers.

Children from poor families are also identified in the national reports to be in high risk of being trafficked. Usually there is a vicious cycle that includes poverty, the lack of opportunities at local level, the lack of skills and the lack of education. The poorest areas within the countries are usually the rural areas. Therefore there is a movement from poor rural areas to bigger cities and also a mirage of the western countries that imply also a movement to Western Europe. Inside the movement within the countries, the national reports highlighted a high possibility of internal trafficking. Due to the fact that there are no researches or data on this issue, but only journalists' reports, a greater attention and interest should be paid to internal trafficking.

Children with mental or physical disabilities are also in high risk of being trafficked because they have a low capacity to defend themselves. Usually the exploitation of these children involves begging, but girls with moderate mental disabilities are also sexually exploited.

Albania

The features of the victims of the international trafficking network:

- They are between 5 to 18 years old
- They come from poor families with social problems
- They have dropped out of school or have never attended one
- They have been neglected, or have grown up without parental care.
- They come from a poor socio-economic background.
- They come from divorced families or families with social problems

Bulgaria

The victims of trafficking (if we mean trafficking with purposes of sexual exploitation) are usually young girls. [...] Trafficking for exploiting child labor is other aspect of the phenomenon. Very often children are forced to beg and thief. It happens within the country and abroad. [...] The children living on the street are one of the most vulnerable groups. They could easily become victims of trafficking.

Bosnia and Herzegovina

The vulnerability of children in BIH is further increased as the findings indicate that the most vulnerable children to trafficking are refugees, orphans, abandoned children, child labourers or children affected by an armed conflict. The effects of the war in BIH resulted in major demographic shifts where thousands of children are displaced, orphans, and the life of all children has been affected by an armed conflict, placing many categories of children in BIH at

⁹ In a larger number in Bulgaria, Romania and Republic of Moldova

¹⁰ Mentioned by the national reports from Albania, Bosnia and Herzegovina, Bulgaria and Serbia

¹¹ Mentioned by the national reports from Bosnia and Herzegovina, Bulgaria, Croatia, Lithuania, Romania, Serbia and Slovenia

high risk. [...] Most recent information from NGO La Strada indicates that there is a growing number of children being trafficked from one part of BiH to another. The victims are girls, approximately 15-17 years old, who are from single parent families and in most cases dysfunctional families. According to the stories of the internally trafficked girls, their families live in rural places and in poverty. Most girls stated that substance abuse, especially alcoholism, has had a negative impact on their family life and contributed to girls being recruited due to the lack of parental care. Traffickers were either family friends or boyfriends who lured the girls by false promises of good paying jobs or by inviting the girls to go out.

Estonia

Nationality: disability to speak national language puts limits to finding work, coping with every day life, possibilities to ask and find help.

Geographic region: The region under risk is Eastern Estonia, where many big factories have been closed and for this reason unemployment has grown tremendously. Also most of Estonia's Russian speaking population is concentrated in this region.

Alcohol and drugs: because of these problems, parents are more apt to use drugs and alcohol. Often the child uses drugs too in order to escape from the terrifying reality.

Parental indifference: physical and psychological violence, sexual abuse and harassment. Parents show no interest in the behaviour of their child, when he/she wanders around or runs away from home.

Lack of security: every other place but home seems safer for the child. He/She has lost the emotional bond with the parents.

Education: once having left the school, returning seems too difficult. The child has got used to the freedom that street life offers. School with rules and obligations is not interesting anymore. Usually schools are not looking for children who dropped out, they are seen as troublemakers and it is easier without those children.

Mentality: going abroad has become synonymous with the idea of becoming rich.

Patriarchal culture: belief that man knows what he is doing and he is always right and he can do whatever he wants.

Croatia

The most vulnerable groups are the separated children and national Croatian children, particularly children with behavioural problems.

Lithuania

The survey carried on in Lithuania revealed that every tenth young person in Lithuania was in one way or another faced with the problem of international trafficking in women for purposes of sexual exploitation. 8.8 % of the questioned young people said that girls from their circle of friends, colleagues, relatives, family members or acquaintances received offers which are supposed to be trafficking attempts. Also, 5.6% dealt with the problem on personal level¹².

Macedonia

According to the analysis of the existing data, children that are most at risk to become victims of child trafficking, are:

- unregistered children (which are largely, but not exclusively, of Roma nationality)
- children coming from poor and uneducated families
- children coming from abusive and pathological families
- street children

¹² Prekybos žmonėmis prevencija / Pranešimas apie žmogaus teisių padetį Lietuvoje. Žmogaus teisių veiksmų planas, 2002; <http://www3.lrs.lt/owa-bin/owaarepl/inter/owa/U0073012.doc>

Moldova

The main characteristics of the victims of child trafficking are:

- the lack of information about living standards abroad
- excessive trust in the persons who deal with going abroad
- not knowing their own rights
- a high degree of suggestibility, disposition to manipulation
- gaps in the field of teaching life skills within the family and within the state education system.

It's easy to notice that a part of the mentioned characteristics are inherent in the children. In some circumstances, these natural features transform themselves in aggravating factors, which determine a high level of risk of this age category.

The environment from where the potential victims come:

- children from socially vulnerable families
- orphan children, often marginalized by the society
- children who remained without parents
- children from families with an average living standard

Romania

Analysing the cases assisted by IOM, the most common age of trafficked children is 15 – 17 years old, and most of them are girls. The education level of the children is low, because they left school to go abroad. Most children come from the area of Moldova (in the north of the country), which is poor, poverty accentuating all the other problems of the families (alcoholism, abuse, physical violence). The family is also characterized by a low level of education. The relationships of the children with their families are weak, which make them more vulnerable to trafficking.

Another factor that contributes to the vulnerability of children is the “success stories”: cases of people who went to the west and came back after a short time with a lot of money. From this point of view, the northern part of the country is known as an important source of cyclical migration for work abroad. In these conditions, it is easy to recruit children using false promises of jobs abroad. Also, a lot of parents leave together with their children to go abroad, or give their written consent for their children to go abroad unaccompanied or accompanied by other persons (relatives, friends, acquaintances), not knowing, or not wanting to know, the type of “work” in which their children will be involved.

Serbia and Montenegro

The high-risk groups of children are: street children, children who survive domestic violence, children from the state institutions for children without parental care, children who live in areas with war conflicts or in post-war areas, children from poor areas, children refugees, graduating pupils etc.

Slovenia

The profile of risk groups cannot be determined as trafficking in children is not so often detected and there are no researches conducted as yet.

3.4 Recruitment

The means of recruitment are similar in the origin countries. The traffickers are exploiting the vulnerability of the victims and their hopes for a better life by promising well paid jobs abroad. In cases of children separated from their families or coming from disorganized families, the traffickers are approaching directly the future victim. Sometimes the recruiters are acquaintances or relatives, while in other cases they are strangers with a pleasant look, who gain the confidence of the child.

In some of the cases, the traffickers are dealing with the family of the child. Sometimes the parents are selling their children to the traffickers or “rent” them, receiving a regular amount of money. In other cases, the parents are misled by the traffickers, believing that their children are going to have “a decent job” abroad.

Young girls are also attracted by newspaper ads that offer jobs abroad as babysitter, bartender, dancer, etc, jobs that do not require compulsory education, experience or knowledge of foreign languages.

Kidnapping is another method used by the traffickers, who are using the physical and verbal violence in order to convince the victim to comply with their orders.

Albania

Usually, the ways of trafficking in children are the same as those of the trafficking in adults. Often the traffickers present themselves as caretakers or parents of the trafficked children, and many times they have the collaboration of the children’s parents.

Bosnia and Herzegovina

Victims from “RS [Republic Srpska] where life is much harder than in the Federation” are being lured by newspaper ads to work as bartenders and babysitters to save money and support their families, but end up being forced into prostitution. “Girls are being kept in “secret places” or are reached by telephone appointments”, says Fadila Hadzic from La Strada.

Bulgaria

There are several ways to be involved – kidnapping on the street, accepting promises for work and better life, sold by relatives, friends or husbands, starting as a tourist. The youngsters often are approached by persons who gain their trust. These people describe the life abroad as easy and pleasant. Other girls become emotionally connected with the men that involved them in the trafficking.

The women and young girls typically are taken to a large town, isolated, beaten, and subjected to severe physical and psychological torture. Some trafficking victims from countries in the east are kept in Bulgaria for several weeks where they are subjected to psychological and physical abuse to make them more submissive before they are shipped to their destination points.

Not only trafficking for purposes of sexual exploitation is identified in Bulgaria. There are many cases when Bulgarian babies are sold to foreign families (usually Greek). The method is the following: traffickers organize the initial finding and preliminary convincing of pregnant woman to sell her newly born baby. The criminals provide transport to Greece and place women in specially prepared for the birth homes. The traffickers organize each element of the procedure (including preparation of documents for the adoption). The traffickers are supported by their Greek “colleagues”.

Estonia

The traffickers are mostly local, previously criminal persons, often ex-prostitutes. The network is wide and local traffickers have direct contacts with traffickers abroad (owners of clubs, bars, agencies and hotels). Recommendations of acquainted and the good look of the mediator play an important role in agreeing for going to work abroad.

Moldova

The recruitment of trafficking persons is done in different ways:

- *By means of private persons.* These can be solitary traffickers or involved in trafficking networks. Sometimes the women once trafficked willingly become traffickers, seduced by the opportunity of making a lot of money or in order to pay the debts.
- *By means of abroad employment agencies.* A lot of cases of trafficking begin with advertisements of abroad labor markets. This is a controversial matter in Moldova. Well-known expressions are used like: “we hire girls with no complexes for working abroad” or “job abroad, girls”. Everybody knows the meaning of such word combinations like “girls with no complexes” or “dancers”, widely used in advertisements. The message is so obvious that it was abbreviated to “girls n/c” or “girls”. On the other hand, the press law allows the publication of these advertisements because it’s difficult to prove that “with no complexes” means prostitution and it’s more difficult to prove that in this case it is a matter of trafficking girls (people), even if they are with no complexes. The only thing that the Direction for the Fighting against Human Trafficking (DFHT) can do about this problem is to persuade the papers to require from abroad employment agencies to indicate their license number that allows such an activity. The worst thing is that the girls react to these advertisements and, wishing a better life abroad, they let themselves be cheated. They are not aware of the risks involved even if some of them are ready to give up on some of their complexes.
- *By means of travel agencies.* These are even bigger in number than the employment agencies. According to the Ministry of Internal Affairs, in January 2001 there were 1,341 firms in Moldova whose status allowed them to practice international travel activities. Among these only 307 owned licenses issued by the Ministry of Economy and Reforms. The travel agencies officially offer visas but they do not hire persons for the abroad labor markets.
- *By means of marital agencies.* Although they are fewer, they manage to attract in trafficking networks many girls who want to have a happy marriage abroad.

Romania

The methods of recruiting children for sexual or labour exploitation are different. The most common way of recruiting children for sexual exploitation is the false promise of work abroad made by acquaintances, relatives or friends. Even parents can be involved in their children’s trafficking by giving their written consent for the child to leave the country, even if they know what will happen. Sometimes friends or new acquaintances approach the child and promise a job abroad (usually as a baby sitter, waitress or housekeeper), telling that it does not require special skills and that it is very well paid. The approach happens in locations familiar to the child (a bar, a disco, in the street, even at home). Boys and girls are exposed in the same extent to this risk.

Another way of recruitment, used in a lower extent in case of children, is represented by ads in printing press that offer jobs abroad. The advertisements are addressed to a broad category of age groups, but usually to girls over 18.

Kidnapping is another way of recruitment, more rare than the false promises for jobs abroad, but also more violent and traumatizing for children. These are the cases where violence is used against the victim from the beginning. Also, the possibility of crossing the border illegally is increased in the cases of kidnapping, so the traffickers cooperate with “guides” who, for an amount of money, facilitate the illegal crossing the border by avoiding the control points.

In case of trafficking in children for labour exploitation, child’s family is involved in a direct or indirect way in this process. In many cases is about the migration of the whole family in another country, usually a Western European destination. This process is seen by the whole family as the only way to get a better life, sometimes as the only way of surviving. The family that is leaving is organized carefully for transportation, crossing the border (most of the time legally) and ensuring a contact in the destination country. Usually the family prepares its leaving based on the experience of other friends, relatives, or acquaintances that were in the destination country before.

In these cases, the family is the trafficker, but also the exploiter, because most of the times children are used in the destination country for ensuring the necessary allowance for the whole family, being involved in begging, stealing, but also in sexual exploitation. Many times the adults return to their homes, leaving the children in the „care” of local network of exploitation that regularly sends them an amount of money.

When the family is involved in the trafficking process, children do not oppose, being convinced that is their duty to help their families, not seeing the whole process as exploitation.

Serbia

The recruitment of children is usually done by adds in the newspapers, by private persons, by employment, travel and marital agencies, by Internet, by kidnapping etc.

3.5 Routes of trafficking

The routes for trafficking in children are the same as the ones used for adults. Although the criminal networks are adapting permanently their actions according to the political or economical changes, there are some “traditional” routes: from Russia, Ukraine, Moldova, through Romania and Bulgaria to Serbia. From Serbia either to Balkan states (Albania, Greece, Cyprus, Macedonia, Kosovo, or through Slovenia or Croatia to western countries: Italy, France, Spain, Holland, England. Regarding the Baltic countries, the routes are going to western or northern countries: Italy, Spain, Poland, Germany, Sweden, Finland, Denmark, Netherlands, but also destinations on other continents: USA or Japan.

Albania

The geographical position of Albania is favourable for different kinds of trafficking, and consequently, for the trafficking of children as well. For the eastern countries, Albania is like a main gate to the west. Albania is one of the transit countries to Europe for the children who come from Moldova, Romania, Russia, Ukraine, Bulgaria, etc. According to the data, it happens that the children are trafficked in Albania by Moldavian, Romanian, Serbian and Albanian traffickers to be sent then to the receiving countries, which are: Italy, France, Belgium, Holland, England, etc.

Bosnia and Herzegovina

Most victims arrive in BiH from Serbia and some are moved on to Croatia and then eventually Western Europe. Up to this date, the majority of girls trafficked are from Romania, Moldova, Ukraine, who continue to be lured by promises of jobs as models, babysitters, dancers or barmaids for legitimate work in the West. Main trafficking routes in the country are through Serbia and Republika Srpska.

Bulgaria

The main victims of trafficking are women and girls for the purposes of prostitution. It's known that Bulgaria is a transit country for women from countries of the former Soviet Union, Romania and Moldova. The women from these countries try to reach Western Europe and countries of the Balkan region. Bulgaria is country of origin for women to Greece, Turkey, Kosovo, Italy, Cyprus, Macedonia, Albania. Bulgarian women are also trafficked to countries of Central and Western Europe. A lot of reports and statistics try to present the real situation concerning the child trafficking. But till now there is no unified and completely reliable source of information. The overall picture of the situation is drawn by different international, state and local organizations.

Croatia

Most of the separated children who have been identified in Croatia were from: Chechenya, Afghanistan, Bangladesh, Kurdistan, and the largest number of beneficiaries came from Romania.

Estonia

The main destination countries are mostly Northern countries - especially Sweden and Finland, but also Germany, Italy, Spain, Poland, Denmark, Holland and also USA and Japan.

Lithuania

Lithuanian women are trafficked to Germany, Belgium, the Netherlands, Norway, France, Austria, Israel.

Macedonia

Women enter the Republic of Macedonia legally or illegally from Serbia (the area of Kumanovo, part of Kosovo and the area of Tetovo) and Bulgaria (Kriva, Palanka, Delcevo and Strumica). The illegal channels to exit the Republic of Macedonia are from Dojran and Gevgelija to Greece, and from the area of Struga to Albania. The women are coming mainly from the Republic of Moldova, Romania and Ukraine.

Moldova

The Republic of Moldova is an origin country of human trafficking and very rarely a country of transition (for instance the victims from Ukraine and Russia who are led to the Western Europe or Turkey through Romania and Bulgaria).

Romania

Romania is primarily a country of origin for the victims of trafficking¹³. According to the US Department Report¹⁴, Romania is a source and transit country primarily for women and girls trafficked to Bosnia, Serbia, Macedonia, Kosovo, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation. Due to its geographical position, Romania is also an important route (transit country) for victims of trafficking from the Republic of Moldova, Ukraine and sometimes from Asian countries.

Serbia and Montenegro

Victims, mostly from Moldova, Romania, Ukraine, and Bulgaria, end up in Kosovo, Bosnia, Albania, and Western Europe. Roma children are trafficked through Serbia and Montenegro for begging and theft in Western Europe.

Slovenia

Due to its geographical position, Slovenia is one of the most frequent transit channels for trafficking of women from countries of southeastern Europe to the west. Also, Slovenia is a destination for approximately 1,500 girls coming mostly from southeastern Europe, the Balkans, as well as southeastern Asia (the latter accounts only for a minor share).

¹³ Trafficking in Human Beings in Southeastern Europe – UNICEF, 2000

¹⁴ Victims of Trafficking and Violence Protection Act 2000 - Trafficking in Persons Report, June 2002

4. NATIONAL LEGISLATION AND INTERNATIONAL TREATIES ON CHILD TRAFFICKING

4.1. Definitions of child trafficking in national legislation

All the countries included in the Report signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Romania and Serbia and Montenegro also ratified the Palermo Protocol.

The Palermo protocol is expected to standardize terminology, laws and practices of countries in the area of trafficking in human beings. The protocol establishes the first common international definition of trafficking in human beings, needed for an optimal cross border intervention. Despite this, the definition of trafficking in human beings in the national legislation differs from country to country. Trafficking in children is defined in the national legislation only in Bulgaria, Republic of Moldova and Romania. In rest of the countries included in this report, child trafficking is covered by the definition of trafficking in human beings (stipulating increased penalties for child trafficking) and/or by other laws referring to other infringements (slavery, prostitution, forced labour, exploitation etc). This is a problem when we are talking about the protection of trafficking victims, especially children that need special treatment and attention and also when we talk about the transnational cooperation and harmonization of legislation for fighting trafficking and for incriminating the traffickers.

Albania

Although child trafficking in Albania is an offence, one cannot find a definition of the term “child trafficking” in the existing legislation. The relevant reference for the offence of child trafficking is described in the Albanian Criminal Code, Article 128/b, newly amended by the Albanian Parliament in year 2002. Before this date child trafficking was not an illegal offence in Albania.

The interviews that the researcher carried out with representatives of Governmental institutions and NGOs in Albania show that they use the definition “child trafficking” based in the definition of the Trafficking Protocol¹⁵.

Bulgaria

The Law for Fighting Trafficking in Persons was adopted on May 7, 2003. According to this law, “trafficking in persons” means to recruit, transport, harbour or receive persons regardless of their will by means of coercion, of abduction, of illegal deprivation of liberty, of fraud, of the abuse of power or of a position of vulnerability or of the giving, receiving or promising benefits to achieve the consent of a person having control over another person for the purpose of exploitation. The additional provisions contain the **specification that the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in the previous paragraph**. The term “exploitation” means illegal use of people for depravity, removal of organs, exercising of forced labour, slavery or practices similar to slavery.

¹⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, United Nations, 2000

The definitions of “trafficking in person”, child trafficking are similar to the definitions given in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Moldova

In the Criminal Code, adopted by the Parliament on April 18, 2002, The Article 206 defines child trafficking as being:

Recruitment, transportation, transfer, sheltering or receiving a child, as well as giving or receiving payments or benefits in order to obtain agreement of the persons who are in charge of the child for the following purposes:

- a) Sexual commercial or non-commercial exploitation, in prostitution or pornographic industry,*
- b) Exploitation through work or forced services,*
- c) Slavery or similar circumstances, including the cases of illegal adoption,*
- d) Using in military conflicts,*
- e) Using in criminal activities,*
- f) Taking organs and tissues for transplantation,*
- g) Abandonment abroad*

Still we have to mention that these provisions weren't put into operation yet.

Romania

The Law 678 regarding Preventing and Combating Trafficking in human beings was adopted in November 2001. Under the Article 13(1) of the mentioned law it is stipulated that *recruiting, transportation, transferring, hosting or receiving a person aged between 15 and 18 years of age, with the purpose of exploitation, represents trafficking in minors*. The next paragraph mentions increased penalties if the minor is under 15 years of age.

The Article 16 of the Law 678 stipulates that the perpetrator is convicted not matter if the trafficking victims gave their consent.

4.2 National legislation concerning child trafficking

Albania

Before the revision in 2002 of the Criminal Code of the Republic of Albania¹⁶, no legislation on the trafficking in human beings, and as a result on the trafficking of children existed.

The Albanian legislation foresees specific articles on the trafficking in human beings and severe sanctions on the authors of these penal acts. Also, in the Criminal Code there is included a specific article on the trafficking of children, that is the article 128/b, but according to the specialists in this field, it leaves much room for abusive interpretations.

According to the Criminal Code, Article 110/a “The trafficking in human beings, trafficking of women for prostitution purposes, trafficking of children for material or other profiting purposes, is condemned with severe sanctions at 5-15 years or life imprisonment.

¹⁶ Approved by the Law, No.8733, date 24.01.2002 “On some supplements and modifications in the Law No. 7895”, Date 27.01.1995

Article 128/b

Child trafficking

Trafficking of children for material or any other profit purposes is sentenced to 10-20 years in prison. The same act, when is accomplished in collaboration, or more than once, or is accompanied with maltreatment and/or forcing by physical and/or psychological violence the injured party to perform various acts, or brings heavy consequences for health, is sentenced to no less than 15 years of prison, and when it results in death, with life imprisonment.

Criminal Code of Albania

The Albanian legislation foresees as a separate crime “the trafficking of human beings” expressed in the trafficking of women for prostitution purposes, trafficking of children, and other penal acts related to the trafficking of human beings, such as hiding or willingly exchanging of the child, the illegal crossing of the state’s border, giving help to cross illegally the border. It foresees also the condemnations for prostitution’s organization and the activities related to it.

The Albanian Criminal Code foresees sanctions on penal acts related directly or indirectly to the trafficking in human beings including children.

Here are included the above mentioned penal acts and also the keeping, exploiting and financing or renting premises for prostitution purposes; kidnapping and abduction of children under 14, depriving a person from his/her freedom by putting his/her life at risk or by causing severe physical sufferings, beatings, or having violent sexual intercourses; the removal of identification papers, forgery of the identification papers, threatening and committing other penal acts in collaboration with criminal organizations or armed bands.

The victims of trafficking have the right to be represented by a legal representative or a proxy holder representative; have the right to have a translator, who is paid by state; have the right to speak and to be informed on the facts and acts, and the proceedings of the process with the help of the translator. Actually, in Albania there is no law to regulate the protection of the witnesses in cases of the penal acts related to the trafficking in human beings, including children (there is a Draft Law on Justice Collaborators and Witnesses Protection). The lack of this law brings as a consequence the non-denouncement of many traffickers for the victims of trafficking are afraid for their lives and their parents’ lives.

Bosnia and Herzegovina

Until recently, Bosnia and Herzegovina law did not include any explicit anti-trafficking provisions nor did the national legislation include definition of child trafficking. Law enforcement is a complex process due to the various levels of government. There is no anti-trafficking legislation in Federation of Bosnia and Herzegovina, and until October 2001 there was none in Republic Srpska. There were some provisions in the Criminal Codes of both the Federation of Bosnia and Herzegovina and Republic Srpska which could be applied, including slavery and transportation of enslaved persons, unlawful detention, rape, forced intercourse, sexual intercourse with a minor and recruitment into prostitution. These provisions are not recognised by the police in relation to trafficking, nor for interpretation by the judges, and the sentences are often not a sufficient deterrent.

In October 2001, a new Criminal Code entered into force in Republic Srpska, which now includes a distinct crime of “trafficking in persons for the purpose of prostitution” and penalises it with six months to twelve years of imprisonment¹⁷. In order to prosecute the person under this provision, it has to be proven that money has been given for the services of a woman, which is very difficult. This new law replaced the old one related to the prohibition of slavery and mediation in the exercise of

¹⁷ Barbara Limanowska. Pg.67

prostitution. Paradoxically, this change has complicated the situation and made it rather more difficult to penalise the crime of trafficking.

The Federation of Bosnia and Herzegovina has a Law on special witness identity protection in criminal proceedings (30.07.1999 as amended) and a Law on Protection of Witness under Threat and Vulnerable Witnesses (decision dated 24.01.2003, entering in force on 1. 03.2003). Starting with March 2003, a decision introduced into the Criminal Code of the Federation of Bosnia and Herzegovina the infringement of trafficking in person towards a juvenile, for this the penalty being not less than 5 years of imprisonment.

Other obstacles are the legal regulations governing the entry, movement and employment of foreigners in Bosnia and Herzegovina. The state has constitutional responsibility for the legal regulation of immigration. However, criminal law and control of foreigners is a matter of the entity, therefore, different codes exist in the two entities, in the Federation of Bosnia and Herzegovina and RS. There is no criminal justice structure at the state level and because of the political situation there is little co-operation. The new state criminal code and criminal procedures are in the process of harmonisation and they do include an article on trafficking, and it is expected that the law on offences of minors at the state level will be implemented soon. The definition of trafficking in human beings and child trafficking in the new state criminal code is not in compliance with the Optional Protocol to the Convention on the Rights of the Child on Sale of Children, Child Prostitution, and Child Pornography and The Trafficking Protocol (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children), ratified by the Federation of Bosnia and Herzegovina government on April 24, 2002¹⁸. Human rights focused organisations, led by the UNOHCHR, have been advocating with the State Ministry for Human Rights that the definitions from the Protocols be included.

Bulgaria

The amendment of the national legislation in order to include trafficking as an area of regulation began in 1999. The legal reform was led by Ministry of Justice with the assistance of other ministries, state agencies and national and international organization. In 2000 a new section was introduced – “People trafficking” – in chapter two “Crimes against personality” of the special section of the Penal Code. Pursuant to Art. 159a “those who gather, transport, hide or receive persons or groups of persons for the purpose of using them for acts of debauchery, subjecting them to forced labour, organs removal or holding them in forceful subjection regardless of their wishes, shall be penalized with one to seven years of imprisonment and a penalty up to eight thousand leva [Bulgarian currency]”. If the act of trafficking is committed against a child /person under the age of 18/ the penalty increases.

There is a provision for a qualified corpus (i.e. more severely penalized) when the crime is committed against a minor person below the age of 18. Article 159b regulates the hypothesis of a person that recruits, transports, harbours or accepts persons or groups of persons and transfers them through the boundary of the country with the aim provided in art. 159a, para.1. The provided penalty is more severe compared to the penalty pursuant to art. 159a. There is also settlement of the hypothesis when the person involved in trafficking is a dangerous recidivist or is perpetrated as an assignment or to execute a resolution of an organized crime group.

Article 159a governs trafficking when it is committed within the country, article 159b – when the trafficking is connected with crossing the border. Article 159c governs trafficking when it is committed repeatedly or by an organized group. With the amendments in art. 159 in the same section new adequate regulations are established for penalizing pornography activities, including those that involve children.

¹⁸ Human Rights Watch. Pg. 21

In the Penal Code there are a number of paragraphs that refer to criminal violation against children – murder, battery, compromising, kidnapping, illegal deprivation of liberty, etc.

On 7 of May, 2003 the Law for Fighting Trafficking in Persons was adopted. The law provides for the activity of prevention and counteracting of illegal persons' trafficking with the aim of giving protection and aid to the victims of trafficking and facilitating the interaction between state and municipal bodies and non-government organizations in order to form a national policy in this field.

The Law regulates the establishment of the National commission and Local commissions for fighting trafficking in human beings. The National Commission shall be attached to the Government and will have the objective to organize and coordinate the interaction between the departments and organizations and to implement the state policy. It can establish Local commissions. The key functions of this commission, apart from the above-mentioned, are to organize and coordinate the interaction between different institutions and organizations; to determine and direct the national policy in the area; to develop annually and present to the Government for approval a national program for prevention and counteraction of trafficking and protection of the victims; to establish an organization for survey, analysis and statistical processing of the data regarding human trafficking and protection of the victims; to take part in the international cooperation for prevention and counteraction of people trafficking; to manage and control the activity of the local commissions and centres for protection and aid for victims of trafficking; to register the individuals and legal entities with non-profit activities that provide shelter for the victims of trafficking.

The Law gives provisions for establishment of specialized facilities for transit accommodation of victims of trafficking. The facilities have to provide aid to victims of trafficking and to grant anonymity in case of readiness of the victim to cooperate in the penal proceedings against the perpetrators. These facilities shall be established by the National commission as well as by individuals and non-profit organizations. The persons who declared that are victims of trafficking will be sheltered in the asylums. The admittance shall be done at their request for a 10-day period, with an option to extend the term to 30 days after an offer of the local commissions, bodies of proceedings prior to litigation or the court, if the person has expressed his/her wish for that. The asylums shall provide normal living conditions to the victims of trafficking, as well as food, medicines, and first medical and psychological aid. It is important to support the accommodated persons to establish contacts with their relatives and with specialized institutions and organizations.

Centres for support and aid for victims of trafficking shall be established according to the law. These centres will contribute to the re-socialization and active return to normal life for the victims of trafficking. The centres shall be attached to the local commissions and shall have the following functions: to grant information regarding the administrative and litigation proceedings that settle the support and protection of victims of trafficking in an understandable language; to provide specialized psychological and medical aid; to support the reintegration of the victim in the social and family environment.

The law introduces two regimes for provision of protection and support for victims of trafficking in human beings – a general and a special one. The statute of special protection is granted to those victims of trafficking who have agreed to cooperate for finding the perpetrators. The statute of special protection is granted for the period of penalty proceedings and includes the granting of a permit for continuous stay of foreign citizens in the country as well as extension of the stay in the asylums. This statute is terminated prior to the expiration of the determined term in a few hypotheses: when the person has renewed his/her contacts with the perpetrators, for the disclosure of whom the person has declared his/her willingness to cooperate; the prosecutor reckoned that the declared agreement is fictitious; there is danger for the public order and national security.

The regime of general protection refers to all persons that have been subject of acts pursuant to this law. Also, the Article 97a of the Penal Procedure Code (1974) contains provisions for witnesses' protection.

Special attention is paid to children that are victims of trafficking. The Law provides for the forthwith informing of the State Agency for Child Protection, provided that there is information about a child who is a victim of trafficking; the agency should take steps to provide protection and support. The children who are victims of trafficking shall be accommodated in separate premises apart from adults.

There are also other legislative acts that concern to some extent child trafficking. They either regulate the functioning of institutions that work for elimination of child trafficking /no matter if it is their priority or just ad hoc activities/ or regulate some spheres that could be considered as potentially connected with the trafficking /for example acts that regulate the international adoption or transplantation of organs/. The acts mentioned below are the main acts:

- *Law on Transplantation of Organs, Tissues and Cells* (the draft of law is currently in the Parliament)
- several articles are connected with the donation of organs by children. It's forbidden to take organs, tissues and cells from the dead body of the child except with the permission of one of the legitimate representatives. It's not allowed to take organs for transplantation from the child /donor/. The transplantation of self-recovering organs from the child can take place only in the following cases: if the transplantation is for a spouse, brother or sister, son or daughter; if there is no other donor and if the transplantation is life rescuing. The recipient of the organ has to be listed in the register of the Executive agency for transplantation and to have permission for the transplantation issued by the Ethic commission for transplantation.

- *Child Protection Act (adopted in 2000)* - regulates the rights, principles and measures of child protection; the state and municipal bodies and their interaction in the process of performing child protection activities, as well as the participation of non profit legal entities and persons in above-mentioned activities.¹⁹

- *Family Code* - The Family Code governs relations based on marriage, kinship and adoption; full legal guardianship and trusteeship²⁰.

- *Child Delinquency Act* – adopted in 1958 [and amended in 1999] governs the activities for the prevention and combating of the various forms of juvenile delinquency and for ensuring the normal development and education of juvenile delinquents. This act regulates the activities of the Central and Local Juvenile commissions. The work of these commissions is connected with children with asocial behaviour who could be seen as children at risk as they often become victims of trafficking and different forms of exploitation. Also the commissions are involved in prevention of trafficking.

- *Ministry of Interior Act* - governs the principles, structure and tasks of the Ministry of Interior. It regulates activities connected with the national security and protection of civil rights.

- *Labour Code* - regulates the labour relations. It states the minimum age for work and also specific rules that have to be followed by employers who hire youngsters up to 18 years of age.

¹⁹ The Child Protection Act was recently amended. According the amendment the adoption is regulated as a protection measure. It reflects the modern conception that the child is a subject of rights but not an object of effect.

²⁰ In July 2003 the Family code was amended. The part connected with the adoption caused big public debate. Bulgarian president Parvanov vetoed the amendments of the code with motive that the changes in the law do not stimulate the in-country adoption. Mr. Parvanov's position is that the choice of Bulgarian adoptive parents is narrowed and it gives priority to the international adoption. The position of the president was supported by NGOs.

Croatia

There is no definition of trafficking in children in Croatia. On July 2003 the Penal Code was amended and trafficking in persons was defined as a particular criminal offence. The Article 175(2) of the Penal Code stipulates that trafficking in persons and slavery is punished with 3 – 15 years imprisonment when the victim is a child.

Until the amendment of the Penal Code, trafficking in human beings was reflected in the Penal Code into 3 articles:

Art. 175: Establishment of Slavery and Transport of Slaves

Whoever, in violation of the rules of international law, places another person in slavery or in a similar status or keeps him/her in such a status, buys, sells, hands over to another person or mediates in the purchase, sale or handing over of such a person or induces someone else to sell his/her freedom or the freedom of the person he/she provides for or takes care of shall be punished by imprisonment for one to ten years.

Whoever, in violation of the rules of international laws, buys, sells, hands over to another person or mediates in the purchase, sale or handing over of a child or a minor for the purposes of adoption, transplantation of organs, exploitation by labour, minors, or for other illicit purposes shall be punished by imprisonment for not less than five years.

Whoever, in violation of the rules of international law, transports persons who are in a position of slavery or in a similar status shall be punished by imprisonment for six months to five years.

Art. 177: Illegal Transfer of Persons Across the State Border

Whoever, for lucrative purposes, illicitly transfers across the state border a person or a number of persons shall be punished by a fine or by imprisonment not exceeding one year.

Whoever organises the perpetration of the criminal offences referred to in paragraph 1 of this Article shall be punished by imprisonment for six months to five years.

An attempt to commit the criminal offence referred to in paragraph 1 of this Article shall be punished.

Art. 178: International prostitution

Whoever procures, entices or leads away another person to offer sexual services for profit within a state excluding the one in which such a person has residence or of which he/she is a citizen shall be punished by imprisonment for three months to three years.

Whoever, by force or threat to use force or deceit, coerces or induces another person to go to the state in which he/she has no residence or of which is not a citizen, for the purpose of offering sexual services upon payment, shall be punished by imprisonment for six months to five years.

If the criminal offence referred to in paragraphs 1 and 2 of this Article is committed against a child or a minor, the perpetrator shall be punished by imprisonment for one to ten years.

The fact whether the person procured, enticed, led away, forced or deceived into prostitution has already been engaged in prostitution is of no relevance for the existence of a criminal offence.

Also on July 2003 the Law on Foreigners was amended and it was opened the possibility to grant temporary residence permit for trafficking victims.

The National Committee for the Suppression of Trafficking in Persons at its last session held on the 28th of February 2003 brought the decision about the establishment of a special working group for drafting a comprehensive Act on the protection of the victims of trafficking.

Special working group was also established for drafting the Law on Witness Protection.

It should be mentioned that suppression of trafficking in persons is included in the National Defence Strategy adopted in the Parliament in the spring of 2002. As well as that the Government Commission for Gender Equality has included counter trafficking activities in its National Plan of Action.

Estonia

Estonian legislation does not give valid definitions for the essence and conception of child trafficking. Nevertheless, child protection from abuse and violence is regulated in Estonia with a set of rules: Child Protection Act, Criminal Code, Punishment Code, Code of Administrative Violations of Law, Code of Criminal Procedure, Code of Influential Means of Juvenile, Act to Regulate Dissemination of Works which Contain Pornography or Promote Violence or Cruelty. Articles of UN Convention of Children Rights and paragraphs from Law of Child Welfare and Penal Code directly protect minors from exploitation.

Child Protection Act approved on 1st of January in 1993 is based on UN Child Rights Convention. Child Protection Act condemns the abuse and exploitation of minors through paragraphs:

§ 14 lg 2 – The child may not be an object of physical or mental exploitation.

§ 33 – The child has to be protected from any sexual abuse; including adults:

- 1) Decoying the child to a sexual activity;
- 2) Using the child as a prostitute;
- 3) Using the child for pornographic purposes.

§ 50 lg 2 – Child abuse is forbidden.

Criminal Code – presented in 6. 06. 2001 with the law (RT I 2001, 61, 364, approved on 1. 09. 2002.). Important points:

§173 Selling and buying a child

- (1) For selling or buying a child – punishment is one to five years of imprisonment.
- (2) For the same act, being committed by a legal person – the punishment is financial.

§176 Assisting minors to prostitution

- (1) For mediating, giving space or in any other way assisting less than 18 year olds to prostitution – financial punishment or up to five years of imprisonment.
- (2) For the same act, being committed by a legal person - punishment is financial.
- (3) Court has the right to apply for the felony established in this paragraph an extra punishment of property according to the establishments in paragraph §53 of this legislation.

§177 Using minors for making pornographic productions

- (1) Using a person younger than 18 as a model or an actor for making a pornographic or erotic picture, movie or any other productions – punishment is financial or up to one year of imprisonment.
- (2) For the same act, being committed by a legal person - punishment is financial.

§178 Making or permitting making of child porno.

- (1) For making, reproducing, keeping or giving, showing or making available to another person a picture, writing, or other production of a person younger than 14 years in a pornographic or erotic situation – punishment is financial or up to one year of imprisonment.
- (2) For the same act, being committed by a legal person – punishment is financial.

§179 Sexual decoying of under aged person.

- (1) Giving, showing or making available to a person younger than 14 years a pornographic production or reproduction or having a sexual intercourse or in some other way sexually decoying under 14 year old person - punishment is financial or up to one year of imprisonment.
- (2) For the same act, being committed by a legal person – punishment is financial.

Lithuania

There is no definition of child trafficking in the legislation of Lithuania. Child trafficking is covered by the legislation on trafficking in human beings. Until 1st of May 2003, the Police and other Justice institutions based their work on the definition of trafficking from 131-3 article of the Penal Code of the Republic of Lithuania²¹: selling or other bargain of a person or purchasing of one in order to sexually exploit, involve into prostitution or receive financial or other kind of personal benefit, also shipping of a person for purposes of prostitution within Lithuania or abroad is punishable for four to eight years of imprisonment. The same activities if repeated or inflicted to a minor or by a group of agreed in advance persons or by a recidivist is punishable for six to twelve years of imprisonment.

Trafficking is an illegal disposal of a person (selling or other bargain, purchasing) in order to obtain benefit (to exploit sexually, to involve into prostitution, receive financial or other kind of benefit). If a person is shipped legally or illegally to or from Lithuania for purposes of prostitution it is also considered trafficking.

In reality, the implementation of the article faces some problems, the main of which is that it is not enough to prove the fact of bargain, the purpose of sexual exploitation, involvement in prostitution or financial or other kind of benefits receivable from trafficking must also be proven.

Article 147 Trafficking

Persons, who sold, purchased or bargained another person for purposes of financial or other kind of benefit shall be sentenced for a maximum of 8 years of imprisonment.

new Penal Code

The new Penal Code has been in power since 1st of May 2003. The definition of trafficking however, remain essentially the same, i.e. disposal of a person by means of selling, bargain or purchasing in order to gain financial or other kind of benefit. However, trafficking is no longer legal or illegal shipping of a person to or from Lithuania for purposes of prostitution. This change was a positive one, as legal or

illegal shipping of a person to or from Lithuania can be one of stages of trafficking but cannot be considered as trafficking itself.

Attention must be drawn to article 147 of the new Penal Code, where no stricter punishment is intended for trafficking in minors.

Other crimes, usually in relation with trafficking in human beings, such as illegal migration, procuring, involvement in prostitution, forging of documents, violations of the state frontier, dissemination of pornography, are considered incriminated in Lithuania.

Article 239 –3 of the Penal code sets punishment for involving a minor or a dependent person into prostitution by means of blackmailing, deceit or physical or psychological abuse. The punishment for the crime is imprisonment from 3 to 7 years.

Article 82 of the Penal Code sets punishment for illegal crossing of the country's frontier. The punishment for that is imprisonment for a maximum of 3 years. In case of aggravating circumstances – for a maximum of 5 years; the same article sets punishment for illegal shipping of a person via Lithuanian territory. The punishment for that is imprisonment for a maximum of 10 years, and in case of aggravating circumstances – for a maximum of 15 years.

²¹ Trafficking was criminalized in July 1998 in Lithuania.

Article 242 of the Penal code sets punishment for producing or storing of pornography (writings, publications, pictures or other items) with the purpose of their dissemination and for their dissemination. The punishment for the crime is imprisonment for a maximum of 2 years or a fine. The punishment for using minors for the purpose of pictures, publications, films or sale of these items or other kind of dissemination is imprisonment for a maximum of 4 years and a fine, obtaining or storing of the mentioned items – imprisonment for 1 year or a fine.

An important aspect in trafficking is extradition of criminals. Article 7 of the Penal Code and articles 22, 22(1)-22(7) of the Penal Process Code say that a citizen of the Republic of Lithuania or a foreigner, suspected or accused of a crime can be extradited only if it is set in the international treaty.

In order to stop the expansion of illegal labour, on 1st of July 1999 a new article 82 (2) was enforced. The article sets punishment for shipping of a foreigner for asylum, for purposes of illegal labour or for other reasons to stay abroad on illegal basis or for promising a legal status abroad by means of deceit. The punishment for that is imprisonment for a maximum of 6 years or in case of aggravating circumstances – from 4 to 8 years.

Prostitution, according to Lithuanian laws, is not considered a crime. However, behaviour typical to prostitution, according to article 182 (1) of the Administrative Violations Code shall be fined for a maximum of 500 Litas²² or in case it is repeated – for a maximum of 1,000 Litas or administrative arrest up to 30 days. Prostitution is a complex of systematic action that is aimed at received financial benefit for sexual intercourse with another person. Individual cases when a person receives contribution for sexual intercourse with another person are not considered a violation of administrative code. The subjects of these violations are female persons aged up to 16 years old.

Macedonia

The Republic of Macedonia has signed but has yet to ratify the Palermo Protocols. Until January 2002, trafficking in human beings was criminalized by various articles of the Criminal law: including illegal crossing of state border (Art. 402), illegal deprivation of freedom (Art. 140), abduction (Art. 141), mediation in performing prostitution (Art. 191), pimping and enabling sexual acts (Art. 192), a sexual act on an incapable person (Art.187), sexual assault on a child (Art. 188), founding a slave relationship and transport of persons with slave status (Art. 418). Prostitution (soliciting) is not illegal, but mediation and pimping is.

Article 418/a

A person who recruits, transports, transfers, buys, sells, harbours or receipts children or juvenils for the purpose of exploitation as referred in paragraph 1, shall be punished with imprisonment of at least 5 years.

*Amendments of the Criminal Law
(enforced in January 2002)*

According to Public Ombudsman's opinion, these criminal articles do not ensure sufficient protection of the children and trafficking in humans continues. Therefore, during the year 2002 there were made some changes in the Criminal Law, a new criminal act "trafficking in human beings" being introduced in the Article 418.

Following are several articles of the Criminal Code that refer, directly or indirectly, to the problem of trafficking in children:

²² Litas – Lithuanian currency

- Article 191, Mediation in conducting prostitution

- (1) A person who recruits, instigates, stimulates or entices another to prostitution, or a person who in any kind of way participates in handing over another to someone for performing prostitution, shall be punished with imprisonment of six months to five years.
- (2) A person who because of profit enables another to use sexual services shall be punished with a fine, or with imprisonment of up to one year.
- (3) A person who because of profit, by using force or by serious threat to use force, forces or by deceit induces another to give sexual services shall be punished with imprisonment of six months to five years.
- (4) If the crime from items 1, 2 and 3 is committed with a juvenile, the offender shall be punished with imprisonment of six months to five years.
- (5) If the crime from items 1, 2 and 3 is committed with a child, the offender shall be punished with imprisonment of one to five years.
- (6) A person who organizes the crimes from items 1 to 5 shall be punished with imprisonment of one to ten years.

- Article 192, Procuring and enabling sexual acts

- (1) A person who procures a juvenile to sexual acts shall be punished with imprisonment of three months to five years.
- (2) A person who enables the performing of sexual acts with a juvenile shall be punished with imprisonment of three months to three years.

-Article 193, Showing pornographic materials to a child

- (1) A person who sells, shows or by public presentation in some other way makes available pictures, audio-visual or other objects with a pornographic content to a child, or shows him a pornographic performance, shall be punished with a fine, or with imprisonment of up to one year.
- (2) If the crime was performed through the public media, the offender shall be punished with a fine, or with imprisonment of up to three years.
- (3) The punishment from item 2 shall be applied to a person who abuses a juvenile in the production of audio-visual pictures or other objects with a pornographic content or for pornographic presentations.
- (4) The objects from items 1, 2 and 3 shall be confiscated.

- Article 418, Founding a slave relationship and transportation of persons in slavery

- (1) A person who by violating the rules of international law places another in slavery or in some similar relationship, or keeps him/her under such relationship, buys, sells, hands him/her over to another, or mediates in the buying, selling or handing over of such a person, or instigates another to sell his/her freedom or the freedom of a person he/she is keeping or caring for, shall be punished with imprisonment of one to ten years.
- (2) A person, who transports persons under a slavery or similar relationship from one country to another, shall be punished with imprisonment of six months to five years.
- (3) A person, who commits the crime from items 1 and 2 against a juvenile, shall be punished with imprisonment of at least five years.

The existing practice shows that trafficking is not recognised as a crime. Prosecution is usually achieved through the application of two articles of the Criminal Law, mediating prostitution and illegal crossing of a state border. Recently, the government has made efforts to increase the efficiency of prosecuting and convicting traffickers but they are still limited by the lack of an appropriate law, no testimonies from the witnesses and the attitude of the police. At present there is a Draft Law for Changes and additions to the Criminal Procedures Law that regards also measures on witness protection.

Moldova

The legislation of the Republic of Moldova concerning directly human trafficking appeared in July 2001 when the Parliament of the Republic of Moldova adopted the amendment of the Criminal Code existing from 1964. Before 2001 there were several stipulations contained in stray Articles of the Criminal Code, which referred more or less to the involved phenomenon: taking the children out of the country (Art. 112/3); kidnapping or substitution of somebody else's child (Art. 113); practice of prostitution (Art. 105/1); pimping activities (Art. 105/2); illegal crossing of the state borders (Art. 80); falsification or use of false documents, stamps, seals or printed matter (Art. 209).

The amendments of the Criminal Code on July 2001, included a new infringement, "illicit trafficking in human beings" (Art. 113/1). Along with different imperfections of this article, we can mention the fact that a definition of trafficking in human beings and trafficking in children has been lacking. The article stipulates increased penalties (imprisonment from 15 to 25 years with confiscation of property) if the victims are children.

On April 18, 2002 the Parliament of the Republic of Moldova adopted the new Criminal Code, and it was supposed to come into force on the 1st of January 2003, but this event was postponed, and as a result the date it is going to come into force is unknown. The new Criminal Code contains the following Articles that directly or indirectly refer to human trafficking phenomenon, in general and to child trafficking in particular:

- Article 165 Human trafficking
- Article 167 Slavery and similar circumstances
- Article 168 Forced work
- Article 205 Parents' and other persons' abuse concerning child adoption
- Article 206 Child trafficking
- Article 207 Taking the children out of the country
- Article 208 Minor attraction in criminal activities or in commitments of immoral facts
- Article 220 Pimping activities

Article 360 Receiving, hiding, damaging or distraction of documents, printed matter, stamps or seals

Article 361 Making, owning, selling or using false official documents, printing matter, stamps or seals

Article 362 Illegal crossing the state borders.

The coming into force and the application of the new Criminal Code would represent a great achievement in detecting and fighting the child trafficking phenomenon.

In conclusion we can affirm that the existing legislation of the Republic of Moldova is not sufficient to solve all the problems concerning human trafficking. Even if human trafficking phenomenon is incriminated by legal stipulations, the legislation doesn't contain stipulations concerning actions of prevention of this phenomenon, as well as the standards of the services granted to the victims in order to ensure their reintegration in the society, it doesn't contain the means of cooperation between the state bodies and the non-governmental organizations, and it didn't appoint the structures responsible for these activities.

Another important problem is that of the juridical protection of the witness and of the trafficking victim. According to the legislation of the Republic of Moldova the witness's testimony is considered information on the basis of which one establishes in the way presumed by the legislation if the person committed or not the offence, if the accused person is guilty, other circumstances that present interest for the correct solving of the cause. Although the witness enjoy some rights, the difficulties concerning their testimonies come from the particularities of the condition in which this category of witnesses find themselves (their individual, social and psychological characteristics), as well as from

some factors having a social and global character, like the lack of security for the human trafficking witness. As it results from what was said above, the human trafficking witness needs a supplementary juridical protection, he/she needs the development of some conditions that would motivate the witness to cooperate with the justice body. At this stage the great majority of cases of violation of the witness's rights are caused by the lack of specialized personnel from the justice organs that would deal with such cases as well as by the lack of specialized knowledge in the application of the legislation. These are the reasons why the victims refuse to cooperate with the justice organs. Because of the surreptitious character of this offence, any statistics or data regarding the trafficking do not denote the real state of things. The trafficking for other purposes than prostitution (like forced marriages and working at home) does not attract the full attention of the justice organs and the victims' possibilities of finding any help are limited.

Romania

Law no.678/2001 on preventing and combating trafficking in human beings is the first law that incriminates trafficking and sets the main responsible institutions for combating this phenomenon:

- The various forms of trafficking in human beings, as well as a person's exploitation, are incriminated and severe sanctions are provided for, much increased when the trafficked persons are underage or when the trafficking activities result in the victim's suicide or death.
- The actions of the organizers, guides and carriers are incriminated, as well as the situations in which persons that belong to groups organized on that peculiar purpose perpetrate the offences.
- The governmental institutions responsible for the prevention and combating trafficking in human beings are: The Ministry of External Affairs, The Ministry of Labour and Social Solidarity, The Ministry of Public Administration and Interior, The Ministry of Education and Research, The Ministry of Health and Family, The National Authority for Child Protection and Adoption, The Ministry of Justice and other governmental bodies mentioned in the National Plan of Action.
- Special provisions regarding physical and psychological protection, recovery and social reintegration of the trafficked persons are presented in a special chapter.
- Procedural issues are regulated, including those concerning the use of modern investigation technologies, necessary for detecting activities of trafficking in human beings.
- Provisions on international cooperation were included.
- The institutions of the liaison officer within the Ministry of Public Administration and Interior and of the liaison magistrates at the level of the prosecutor's offices within the tribunals were created, which is a matter of great importance in the perspective of Romania's joining the Eurojust network.

The law also defines the term „exploitation“:

- Performing forced labour or services, in violation of the legal requirements on labour conditions, payment, health and security;
- Keeping such persons in a state of slavery or other ways to deprive a person of his/her freedom or to force the person into submission;
- Compelling a person to engage in prostitution, in pornographic performances for the production and distribution of pornographic materials, or other forms of sexual exploitation;
- The removal of organs;
- Engaging in other such activities that violate the fundamental human rights and liberties.

Law no. 196/2003 on preventing and combating pornography defines as felonies and stipulates penalties (imprisonment) for using and involving children in pornographic activities, distributing pornographic materials to children and performing pornographic activities in front of children.

The Regulation for applying Law no. 678/2001, adopted by the Romanian Government on the 13th of March 2003, details the responsibilities of the main actors in combating and preventing trafficking in human beings. It also sets up the methodology for the repatriation of the Romanian citizens, victims of trafficking in human beings. The stipulations of this regulation supplement the provisions of Law no. 678/2001 and of the National Plan of Action.

The Governmental Emergency Ordinance 105/2001 regarding the State Border of Romania refers to the sanctions imposed to those who break this law. Art. 77 par. 4 and 5 include provisions related to minors as it follows:

(4) The sanction with imprisonment can be applied to minor persons only if they are 16; in this case, the limits of the sanction provided by the present emergency ordinance are reduced to a half.

(5) In the case of minor persons who are under 16, the provisions of the law are applied regarding the protection of some categories of minor persons.

Regarding the minors that commit crimes incriminated by the previously mentioned laws, the provisions of the Penal Code are applicable as follows: if the minor is under the age of 14 he/she will not be made legally responsible for the crimes committed. The minor aged between 14 and 16 years old will be made legally responsible only if it is proven that he committed the crime with judgment. The minor who is over 16 will be made legally responsible for his/her crimes.

In 2001, the Government recognized the side effects of international adoptions (the close connection with child trafficking) and stopped them until a new law will enter into force. The Law on Child Protection was promulgated by the Government in 2004.

Law 39/2003 on preventing and combating organized crime defines among others as aggravated felonies pimping, trafficking in human beings and slavery. A group organized with the purpose of committing one or more felonies defined as aggravated is considered "organized criminal group". Initiating, organizing, adhering to or supporting by any means a criminal group is considered felony and is punished with imprisonment for 5 to 20 years and forbidding some rights. The law focuses on defining the procedures at national level and the international cooperation for preventing and combating organized crime.

The actions envisaged by the Romanian Government for combating this phenomenon are regulated by Government Decision no.1216/2001 on the adoption of the National Plan for Combating Trafficking in Human Beings. This legal act provides for actions that regard:

- Informing and raising awareness on the forms and dangers that trafficking in human beings involves (organizing presentation in the less favourable areas, in schools and at the community level).
- Improving the social and economic situation of the persons that are at a high risk of being victims of trafficking (periodical labour force exchanges, a market of labour offers and demands).
- Elaborating a communication strategy to the effect of combating trafficking in human beings.
- Returning, assistance and social reintegration of the victims of trafficking.
- Protecting the victims of trafficking in human beings.
- Enforcing the new legislation in the field.
- International and regional cooperation, with the European Union, with the Member States to be, as well as with the other states involved, in one way or another, in the fight against this phenomenon.

All the activities set out in the National Action Plan against trafficking in human beings will be carried out with a direct participation of the communities, intergovernmental organizations and NGOs.

Besides the consolidation of the legal framework, the law enforcement bodies and institutions have been reformed in order to better respond to the new challenges, internal and regional, and correspond to their counterparts in the European Union states. In this regard, the national Police and the Romanian border police have acquired new valences that allow them to strengthen and improve their activities on a national, regional and international level.

Serbia and Montenegro

Even if there is no definition of trafficking in children in the national legislation, the changes and amendments of the Criminal Code of the Republic of Serbia and Montenegro (April 2003) introduced a new criminal act in Art. 111b on Trafficking in Human Beings that covers also the situation when the victims are children, stipulating increased penalties.

Article 111b on Trafficking in Human Beings:

(3) If the act from the paragraph 1 of this article is committed against juvenile person, or the act resulted in death of the plaintiff, perpetrator will be sentenced to a prison sentence of minimum five years.

(4) If the act from the paragraph 1 of this article is committed against person under fourteen, the perpetrator will be sentenced with the sentence according to regulations even if force, threat or any other of above mentioned ways of carrying out the act have not been used."

Criminal Code

The Article 111b of the Criminal Code defines trafficking in Human beings as:

"(1) Person who with force or threat, by misleading, by abuse of authority, trust, relation of dependence or difficult circumstances of other person, recruits, transports, delivers, sells, buys, mediates in delivery and selling, hides or detains other person, for a purpose of acquiring profit, exploitation of his/her work, committing criminal activity, prostitution or begging, use in pornographic purpose, taking away body parts for transplant or for using him/her in armed conflicts, will be sentenced to prison sentence one up to ten years.

(2) If the act from the paragraph 1 of this article is committed against more than one person, or by kidnapping, or during performance of one's official duties, or in a framework of criminal organization, or on especially cruel or especially humiliating way, or if the act resulted in severe physical injury, the perpetrator will be sentenced to prison sentence of minimum three years."

Other infringements related with trafficking in children are incriminated by the Criminal Code, providing more severe penalties for the situation when the acts are committed against children:

- *Article 62* regulates punishment for the persons who: "With force or with serious threat coerce other person to do or not to do something, or to endure something", and under qualified form of the act when: "The act was done with a threat to kill or inflict serious physical injury." Sanction is a fine or a prison sentence.

- *Article 63* regulates punishment for a person who: "Illegally detains or keeps imprisoned other person, or in any other way deprives the other person of free movement." Attempt is also punishable act. Paragraphs 3, 4 and 5 are qualified acts, and each of them predicts prison sentence.

- *Article 64* regulates punishment for a person who: "by force, threat, deceit or in any other way takes away or retains other person with an intention not to release that person until he/she extort money or some other property benefit from that person or an other person, or in order to force that or an other person to do or not to do something or to endure something". Sentence for this act is imprisonment.

- *Article 155, The establishment of slave relationship and transport of persons in slave position.* Although the article itself does not cover all forms of trafficking in human beings, and predicted sanction for this act is inadequate (1 - 10 years prison sentence), and the act itself is difficult to prove, this Criminal Code act is closest to trafficking in human beings.

- *Article 249, Illegal crossing of the state border* stipulates prison sentence for the persons who illegally cross the border, but also for the persons who transport them.

- *Article 251, Mediation in prostitution* is insufficient as a incrimination when it comes to trafficking in human beings, so it is necessary to introduce act on trafficking of human beings, although first part of the paragraph 1 and paragraph 2 should be saved because they enable legal system to punish forced prostitution.

Confiscation of the property as a special form of punishment was introduced to this law. This sentence can be pronounced as a secondary sentence when prison sentence of minimum four years was pronounced to perpetrator of criminal act with elements of organized crime.

Other legislative acts referring to other activities connected with trafficking in human beings:

- *Federal law on moving and stay of foreign citizens* (article 106) regulates fine and obligatory protective measure of deportation that can last from 6 months to 3 years. Foreign citizens without (proper) papers after legal procedure go to detention centre, which is closed type facility, until their documents are put in order, and then they are deported to the state border with the country they came from to SMN (Serbia and Montenegro). Deportation represents the biggest obstacle for successful criminal procedure against organizers and other participants of trafficking in human beings, since deportation makes interrogation of the victims of trafficking impossible.

- *Code on Criminal Procedure of FRY*, with its articles 102, 109 and 292, introduces innovation because it makes witness protection and protection of the victim possible in some way (by excluding the public during part or the whole procedure and by preventing secondary victimization of sensitive categories of witnesses – minors). Also, the possibility of special police protection has been introduced. Although the changes in Code on Criminal Procedure are important, national legislation still does not recognize special institutes for witness protection, nor the special methods of interrogation of the victim of trafficking in human beings aiming to protect the victim, not using extradition measure or delayed extradition.

- *Law on organization and jurisdiction of state bodies in eradication of organized crime* regulates education, organization, jurisdiction and authority of special units of the state bodies for uncovering and criminal prosecution of perpetrators of the criminal acts regulated by this law. This law introduces the institute of special prosecutor.

Slovenia

In Slovenia there is no specific legislation regarding trafficking in human beings and trafficking in children. Protection of children in Slovenia is laid down in the Constitution of the Republic of Slovenia and in various relevant acts. The Constitution of the Republic of Slovenia promotes and protects the rights of children (Article 56); the rights and obligations of parents (Article 54), defines the institute of marriage and family (Article 53) and protects the rights of mentally and physically disabled children (Article 52).

The Penal Code of the Republic of Slovenia includes principal penalty for criminal offences against children. The criminal offence of abduction (Article 144) is punished by 6 months or up to five years of imprisonment (Article 144). In case such offence was committed against a minor it could be punished by 1 to 10 years of imprisonment.

Criminal offences as defined by the Penal Code are: sexual assault on a child (Article 183), violating of sexual integrity by abuse of position (Article 184), sexual procurement (Article 185), mediation in prostitution (Article 186), presentation and making of pornographic material (Article 187), abduction (Article 200), parental neglect and cruel treatment (Article 201), incest (Article 204), bonding to slavery (Article 387).

Imprisonment envisaged for sexual procurement of a minor may be from three months up to five years. The criminal act of meditation in prostitution of a minor or a criminal offence of use of force, threat or infatuation is punished by one up to ten years of imprisonment.

A criminal offence is also the abuse of a minor for the purposes of making pornographic material. For such an offence the penalty of three years of imprisonment is foreseen. Distribution or presentation of such material to a person less than 14 years of age is punished by a fine or by imprisonment up to one year.

Illegal abduction of a minor from the parent, adopter, guardian, institution or a person entrusted with such a minor, is punished by a fine or by imprisonment of one year.

The Penal Code determines also incest as a criminal offence to be punished by imprisonment of maximum two years.

According to the Penal Code also the parental neglect or neglect by a guardian or adopter is treated as a criminal offence and may be punished by imprisonment of maximum two years. Cruel treatment of a minor, forced overwork that is not in terms with the age of such person, accustom a minor to begging as to self-interest or to any other acts detrimental to the development of a minor may be sentenced by imprisonment of maximum three years.

Forced or bonded labour or similar slavery relationship violating the provisions of the international law is punished by imprisonment of one to maximum ten years. In case such offence is committed to a minor the imprisonment will be of at least three years.

Criminal Procedure Act includes (Article 240) also a provision to treat the minor under criminal proceedings (the victim in particular) with regard to his/her feelings in order to avoid any impact of such proceeding on the minor's mental state. If necessary, the examination of a minor is carried out with the assistance of pedagogue or other expert.

The Foreigners Act (Article 60) stipulates also the measures to be taken against minors entering Slovenia illegally. The minor foreigner that entered Slovenia in an illegal way and was not accompanied by his/her parents or any other legal representatives and can not be repatriated or extradited to the country of origin or legal representatives of such country will be accommodated in the Centre for Foreigners (department for minors). The police shall notify the Centre for Social Work accordingly. Such a minor is not allowed to return to the country of origin or to the country willing to take him/her unless an adequate reception is provided. In any circumstances, the minor shall not be repatriated without escort as defined by the Convention on Human and Fundamental Rights Protection amended by Protocols No. 3, 5 and 8 and supplemented by Protocol No. 2 and its Protocols No. 1, 4, 6, 7, 9, 10 and 11 (OG RS –MP No. 7/94), European Convention on preventing torture and inhuman or humiliating treatment or punishing (OG RS-MP No. 1/94) or Convention of Children Rights (OG RS –MP No. 9/92). As a rule, the foreign minor is taken by the police to the Centre for Foreigners together with his/her parents or legal representatives unless judged or decided otherwise. More strict police surveillance is to be applied for minors under 16 years of age, however only exceptionally and with the consent of at least one of his/her parents.

Ministry of Justice is to draft amendments and supplements to the Penal Code including also new criminal offences associated with trafficking in human beings. A new offence of trafficking in persons and criminal offence of seizure of personal documents for the purposes of trafficking in human beings will be included.

The novelty in this particular area is also a State Prosecution Act (OG RS No. 110/2002), second paragraph to the Article 10, defining competences for prosecutors, according to which they are also competent to deal with criminal offences in the field of trafficking in human beings as of 2 January 2003.

4.3 Bilateral agreements between countries regarding child trafficking

Albania

The Albanian government has concluded and signed a range of bilateral agreements, among which we can mention some that regard the readmission of the persons at the border, signed with Italy, Hungary, Switzerland, Belgium, Bulgaria and Romania.

Meanwhile, Albania has signed the Convention on the International Organized Crime on 12th December, 2000 and put it into effect in August 2002, and its 2 additional protocols: “Against the smuggling of migrants by land, sea and air” and “On the prevention, impeding and punishing of trafficking of persons, especially of women and children”.

Bulgaria

Bulgaria signed several agreements concerning organized crime and trafficking in drugs and human beings. The child trafficking has to be seen as a component of these agreements.

Bulgaria has signed:

- Bilateral agreements with Slovenia, Austria, Spain, Hungary, Syria, Lebanon.
- Tripartite Agreement between Bulgaria, Turkey and Romania.
- Multilateral agreements are signed between Bulgaria and Albania, Armenia, Azerbaijan, Georgia, Greece, Moldova, Romania, Russian Federation, Turkey, Ukraine /being members of Black Sea Economical Cooperation group/.

Croatia

No bilateral or multilateral agreements were undertaken in Croatia in relation with trafficking in children. On the other hand, in December 2000 Croatia had signed the UN Convention Against Transnational Organised Crime and its supplementing Protocols. The Croatian Parliament ratified these documents in November 2002.

Anti-trafficking Declaration of South Eastern Europe was also signed and one of the instruments, whose development is foreseen by the Palermo Declaration, is the Statement on Commitments, which was adopted at the 2nd Regional Ministerial Forum of the States of South Eastern Europe held in November 2001 in Zagreb. This Statement binds the states of South Eastern Europe to build and take part in the Information Exchange Mechanism Concerning Trafficking in Human Beings in South Eastern Europe.

In May 1999, in Bucharest, the Republic of Croatia signed the Agreement on Combating Trans-border Crime of the Southeast European Co-operative Initiative (SECI) and the Croatian Parliament ratified it in August 2000.

Republic of Croatia participated at the EU/IOM STOP European Conference on Preventing and combating Trafficking in Human Beings held in Brussels in September 2002, which concluded with the adoption of the „Brussels Declaration“.

The Republic of Croatia is also included in the activities of the Stability Pact's Task force on trafficking in human beings and it is one of the signatories of „The Statement of Commitment“ regarding the issue of the temporary residence permit (Tirana, December 2002).

Estonia

With the enlisted countries Estonia has contracts that help to follow or control child trafficking at some level:

- Agreement between the government of Republic of Estonia and the government of Germany about extension of language and professional skills of working employees (agreement of foreign employees).
- Social security contract between Republic of Estonia and Republic of Latvia.
- Social security contract between Republic of Estonia and Republic of Lithuania.
- Social security contract between Republic of Estonia and Republic of Finland.
- Social security contract between the governments of Republic of Estonia and Republic of Ukraine.

The Ministry of Internal Affairs administers different agreements of trade and customs. These agreements do not control labour movement, but are observing also trafficking.

Lithuania

Lithuania has signed international cooperation in crime control and prevention agreements with 19 countries, the Ministry of Internal Affairs adequate agreements – with 13 Eastern and Western European justice institutions, Polish, Czech and Romanian among these. The Police Department cooperates with the Lithuanian National Interpol bureau. The Ministry of Foreign Affairs or Consulate also cooperates with countries, which have not signed legal agreements with Lithuania.²³

Recently members of criminal groups (some of which are into trafficking) transferred their activities to other European countries for various reasons (active work of the justice institutions among these). Such situation creates opportunity to consolidate regional and international cooperation of justice institutions, sign a cooperation agreement with the European Interpol and enhance bilateral relations for signing cooperation agreements to fight organised criminality (in 2000 such an agreement was signed with Poland, in 2001 – with Germany).

Lately the office of organised criminality investigation under the Police Department is in active cooperation with an adequate institution in Russia and Kaliningrad in the first place. The involved parties exchange information, organise operations, have composed a four lateral work group for coordination of further cooperation in this field.

²³ Prekybos žmonėmis prevencija / Pranešimas apie žmogaus teisių padetį Lietuvoje. Žmogaus teisių veiksmų planas, 2002; <http://www3.lrs.lt/owa-bin/owarepl/inter/owa/U0073012.doc>

Lithuania being one of the Baltic States consistently develops cooperation with neighbouring countries, especially Latvia and Estonia. Tri-lateral cooperation is coordinated through the Baltic Ministry Council, where practical activities are organised through committees of senior officers.

Another way of regional cooperation, being implemented since 1996, is the Baltic States programme for Fighting Organised Crime - Baltcom Task Force. It must be noted that the EU member states, candidate countries, Norway and Russia also take part in the programme. Within the programme various projects for coordination of joint actions against organised criminality in the Baltic's (trafficking among these) are run.

Appendix 1 of the 7th chapter of International Cooperation of trafficking and prostitution control and prevention programme for 2002-2004 sets plans for further international cooperation in the field of trafficking control and prevention:

- To draft and implement measures for benefiting cooperation of countries, which have sign legal support treaties, to promote exchange of information among adequate institutions concerned with trafficking;
- To anticipate and implement target measures for further cooperation with the Interpol and European Interpol in the area of trafficking;
- To analyse experience of implementation the EU projects "Stop" and "Daphne".

Romania

The Romanian Government signed cooperation protocols for combating crime, especially cross border crime, with most of the countries in the region. One important field of cooperation is combating trafficking in human beings, most of the bilateral agreements emphasizing the need for common actions in the field of trafficking in children and sexual exploitation of the child.

The terms of cooperation include the exchange of information, exchange of statistical data and legal acts, planning and developing common actions, organizing meetings. The countries that Romania signed agreements with are: Bulgaria, Greece, Albania, Armenia, Croatia, Moldova, Ukraine, Cyprus, the Czech Republic, and Poland.

An agreement on combating trafficking in human beings has also been signed between the states members of the Economical Cooperation of the Black Sea Group: Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldavia, Romania, the Russian Federation and Ukraine.

A memorandum of agreement referring to the protection of unaccompanied minors has been signed with France, as recognition of the alarming evolution of the phenomenon of trafficking in children and of the need for immediate action.

4.4 Status of National Plans of Action and National Strategies related to child trafficking

Albania

The Albanian Government prepared the National Strategy to Combat Trafficking in Human Beings, adopted by the Council of Ministers during 2001. The national Plan of Action is an important part of it. It includes concrete measures to combat trafficking in human beings and the role of the state's institutions. An inter-ministerial working group in collaboration with the local, national, and international NGOs that work to combat the trafficking in human beings in Albania prepared this Strategy.

The National Plan of Action of the National Strategy to Combat Trafficking in Human Beings will be carried out in three stages for a 3-year period (2001-2004). The general conclusion that can be drawn about the national Strategy is the fact that the implementation of the Plan of Action is not based on the foreseen terms by the Government, demonstrating once again that one of the serious shortcomings of the work in the state's institutions is not the adaptation of the Governmental strategies and policies, but their implementation.

In 2003 the Albanian Government initiated in partnership with NGOs the formation of a working group for the preparation of a National Strategy Against Child Trafficking and its Plan of Action. The draft-strategy is still under discussion and has not yet been approved by the Government.

Bosnia and Herzegovina

Since the end of 2000, the government in Bosnia and Herzegovina has become much more involved in anti-trafficking work. In December 2000, B&H signed the UN Convention Against Trans-national Organised Crime and its two protocols, as well as the Anti-Trafficking Declaration of South Eastern Europe²⁴. Under the leadership of the Ministry of European Integration, a National Working Group on Trafficking was established in November 2000, to identify priorities and co-ordinate activities among government, international organisations and NGOs. Under the joint leadership of the Ministry of Human Rights and Refugees and the Ministry of European Integration, the working group has developed a comprehensive National Plan of Action to combat trafficking that was adopted by the Council of Ministers in December 2001²⁵.

The Council of Ministers of Bosnia and Herzegovina adopted National Action Plan (NAP) for Combat against Trafficking in Human Beings in Bosnia and Herzegovina on December 6, 2001. On March 14, 2002, the decision to form a state commission for enforcement of NAP was brought, as well as formation of Impact group for combating trafficking and illegal immigration. Thus, the entire legal framework for implementation of the NAP has been established.

As a part of the NAP the Protocol on Understanding with NGOs for applying Temporary Instructions on Treatment of Trafficked Persons was signed with members of the RING network who provide shelter and assistance for victims of trafficking. The Temporary Instructions set the rules and ways of treatment by all state and entity authorities, which in accordance with their responsibilities undertake activities to prevent and suppress trafficking in persons, as well as the NGOs, in order to ensure efficient protection of trafficking victims in accordance with international standards on human rights protection. The Minister of Human Rights and Refugees and responsible NGOs signed the Protocol in September 2002. It is important to note that this protocol includes sections on treatment of trafficked minors, including the CRC provisions. Obligation to "The best interest of a child" is defined that every activity of responsible authorities has to be undertaken with the highest level of care and protection which is necessary for the benefit of a child, taking into account rights and obligations of child's parents, custodians or other individuals who are legally responsible for a child. Special treatment of minors also ensures the obligation to accommodate and put into a shelter, without any delay, a minor-foreigner who is not accompanied by parent or custodian, and who does not possess valid documents on stay in Bosnia and Herzegovina.

²⁴ Barbara Limanowska. Pg. 68

²⁵ *ibid.* pg. 68.

Bulgaria

National strategy for acting against the criminality was developed and adopted in Bulgaria. The overall goal of the strategy is to outline the priorities, goals and tasks for implementation of the Governmental program “People are the treasure of Bulgaria” in the sphere of security and public order and to facilitate the process of accession to the European Union. According to the strategy the migration from Asia, Africa, and former Soviet Union to Western Europe, USA and Canada activates the criminality connected with the trafficking of human beings. According to this national strategy the Ministry of Interior has an active role in prevention and elimination of the trafficking of human beings.

The Ministry of the Interior performs its tasks and functions through the national, territorial, administrative and technical services. Four services are directly connected with the issue of trafficking of human beings, including children: National Security Service, National Police Services, National Service for Combating Organized Crime and National Border Police Service.

The issue of child trafficking, even if it is not playing a central role, is present in other national plans regarding children: Government Strategy and Action Plan, National Plan on Sexual Exploitation of Children for Commercial Purposes²⁶, National Plan for Combating the Worst Forms of Child Labour and National Strategy for Protection Street Children Rights.

The Government Strategy and Action Plan was approved by the council of Ministers on December 7, 2000. The plan sets the frame of the reform. The child trafficking is not at the centre of the plan as far as the plan treats the welfare of children in general. But the issue of trafficking is present in the plan. For example reintegration of street children into a family environment could be seen as an effort to prevent trafficking or reintegrate victims.

The State Agency with participation of representatives of other state bodies and non-governmental organizations developed **the National Plan on Sexual Exploitation of Children for Commercial Purposes**. The National Plan on Sexual Exploitation of Children for Commercial Purposes is divided into several main chapters, among which: Prevention; Protection; Reintegration and rehabilitation. The child trafficking is recognized as a phenomenon related to the sexual exploitation. There are a number of measures planned in order to prevent, protect children and to reintegrate the victims. The important role of media was underlined in the plan and special media policy was developed.

In March 2002 on the initiative on the Ministry of Labour and Social Policy, an inter-departmental group composed of representatives of Ministries, State Agencies and NGOs was set up in order to draft a **National Plan for Combating the Worst Forms of Child Labour**. The motives for developing such a plan were as follows::

- Lack of clear legal measures on the prohibition and elimination of the worst forms of child labour
- No legal regulation on the use of children in pornographic activities
- Lack of specialized units in this area as well as in the police and the judicial system
- Lack of effective cooperation between the departments for child protection and the labour inspectorates

The existing legal protection concerns bigger children allowed to have working activities and determines the minimal age of child labour, forbids night and overtime work and makes medical exams compulsory. On the basis of the existing normative documents²⁷ suggestions of legal amendments

²⁶ Year Report of State Agency for Child Protection –2002

²⁷ The Constitution of the Republic of Bulgaria, The Labor Code, The Law for Child Protection, The UN Convention on Rights of the Child, The National Program for the Children of Bulgaria

and concrete measures were planned. The group that worked on a regular base presented the plan to the Ministry of Labour and Social Policy in August 2002. The Council of Ministers approved it. The Plan stresses the necessity to involve the different institutions and to develop prevention and protection policies for “children-victims”. Also, one of the goals is to suppress the worst forms of child labour: prostitution, trafficking, begging.

The National Strategy for Protection of Rights of the Street Children was set up for the period 2003 – 2005. Street children are object of physical, sexual and psychological violence. They can easily be involved in drug usage, in criminal acts, in worst forms of child labour (such as begging and prostitution). They can also be involved in trafficking. The goal of the strategy is to establish institutionalised possibilities for the street children that will allow them to execute the rights defined in the UN Convention on Rights of the Child and the Child Protection Act.

Also, the State Agency implements in cooperation with UNICEF a joint project “**Sexual Exploitation of Children for Commercial Purposes**”. It also coordinates a project for publishing an Analysis of the situation of the rights of children and women in Bulgaria. The agency has an active role in international cooperation concerning issues such as sexual exploitation of children and child trafficking. These issues are not yet subject of coordinated and synchronized actions at national level.

Croatia

On 14 November 2002 the Government of the Republic of Croatia passed a decision whereby **the National Plan for the Suppression of Trafficking in Persons** was adopted. The National Plan includes a range of activities and measures separated into five areas of high priority: Legislative framework, Assistance to and protection of victims, Prevention, Education and International co-operation.

According to the National Plan of Action governmental organisations and the civil sector as well as international organisations are entitled to submit project proposals related to the prevention, assistance, victim protection program as well as other components related to the problem of trafficking in human beings that are evolving in Croatia.

Program of assistance and protection of potential victims is still focused dominantly on women as *the potential victims* in Croatia. There is still no official shelter for victims in Croatia.

The Ministry of Labour and Social Welfare is entitled to monitor the implementation of the three-year Programme of protection of victims of trafficking for the purpose of sexual exploitation.

Currently, co-ordination of various activities of the Ministry of Interior, Ministry of Labour and Social Welfare, Ministry of Health, Centre for Women “Rosa” and other potential partners is under way.

Estonia

There is no national action plan for avoiding, preventing or any other topic of child trafficking in Estonia. There is only an idea in Ministry of Social Affairs about creating a work-group for problems of child trafficking. As many action plans and work-groups need to be formed it is very unlikely that the work-group or action plan of child trafficking would be one of the next ones.

The situation is not hopeless, as there is a group of enthusiasts who in their everyday work face trafficking problems. The organization AIDS Support Centre and the NGO *Living for Tomorrow* of AIDS Prevention Centre started a program in the spring of 2003 in co-operation with IOFA. As one of the results of the project, a national action plan against child trafficking should be created.

One work-group, which is connected to Estonian Parliament, is working on creating Strategies of Children Rights and a small part of their activity covers also child trafficking. Their main activity is to see that CRC is followed. When UN asked about the situation of child trafficking in Estonia, members of the working group said that child trafficking is not a problem in Estonia.

Lithuania

Currently two national programmes for prevention of trafficking in children are carried out in Lithuania: Trafficking and prostitution control and prevention programme for 2002-2004 and the National Programme against Commercial Sexual Exploitation and Sexual Abuse against Children.

Trafficking and prostitution control and prevention programme for 2002-2004²⁸ was adopted by the Government resolution 62 on January 17, 2002, On Trafficking and Prostitution Control and Prevention Programme for 2002-2004 in reaction to trafficking issues and as means of state preparation for its membership in the EU (National ACQUIS adoption programme plan for 2001, adopted by the Government in February 22, 2001 resolution number 192 On Lithuanian Preparation for membership in the European Union programme Means of Harmonization and Implementation of ACQUIS measures for 2001 plans²⁹).

The strategic goal of the programme is to have a complex means for eradicating the causes and conditions of trafficking and prostitution, and to develop prevention measures. Another focus is on destroying the criminal networks involved in organizing prostitution and trafficking. Still, most of the measures are referring to prevention, covering issue like education, health, support to victims, development of legal basis, cooperation with NGOs etc. The main directions are the following:

- To investigate the efficiency of penal practice
- To maintain social, psychological and legal support conditions for victims of prostitution and trafficking
- To develop search of unaccounted people
- To develop a system for information on trafficking analysis and disclosure
- To expand international cooperation in order to prevent trafficking and prostitution
- To create a data base of unaccounted, caught with forged documents, suspected of procuring, deported from foreign countries and Lithuanian people in the state Frontier Protection Service under the Interior Affairs Ministry
- Support NGOs
- Draft legislation complying with the requirements of control and prevention of trafficking and prostitution set by the UN, the EU, the European Council and other international institutions.

The programme also includes special means (one of them being a sociological survey of victims of abuse) for trafficking in children. It aims to examine the situation of women and girls, which are first potential victims of trafficking and prostitution.

A special emphasis is put on preventive educational programmes in schools:

- To establish and implement education programme, which would be of help to eradicate threats of trafficking and prostitution in the society;
- To publicize threats of prostitution to the youth and to educate proper moral standards;

²⁸ Valstybes žinios. 2001, Nr. 18-554 (priemonės kodas Nr. 1: 1.2.1-T-B14)

²⁹ Valstybes žinios. 2002, Nr. 6-231

- To develop and expand network of advisory services for children at risk and their parents. One of the steps is to develop and implement means for benefiting pedagogical, psychological, social, legal and medical consultancy work, i.e. to find ways of providing improved support for children at risk and their parents;
- To hold all kinds of lectures on threats of trafficking and prostitution, early sexual life, bullying, sexually transmitted diseases, alcohol and drugs as well as threats of tempting proposals to become rich in the Western countries within a short time.

On January 11, 2000 the Government adopted **the National Programme against Commercial Sexual Exploitation and Sexual Abuse against Children**.³⁰

The main objective of the programme is maintenance of child rights and protection of their interests as well as diminishing the threat of becoming a victim of sexual abuse and commercial sexual exploitation. The programme covers the following education, legal, social, medical, organizational and information issues:

- To develop efficient system for prevention of sexual exploitation and commercial sexual abuse, which would limit negative impact of the social surroundings and other social phenomenon causing abuse against children and manifestations of negative impact on a child's personality.
- To develop legal base, i.e. to maintain legal and organizational conditions for protecting children against sexual abuse and commercial sexual exploitation, to safeguard their rights and legal interests during investigation of the case;
- To detect the main causes of sexual abuse against children and their commercial sexual exploitation, to foresee ways of eradication and choose the best ones
- To develop rehabilitation of children who were subjected to abuse or sexual exploitation;
- To prepare an analytical – scientific information system for accumulating and investigating as well as foreseeing tendencies and dissemination of commercial sexual exploitation of children and sexual abuse against them.

When dealing with causes of trafficking, Lithuania drafted a **Strategy for Diminishing of Poverty**, which covers separate issues of diminishing poverty. The Government adopted and is implementing the Programme for Increase of Occupation. A part of the programme – “Maintenance of Equal possibilities for Women and Men” - sets the goal to maintain equal possibilities in labour market principle, i.e. that both men and women are subjects to participating in all economic fields, equal salary, support of middle and small business, economic independence and initiative to establish a job position for oneself and to be able to combine both family and business duties.³¹

Macedonia

Within the *police force*, the Task Force to Combat Trafficking was set up in 2000, with representatives in all districts.

Starting with August 2000, OSCE has organized round tables on trafficking, with government, international and local NGO participation. The round tables have covered four policy areas: prevention, legal policy, victim assistance and security. At the beginning of 2001, the government appointed National Council on Trafficking and Illegal Migration to develop a National Plan of Action on Trafficking.

³⁰ Lietuvos Respublikos Vyriausybės 2000 m. sausio 11 d. nutarimas Nr. 29 Dėl Nacionalinės programos prieš vaiku komercini išnaudojimą ir seksualinę prievartą”. // Valstybės žinios. 2000, Nr.5-144

³¹ Bazylev I., Žekonis R. Prekybos žmonėmis prevencija ir kontrolė Lietuvoje. – Vilnius, 2003. P. 53-54

Due to the fact that in the last few years the number of victims of trafficking in Republic of Macedonia has increased, the government has brought up a National Commission for combating trafficking in human beings. The National Commission has brought a National Program for combating trafficking in human beings.

The *National Council on Trafficking and Illegal Migration*, appointed by the government in February 2001, has organised an Interdisciplinary Committee led by the *Ministry of Justice* to work on harmonising Macedonian law with the requirements of the Palermo Protocols. Legal reform will include:

- Introduction into the Criminal Code of the new crime of trafficking in human beings, according to the definition from the Palermo Protocol, and also adding punishment to the existing provision for organised forms of trafficking;
- Introduction of the crime of illegal border crossing;
- Change and amendment of the Criminal Procedure Law to facilitate the investigation of all forms of organised crime activities; inclusion of new investigative techniques (electronic and other forms of surveillance);
- Change of the existing regulations on labour and health inspection to enhance the ability to identify trafficked women by introducing changes in the Labour Code and Health Legislation, and by issuing work permits;
- Improvement of international co-operation with other countries for the purpose of extraditing traffickers;
- New asylum law – in draft form.

Within the *Ministry of Justice*, the *Legal Policy Working Group* has been harmonising the existing anti-trafficking legislation with international law. The new article on trafficking has been drafted (Art. 418a).

Moldova

In November 2001, the Government of the Republic of Moldova gave a decision to create the National Committee for Fighting against Human Trafficking with the following structure: the Ministry of Internal Affairs, State Service for Migration, Prosecutor's Office, General Department against Organized Crime, Customs Department, the Ministry of External Affairs, Ministry of Labour and Social Protection.

This Committee has set the following goals:

- Assessment of the extent of the problem,
- Identification of the causes and of the vulnerability of some social groups,
- Sensitising the society about the danger involved in human trafficking,
- Insurance of the protection of trafficking victims,
- Harmonization of the national legislation with the international legislation concerning human trafficking,
- Skilled personnel training for application of the new legislation instruments.

The Committee mentioned above had the task to work out **the National Plan of Action for Fighting Against Human Trafficking**, in which the goals of the activities were set and the factors responsible for monitoring these activities were appointed. The plan contains the following domains, important in the approach of this problem: investigation and evaluation, sensitisation, prevention/social-economic causes, victims assistance, victims returning and social reintegration, the legislative reform, application of the law, international coordination and cooperation.

We can notice that the plan of action lacks an important heading – the resources allocated for the achievement of these activities. This heading wasn't inserted because of the lack of insurance and difficulties concerning the national budget's provisions for the next year. Also, it is awfully difficult to determine the volume of the resources allocated for the elimination of the human trafficking, because the responsible persons in this field prefer not to share such kind of information with particular persons or with non-governmental organizations. This makes very difficult the assessment of the possibilities to combat this phenomenon, even though it is quite clear that there are few and insufficient resources, like in other domains of activity.

Organizations responsible for the implementation of the plan of action became a row of state bodies, beginning with the Ministry of Internal Affairs, the Health Ministry, the Ministry of External Affairs and ending with the Education Ministry, Youth and Sport Department and the local public administration. Nevertheless, the responsibilities are divided between these bodies vaguely and they are not attributed to some specialized structures, like the Department against Human Trafficking related to the Ministry of Internal Affairs or the Consular Section related to the Ministry of External Affairs, and this creates some confusion in the achievement of the activities envisaged by the plan of action. The partners in the implementation of the objectives of the National Plan of Action are a large number of international organizations: UNICEF, UNDP, IOM, OSCE, ILO, Council of Europe, the European Union, SECI Centre, as well as the non-governmental organizations in the Republic of Moldova, quite active to combat human trafficking.

Anyway, we can affirm that the working out of the National Plan of Action represents an important step in the fighting against the human trafficking phenomenon.

Romania

The Romanian Government adopted **the National Plan for Combating Trafficking in Human Beings** in 2001 (Government Decision no.1216/2001). This legal act provides for actions that regard:

- Informing and raising awareness on the forms and dangers that trafficking in human beings involves (organizing presentation in disadvantaged areas, in schools and at the community level).
- Improving the social and economic situation of the persons that are at a high risk of being victims of trafficking (periodical labor force exchanges, a market of labor offers and demands).
- Elaborating a communication strategy to the effect of combating trafficking in human beings.
- Returning, assistance and social reintegration of the victims of trafficking.
- Protecting the victims of trafficking in human beings.
- Enforcing the new legislation in the field.
- International and regional cooperation, with the European Union, with the Member States to be, as well as with the other states involved, in one way or another, in the fight against this phenomenon.

At the elaboration of the National Plan of Action for combating trafficking in human beings participated: Ministry of Public Administration and Interior, Ministry of Foreign Affairs, Ministry of Labour and Social Solidarity, Ministry of Health and Family, International Organization for Migration and 9 NGOs, with the support of USAID and the American Embassy. The stipulations of the NPA involve almost all the State institutions, with clear focus on establishing the institutional framework and on prevention. NGOs are considered to play an important role on the part of rehabilitation, recovery and socio-professional reintegration of the victims.

Besides the consolidation of the legal framework, the law enforcement bodies and institutions have been reformed in order to better respond to the new challenges, internal and regional, and correspond to their counterparts in the European Union states. In this regard, the national Police and the Romanian border police have acquired new valences that allow them to strengthen and improve their activities on a national, regional and international level.

In the implementation of the National Plan of Action the first steps have been made:

- The Interministerial Working Group for the coordination and evaluation of the activities for preventing and combating trafficking in human beings was created.
- The responsibilities of the General Division of Combating Organized Crime and Anti Drugs in the field of human trafficking were enhanced.
- A partnership between the Ministry of Education and Research, IOM and the Romanian Patriarchy was established, which are carrying on the awareness raising campaigns in schools.

The NPA for Combating Trafficking in Human Beings contains few provisions specially addressed to children. That is why the NPA for Combating Trafficking in Human Beings should be corroborated with all the other national action plans that regard children in the field of: poverty alleviation, education, social inclusion (Roma children, children with disabilities), worst forms of child labour and child sexual exploitation.

Serbia and Montenegro

Due to positive political changes in Serbia in 2000, including support and pressure from high level international bodies such as the Stability Pact Task Force, the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and the UN, the authorities in Serbia and Montenegro placed the problem of trafficking in human beings on the political agenda. In May 2001, the Yugoslav Team for Combating Trafficking in Human Beings was established at the federal level after the first *Roundtable on trafficking in humans* organized by the OSCE Office in Belgrade, ODIHR-Warsaw and Stability Pact for Southern Eastern Europe Task Force on Trafficking in Women.

Because of political changes in the country (uncertain status of the Federation), activities in the field of combating trafficking in human beings were transferred from the federal level to the level of the Republics. In the Republic of Serbia, a National Coordinator was appointed in April 2002.³² Shortly after that, the National Team to Combat Trafficking in Human Beings was formed to operate at the level of Serbia.³³ Today, this Team gathers representatives of relevant government ministries and judicial bodies, non-governmental organizations, and international organizations.

The activities of the individual Team members are streamed through the work of its four Working Groups, which are:³⁴

1. Working Group for Combating Trafficking in Children (Chaired by domestic NGO “Beosupport”)
2. Working Group for Prevention and Education (Chaired by domestic NGO “ASTRA”)
3. Working Group for Assistance and Protection of Victims (Chaired by Ministry for Labor, Employment and Social Policy)
4. Working Group for Prosecution (Chaired by the Ministry of Justice).

³² Under the decision of the Minister of the Interior and Deputy Prime Minister of the Government of the Republic of Serbia, Mr. Dusan Mihajlovic, Mr. Dusan Zlokas was appointed as the coordinator of the National Team for Combating Trafficking in Human Beings.

³³ The first (founding) meeting of the National Team for Combating Trafficking in Human Beings was held on May 30, 2002. Working program of the National Team was adopted on October 17, 2002 and filed under the number 26-1515-6/02 – Ministry of the Interior, National Coordinator for Combating Trafficking in Human Beings

³⁴ Communication of the National Coordinator for Combating Trafficking in Human Beings No. 26-1515-5/02 of September 2, 2003;

Although the state has started dealing with the problem of trafficking in human beings, and particularly trafficking in women and children, this process is slow because many law enforcement officials, prosecutors, and judges still know little about the problem. This lack of awareness is seen as one of the greatest obstacles to tackling this problem, with widespread corruption exacerbating it even further. There is no institutionalized system of protection for trafficking victims, although the National Referral Mechanism has been established for that purpose within the Working group for victim's assistance, which exists within the National Team for Combating Trafficking in Human Beings, coordinated by the Ministry of Labor, Employment and Social Policy of the Republic of Serbia while the other two Mobile Team members are from Counselling Center against Family Violence and ASTRA. The Mechanism defines which persons are considered victims of trafficking (according to the UN Convention against Transnational Organized Crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children), who can be the source of information in trafficking cases, and where the victims of trafficking should be referred, i.e. shelter for women victims of trafficking. Since there is no legal possibility for trafficked women to get temporary residence permits³⁵, the police tolerates them staying in shelters.

At the end of 2003 the work on the National Plan of Action in Serbia still didn't begin. The only relevant document in this field is the Plan of the activities of the National team for combating trafficking in human beings made in 2002.

Slovenia

Trafficking in children is not included in the national programme. It is more precisely defined under the field of trafficking in human beings. To this end, the Chapter hereto will mostly deal in trafficking in human beings including also issues related to trafficking in children.

At the beginning, individual institutions including prosecution bodies and civic organizations dealt with trafficking in children on the case-by-case basis. Their actions were not coordinated and only partial. Due to increased scope of trafficking in human beings and stronger pressure exercised by international institutions a new integrated approach to deal with these issues had to be adopted. Such an approach is based on involvement of all relevant organizations. On 8 November 2001, the first and the founding meeting of the inter-ministerial task force for combating trafficking in children was held at the Ministry of Foreign Affairs. At the meeting, initiatives and obligations arising from international documents to which the Republic of Slovenia adhered to were presented:

- The Hague Summit Declaration (26 April 1997) on effective measures in the field of preventing and combating trafficking in women with the purpose of sexual abuse;
- Recommendation of the Council of Europe in regard with action against trafficking of human beings with the purpose of sexual abuse (2000);
- United States Convention on transnational organized crime signed in Palermo in December 2002 including the Protocol signed at the UN General Assembly meeting held on November 11 – 16, 2001 relating to “preventing, suppressing and punishing of trafficking in persons, women and children in particular”;
- Declaration on combating trafficking in human beings in southeastern Europe put forward at the meeting of the UN – Special group for southeastern Europe - held in December 2000 in Palermo.

³⁵ Temporary residence in the territory of the Republic of Serbia is regulated under the Law on the Movement and Stay of Foreigners (Official Gazette of the SFR Yugoslavia, No. 56/80, 53/85, 30/89, 26/90, 53/91, Official Gazette of FRY, 24/94, 28/96, 68/02). Under this Law, foreign nationals may be granted temporary or permanent residence. The right to permanent residence shall be denied to a foreign national who has presented false personal information or false documents, who has used someone else's passport or has given his/her passport to someone else to use it, who has come to FRY/Serbia and Montenegro illegally, and does not have the refugee status, i.e. asylum right, who does not have means to support him/herself or his/her support in the territory of the Republic of Serbia has not been otherwise provided, as well as to a foreign national who has helped or inspired the other person to cross the state border of FRY/Serbia and Montenegro illegally.

On 6 December 2001, the inter-ministerial task force was appointed by the Resolution of the Ministry of Foreign Affairs. Such appointment is considered as an obligation and as an opportunity to deal with trafficking in human beings also in Slovenia. The task force includes representatives of ministries, non-government and intergovernmental organizations (Ministry of Interior - Government Office for European Affairs and International Relations, Ministry of Foreign Affairs - Criminal Police Administration, Ministry of Labour, Family and Social Affairs, Ministry of Justice, Government Office for Equal Opportunities, UNCHR Ljubljana, International Organization for Migrations (IOM, Ljubljana), KLJUČ Society – Centre for combat against trafficking in persons, SOS phone Association, Slovene Philanthropy, Investigation journalist of the national radio station). In February 2002, the national coordinator for the field of trafficking in human beings was appointed in accordance with the Resolution passed by the Government of the Republic of Slovenia. The national coordinator is responsible for management and coordination of inter-ministerial task force. Activities carried out within the above task force are:

- Prevention,
- Raising awareness of laic and professional circles,
- Research, education, publicity,
- Assistance to victims of trafficking in persons,
- Activities related to the adopted “acquis” and relevant amendments,
- International cooperation.

5. ACTORS WORKING AGAINST CHILD TRAFFICKING

5.1 Description of national actors

5.1.2. Prevention

Preventing trafficking in children is most often understood and approached as raising awareness. Having the right information is, of course, very important in the process of taking the decision to go abroad or accept a job offer in another city. Still, the experience of assisting victims of trafficking showed us that the alternatives offered by the community and social security system are also very important. If the public social services are failing in protecting the children from disorganized families it is very likely that these children end up in street accepting any promises for better life. Also, the inefficient policies for employing young people determine a negative attitude towards the chances for success within the origin country.

The prevention programmes developed in the region were mostly focused on offering information to different target groups: general public, children, teachers and parents. The methods used for disseminating the information are various: posters, leaflets, TV and radio spots, round tables or workshops. The analyses of the programmes developed until now revealed the fact that usually the NGOs and international organization had these initiatives. Still, we have to mention Slovenia, where the counter-trafficking projects are carried on by the inter-ministerial task group, which includes governmental institutions, NGOs and international organizations. One of the gaps mentioned by most of the reports is the lack of analysis of the efficiency of the media campaigns carried out until now.

The workshops/lectures in schools or institutions for children are meant to enable children to take the right decision by offering information about the risks, consequences and institutions that can provide help. The “child trafficking” could be the only topic approached during the meetings with children or the part of a larger theme (for example sexual education or developing life skills).

Another type of service that contributes to the prevention of child trafficking is the help line (hotline or SOS line), that offers information for those who would like to accept a job abroad, for victims of violent behavior (domestic violence or within the group of acquaintances), for victims of trafficking or their relatives, etc. This type of service is mentioned by 6 national reports. Some of the help lines are providing assistance only for women and children victims of trafficking, while other are addressing a wider category: victims of violence.

The reports are also mentioning governmental strategies aimed to create an efficient child protection system and youth employment mechanisms. Still, there are no available analyses of the implementation of these strategies.

In the field of prevention could be included also the activities that aim to increase the capacity of the professionals working with children to provide quality assistance both for children at risk and children who were trafficked. The trainings developed so far targeted representatives of NGOs, judges, policemen, social workers, prosecutors, journalists, teachers, priests etc. These were mostly results of the partnerships between international organizations and NGOs.

Among the international organizations we have to mention IOM who developed prevention activities in almost all the countries included in the report and also UNICEF who focused on assessing and research the situation and offering expertise to the authorities in establishing coherent strategies.

Albania

- Governmental initiatives:
 - Strategy for Social Services
 - Strategy for Employment and Professional Formation
 - Introducing information on trafficking in school curricula
- NGOs
 - information campaigns
 - training for professionals
- International organizations
 - Raising awareness campaigns
 - Trainings for specialists

Bosnia and Herzegovina

- Governmental initiatives:
 - National Plan of Action that stipulates prevention activities
- NGOs (coalition of NGOs)
 - strategy, research, data collection
 - raising awareness targeted on potential victims – children in secondary schools, returned children who belong to minorities
 - trainings for professionals – issues approached: trafficking and human rights; violence against women and children, including trafficking; research methodology
- International organizations
 - UNHCHR – advocacy and expertise to the governmental bodies
 - UNICEF – situation assessment, capacity building

Bulgaria

- Governmental initiatives:
 - Ministry of Interiour – prevention and elimination of trafficking in human beings
 - State Agency for Child Protection - policy development
 - Municipal Departments for Child Protection – prevention, protection and reintegration
 - Central and Local Commissions for Combating Juvenile Delinquency – Central Commission has the role of combating and the local , the role of preventing.
- NGOs
 - informative campaigns
 - press and lobby campaigns
- International organizations
 - IOM – raising awareness
 - Other international institutions supporting anti-trafficking projects: USAID, US Department of Justice, ABA CEELI

Croatia

- NGOs
 - informative campaigns – curriculum for prevention of child trafficking and training educators for implementing the project in schools in Zagreb
 - SOS line for trafficking in women
- International organizations
 - IOM – raising awareness

Estonia

- NGOs
 - Focused on victims of rape, sexual abuse and violence
 - Trainings and capacity building against trafficking of women and girls
 - Sexual education of teenagers, including prostitution and trafficking
 - Telephone consultations (help line) – partnership between IOM and NGOs
- International organizations
 - Nordic – Baltic Campaign against Trafficking in Women – collecting data; educational evenings (debates) for parents, local police, social workers, local representatives of government, representatives of women roundtables, representatives of student organizations and teachers; teaching sessions
 - IOM
 - Informative campaigns
 - Research
 - Expertise for government

Lithuania

- Governmental initiatives:
 - Prevention programme for trafficking and prostitution control – educational programmes in schools
 - National Programme against Commercial Sexual Exploitation and Sexual Abuse against Children
- NGOs:
 - informative campaigns
 - trainings, conferences
- IOM: raising awareness campaigns, research

Macedonia

- Governmental initiatives:
 - Ombudsperson for Children – informative leaflets on children's rights, including the trafficking issue

- NGOs
 - Raising awareness campaigns
 - Hot-line / info line
- International organizations
 - IOM – raising awareness targeting general public and KFOR soldiers
 - capacity building, national network
 - UNICEF – public information campaign
 - Educational programmes for children and young people (dangers of sexual exploitation)
 - Lectures by police for young people in schools and youth centers
 - Trauma awareness training for professionals
 - Child rights training for professionals
 - SOS help line (for trafficking in women)

Moldova

- Governmental initiatives:
 - Ministry of Labor and Social Protection – vocational trainings for young people
- NGOs
 - informative campaigns: lectures in schools, seminars with teenagers, media campaign
 - life skills trainings for young people
 - trainings for educators, training of trainers
 - hot-line
 - monitoring the implementation of national and international legislative standards
- International organizations
 - IOM – raising awareness

Romania

- NGOs
 - informative campaigns: media campaign, disseminating informative materials (leaflets, posters)
 - lectures in schools or institution for children (placement centers)
 - trainings for social workers, psychologists, prosecutors, policemen
- International organizations
 - IOM – raising awareness, capacity building (training with priests from rural communities)

Serbia and Montenegro

- NGOs
 - Raising awareness campaign – media campaign (TV spots, radio jingles, posters), workshops in elementary and secondary schools
 - SOS Hotline
 - Capacity building - training groups dealing with the problem of trafficking in children
 - Peer education
 - trainings for the professionals in relevant institution: social workers, psychologists, prosecutors, policemen

- International organizations
 - IOM – raising awareness campaigns
 - Repatriation

Slovenia

- Partnerships NGOs – state institutions – international organizations
 - The inter-ministerial task-force is coordinating most of anti-trafficking opportunities, and includes representatives of ministries, NGOs, and international organizations
 - Help line for women and children, victims of violent behavior
 - Informative campaigns (partnership between police and NGOs): leaflets, TV spot, lectures in elementary schools and colleges
 - Raising awareness at the level of professionals (TV and radio shows, round tables) – partnership between national coordinator of the task force, NGOs and IOM
 - Researches, publications, conferences – partnership between national coordinator of the task force, NGOs and IOM
- NGOs
 - Projects for preventing the abuse of children – providing information and skills enabling the children to protect themselves in case of violence and abuse; targets: children, staff, parents

5.1.2. Protection and recovery

The identification of a trafficked child is not the last step in enforcing his/her rights. Ensuring the protection of the child in the destination country, the safe return to the origin country and efficient reintegration services represent a process that requires both resources and cooperation between countries.

The IOM offices play an important role in protecting and returning the victims of trafficking, including children. In some countries, the return of the trafficked child is regulated by bilateral agreements between countries; still not only the governmental institutions are coordinating these activities. The reports show that in Albania, Moldova and in a lower extent Romania, there are NGOs which are mediating the returning of unaccompanied children (including victims of trafficking). An important actor at international level in this field is International Social Services.

In most of the countries, the shelters for trafficked children are provided by NGOs and international organizations. The shelters that are focused on victims of trafficking do not receive children only. Children do not benefit from any special treatment in most of these cases.

In some countries, trafficked children are hosted in shelters for street children or for unaccounted families or children. In Romania the process of opening specific shelters for trafficked children is just at the beginning. In Albania there is also planned to create centers for trafficked children.

The Moldavian report shows the problems related to returning process: the lack of specialized department for repatriating children, necessary financial resources for their transportation.

The reports are stressing the need of standard procedures for returning the children who were trafficked and to put more resources in this process in order to ensure the protection of the child during the whole process.

5.1.3. Rehabilitation and reintegration

The rehabilitation and reintegration services can be offered in the origin country, but also in the transit or destination country, if the child doesn't want to go back and the legislative framework allows this option.

This type of services requires the assistance of professionals from different fields of intervention (doctors, psychologists, social workers, lawyers), according to the trauma suffered during the trafficking history and the needs for reintegration.

In most of the countries, the assistance for reintegration is done in partnership between NGOs and IOM. Even if all states from the 11 countries do have social protection system, with services for children in risk situation, not all of them are prepared to receive these cases in their assistance.

The NGOs have focused programmes on trafficking or programs for assisting children victims of abuses (the definition of abuse being understood in its larger meaning).

The main activities included under the name "reintegration and rehabilitation" are:

- establishing the relationship child – family – school
- psychological and psychiatric services
- medical consultations
- juridical counseling
- translation
- arranging travel documents and safe repatriation

Except for Lithuania and Estonia, where the assistance of these children is made within other types of services for children, all countries have shelters for trafficked women which provide assistance to children also.

There are only the guidelines for assisting the victims of trafficking elaborated by UNICEF or the guidelines developed by UNHCHR for IPTF on how to deal with cases or persons believed to be trafficked. This is one of the big gaps of the existing services. Also, there is need to evaluate this type of information, being necessary a comprehensive and detailed evaluation of the reintegration and rehabilitation

5.2 5.2. Media role

Media is recognized as one of the most important actors in the prevention process. Media is an excellent way to disseminate information to different target groups. The surveys on young people revealed that the information they had about trafficking in human beings was from media.

Media has the role of defining the "social agenda". If media is not attracted by the issue and doesn't promote it, than it is really hard to use other means to convince people that trafficking is a problem that exists and has very serious consequences for all.

The general trend in media is to associate trafficking for sexual purposes with voluntary prostitution. As it is shown in the following quotes, in some countries the trainings for media representatives influenced the quality of the articles.

Albania

In the Albanian media, children victims of trafficking are often penalized or victimised. The major part of the articles prejudices and discriminates them. Every so often, the journalists become part of the general opinion, which prejudices the children, victims of trafficking.

The Albanian press with the term a “prostitute” labels the trafficked children for prostitution purposes, whereas the traffickers are called “protectors”, “tutors” or “exploiters” but not “traffickers”.

Bosnia and Herzegovina

Recently, public campaigns about violence against women and dangers of trafficking have been present in the media. The print media now tends to write more about victims of trafficking than ‘foreign prostitutes’.

Croatia

Media had played a contra-productive role till 2001. Newspapers and electronic media were dealing with the problem and indicators of trafficking in human beings that they did not know much about. The topic was handled sensationalistic, very often disclosing too many personal details concerning the victim’s identity and even being very judgmental in relation to the victims. The information in the media became more relevant and ethical. National seminars were organized by IOM and GO of Croatia - Office for Human Rights.

Estonia

In mass media there have been many articles about women trafficking, but child trafficking has been considerably less discussed. There are very different opinions and attitudes about trafficking. Political and public opinion haven’t been clearly formulated. Some newspapers and magazines publish professional articles; others are only interested in scandals and sensations.

Lithuania

To summarize, it is clear that the mass media gives solid coverage of trafficking both in Lithuania and abroad. Experts agreed that there is a substantial interest for that. Disclose of such facts (especially trafficking in children) would be sensational. However, very few cases have been disclosed.

It must also be noted that the mass media is very important in investigating such cases and shaping negative attitude of the society towards traffickers, which has a positive effect of alertness in the society.

Macedonia

The national and local TV stations have played an important role on raising awareness about this problem in Macedonia and broader in the region. They have not only covered the actions of the police, NGOs and other actors working on prevention and combating human traffic, but have been also bringing out stories about people and events related to this problem.

However, the children remain invisible in this picture. There is no specific focus on their specific situation and fragility (dependences, poor education and life experience, weakness), and the nature of the reasons for child trafficking.

Moldova

We can conclude that both analyzed newspapers don't reflect the real scale of the issue, and the insufficient approach of the human trafficking phenomenon and especially child trafficking, doesn't mean that this issue do not exist. The space reserved to this phenomenon is much reduced, taking into consideration the extent and the gravity of the issue in the Republic of Moldova. The articles are included within the headings: "social", "current events".

Romania

There is the usual confusion in the news presented in the media between prostitution and trafficking for sexual exploitation (the victim is the guilty part) and between illegal migration and trafficking.

Serbia and Montenegro

The terms "sexual exploitation of children" or "child trafficking" or even "trafficking in women" were not used in any article that dealt with this issue, it was always about "juvenile prostitutes" who probably wouldn't get any media attention if there weren't for the police actions and arresting of their pimps.

Although all of these articles obviously talk about situation of coercion or exploitation of children, they do not name this "child trafficking". The titles are usually sensationalistic and mentioning the full name of the parents (sometimes even children's names) so it is easy to conclude from the text about the identity of the child.

Slovenia

In the year 2002, there were around 60 different media publications and broadcasts about trafficking in human beings. The most significant were TV shows or round tables hosting representatives of the police, national coordinator, non-government organizations and international organizations discussing trafficking in human beings.

6. | RECOMMENDATIONS

Each national report presented the most important recommendations. Some of them are common for all the countries analyzed, while some of them are country-specific.

The common recommendations are generally aimed at:

- tailoring the legislative framework so that “child trafficking” is considered and treated as a separate category in the penal law and social assistance legislation, with more severe punishment for the persons found guilty of trafficking children / favoring child trafficking but without punishing the victims (in accordance with the international laws and Convention on the Rights of the Children);
- building a unique data collection / monitoring system so that the extent and different particularities of the phenomenon would be known;
- conducting research work aimed at finding all potential causes of the phenomenon;
- developing a rather proactive assistance policy, targeted at dealing with the causes of the problem (and not only treating its effects);
- co-ordinating national and regional institutional networks / action plans that would serve at offering protection to the victims (based on individual action plans), and their rehabilitation and reintegration ensuring child’s best interests and special needs;
- developing a body of professionals especially trained in the field of preventing and combating child trafficking (so that the problem would be approached from a multidisciplinary perspective);
- running awareness raising campaigns on the issue of trafficking in human beings and children and including similar educational campaigns in school curricula;
- building an international co-operation in form of good practice and know-how transfer, legislative changes and bilateral and regional treaties on assisting the victims of child trafficking.

Albania

Adopt a law for the protection of children from worst forms of child labour (according to the Convention for the Child Rights and ILO 182 Convention)

- Adopt a law for the protection of children from worst forms of child labour (according to the Convention for the Child Rights and ILO 182 Convention)
- Adopt the law “On the Protection of the Witnesses”
- Appointing defending lawyers for children who testify
- More careful controls at the border checkpoints, in hotels and motels, and against corruption and police involvement in child trafficking
- Detailed policies for the return, protection, treatment, rehabilitation, and reintegration of the children – victims of trafficking (including financial resources)
- International co-operation (including support, investigations in case repatriation is required, procedures that should be followed)
- Drawing a Ethic Code of the Journalist and a Code of the Reporting

Bosnia and Herzegovina

- Adjusting the existing legislation to the international anti-trafficking treaties and protocols
- Victims of child trafficking should be treated according to the Convention on the Rights of Children
- Tailoring the assistance in accordance with the best interests of children through specific measures (this should also be monitored by the organisations that deal with child rights)
- Awareness raising campaigns among teenagers

Bulgaria

- Improving the legislation and putting into force the laws and national plans connected with combating trafficking
- Developing a unified system for collecting data on trafficking
- Awareness raising and preventing campaigns
- Broaden the range of services for victims of trafficking
- Regional and international co-operation

Croatia

- Setting up and enforcing a national plan of action for the protection of children against trafficking in human beings

Estonia

- Bringing the problem of child trafficking into light (research, national campaign to raise awareness on the problem);
- Making the social protection system more efficient (stronger financial support, more programmes, training courses for specialists, including the concept of “child trafficking” in the Child Protection Law);
- Creating an organization that would be specialized in dealing with the child trafficking problem
- Designing a national action plan and putting it to work (with regard to prevention, rehabilitation and protection);
- Change the legislation (so that trafficking / favoring trafficking would be punished; make the punishments more severe);
- National and international co-operation;

Lithuania

- Undertake a specialized sociological survey on trafficking
- Organize special departments / services dealing with the different forms of trafficking and change the strategy towards a proactive co-operative approach to prevent and fight against the causes of child trafficking (instead of the passive reaction to the phenomenon)
- Educational work for the most vulnerable age group (i.e. girls aged 14-17)
- International co-operation and know-how transfer (including specialized training sessions)

Macedonia

- Establishing a center for protection and recovery
- The victims should not be treated as delinquents
- Research on child trafficking issue
- Awareness raising campaigns
- Specialized training sessions for professionals working in the area
- Change the legislation (so that trafficking / favoring trafficking would be punished; make the punishments more severe)

Moldova

- Building / developing the institutional framework (appointing official responsible persons at central / local level, creating institutional anti-trafficking and juridical networks)
- Developing policies and strategies to prevent human trafficking, to decrease poverty, to eradicate corruption
- Legislative measures (defining the concept of “trafficking” in all its forms, elaborating the legal framework and the necessary mechanism to enforce the law)
- Specialized social service for the victims and potential victims (free medical and juridical services for the victims, creating a network of rehabilitation centers and individual rehabilitation programmes, awareness raising campaigns – including a new adapted school curriculum, highlighting the development of local NGO networks and “hot-line” networks in several districts)
- Training specialized personnel (for a multidisciplinary approach of the problem)

Romania

- Developing an efficient institutional framework (the Subgroup for preventing and combating child trafficking should monitor the progress and finalize the National Plan of Action for Preventing and Combating Child Trafficking)
- Awareness raising and information campaigns (on child trafficking and legal migration abroad)
- Establishing Child Ombudsman and Child Court
- Strong co-operation at national, regional and international level (partnerships in preventing, combating child trafficking, recovery and rehabilitation of victims)
- Establishing a monitoring system of returned and missing children (statistical data should be transparent while victims’ personal data should be confidential)
- Focusing the prevention and rehabilitation campaigns on “child’s best interest” and “child participation” with the consideration of the individualized assistance
- Establishing viable witness protection programs
- Increasing the period stipulated in the law for the rehabilitation of a victim in a shelter

Serbia and Montenegro

- Simultaneous media awareness raising campaigns on child trafficking in the region and educational programs as part of school curriculum
- Tailor the actual legislation in accordance with the Convention on Child’s Rights (witness protection, temporary residence permit)
- Bilateral/regional treaties and agreements regarding trafficking in human beings (especially regarding safe return and witness / victim protection)
- Adequate protection of the child in all phases of the legal proceedings (ensuring his/her special needs and best interests)
- Professional trainings for all the employees who work on trafficking in human beings
- A unique system for data collection in regard to child trafficking
- To establish a child rights protection system that includes and focuses on the most sensitive and vulnerable groups of children: those exposed to abuse and neglect in their families, on the street or in institutions, those in conflict with the law, and children from ethnic minorities.

- To create a special unit of police officers whose mission will be only related to children suspected of having committed an offence and grounded on a child rights approach
- To establish comprehensive training programs for all professionals in the juvenile justice system, who work with children (the latter being either victims or offenders), including professional methods and continuous training, based on international standards on juvenile justice

Slovenia

- A centralized database with relevant information on the victims
- International research work (based on a unique set of questions that would make the data in different countries comparable)
- Awareness raising campaigns (including informing children on their rights and the risks of being trafficked also by means of school curriculum)
- Effective protection and rehabilitation of the victims without stigmatizing them

All these recommendations, can be synthesized, according to the actor for whom the recommendation is made:

1. Lobbying the Governments

- To urge the adoption of the necessary legislation and the National Plan of Action regarding the Trafficking in Human Beings, with special regulation for child trafficking
- To enforce the law and the National Plan of Action regarding the Trafficking in Human Beings
- To allocate the necessary budgetary funds for enforcing the law
- To develop activities focused on corruption and poverty eradication
- To ensure that any new legislation complies with the international protocols adopted at national level
- To adopt long-term measures as well as guaranteed instruments that would assure the economical and social growth and would decrease and limit the trafficking risk
- Special police departments for different forms of trafficking

2. Improving the services

- Existing assistance programs should respond to the needs of trafficked children
- It is necessary to develop special programs of rehabilitation/prevention for children at risk
- Adopting specific standards for the services provided to the children victims of trafficking by GOs and NGOs
- Multidisciplinary teams (for the shelters and also for the projects)
- Promote and support both state institutions and NGOs which are already working on trafficking issues to develop joint programs
- Ensuring the confidentiality of cases

3. Developing a monitoring, coordinating and evaluating system

- Developing sociological researches focused on child trafficking (in some countries these are carried out at present)
- Developing a monitoring system of the cases (including statistics)
- Developing a mechanism of coordination at national and at regional level, both at GO's and NGO's level
- Developing a mechanism of evaluation of the services and victims conditions
- Promoting the transparency of data

4. Raising awareness on child trafficking

- Raising awareness campaigns focused on specific targets (risk groups, community and trade unions involvement, changing the mentality that blames the victims)
- Awareness raising campaigns focused on the demand side of the trafficking
- Raising awareness on the legal ways of emigrating (documents, institutions that are dealing with this issue)
- Raising awareness on the child rights at the level of children and whole society
- Involving the available media sources to target different groups
- Development of the school curricula according to the new requirements of the society

5. Strengthen the capacity of the NGOs and GOs

- Trainings for the specialists and media representatives involved in the field of anti-trafficking area
- Ensuring the multidisciplinary approach
- Developing national and regional networks at the level of NGOs that will allow a multidisciplinary approach, exchange of information and good practices, a coordinated activity, a planned activity for a short, medium and long term
- Protocols of cooperation between bodies involved, in order to assure clear roles and responsibilities
- International cooperation in order to implement specialized means of control and prevention of trafficking has to be developed/strengthened and concretised

ANNEX – NGOs INVOLVED IN THE RESEARCH

ALBANIA – CHILDREN’S HUMAN RIGHTS CENTRE OF ALBANIA

The Children’s Human Rights Centre in Albania - CRCA is a non-governmental, non-political, non-religious and non-profitable organization with its centre in Tirana and affiliations in several towns of Albania. CRCA was founded in March 1997 by a group of lawyers, journalists, physicians, and sociologists with a view of improving the situation of children’s rights in Albania. The Children’s Human Rights Centre in Albania (CRCA) works on the understanding and implementation of the UN Convention on the Rights of Child and other international instruments on Children’s Rights.

Mission

- Protection of children’s rights
- Child progress
- Increase children participation at local and national level

CRCA programmes and projects

The Strategy of CRCA is based on 5 key elements, such as: protection, development, training, information and education on children’s rights.

CRCA has prepared and presented for approval in Parliament the draft “On the Protection of Children’s Rights”. The main programs of CRCA are:

- The Children’s Legal Protection Centre
- The Information and Research Centre for Children’s Rights in Albania (IRCCRA)
- The program “Stop Child Labour in Albania” which aims at the progressive elimination of Child Labour and its worst forms in Albania (including trafficking, prostitution of children and their enslavement). The program consists in 3 basic elements: 1. The clubs of Children against the Child Labour; 2. Building of capacities of the states institutions and NGOs to combat Child Labour and its worst forms; 3. The organization of the public campaigns on raising the awareness of public opinion and the government on the consequences of child labour.
- Monitoring and reporting on the situation of children’s rights in Albania.
- The Program of Training of governmental and non-governmental institutions and on the Convention on the Rights of the Child and other instruments of Children’s Rights of UN.
- The Children’s Clubs is a project implemented in five towns of Albania with the objective to increase the participation of children in the life of the communities they live in, and to offer services of informal education and psychosocial assistance to working children or those that are victims of trafficking.
- The education of Children’s Rights in School through publishing various informational materials for children and teachers.

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BOSNIA AND HERZEGOVINA - SAVE THE CHILDREN NORWAY (SCN)

Save the Children Norway is a membership organization, and bases its work on the UN Convention on the Rights of the Child. Save the Children Norway is committed and explicitly advocates for children's rights and actively works to make children's rights a reality at local, national and international level. Save the Children Norway's work to promote children's rights comprises two equally important and interdependent elements: practical work for children and advocacy to improve external conditions that affect children's lives. Save the Children Norway is a member of the International Save the Children Alliance.

Mission

Save the Children Norway strives for children's rights and for a dignified life for poor and vulnerable children both in Norway and in the rest of the world.

In Bosnia and Herzegovina, Save the Children Norway has been active in improving children's rights since 1996. Save the Children Norway's efforts were further enhanced with professional and administrative support to partner organizations in 2000, when South East Europe Regional office was established in Sarajevo. This office covers the geographic area of the former Federal Republic of Yugoslavia (now Serbia and Montenegro) and Bosnia and Herzegovina and provides the support to the SEECRAN regional programme in Slovenia. SCN's multi-disciplinary team provides support to regional programmes focused at achieving long-term child rights objectives, ranging from Child's Rights protection, fostering, education to protecting children in conflict and disaster situations.

The vision, mission, principles, overall objectives and priorities of the SEE Regional Office are the same as Save the Children Norway's global agenda. SEE Regional Office's primary way of working is through partners, with "partners" defined broadly (including government agencies, local/ national/ international nongovernmental organisations, organised groups, networks, and other international agencies. Main thematic areas of work include: CR Protection, Education (including HIV/AIDS prevention), Children in Conflict and Disaster, Children Without Parental Care, Exploitation and Abuse and other work (in response to emerging trends and important issues).

Save the Children Norway SEE Regional Office identified child trafficking as area of work as reports of this phenomenon emerged in the region. In co-operation with United Nations Children's Fund (UNICEF) Bosnia and Herzegovina, Save the Children Norway SEE Regional Office in Sarajevo decided to conduct a research on the nature and extent of child trafficking in Bosnia and Herzegovina. The research project commenced in September 2002. The objectives of the research projects, besides gathering data on child trafficking, were to design evidence based responses to this problem in Bosnia and Herzegovina. The research is conducted in co-operation with 13 local NGOs, including those who provide direct assistance to the victims of trafficking. It is important to note that the Steering Board of the research project includes representatives of local and international human rights agencies, Ministry of Justice, Ministry of Interior of both entities, Ministry for Human Rights and Refugees, etc. This will ensure that any action plan that results as an outcome of the research will be co-ordinated with all relevant actors of combating child trafficking and in compliance with the National Action Plan for Combating Human Trafficking.

In addition, planned future activities of the SEE Regional Office in Sarajevo include joining the Save the Children Alliance Regional Response Programme on Child Trafficking.

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BULGARIA - Partners Bulgaria Foundation (PBF)

Partners Bulgaria Foundation (PBF) is a part of the international network of foundations Partners for Democratic Change International with headquarters in San Francisco, New York and Washington DC, USA. The international network includes similar to Partners – Bulgaria Foundation organizations in Albania, Argentina, Kosovo, Georgia, Lithuania, Poland, Romania, Slovakia, Hungary, Croatia and Czech Republic, which work in close collaboration in order to support the democratic changes in these countries.

PBF was established in 1998 to work with governmental institutions, municipalities, social institutions, civil organizations, and the private sector to develop a strong and sustainable civil society in Bulgaria. PBF specializes in working with Roma and other marginalized groups to promote tolerance and implement collaborative projects, promoting the rights of children in schools and the larger community, and providing mediation services to solve neighbourhood, family, business and other disputes.

Highlights from Partners-Bulgaria's programs include Ethnic Conciliation & Integration; Development of Mediation Services; Children's Rights.

Through a series of initiatives, Partners-Bulgaria works to promote the rights of children. PBF implements several projects concerning child rights: Preventive Program for Children at Risk, Youth Probation Centre, Care Leavers Integration Program, Child Rights Information Centre, etc. Numerous initiatives directed to children at risk and organized by PBF take place in different towns of Bulgaria.

The Child Rights Information Centre provides legal consultation to parents, teachers and children, and trains educators and social workers on the UN Convention on the Rights of the Child through its Child's Rights Information Centre.

The activities of PBF connected with child trafficking are oriented in the prevention of trafficking. They have to be seen in more broader perspective – working with children at risk, children who are potential victims of trafficking.

PBF works in close cooperation with different ministries, state agencies, local authorities and NGOs. The activities of Partners - Bulgaria Foundation are supported by international and in-country organizations and government agencies, including the following institutions: Partners for Democratic Change International (PDCI), U. S. Agency for International Development (USAID), Save the Children Fund, Swiss Agency for Cooperation and Development, King Baudouin Foundation and Open Society Foundation.

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CROATIA - Centre for Social Policy Initiatives

Since 1993 **Centre for Social Policy Initiatives** was involved in ensuring protection and support to unaccompanied refugee children from Bosnia and Herzegovina, by implementation of the project “Unaccompanied Children in Exile”. The goal of the project was family reunification meeting the best interests of the child. In order to obtain the goals and objectives of the project CSPI was applying methods of Identification, Documentation, Tracing and Reunification of children who were separated from their parents due to the war circumstances.

Since 1997 CSPI was involved in the initiative of Alliance of Save the Children and UNHCR “Separated Children in Europe”. Within this project CSPI had in 2000 undertaken the task of developing a National Assessment related to the situation of separated children in Croatia. Related to the support and the protection of separated children in Croatia CSPI had lately been involved in several project initiatives focused on the protection of separated, foreign children in Croatia:

- Project of identification and documentation of separated children.
- In order to ensure exchange of information with relevant governmental structures CSPI had developed a database for separated children.
- CSPI had developed a Manual for interviewers and for professionals involved in the area of protection of separated children
- CSPI had organised and facilitated trainings for professionals from the Ministry of Interior and Ministry of Labour and Social welfare (professionals working in social services)
- In order to ensure protection to domicile children, and prevent potential risks of trafficking for high-risk domicile children with behavioural problems, CSPI had developed a Curriculum component related to the prevention of child trafficking. The Curriculum was designed for educators working with high-risk children with behavioural problems in schools in Zagreb and in groups in the Institution for Children with Behavioural Problems.
- In communication and with the agreement of the Ministry of Social Welfare CSPI is coordinating the National Task Force for separated children (governmental and non governmental institutions and UNHCR)
- The representative of CSPI has participated at the training session for journalists organised by IOM on the issue of Trafficking of Human Beings.
- Together with governmental representative - Head of Governmental office for human rights, CSPI representative has participated at the meeting of the Task force on Trafficking of human beings that had been focused on trafficking of children of the Pact of Stability, organised in March 2003 in Portorož, Slovenia.

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ESTONIA - Tallinn Center for Children at Risk

Tallinn Center for Children at Risk is a temporary home for children who need help.

Being founded in 1993 it is the oldest shelter of Tallinn. It has two centres:

- Center of Nõmme tee is a shelter with a particular regime. It has 34 places for children with addiction problems, aged 10-17.
- Center of Lilleküla has 16 places for neglected children aged 3-17.

Center Nõmme tee

The aims of this centre are to offer children with addiction problems a shelter, to find out the essence of the child's addiction and other problems (many of these children are sexually abused), to support the child in the detoxification and rehabilitation process, to offer the child a safe environment. The child is directed to the Centre by child welfare worker or by the commission of juvenile protection. If possible, everything is done in collaboration with parents. Children are medically checked. They get psychological rehabilitation and pedagogical support. As work with addicted children is successful only in long perspective the child stays in the Centre for half a year. It is very important to offer these children a multi-dimensional detoxification and rehabilitation program, to develop their social skills and to assist them after they leave the Centre. Starting from 2001 education for all children in the Centre has been provided. Starting from August 2001 children have the possibility to train their practical skills by studying woodwork and for girls there are courses of sewing and other handwork.

Center of Lilleküla

The aim of Lilleküla centre is to offer a shelter and all-round help for the children in case their families or living conditions do not enable it. It offers a safe environment for the child and tries to find a solution to his/her problems. Child welfare worker, police or a person, who sees a child in need of help, brings the child to the centre. Some children come to the center by themselves. During the child's stay in the Centre the reasons for his/her stay are analysed and parents are contacted. In co-operation with child welfare workers a solution for every case is found. In the Centre the child gets medical and psychological help, he/she continues attending school. If needed, a new school is found for the child. For the final solution of the problems co-operation with parents is inevitable. The length of staying depends on each individual case. The child can stay in the Centre one night or two months and even longer if needed.

In Tallinn Centre for Children at Risk many university students and young people are working. In co-work with Estonian universities a good basis for research, mostly concerning children who live in these Centres, has been set. Tallinn Centre for Children at Risk is also engaged in many projects and programs. In the spring of 2003, the Centre started a prevention project against trafficking in co-operation with IOFA and NGO 'Living for Tomorrow'. As part of it children of the Centre are educated on how to act in labour market in order to avoid becoming a victim of trafficking.

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MACEDONIA - Save the Children Macedonia

Save the Children Macedonia is a national organization and allied member of the International Save the Children Alliance. Save the Children Macedonia has been constituted as a youth non-governmental organization, on November 19th 1992. Its main goal is improved implementation of the Convention on the Rights of the Child in Republic of Macedonia.

Save the Children Macedonia numbers around 250 members from all over the country. The number of active members varies from 20 to 30, and they work on a voluntary basis. Local branches have been founded in six towns in Macedonia, the last being established in October 1999 in the eastern town of Delchevo.

During the nine years of working, Save the Children Macedonia has grown into an organization whose members are experienced and trained in working with NGO, capable of giving solutions to various problems that are coming along, of developing and executing projects. Their enthusiasm is attracting many other young people to join the organization.

The aims of Save the Children Macedonia, as stated in the organization's statute, are based on the basic statements of the World Summit on the Rights of the Child in 1990, expressed through the world declaration accepted on the summit. These include fulfilment of children's right to:

- Provision of basic needs, substantial to their existence
- Adequate psychological and physical development of the child's personality
- Be directly involved in all the decisions affecting their lives
- Be protected from political, economic and religious abuse and exploitation
- Free self-expression
- Effective education

The projects that were undertaken during the period 2001-2002, include:

- "*Do you know your rights?*" - a campaign for promotion of children's rights
- *Right to Life, Freedom, Security* – regional research and workshops project for children aged 10-14, from Macedonia, Serbia and Montenegro and Bulgaria
- *Play for Security* – psycho-social work with the internally displaced children in the 2001 conflict
- Development of campaign against child abuse

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MOLDOVA - Centre for Information and Documentation in Child's Rights (CIDCR)

The Centre for Information and Documentation in Child's Rights (CIDCR) is a non-governmental, independent and apolitical organization, created in October 1998. It became a juridical entity at 12 August 1999, being registered at the Ministry of Justice under the No 1099.

Aim:

To promote the provisions of United Nations Convention on the Child's Rights and other national and international acts on Human Rights.

Projects implemented:

- *Children's Parliament* - initiated in 1999 and is at its fourth edition.
- *Local Children's and Youth Councils (LCCY)* - more than 120 LCCYs were created since 2000.
- *National Campaign „Say YES for Children“* - the project was implemented within the Global Movement for Children in collaboration with UNICEF Moldova, National Youth Council of Moldova, Save the Children Moldova, the Association „Youth for the Right to Life“ and other national and local NGOs.
- *HIV/AIDS prevention education* – the project included recruiting and training of a team of volunteers from different regions of Moldova, informative activities for children and young people, activities within the campaign „Stop AIDS“ and publication of the Volunteers' Guide on HIV/AIDS Prevention Education.
- *Informative seminars „All Children Have Rights“* – children and youngsters from different regions of the country attend the informative activities on Child's Rights organized by the CIDCR volunteers. Beside the basic subjects related to the UN Convention on the Rights of the Child (CRC), participants to the seminars developed their skills in communication and cooperation, conflict resolution and teamwork, etc. The volunteers from the National Centre for Child Abuse Prevention helped us to include in these seminars child abuse prevention activities.
- *Informative Bulletin “De Ce? - Drepturile Copilului” (“Why?- Child's Rights”)* – is a periodical newsletter published by the CIDCR and distributed for free in all the regions of the country. The Bulletin contains information about the life of children in our country, children's opinions on different issues, answers to children's questions, information about the voluntary work, methodological aspects of teaching Child's Rights, presentation of the activities of CIDCR as well as of other NGOs that work with and for children and youth.
- *Small Projects Presented by Children from Urban and Rural Regions of Moldova* - It was started in 2000. CIDCR offers about 20-25 grants every year. In 2002 for the third time CIDCR announced the Contest for Small Grants. 25 projects were granted in 2002. 675 children were involved in the projects as organizers and direct participants, 60 000 children and adults benefited from these projects.
- *Youth Act!* - a project designed for rural communities where no models of children's and youth participation exist and children and youngsters do not have opportunities to develop and implement their ideas and civic initiatives.
- *Life Skills Education for Prevention of Youth Unemployment and Human Trafficking* –the aim is to develop and pilot an education program based on *Life Skills Development* for boarding schools' students who are at high risk of youth unemployment and human trafficking.

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ROMANIA – SAVE THE CHILDREN ROMANIA

Save the Children Romania is a democratic national movement, based on the voluntary involvement of its members. It is a politically and religiously unaffiliated non-governmental organization. Save the Children Romania has 15 branches, each of them being legally registered. Since its establishment in April 1990, Save the Children Romania has based the theoretical and practical approaches on the UN Convention on the Rights of the Child.

Mission:

Save the Children Romania fights for children's rights. We influence public opinion and support children at risk. We influence legislation and policies in the benefit of children.

We are working together with children and young people to achieve change and lasting improvements for children. We recognize and underline the responsibilities and duties of parents, guardians, teachers and other authorities for the well being of children. We support parents and specialists working with children to fulfil their obligation.

Save the Children Romania focused its activity on the issue of child trafficking in 2001, since then, five projects being developed:

- *Regional program on child trafficking in South-Eastern Europe* - project initiated and financed by the International Save the Children Alliance, coordinated in Romania by Save the Children Romania.
- *Prevention and reintegration program for combating child trafficking for labour and sexual exploitation in the Balkans and Ukraine* - initiated at the end of 2002 by the International Program for the Elimination of Child Labour, the program is developed in Albania, Moldova, Romania and Ukraine. In Romania, Save the Children is the partner of ILO/IPEC for the first phase of the project: research to identify the factors that determine the trafficking and its negative effects.
- *Child Trafficking in Central and Eastern Europe and Baltic Countries* - the project is initiated and coordinated by Save the Children Romania with the financial support of Open Society Foundation Romania and Global March Against Child Labour. The project is developed in partnership with NGOs from 11 countries (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Lithuania, Macedonia, Moldova, Romania, Serbia and Montenegro and Slovenia) starting with October 2002 and ending in November 2003. The present report is developed within the framework of this project.
- *ENACT Programme for the establishment of a European Network Against Child Trafficking* - Save the Children Romania is partner in the programme coordinated by Save the Children Italy.
- *Joint East West research project on trafficking in Children for Sexual purposes in Europe: The Sending Countries* - The project is a second stage of the programme to combat trafficking in children for sexual purposes in Europe of ECPAT Europe Law Enforcement Group and DCI. Save the Children Romania is the partner of ECPAT France and coordinated the research in Romania.

These are projects that are focused on the child trafficking issue, but Save the Children Romania has an experience of over 12 years in the cases of abused children and separated children abroad, experience that is connected with the phenomenon of child trafficking.

Responding to the increase of the cases of child abuse, Save the Children opened, in partnership with the Department for the Protection of Child's Rights, sector 2, an Emergency Centre for abused children or children at risk, which offers counselling, reintegration services, psychological therapy, and also temporary shelter.

The program „International Cases“, which started in 1991, established a partnership between Save the Children Romania and International Social Service. During 1991-2001, there were reported to Save the Children Romania 998 cases, from which 515 were children. The international cases refer to minors separated by their families in foreign countries, abandoned new-borns, separated families which need family reunification, failed adoptions, trafficked children for sexual or labour exploitation.

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SERBIA AND MONTENEGRO - ASTRA (Anti Sex Trafficking Action)

ASTRA (Anti trafficking action) is nongovernmental organization dedicated to eradication of all forms of trafficking in human beings, especially women and children through prevention, education, sensitizing all relevant institutions, professionals and general public and direct help to victims of trafficking, potential victims.

ASTRA is unique by SOS Hotline, specific cooperation with institutions, nongovernmental and international organizations in Serbia and abroad, initiated the topic of trafficking in human beings in Serbia with contribution in decreasing of this form of violence with the aim of forming a society of justice and equal opportunities.

ASTRA activities are:

- **In year 2000** – Support to the election campaign under the slogan “Go and be active”.
 - Started data collection on trafficking in human beings in Serbia
- **In year 2001** – Building of ASTRA Network of women’s groups, which at that moment gathered 10 groups from Serbia.
 - As a part of the women’s movement in Serbia, ASTRA participated in a low profile campaign “16 days of activism against gender violence”.
- **In year 2002** – conducted one-year awareness raising campaign under the slogan “Open Your Eyes”. The aim of the campaign was awareness raising of public opinion and institutions on the issues of trafficking in human beings, prevention and call for action through the SOS Hotline. This campaign included the production of three video spots, three radio jingles, posters, leaflets in four languages (Serbian, Roma, Albanian, and Hungarian), stickers, teacups etc.
 - ASTRA SOS Hotline started in March 2002 with the campaign. Through this specialized SOS Hotline for victims of trafficking; information was provided about the problem itself, about possibilities for legal studies and work abroad; legal advice about employment, support and understanding for the victims of trafficking and their families were offered. Till June 2004 we have had 1400 calls.
 - Research on trafficking among the high school population
 - Research on presentation on trafficking in Serbian Media
 - An active member of the National Team for Combating Trafficking in Human Beings
- **In year 2003** – ASTRA was developing preventive program through peer education, lectures in schools,
 - Strengthening the victim assistance program through SOS Hotline and Mobile team
 - Educating all relevant institutions and professionals who have the opportunity and responsibility to identify women and children victims of trafficking.

- Publishing and distribution of the Manual for journalists on trafficking in human beings
- Research on practice of the Magistrates Court on trafficking in human beings, illegal migration and prostitution
- Series of workshops for secondary school population
- In cooperation with “Save the Children Romania” ASTRA accomplished the first overview of the situation on trafficking in children in Serbia;
- In cooperation with “Save the Children Belgrade” ASTRA provided a number of various workshops for the primary school population.
- Member of the Mobile Team, which was formed as a part of the National Referral Mechanism.
- **In year 2004** – Monitoring of the court cases on trafficking in human beings act (111b) when ASTRA clients are victims/witnesses.
- Member-co-founder of ACTA – Anti-corruption and anti trafficking association
- Trainings for doctors on trafficking in human beings
- Training for new ASTRA SOS hotline volunteers
- Training for the Mobil team stuff
- Capacity building training for the members of ASTRA network
- Trainings for the special anti trafficking police units
- Alternative report on torture for UN Committee against torture
- Media campaign with UNDOC (UN Office on Drugs and crime) on preparation for the media campaign 2004/2005

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SLOVENIA- KLJUČ Society, White Slave Traffic Fighting Centre

The KLJUČ society, White Slave Traffic Fighting Centre, is a non-government and non-profit organization established on 22 November 2001 in Ljubljana. Its members are volunteers most often employed by various Ministries (Home Affairs – Police Department; Ministry of Foreign Affairs, Ministry of Health) and other government offices. They are psychologists, social workers, doctors, and socio pedagogues.

The KLJUČ Society was established in order to focus on victims of various assaults in the field of fundamental human rights violation instead of focusing merely on offenders being prosecuted by a state repressive system. Not a single government body paid any attention to victims of commissions of criminal offence. In addition, there was not a single non-government organization dealing in above-mentioned issues.

The key tasks of the Society defined by its Statute are: (a) developing and implementing the preventive and curative programmes focusing on raising awareness of general public, professional circles and potential and actual victims of trafficking in human beings, above all, trafficking with the purpose of sexual exploitation of women and children, trafficking in human organs and all kinds of forced or bonded labour; (b) providing emergency assistance to victims of trafficking in human beings, to assist in organization of repatriation of these victims to their state of domicile; (c) providing free of charge legal and other advice to victims; (d) encouraging victims to cooperate

with bodies of prosecution and providing assistance to witness protection activities. The above programmes are implemented through education and dissemination of relevant information to public, population at risk and competent state bodies. In addition, the Society is planning to set up and run a so-called "safe haven". A 24-hour anonymous advice telephone line has already been set up. The KLJUČ Society actively cooperates with all relevant government and non-government institutions operating within the Interdepartmental task force for combating trafficking in human beings, with local and foreign non-government organizations. The members of the Society organize and participate in various additional and complementary education workshops, lectures, round tables and information sharing events.

There are currently three projects being implemented: in the field of crime; in the field of gathering data on victims of trafficking in human beings on a regional level (project "Penelope") and the project "telephone advising" (within this project the above mentioned non-stop free of charge telephone line is already operating) and the project »Prica« (safe haven).

The KLJUČ Society engaged lawyers (on a voluntary basis) to examine all Slovenian legislation relating to trafficking in human beings in detail.

In October 2002, the project group for combating trafficking in children was established.

The KLJUČ Society actively cooperates with government organizations and participates in actions trying to seek out victims of trafficking in human beings as well as in other actions for which cooperation with competent government bodies is required. Since November 2001 (when the KLJUČ Society was established), the Society cooperates with the Police (there were four successfully completed cases – finding and repatriation of victims to their countries of origin, the latter being Slovenia) and bodies under its competence, Centre for Foreigners, House of Asylum, Ministry of Foreign Affairs (Consular Department), Government Office for Equal Opportunities, Government Office for Prevention of Corruption, Ministry of Labour, Family and Social Affairs, etc.

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