

**“Regional Cooperation for a Better Response  
to the Trafficking in Human Beings in SEE”**

(IRC-06-S)

**16-17 December 2014**



The workshop “Regional Cooperation for a Better Response to the Trafficking in Human Beings in SEE” was held on 16 - 17 December 2014 in Ohrid, The Former Yugoslav Republic of Macedonia<sup>1</sup>. The event was jointly organized by RACVIAC - Centre for Security Cooperation, MARRI Regional Centre and the Ministry of Interior of The Former Yugoslav Republic of Macedonia<sup>1</sup>.

**Abstract**

Closer co-operation among key players in combating Trafficking in Human Beings (THB), f.e., police investigation teams, prosecutors and representatives from the ministries of justice, seems to be crucial in the struggle for an efficient fight against traffickers. This cooperation should be established through common work and especially in higher and permanent education in

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connection to recognizing and treating victims of THB crimes. This should be followed by properly sentenced traffickers, in accordance with an updated legislative.

Interactive efforts by the national institutions and international organizations is needed whenever possible. The main question is how to improve and strengthen cooperation in this field. Proposals for common actions in the area of prevention, education and exchange of information were just some of many ideas presented during this two-day workshop.

### **Activity Background**

Trafficking in persons constitutes an increasing problem in the countries of South East Europe. Some reports concerning South East Europe (SEE) show new trends, a decrease in the number of foreign victims and an increase in domestic trafficking. The institutional frameworks to prevent and fight this type of crime exist and national action plans to fight trafficking in persons and irregular migration were adopted in all countries of the SEE region. State authorities provide legal protection, temporary stay permits, medical and psychosocial services and housing & shelter to support victims of trafficking in persons but there is still room for a better response in the prevention and suppression of the trafficking in human beings in the SEE region.

The aim of this event was to increase cooperation and confidence between the relevant country authorities in the SEE Region and emphasize the importance of utilizing effective instruments for a more efficient regional response to these criminal acts through joint activities.

### **Participation**

National representatives – coordinators in trafficking in human beings in South East Europe from the following countries were present: Bosnia and Herzegovina, Republic of Croatia, The Former Yugoslav Republic of Macedonia<sup>1</sup>, Montenegro, Republic of Serbia and Republic of Turkey. Also, representatives from Kosovo\* were invited and took part in the event. The representatives from the USA Embassy, OSCE Mission and IOM Office in Skopje as well as the representative of ICMPD - International Centre for Migration Policy Development, the Police Attaché from the Austrian Embassy in Skopje and the Swiss Federal Police Liaison Officer from the Swiss Embassy in Pristina were also present.

### **Activity Overview**



The morning session on 16<sup>th</sup> December was opened by Ms Marija Žužek , Programme manager for international and regional cooperation with focus on European and Euro-Atlantic integration pillar in RACVIAC, followed by a welcome address delivered by Ambassador Branimir Mandić, Director of RACVIAC. Ambassador Mandić, concluded his speech with the following words: *“The presence of experts from our countries shows that we do care and that*

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*we are willing to do our best to prevent human trafficking, to punish the traffickers and protect the victims of such trafficking. We have to continue working together, we have to share information and help each other fight those criminals who buy and sell human beings. An event such as this one is a good opportunity to strengthen our cooperation and promote the regional approach as a response to trafficking in persons.”*

In continuation, Ms Anastasija Ilieska – State secretary in the Ministry of Interior of The Former Yugoslav Republic of Macedonia<sup>1</sup> delivered a speech and presented herself as the new National Coordinator for Trafficking in Human Beings and Illegal Migration. She emphasized that *“joint workshops, seminars and training are always welcome since through sharing experience, best practices and lessons learned, we upgrade ourselves and also the systems we have in place to fight against trafficking in human beings.”*

Thereafter, Mr Trpe Stojanovski, Director of MARRI Regional Centre and Ms Ruth Pojman, Deputy Co-ordinator of the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in OSCE, Vienna addressed the audience with their speeches. The opening part of the morning session was followed by a press conference.

After the introductory Panel national representatives – coordinators in trafficking in human beings in South East Europe presented the current state of play in their respective countries in the field of labor exploitation, child abuse and effective measures and actions against other forms of crimes related to human trafficking.

The presentation of **Bosnia and Herzegovina** was delivered by Mr Milorad Barašin, the Prosecutor in the Public Prosecutor’s office of BA, who spoke of the amendments to the national legislation in accordance with the European aquis, emphasizing details from Article 186 of the Penal Code aimed at harmonization with the Convention for trafficking in human beings from 2005 and mechanism for confiscation of assets obtained from criminal activities related with THB. Mr. Barašin informed the audience that Bosnia and Herzegovina adopted the National Strategy for Trafficking in Human Beings and an Action Plan 2013-2015 and that in October 2014 a decision was taken concerning the establishment of a monitoring team for the proper implementation of the Action plan. In view of future plans, Bosnia and Herzegovina will focus on harmonization of the national legislation with the Directive 2011/36/EU, he added.



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Activities in the field of fight against trafficking in human beings for **Montenegro** were presented by Mr Zoran Ulama, National coordinator for the fight against human trafficking in the Office for the fight against human trafficking/ General secretariat of the Government of Montenegro. Mr Ulama stated that Montenegro is mostly a transit country and not the country



of origin or country of destination. Having in mind that Montenegro recently started the process of negotiation for membership in the European Union, harmonization of national legislation with the European aquis is placed high on the agenda of priorities and, very often, Montenegro uses best practices from the EU Member States, he said. In this regard, amendments were made to the definition of a child in order to harmonize it with EU acts, stating that a child is every person under the age of 18. Mr Ulama added that a national coordinative body and, in all courts, special organizational units have been established, to help victims of trafficking in human beings. Last year's labor exploitation is a widespread phenomenon and, therefore, an agreement with the Association of employers has been signed, he said. Furthermore, **a special class related to the trafficking**

**in human beings has been introduced** and training for teachers is ongoing. Mr Ulama also said that Montenegro has launched an initiative for signing of protocols with the countries of the SEE Region and concluded his presentation by raising the issue of a new form of trafficking in humans, i.e. begging, that has emerged.

Mr Sande Kitanov spoke of the situation in **The Former Yugoslav Republic of Macedonia**<sup>1</sup> regarding the trafficking in human beings. Mr Kitanov stated that the National Strategy and



Action plan 2013-2016 have been adopted and that implementation is ongoing without significant obstacles. Implementation of the mentioned documents does not cause problems because the Commission introduced a Monitoring Mechanism for implementation and has drafted templates to this end, he said. In regards to the legal reform, Mr Kitanov briefed the audience that the Criminal code is being amended whenever necessary. In 2008, a separate Article on Trafficking with children was introduced, criminalizing acts of officials and acts of legal entities related to THB and

begging which has been recognized and introduced as a form of exploitation, he added. In 2010 the Government adopted the Standard operative procedure, while in 2014 indicators for identification of victims of trafficking in human beings were adopted and annexed to the SOPs.

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The next presentation was delivered by Mr Mitar Djurasković and it elaborated on the present system for trafficking in human beings in the **Republic of Serbia**. In order to achieve continuation and efficiency in the fight against this kind of crime, Republic of Serbia has adopted a new Strategy and Action Plan, focusing on trafficking in children and establishment of 18 local teams for the fight against THB, stated Mr Djurasković. He added that just as criminals are being innovative in attaining their goals that we should work as hard in order to protect our citizens. Republic of Serbia has developed an android application for smart telephones to counter this trend, usually used by the young and vulnerable generation.



Mr Fikret Isgoren presented the activities in the field of fight against trafficking in human beings in the **Republic of Turkey**. Expressing his gratitude for the invitation he said that MARRI and RACVIAC represent a good platform to develop international cooperation and that, therefore, meetings of this kind are always welcome. Recently, the Republic of Turkey has adopted a new approach to illegal migration and, in this regard, a new Law on Foreigners and International Protection as well as a new Strategy for the fight against THB have been adopted, he pointed out.



Within the Turkish national police in April 2014 a separate Directorate of migration management with a special unit for the fight against THB was established. It provides information regarding the 157 Help Line that has been in force since May 2003 for victims of THB and about the functioning, use and how important it is to promote such a hot line at the national/international level added Mr. Isgoren. He also stated that a National referral mechanism exists and functions rather well in the Republic of Turkey, illustrating this by a presentation of statistical figures. Finishing his

presentation, Mr Isgoren underlined that regional cooperation is of crucial importance because one country cannot singlehandedly and efficiently fight against THB.

The Prosecutor in the Prosecutor's Office of Bosnia and Herzegovina, **Ms Sena Uzunović** presented a very interesting case of labor exploitation which was successfully resolved by the Public Prosecutor's Office of Bosnia and Herzegovina. This case refers to labor exploitation of



citizens from BA, RS, ME and MK in Azerbaijan. The period in which the crime was committed lasted from 2007 to 2009 and approximately 635 workers underwent hearings during the investigation. In order to be better prepared before the court, the Public Prosecutor's Office obtained precious information using mutual legal assistance, explained Ms Uzunović. In June 2014, an indictment was issued against 12 persons for

the criminal offense of organized crime, in conjunction with the criminal offense of trafficking in persons; 2 persons were indicted for the criminal offense of Money Laundering. Currently, the case is pending court proceedings. Presentation of the case was followed by a rich discussion during which many questions and appreciation for Ms Uzunović' willingness to present this very complex case of international labor exploitation was expressed.

The morning session of 17<sup>th</sup> December 2015 started with the presentation of the MARRI draft project "Common regional profile of the victims of THB and traffickers", which was delivered by Mr Trpe Stojanovski, Director of MARRI Regional Center and Dragan Petrović, State official from the Republic of Serbia in MARRI. The main goal of the project is to determine the regional profile of victims and perpetrators of criminal offences in the field of trafficking in human beings. The project foresees to involve all MARRI member states and Kosovo\* while the indirect beneficiaries of the project will be the victims of THB. This project was initiated and proposed by the Network of the National Coordinators from MARRI member states in November 2011, but the implementation did not start because of lack of financial resources. Upon completion of the presentation all national representatives provided positive comments on it.

Subsequently, Ms Melita Gruevska Graham presented the concept of Trans-referral mechanism for which in 2007 "Guidelines for Development of a Trans-Referral Mechanism for Trafficking in Human Beings" were adopted which represent a set of recommendations and procedures that should be adapted in the national legislation. Through her presentation, Ms Graham provided guidelines on the necessary steps which should be included in the National referral mechanisms in order to have better international cooperation in this field.

The last presentation of the conference was delivered by Mr Dragan Petrović, referring to THB cooperation network activities within the VoLVIS programme and study visit of national coordinators in the United States of America.

### **Closing remarks and Recommendations**

MARRI and RACVIAC recognize the importance of the regional dimension for cooperation in the field of trafficking in human beings.

National representatives – coordinators in trafficking in human beings in South East Europe expressed a real need to include as many national institutions as possible, the NGOs and the media and gain wide support for national THB mechanisms' actions.

Closer co-operation among the key players in combating THB, involving police investigation teams, prosecutors and justice officials seems to be crucial in the struggle for an efficient fight against traffickers. The cooperation should be established through joint work and especially when it comes to further and permanent education in recognizing and treating victims of THB crimes. This should result in adequate sentences for traffickers, according to an updated legislative framework.

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Interactive efforts by national institutions and international organizations are needed whenever possible. Proposals for common actions in the area of prevention, education and exchange of information were just some examples of ideas presented during the two-day workshop.

MARRI and RACVIAC as regional organizations could help develop a regional approach in the common combat against human trafficking in by using outcomes of all relevant projects of other international organizations like ICMPD, IOM, ILO, FRONTEX, OSCE, PCC SEE, relevant partners from the US, etc., as well as by developing regional projects. The permanent task and challenge is to support integration of the governments and other stakeholders to address separate but related issues of alien smuggling, trafficking in human beings and other forms of trans-border crime.

Having in mind all that has been said, the needs and proposals to enhance future regional cooperation, MARRI and RACVIAC will continue with their efforts to organize events (conferences, workshops and meetings) and bring together representatives from national institutions, policy makers, law enforcement, intelligence, diplomatic and academic areas in the fight against human trafficking.

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