

Programme against Trafficking in Children for Sexual Purposes in Europe

**JOINT EAST WEST RESEARCH ON
TRAFFICKING IN CHILDREN FOR
SEXUAL PURPOSES IN EUROPE:
THE SENDING COUNTRIES**

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ECPAT Europe Law Enforcement Group
Amsterdam 2004

The countries involved in the joint East West research project



ECPAT Europe Law Enforcement Group Programme against Trafficking in Children for sexual purposes in Europe.

**Joint East West research on trafficking in children for sexual purposes in Europe:
the sending countries**

Subject headings: trafficking in human beings, trafficking in women, trafficking in children, sexual exploitation, child prostitution, child pornography, children's rights, relations between Eastern and Western Europe

ISBN: 90-74270-19-0

Amsterdam, 2004

ECPAT Europe Law Enforcement Group

Published in cooperation with: *ECPAT Netherlands and Defence for Children International The Netherlands*

With the financial support from:

the European Commission's STOP II Programme 2002 , Brussels, and the OAK foundation, Geneva

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Printed by:

- Stenco, Amsterdam

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Preface

November 9th, 1989: the fall of the Berlin Wall. November 20th, 1989: the adoption by the United Nations General Assembly of the Convention of the Rights of the Child.

One should be careful in calling an event ‘historic’, as it is up to history which happenings will ultimately deserve this epithet. But in this case it is not presumptuous to say that both events are of historic value. The two events do not seem to have any connection, or do they?

This study on Trafficking in children for sexual purposes in Europe: the sending countries shows that there is a connection. The political and social confusion suffered by nations in Middle and Eastern Europe after the collapse of the communist welfare state has brought with it new ‘opportunities’ for people who wish to exploit the situation – and the many poverty stricken families – for their own financial benefit. Trafficking in children for sexual purposes to Western Europe is one such development.

The Convention on the Rights of the Child explicitly provides for the right of the child to be protected against trafficking in children for the purposes of sexual exploitation (articles 34-35). Furthermore, on 25 May 2000, the UN General Assembly adopted the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Two recent international conferences on commercial sexual exploitation of children (*Stockholm 1996* and *Yokohama 2001*) have put this gross children’s rights violation on the agenda of international governmental organisations, including the European Union, as well as States.

Trafficking in children for sexual purposes can be considered as the mirror phenomenon of child sex tourism. The question is: who travels? Is it the victim to the perpetrator or the perpetrator to the victim?

In a recent study on child sex tourism (2002), which was conducted on behalf of the Dutch government, parameters are introduced to measure the risk of the development of child sex tourism. These parameters are:

1. Tourist attraction (sun, beaches etc.);
2. Availability of children (poverty, educational level, position of girls); and
3. (Absence of) good governance (law enforcement, degree of corruption, etc.).

The preconditions for ‘export’ of sexual abuse are more or less the same as for ‘import’ of sexual abuse. Poverty, the idea that ‘sex is business’, poor law enforcement and a ‘demand’ market: all these factors make trafficking possible.

Awareness, knowledge and expertise among stakeholders form the very first step in combating the trafficking of children from Eastern to Western Europe. Training, cooperation – between governmental agencies and between government and NGOs – and investment, in people, form the second step. The next steps include undertaking measures relating to prevention, investigation, prosecution and care for victims.

Unification of Europe is an excellent challenge but it also presents an enormous risk. Free movement of persons and goods must not facilitate in any way the trafficking in girls and boys for sexual purposes. Through the support of studies like *Joint East West research on Trafficking in children for sexual purposes in Europe: the sending countries*, the European Union shows that it is aware of this danger and that it is willing to combat the problem.

Stan Meuwese

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Introduction

This 'Joint East West research on trafficking in children for sexual purposes in Europe: the sending countries' (trafficking II) is the second part of a study undertaken by the ECPAT Europe Law Enforcement Group into the trafficking of children for sexual purposes in Europe. The first part of the study (Trafficking I)¹ was published in 2001 and covered the 'receiving countries' of Belgium, Finland, France, Germany, Italy, Norway, The Netherlands and the United Kingdom. This second part looks at a number of countries in Eastern Europe, estimated to be 'sending countries' of minors into the sex trade in countries of Western Europe. The countries covered are Albania, Belarus, the Czech Republic, Estonia, Moldova, Romania, Russia and the Ukraine.

The research is part of a programme to combat trafficking in children for sexual purposes in Europe of the ECPAT Europe Law Enforcement Group and ECPAT Netherlands/Defence for Children International The Netherlands. The first part of the research had concluded that there was a need for further research in the countries of origin, and for such research to be carried out in collaboration with partners in those countries. It had identified that the reasons and ways in which children were trafficked needed further exploration, so that prevention strategies could be devised. How states deal with cross-border prostitution and separated minor asylum seekers was also considered a necessary focus of new research, as well as the legislative environment and the application of rules and regulations in the sending countries. Focusing on legislation, law enforcement, co-operation and prevention, and the care facilities available to victims, these current research results are intended to indicate the formulation of specific policy recommendations, as well as to share practical ideas for prevention, training and cooperation. As with Trafficking I, the research has been co-financed by the STOP II programme of the European Commission as well as by the Oak Foundation.

The ECPAT Europe Law Enforcement Group is a grouping of a number of member associations of ECPAT International. The Group is coordinated by ECPAT Netherlands/Defence for Children International The Netherlands. ECPAT International, with operational headquarters in Bangkok, Thailand, is a worldwide network of groups and organisations dedicated to combating the commercial sexual exploitation of children, including child prostitution, child pornography and trafficking in children for sexual purposes. ECPAT has more than 70 groups in over 60 countries. Defence for Children International is an international non-governmental organisation, with sections in more than 60 countries. Its main focus is the promotion of children's rights and the implementation of the UN Convention on the Rights of the Child.

Results of the Trafficking I Research Project:

An Exploratory Research in Eight Western European Receiving Countries

Trafficking I had concluded that the information available in Western European countries on trafficked children varies widely from country to country. In none of the eight countries was precise data available on the numbers of minors who had been trafficked for sexual purposes, despite the fact that trafficking of minors was recognised as a growing phenomenon. All Eastern

¹ Wolthuis, A. & Blaak, M. (2001). Trafficking in Children for Sexual Purposes from Eastern Europe to Western Europe: An exploratory research in eight Western European receiving countries. Amsterdam: ECPAT Europe Law Enforcement Group/Defence for Children International The Netherlands.

European countries were identified to some extent as sending countries, but other non-European countries of origin were also recognised as such. Where it was possible to get information about the ages of minors from Eastern European countries involved in prostitution, they were mostly between the ages of 15 and 18, but children as young as ten years of age had also been found. There were few reports of very young children being trafficked for sexual purposes. The Report of Trafficking I was able to conclude that trafficking of minors for sexual purposes occurred within the countries of the European Union, but had to concede that more in-depth research is needed to prevent and combat the phenomenon.

In several of the researched countries it was found that the girls who had come from Eastern Europe to the west had been tricked by false promises of work or marriage, or had fallen in love with the person who ultimately forced them into prostitution. Many young girls had been aware that they would be working in the sex industry, but considered that this was the only chance they had to improve their lives. There were also situations where families had sold their children to a trafficker and situations where the family or the minor had to repay large amounts of money so that the trafficker could recoup his investment. Force and blackmail were common methods used to keep the victims under control. Many victims had been very seriously mistreated by their pimps or by those who had managed their journey to the destination country. Asylum procedures were found to have been used to gain entry for and access to trafficked minors in several Western European countries. In Belgium, France, Finland, the Netherlands, Norway and the United Kingdom it was common for young people to disappear after they had been taken into the care of the authorities as asylum seekers, or to be recruited in transit areas. In addition, in The Netherlands, so-called ‘loverboys’ were reported to have made young girls and minor asylum seekers emotionally dependant on them, and then have forced the young person into prostitution. The involvement of organised criminal groups was found to vary from complex international networks to small criminal groups or even families.

Legislation throughout the targeted ‘receiving’ countries was found to vary widely, but was generally considered adequate. Even where there was no specific anti-trafficking legislation, there were other provisions that were available to prosecute trafficking. The problem was in detection. Lack of knowledge on the part of the law enforcement agencies, and the absence of cooperation between the police and the social services contributed to the poor detection rate. The researchers pointed out that states have serious obligations to protect children from exploitation and abuse under the CRC, and special mechanisms are required to ensure the safety and well-being of unaccompanied minors. They called for much more work on prevention, for proper registration and supervision of unaccompanied minors, and for more networking and cooperation with the Eastern European ‘sending’ countries. During the currency of the research, it was found that some Western European countries have no protective systems for trafficked minors, and the systems of others are dependant on legal proceedings being pursued against the trafficker. Without adequate protections, it was not surprising to find that the rate of reporting to the police is low. It was also found that little or nothing had been done in the field of prevention in the countries studied. Care arrangements, where they existed, were good. Repatriation was a common solution to the problem of trafficked minors, with NGOs seeking to provide support and assistance with reintegration. However, programmes do not always work well, and there are not enough of them. Some countries operate a forced repatriation policy.²

² For updates from each of the project countries see Western European Updates on Trafficking I below in this report.

A great number of recommendations, addressed to different sectors, were made at the conclusion of the Trafficking I project. The recommendations covered the areas of legislation, law enforcement, prevention and rehabilitation, and research and investigation. In summary the researchers called for:

- The harmonisation of anti-trafficking measures, with common definitions, and a common approach to penalising the sexual exploitation of minors;
- Increased collaboration between law enforcers, proper data collection, and an identified focal point on trafficking in every country;
- Improved witness protection programmes for minors;
- The raising of awareness through information dissemination and prevention campaigns in the ‘sending’ countries, and among professionals in the ‘destination’ countries;
- Adequate reintegration programmes reflecting the best interests of the minor;
- More research, especially in sending countries, on why and how children are trafficked. Research into the legislative regimes to combat trafficking in sending countries, as well as the implementation of laws and regulations was also called for.

Other research

A number of valuable European researches into trafficking of children have been carried out over the past few years. Organisations such as the International Organisation for Migration (IOM), UNICEF, Save the Children, Terre des Hommes, and ECPAT have done country-specific studies of the phenomenon and actions to prevent and combat it. These studies are referenced both in the country reports that have been done for this research project, and in this synthesis report. IOM had noted in a Review of Research in 2002³ that the state of knowledge about trafficking of women and children in Europe is weak, and information limited. The situation is changing quickly, thanks to the number of research projects undertaken, although the challenge remains, because of the complexity and secret nature of human trafficking.

³ Journeys of Jeopardy: A Review of Research on Trafficking in Women and Children in Europe. IOM Migration Research Series, No.11, November 2002.

Children and Trafficking: International Legal Framework

United Nations

The Trafficking I project set out the historical sequence of international agreements designed to combat the phenomenon of trafficking in human beings.

The ultimate global international legal instrument is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime ('the Trafficking Protocol'). The Convention is already in force, although it was adopted only in the year 2000. The Trafficking Protocol came into force on 25 December 2003. The extremely rapid rate of ratification demonstrates the worldwide political concern about the powers of organised criminal groups and the levels of crime associated with migration. Under Article 32 of the Convention, a form of monitoring is now in operation, whereby a Conference of the Parties to the Convention, convened by the Secretary General of the United Nations, is established to improve the capacity of the Parties to combat transnational organised crime, and to promote and review the implementation of the Convention.

The Trafficking Protocol has made a very significant contribution to conceptual clarification around the issue of trafficking in human beings. The definition of 'trafficking in persons' in the Protocol clarifies the distinction between trafficking, and migrant smuggling, the latter being the subject of a separate Protocol to the Convention. The essence of a trafficking operation, as opposed to one of smuggling, is the element of deceit or coercion, and that the ultimate purpose is the exploitation of one person by another.⁴ Border crossing is not even an essential element of the crime, because it is the international organised crime that is being targeted by the instruments, rather than the individual movements of victims.

In relation to children, namely persons under the age of 18, the Trafficking Protocol considers them victims of trafficking once they were recruited, transported, transferred, harboured or received for the purposes of exploitation. Whereas an adult victim would have to show some form⁵ of coercion or deceit to demonstrate that they did not give an informed consent to the operation, and thus qualify as a victim of trafficking, a child does not have to show any such coercive 'means' to vitiate their consent. The consent of a child, or the means to attain such consent, is irrelevant, as long as the overall objective of the operation is the exploitation of the child. This distinction in the Protocol for children is extremely significant, because it means that not only are young people under the age of 18 entitled to qualify as 'victims', but also that any action in the chain of the movement of a child can be considered as a trafficking operation, and the responsible person can be categorised as a trafficker, where exploitation is the ultimate result. It even means that families and relatives can be traffickers of their own children or other family members, if the child is exploited.

⁴ The European Commission points out (COM(2000)854) that while smuggling of migrants could be said to constitute a crime against the state and often involves a mutual interest between the smuggler and the smuggled, trafficking in human beings is a crime against a person and involves an exploitative purpose.

⁵ 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. (Art. 3(a))

Also noteworthy is the fact that the definition of ‘exploitation’ provides a minimum of forms of exploitation, and is not an exclusive list of possible results for the victim.⁶ Other possible forms of exploitation are therefore possible.

The Trafficking Protocol, in Section II, contains provisions on Assistance to and Protection of Victims (Art.6), Status of Victims (Art.7), and Repatriation of Victims (Art.8). States parties are required to take into account the ‘special needs’ of children, including appropriate housing, education and care. In a further part, Section III, the Protocol contains provisions for Prevention of Trafficking (Art.9).

Another relevant United Nations instrument, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (‘the OP’), entered into force on 18 January 2002. This Protocol is intended to assist the implementation of the Convention on the Rights of the Child (‘the CRC’) by extension of certain of its measures. Of relevance to this study is that the OP gives a definition of ‘sale of children’ as ‘any act or transaction whereby a child is transferred by any person or any group of persons to another for remuneration or any other consideration’. The OP requires ratifying states to prohibit the sale of children, and to ensure that certain acts and activities are fully covered under criminal law, whether committed at home or abroad, and whether on an individual or an organised basis. Such acts/activities, as far as ‘sale’ of children is concerned, include ‘offering, delivering or accepting...a child for the purpose of a) sexual exploitation, b) transfer of organs of the child for profit, c) engagement of the child in forced labour’. Also included under ‘sale’ is the improper inducement of consent for the adoption of a child.

States must provide penalties for the offences that amount to the ‘sale’ of a child so as to reflect their grave nature. States must also provide for the liability of legal entities. Jurisdiction over offenders must be established, or their extradition effected to the place where the offence was committed.

As with the Trafficking Protocol, there are measures in the OP designed to protect the rights and interests of child victims. However, these provisions are mandatory in the OP, as opposed to the discretionary provisions of the Trafficking Protocol.

Implementation of the anti-child trafficking provisions of the CRC and the OP is pursued through reporting mechanisms to the Committee on the Rights of the Child, as well as through the charter-based mechanisms⁷ of the Human Rights Commission of the United Nations, and the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography. The latter has a specific mandate to investigate the sexual exploitation of children.

European Commission

In the European context, actions against trafficking by the Commission of the European Union and the member states are reflecting the work of the United Nations in the Trafficking Protocol and the OP. A Joint Action programme adopted in 1997 entailed a review of existing laws, with the intention of criminalizing both trafficking in human beings and the sexual exploitation of children. However, further response than that achieved under the 1997 programme was considered necessary to provide a clear and common approach on trafficking, viewed against the background of enlargement of the Union, and the Joint Action was repealed. A Framework

⁶ Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (Art.3(a))

⁷ These Charter-based mechanisms were created by the General Assembly of the UN, and do not place any legal obligations on states, as opposed to the treaty-based mechanisms, which are legally binding.

Decision, entitled Council Framework Decision on Combating Trafficking in Human Beings ('the Trafficking Decision') was adopted on 19 July 2002⁸ which will ultimately lead to the approximation of the criminal laws of the member states concerning trafficking in human beings. For the purposes of the Decision, 'trafficking' covers trafficking for labour purposes as well as for sexual exploitation.

The focus of the European Commission in the Trafficking Decision is to tackle, through legislative means, those who engage in trafficking in human beings and the economic exploitation of migrants. As with the Trafficking Protocol, there is no explicit requirement of a border crossing. The key element of the offence of trafficking is its exploitative purpose. In relation to sexual exploitation, the Decision, in Article 1.1, requires Member States to take the necessary measures to ensure that acts of 'recruitment, transportation, transfer, harbouring, subsequent reception of a person, including exchange or transfer of control over that person' are punishable, where,

- use is made of coercion, force or threat, including abduction, or
- use is made of deceit or fraud, or
- there is an abuse of authority, or of a position of vulnerability, which is such that the person has no real and acceptable alternative but to submit to the abuse involved, or
- payments or benefits are given or received to achieve the consent of a person having control over another person,

where the purpose is exploitation of labour or services, or 'the exploitation of the prostitution of others or other forms of sexual exploitation, including in pornography.'

Penalties must be 'effective, proportionate and dissuasive' and allow for maximum prison terms of not less than 8 years where the offence endangered the life of the victim, was committed against a victim who was particularly vulnerable⁹, involved serious violence or caused serious harm, or was committed within the framework of a criminal organisation.

Where child victims are concerned, the Trafficking Decision mirrors the Trafficking Protocol in that where the conduct described in Art 1.1 involves a 'child' (defined as 'any person below 18 years of age'), it 'shall be a punishable trafficking offence even if none of the means set forth (in Art.1.1) have been used'.

The Trafficking Decision deals in Art.7 with 'Protection of and assistance to victims'. Member States must provide that the investigation of trafficking offences is not dependant on a report or complaint of the victim. Children are to be considered as 'particularly vulnerable victims' in the criminal proceedings, and where children are the victims of a trafficking offence, each Member State 'shall take the measures possible to ensure appropriate assistance for his or her family.'

Preventive and other actions by European Union countries to combat trafficking are undertaken separately through a range of initiatives involving the candidate countries¹⁰ as well as third countries and international organisations. In addition, the European Commission addresses the specific issue of the sexual exploitation of children in a second Framework Decision. This is the Council Framework Decision on Combating the Sexual Exploitation of Children and Child Pornography.¹¹

⁸ EU O.J.L203 of 1 August 2002.

⁹ The Trafficking Decision provides (Art.3.2.(b)) that a victim shall be considered as particularly vulnerable if he/she was under the age of sexual majority under national law, and the offence was committed for the purpose of exploitation of the prostitution of others, or other forms of sexual exploitation, including pornography.

¹⁰ The candidate countries (first wave) are: Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Slovakia, Slovenia and Poland. Other candidate countries are: Bulgaria, Romania, Turkey.

¹¹ EU O.J.L13 of 20 January 2004.

It is worth mentioning that since June of 2003, the protection of children's rights are included as part of the objectives of the EU in the draft of the proposed Constitution for the Union.

Further in the context of the work of the EU in combating trafficking in human beings, the Brussels Declaration on Preventing and Combating Trafficking in Human Beings of September 2002 was made by a conference of EU member states, candidate countries, neighbouring countries, the countries of the stabilisation and association process, as well as the US, Canada, China, and several international and intergovernmental organisations.¹² The Declaration sets out Recommendations, Standards and Best Practices that are intended to develop the work against trafficking in human beings. The document covers mechanisms for cooperation and coordination, prevention, victim protection and assistance, and police and judicial cooperation. The Declaration demonstrates that there is general understanding and recognition by governments of the measures necessary to address the phenomenon of trafficking, and an acceptance that the responses needed must be consistent with human rights standards. Indeed, the Declaration refers to the standards elaborated by the UN High Commissioner for Human Rights¹³, and further recognises the need for 'particular attention to trafficking in children taking into account their best interest and the consistency with international instruments on children's rights.'

The Declaration points out (Par.12) that the special vulnerability and needs of child trafficked victims is already recognised and enshrined in international and national law, but says that this recognition must be clearly reflected in practice. Specific measures are suggested to reduce the incidence of child trafficking, particularly in relation to travel documentation, and the development of systems for the registration of children. Support measures for children are also identified (Par.13) as necessary, including access to schooling and training.

Council of Europe

The Committee of Ministers of the Council of Europe adopted a Recommendation on 31 October 2001¹⁴ on the protection of children against sexual exploitation. Demonstrating European-wide concern at the dimension of the sexual exploitation (including trafficking for sexual purposes) of children at national and international level, the Recommendation suggests that member states put effective measures in place to protect children. A series of preventive, information and procedural measures are detailed, including (in Chapter VI) measures relating to trafficking in children. A follow-up to the Recommendation was agreed by the member states of the Council of Europe as part of their commitment to the implementation of the Stockholm Agenda for Action agreed¹⁵ prior to the 2nd World Congress against the Commercial Sexual Exploitation of Children.¹⁶ A follow-up meeting will take place in 2004. Further in the context of the Council of Europe, it is important to note that the Council intends to draft a European Convention on Action against Trafficking in Human Beings. This Convention for the Council of 45 member states is expected to be a practical tool of international cooperation, geared towards the protection of victims' rights and respect for

¹² The conference was organised by the International Organisation for Migration in cooperation with the European Parliament and European Commission under the STOP II Programme.

¹³ Recommended Principles and Guidelines on Human Rights and Human Trafficking, OHCHR, 2002.

¹⁴ Rec(2001)16

¹⁵ Commitment and Plan of Action adopted by the Participants from Europe and Central Asia at the Conference 'Protection of Children against Sexual Exploitation', Budapest, November 2001.

¹⁶ Yokohama, December 2001.

human rights. The Convention will aim at a balance between matters concerning human rights and prosecution. It will build on the UN achievements in the field of anti-trafficking measures, but in a European context, and will facilitate the implementation of existing international instruments. Work on the Convention will be coordinated by the Directorate General of Legal Affairs and Human Rights, and be finalised by the end of 2004.

OSCE

The Organization for Security and Cooperation in Europe is yet another body that has taken up the issue of trafficking in human beings at international level, including specific attention to children. By a Decision of 2 December 2003¹⁷, the OSCE Ministerial Council has agreed to endorse the OSCE Action Plan to Combat Trafficking in Human Beings adopted on 22 July 2003. The Plan is designed to assist states in the implementation of their commitments to combat trafficking, by adopting best practices in anti-trafficking policies, and encouraging cooperation among states. The Plan covers prevention, protection of victims, and prosecution of offenders. It also provides recommendations on dealing with the political, economic, legal, law enforcement, educational and other aspects of the problem.

In Chapter V. 'Protection and assistance' there is a special paragraph on the Protection of Children (Par. 10). The Plan calls for the special needs of children to be taken into account in terms of housing and education, reception of unaccompanied minors, and safe repatriation. In this chapter the Plan also requires the OSCE as a whole to give special attention to the issue of trafficking in children (Par. 13.1).

The OSCE Ministerial Council also decided to establish an OSCE mechanism to provide assistance to participating states to combat trafficking in human beings, consisting of a Special Representative appointed by the Chairmanship-in-Office and a special unit in the OSCE secretariat in Vienna.

Conclusion

We can see from the above that great attention is being paid worldwide to the problem of trafficking in human beings, including children as a special category of victims, and in Europe in particular very concrete measures are being taken to combat it. These advances were noted in the Global Commitment which emerged from the 2nd World Congress against the Commercial Sexual Exploitation of Children when it welcomed the 'enhanced actions' against sexual exploitation of children, including trafficking. However, as this Report will show, even in Europe, local implementation of anti-trafficking initiatives faces many difficulties. There remains a major challenge to change the situations at local level that make children vulnerable to exploitation in sending and receiving countries.

¹⁷ OSCE MC.DEC/2/03. Decision No 2/03 Combating Trafficking in Human Beings.

The Partnership for the Joint East West Project

The twinning concept

Cooperation between Western and Eastern Europe on a number of levels is crucial if the trafficking of children for sexual purposes is to be stopped. This second part of the project is based on a 'twinning' concept of cooperation, between so-called 'sending' and 'receiving' countries. The teams from Trafficking I were interested in continuing their collaboration on the project, and they helped to identify possible partners in Eastern European countries who would work on the sending aspect of trafficking in children for sexual purposes. Each of the Eastern European countries chosen for the project therefore worked with a 'partner' in a Western European country. The Western European partners were the same countries and organisations as had been involved in Trafficking I. The Eastern European partners were chosen for their previous experience in research on similar subjects, or for their work on child protection in their countries.

The countries that were 'twinned' for the project were:

- Belgium with Belarus
- Finland with Estonia
- France with Romania
- Germany with the Czech Republic
- Italy with Moldova
- The Netherlands with Ukraine
- Norway with Russia
- United Kingdom with Albania.

The task of the Eastern European partner was to carry out country specific research, to identify people with information in their country, including law enforcement officials and field workers, and to contribute to the overall conclusions and recommendations of the work.

In Western Europe, the partner organisation was to identify the twinning partner, provide support and advice, including technical advice, to their partner, as well as to update their own country research from the first trafficking research study, and to contribute to the overall conclusions and recommendations for this part of the project. The Western European partners also undertook field visits to the country of their counterpart in the course of the project. Through collaboration between the partners, it was intended to build a network, linking relevant organisations and persons working to combat trafficking in children.

The Partners for Eastern European countries

A description of each of the eastern partner organisations follows¹⁸:

Albania - The research was prepared by Alma Maksutaj and edited by Altin Hazizaj and S. Thornton Barkley of the Children's Human Rights Centre of Albania (CRCA). The CRCA was founded in 1997 by concerned professionals in order to improve the protection of children's rights in Albania. It has established branches all over Albania to report on and monitor the situation for children in the country. CRCA has already produced eight reports, covering issues

¹⁸ For contact addresses for the project partners, see Appendix IV.

such as child labour, Roma children, children in detention centres and other issues. The CRCA has worked on law reform, and provides legal assistance to poor and marginalized children through its Legal Protection Office. The CRCA Information and Research Centre facilitates the exchange of information on children's rights in Albania. CRCA also provides training to government and NGOs on the CRC and related matters in Albania and Kosovo.

Belarus - The partner for the project is the NGO Children-Not for Abuse, an affiliate member of ECPAT International. The researcher is Irina Alkhovka, Chairperson of the Young Women's Christian Association of Belarus (YWCA). Since 2002 YWCA has been operating a La Strada programme for the Prevention of Traffic in Women in Central and Eastern Europe. Ms. Alkhovka is a sociologist by profession; she is well known as an activist on women's and gender issues, and as an NGO trainer.

Czech Republic - The researchers are Ales Pickar and Inge Bell. Mr. Pickar is a Czech national journalist who founded the project 'Ex Oriente Lux', which collected testimony from people who knew girls and women who had been trafficked and forced into prostitution. Ms. Bell is a journalist and works for a German broadcasting company.

Estonia - The researcher is Aire Trummal, who works at the National Institute for Health Development on the Estonian National HIV/AIDS Prevention Programme. Ms Trummal is a sociologist who has worked as a researcher on several projects, including a STOP funded project in 1999 – 2000 on 'Minors in the Sex Trade' coordinated by STAKES. The present research was conducted in collaboration with the Tartu Child Support Centre, which is an affiliate member of ECPAT International.

Moldova - The researchers were Jana Costachi and Tatiana Catana of the Association of Women in Legal Careers, and the Project 'Centre for the Prevention of Trafficking in Women' (CPTW) in Chisinau. The Centre is a project of the Moldovan NGO, the Association of Women Lawyers, and funded by the US Embassy in Moldova, the World Childhood Foundation (Sweden) and the Soros Foundation under the United Nations Development Programme. The objective of the project is to coordinate information, educational and prevention activities on the issue of trafficking in women, so as to increase awareness in society in Moldova. The Centre has collected and disseminated data, carried out media and educational campaigns, and provided information and assistance to victims of trafficking. The Centre collaborates with all the major state agencies working in relevant and related areas, with international agencies, and with local NGOs.

Romania - The research was carried out by Gabriela Alexandrescu, Ioana Grigorescu and Daniela Munteanu of Save the Children Romania (SCR), which is an affiliate of ECPAT International. SCR was founded in 1990 and its aim is to promote children's rights. One of the priorities of SCR is abused children, and SCR maintains counselling centres in seven counties of Romania providing care for abused children and their families. Other services include training for caregivers and professionals, child rights and sex education in schools, managing the first emergency protection centre for child victims of domestic violence, and the provision of information. In two centres (Bucharest and Suceava) there are special teams that provide counselling and reintegration support for teenagers who have been trafficked abroad and have returned to Romania, as well as for high-risk children.

Russia - The researchers are Maia Rusakova and Tatiana Pyshkina of the NGO, Stellit, in St. Petersburg. Stellit was established in 2002 by employees of the Section on Deviance and Social Control of the Sociological Institute of the Russian Academy of Sciences. Its goal is to seek solutions to social problems in Russian society, including drug addiction, alcoholism, prostitution etc. The Stellit members have completed several pieces of research in recent years under their work for the Academy, including research on drug-addicted minors involved in prostitution in St. Petersburg (1999), and child prostitution in St. Petersburg (2000).

Ukraine - The research in the Ukraine has been carried out by the All-Ukrainian Committee for Children's Rights (AUCCR). The researchers were Yevgeniya Pavlova, the head of AUCCR, and Andriy Kovalenko, Executive Director of AUCCR, under the supervision of Professor of Law Anatoliy Matsko, Deputy Director of the St. Volodymyr Institute of Law, Colonel of Police, and Valeriya Lutkovskaya, Deputy Minister of Justice of Ukraine. The AUCCR was founded in 1993 by a group of concerned professional people intent on monitoring the CRC in the Ukraine. They also set out to provide information and training on children's rights. In the vacuum of a lack of knowledge and awareness of children's rights on the part of the state agencies, the Committee seeks to monitor the situation on child rights, sexual exploitation and abuse, fostering and alternative care, children with disabilities, legislation and other children's rights issues in Ukraine.

Methodology

The research

The project partners met together in Barcelona in February 2003 and agreed that the research would be carried out by way of interviews with key personnel in the Eastern European countries of the project. The researchers also agreed that analysis of the legal environment in the subject countries would be part of their enquiries. They designed a Guide¹⁹ to serve as a common basis for their interviews. The Guide consisted of definitions on terminology, guidelines for the interviewers, and sample questions.

The definitions were provided to ensure that all researchers confined themselves to exploration of trafficking of children for sexual purposes that had a commercial content, and that all applied the same understanding of the issue under investigation. The terms defined in the Guide were: trafficking, child, sexual exploitation, trafficker, exploiter, sending country, transit and receiving country.

The Guide identified six categories of enquiry, namely:

- children/adolescents
- national legislation and law enforcement
- child care and protection
- general observations
- organised crime in relation to trafficking
- public awareness.

Under each category, questions were suggested in the Guide. There were some general questions common to all potential interviewees. The interviewers were also requested to describe the level of awareness in their countries in relation to trafficked children. The Guide was translated into the languages of the countries participating in the research.

It was suggested that each team would seek to interview at least 15 relevant informants. The Eastern European partners drew up a list of key personnel in their countries that they would seek to interview. The anticipated group of interviewees included governmental officials on the legislative and law enforcement side, as well as on the side of the social services, care-givers and personnel involved in child-care institutions, officials of intergovernmental agencies concerned with migration and child protection, and personnel from NGOs. The research teams were also asked to carry out desk research related to the information sought in their countries. The Guide was used in different ways by the partner teams. Some of them had difficulty in accessing people with the required expertise and information who were willing to be interviewed, and some of the interviewees insisted on retaining their anonymity in return for the information they provided.²⁰

In **Albania** the team carried out interviews with officials of government ministries, the staff of the Criminal Police and Anti-Trafficking Directorates, as well as with the personnel of local, national and international non-governmental organisations working on the issue of trafficking. They were not able to interview children who had been victims of trafficking for sexual purposes, but used interviews with children published in other CRCA reports or mass media in

¹⁹ A copy of the Guide is attached as Appendix I.

²⁰ A list of the persons/positions/organisations interviewed in each of the project countries is contained in Appendix II.

Albania. However, the team did interview child and adult victims of trafficking where the purpose was not for sexual exploitation. The team also surveyed the written materials available on the issue, including governmental, local and national documentation, and relied as well on their own knowledge from a long period of experience. They reviewed the applicable legislation and printed data on trafficking in Albania and the South Eastern European region.

The **Belarus** team did an inventory of what statistical and other information was publicly available, and analysed it. They identified and interviewed a number of experts, following the structure of the agreed questionnaire. They obtained information from both government and non-governmental sources, but only sought access to those who had practical experience or responsibility for the issue of trafficking. They list 14 institutions, organisations, and agencies that provided information. Some information was provided on the basis of a guarantee of anonymity.

The **Czech** team held personal talks and interviews, 22 in total, with officials in the political sphere, police, prosecutors, representatives of NGOs, and officials of government agencies. They spoke to juvenile male prostitutes in Prague. The interviews followed the lines of the questionnaire, but were adapted to the expertise of the interviewees. The researchers worked mostly in Prague, but also went to the border regions with Austria and Germany, and into Germany itself. Most of the people they interviewed wanted to remain anonymous. A lot of media and Internet research, relevant to the issue in the Czech Republic, Germany and Austria, was carried out, and the researchers also used their own archives from interviews they had done previously as journalists.

In **Estonia**, the team started with desk research, and followed this with 20 semi-structured interviews with a number of state officials, representatives of NGOs and international organisations. The interviewers did not have many difficulties in conducting the interviews, and the experts who had information on the subject mostly agreed to share it. A number of teenage girls who knew victims of trafficking and sexual exploitation from among their peers were also interviewed.

In **Moldova** desk research was carried out, but little information was found. The researchers drew on their own experiences in their organisation, since the CPTW had helped many victims of trafficking and had maintained contact with some of them. They analysed existing reports available from public institutions as well as from national and international NGOs on the subject of trafficking. They also carried out interviews with public officials and key individuals in international organisations, as well as with persons from the legal and judicial sphere. They did not encounter too much difficulty in the interviews; only three out of twenty persons from whom interviews were sought refused to be interviewed, and this was because those persons did not have the requested information.

In **Romania** the researchers used a qualitative methodology that included semi-structured interviews, focus groups and case studies. Interviews were carried out with key individuals who had responsibilities in combating organised crime, preventing trafficking of persons, or offering social services to victims. 18 individuals were interviewed, and a focus group discussion was organised with some of them. The researchers had governmental, inter-governmental and non-governmental sources that are engaged with the National Plan of Action and already have identified responsibilities. They used the questionnaire for their interviews, but focused on the expertise of the particular interviewees. They also developed another questionnaire that was

used to get information about NGO programmes. Documentation, statistical information, and case studies were analysed to produce the final results of the research.

In **Russia**, the researchers used semi-structured interviews with individuals they had identified as capable of providing information. They identified key persons through discussions by telephone with specialists working in the field of child and family protection. Some individuals refused to take part in the research on the grounds that they had no relevant information, but strangely this included the Children's Ombudsman in St. Petersburg, a representative of the Federal Migration Services, and other individuals working in child care services. The team also had difficulty in carrying out interviews with personnel from the law enforcement agencies. They attribute this difficulty to the fact that since the legislation is very inadequate in Russia, the police and prosecution services simply do not investigate cases of potential child trafficking. They interviewed a total of 17 persons including personnel in the prosecution, public health, and social services, as well as persons from NGOs and the media. For the report they used existing research findings from earlier work carried out by Stelvit, as well as other published materials and data. The result of their work describes the situation in the north-west of Russia, and the knowledge available in St. Petersburg in particular. The researchers point out that the problem of child trafficking manifests itself in different ways in different regions, and that to get a complete picture of the whole of the Russian Federation it would be necessary to conduct research in each region. They therefore say that the results of their investigations cannot be attributed to the whole of the Federation.

The **Ukraine** team carried out desk research and interviews and also held focus group discussions and workshops. They contacted 84 persons who were expected to have information on the subject. However, only 34 of these agreed to provide information. 28 of the persons contacted refused to be interviewed, claiming to have no information. Another 10 refused to be interviewed for fear of repercussions to their careers. The researchers state that it is the unstable socio-political situation in the Ukraine which makes those who hold a public office concerned about giving information. Only 20 respondents provided relevant data. The questions for the research were also widely distributed among lawyers and educators during workshops on child rights protection. The research team found wide disparities of opinion as to the seriousness of the problem of trafficking in children, with many participants in denial that it happened at all.

The research report

The research was undertaken in each of the project countries during the months of May to September 2003. During the research period, the partners from Western Europe made visits to their partner project country and had the opportunity to experience the working conditions of their Eastern European counterparts, and to give them assistance and advice.

Each Eastern European partner wrote a report which was sent for comment to the 'twin' partner in Western Europe. The comments were taken into consideration in the final country report from the researching partner's organisation.

The partners met together as a group for a second time in St. Petersburg in October 2003 to discuss their individual country reports, and to consider their conclusions with all the partners. This meeting was designated an Experts Meeting, to which a number of experts identified in the course of the research were invited, as well as specialists who were involved in comparable or similar research work. The meeting used the presence of the experts, as well as of the researchers who were fresh from their experience of the research, to formulate recommendations and suggestions to combat the phenomenon of trafficking in children.

Methodology

The contents of the eight individual reports were summarised, collated and edited into this Report. Information from the Western European updates has also been included. The eight country reports have been produced in their entirety in English and in their original language, along with the full Western European updates and the Trafficking I project report, on a CD Rom, which is added to this Report.

Research Results of the Trafficking II Project: Joint East West Research on Trafficking in Children for Sexual Purposes in Europe: the Sending Countries

General Situation

The reports reflect the fact that on the issue of human trafficking, attention is concentrated on adult women. The official information available makes it difficult to identify children as a separate category of victims in terms of either their vulnerability, or what happens to them as a result of a trafficking episode. Yet the reports show that a number of factors increase the risks for children.

Economic and political problems

There are many similarities between the Eastern European project countries in terms of their political, social and economic situations, all of which affect the issue of trafficking in children for sexual purposes. In every country poverty and unemployment have seriously increased in the last ten years, due to the political changes in the region, and the resulting economic instability. The statistics given in the country reports portray very difficult conditions in which young people are growing up today. In Albania, 18% of the population of working age was unemployed in 1999, and unemployment was as high as 60% among those under the age of 34. In Belarus, at the beginning of 2001, more than 30,000 women in the age range of 14 to 25 were unemployed. The Estonian report produced similar statistics, with an unemployment rate in 2002 of 10.3%, which rose to 22.5% among women in the age range of 15 to 24. In Moldova, more than half the population lives below the poverty level, and young people represent one-third of those unemployed. Economic collapse in Romania reduced 44% of the population to poverty by the year 2000, whereas it had been at only 7% in 1989. At the beginning of this century, some 30% of Russians were considered to live in poverty, while in Ukraine the official poverty rate is 27%, or almost 13 million people.

Some countries have endured particular problems, such as Albania which received an influx of more than 600,000 displaced persons from Kosovo during the late 1990s. Belarus was reported to have received an influx of up to 100,000 illegal migrants and refugees after the fall of the 'Iron Curtain', mostly from Commonwealth of Independent States (CIS) countries, not as a result of war, but because of its perceived stability. The Czech Republic's closeness to Germany and Austria, and the differences in economic purchasing power between those countries, as well as the fact that prostitution is not regulated in the Czech Republic, led to an explosion of prostitution along a border 'brothel belt' that runs for hundreds of kilometres. Estonia found itself in a similar situation, due to its proximity to the rich Scandinavian countries. In Estonia, drug trafficking, prostitution and excise fraud are seen as the main sources of organised crime today. The Russia and Ukraine reports say that prostitution began to flourish in their countries, not only because of external factors, but because of a general liberalisation of attitudes, which encouraged the growth of a highly lucrative domestic industry attracting criminal financial involvement. An IOM report was quoted in respect of Moldova to the effect that there are at least 300 brothels in Chisinau, most of them disguised as saunas and bathhouses. Prostitution is also widespread at hotels and in the areas near train and bus stations in Moldova.

In Moldova it is quite usual for children in the rural areas to help their parents by working together with them. Ion is a boy of 13 years who comes from a family with 4 children. The father is an invalid from the war in Afghanistan. The family lives in a large apartment, which is in poor condition. Although they are an intact family, they have a lot of financial problems. A gypsy neighbour, who had a boy working in Moscow, approached Ion's mother and proposed that she would send her son to work in Moscow. At first the mother turned down the proposal. But the economic situation of the family and the persistence of the neighbour finally convinced her. She accepted the proposal to let Ion go to work for three months, during the summer vacation. She did not know what kind of job her son would have. Anyway she went, together with her neighbour, to a notary who was on good terms with the neighbour, and they signed a declaration allowing this woman to take the boy with her. Police sent the boy back home 9 months later, and he never told his parents what kind of job he had in Russia or how he managed to escape. The neighbour during this time sent 3 more boys abroad.

(Country report Moldova)

Children at risk

The main risk group are teenagers, from 13 to 18 years of age, the majority of those trafficked being in the age group of 15 to 17 years. When poverty affects families, many social problems arise that have adverse effects on young people. The reports mention alcoholism, single-parent families, drug abuse, sexual abuse and domestic violence as alienating factors. The Moldova report also mentions risk where families are broken up because one or both parents have gone abroad to work. It is reported that some 200,000 children are left without adequate supervision in Moldova. Homeless children are also noted as a feature of post-Soviet Russia. Official figures from the General Office of the Public Prosecutor show that there are 2 to 2.5 million people homeless in Russia, but other estimates quoted in the report put the figure at 3 to 4 million. The Ukraine report says that homelessness is a serious problem and that prostitution is widespread among homeless children.

Children in institutions do not escape these social problems; their situation is especially difficult, as they are often neither safe within the institution, nor after they leave it. The Czech report points to runaways from children's homes as a particular risk group, having already experienced sexual and physical violence while in the care of the state. The Russian report mentions that staff of some children's homes have been suspected of selling newborn babies, and of helping to recruit children for sexual exploitation.

A girl, 17 years old, was a graduate of a children's home. After beginning her independent life she faced difficulties with finances, accommodation, and finding a job. Militiamen raped her. She didn't plan to prostitute herself, but had to do it because of the conditions in which she found herself. Soon she met someone, who took her to Israel for sexual exploitation. (By this time she had attained her majority).

(Country report Russia)

Children born into or living in situations of social and economic poverty tend to drop out of school, to leave home and live on the streets, to migrate from rural areas to towns and cities. Even children who find work are at risk of exploitation because of their lack of education. Figures published in 1998 in Albania show that 38% of children of school-going age drop out of school in order to work; nearly 50,000 children under 18 years of age are working either full-time or part-time. Street children in the city of Tirana alone number more than 800. Roma children are mentioned as a particular risk group in the reports for Albania, the Czech Republic, and Romania, because their social grouping is marginalised within the societies in those countries. Roma children rarely attend school and therefore have very high levels of illiteracy.

The Czech Republic report says that drug problems, violence and theft have increased in the Roma communities, and that since the 1990s, prostitution among the Roma has become a way of making fast money, even though traditionally prostitution would be unacceptable in those communities. Nowadays, however, it is not unusual to see Roma minor²¹ girls being prostituted, and their presence is frequently justified on the basis of an earlier sexual maturity among girls in their communities.²² The Ukraine report shows that of the minors involved in prostitution in Ukraine, over 74% are from single-parent families, and over 20% are from residential institutions.

A specific risk factor mentioned in the report for Albania is the problem of ‘blood feuds’²³, which affect children directly or indirectly, either as offenders or as injured parties. Many children involved in blood feuds are forced to abandon school and hide from revenge killers, so they also become vulnerable to being trafficked.

In Russia, a specific category of ‘at-risk’ young people are minor girls working as models and participating in beauty contests or trying to get into show business. Modelling is a prestigious and highly paid job in the Russian Federation, and there are more than 2,500 agencies seeking talent. Often these agencies promise jobs and work abroad to young people, but in reality the young people end up trafficked for sexual exploitation.²⁴ The Russian report also refers to refugee children from regions where there are local wars as being at particular risk of becoming victims of trafficking.

Even children with an education can become victims. In the Ukraine and Moldova, for example, it is not unusual for students to prostitute themselves in order to be able to pay for their studies, or for them to migrate for study or to earn money for their studies.

Children, once trafficked, run the risk of being re-trafficked, for example when reintegration in a stable family is not possible after their return. Several reports refer to the continuing vulnerability of victims in the absence of adequate reintegration programmes.

Between August 2001 and January 2003, Save the Children Romania (SCR) in cooperation with the International Social Services in Italy, received information about 248 unaccompanied Romanian children found in Italy. In order to document the cases, SCR was requested to provide information about the children's families, and to indicate whether it would be possible to reintegrate the children into their families. Since SCR did not have the capacity to cover the whole country, especially the northern part, the enquiries were carried out by the local Romanian child protection departments on the basis of a partnership agreement between the state services and SCR. The results of the enquiries were forwarded to the Italian partner and were taken into account by the Italian authorities when deciding whether or not to repatriate the children. SCR had offered its services in order to document the situation of all the children. Only 16 of the cases were repatriated from Italy. SCR assisted the repatriations and also the reintegration process. The majority of the children had come from the north of Romania and from counties near the border (especially Suceava and Satu Mare). Of these children, 71% were boys and 29% were girls. The majority were aged between 17 and 18 years. Trafficking for sexual purposes was

²¹ Where ‘minor’ is used throughout this text it means a person/child under the age of 18.

²² In 2002 the periodical ‘Czech and Slovakian Psychiatry’ reported a case of a Roma family who brought a 13 year old boy to a psychologist for help. They complained of his inability to have sex with ‘the third girl they bought for him’ (obviously also a minor), a situation that not only caused shame to the family, but serious financial loss.

²³ blood vengeance

²⁴ This method of trafficking was documented in research done for the CATW in 2000 into women brought into the United States of America.

suspected in the case of 22 girls, and, in respect of three boys, trafficking for labour exploitation (begging and stealing) was suspected.

(Country report Romania)

Migration

The desire of young people to change their future by migrating and working abroad is another risk factor. Many children are not aware of their rights, lack information and do not know the legal procedures for travelling abroad, and the risks related to migration. The search for adventure, idealised notions about living abroad, and success stories from those who return from abroad encourage risk-taking. Very importantly, the reports note the risks to children who may have migrated normally with their families or voluntarily on their own, but who end up in foreign countries without any protections, and so become extremely vulnerable to exploitation and trafficking. They get involved in petty crime and move into prostitution as a survival strategy, or because they are found by someone who will exploit them.

Many people, and especially young people, are migrating because of the lack of opportunities for them in their own countries. The fall of the 'Iron Curtain' and the links with countries of the European Union have opened up both borders and travel opportunities, and at the same time the increasing gap between rich and poor, the growth of international organised crime, and corruption, provide their own incentives or opportunities.

The Czech Republic, Estonia and Russia have experienced migration both into and out of the country to service the sex industry. The Czech Republic report mentions the migration of Roma families to the Republic from Slovakia, who, when unable to survive, turn to prostitution and the selling of family members. Also young boys migrate to the Czech Republic from Slovakia, Ukraine, Romania and Russia, many of them runaways from children's homes in those countries. They end up in Prague and other cities of the Republic, and turn to homosexual prostitution as a survival strategy. Adults from Ukraine, Belarus and Russia have been found trafficked to Estonia, and there was one case of a Latvian minor found in Estonia. The Russian report mentions boys at risk of trafficking within Russia, and of being trafficked within the CIS countries, but not being trafficked outside of Eastern Europe.

Other countries see mostly the emigration of their young populations to service the sex industry and labour markets abroad. The Belarus report says that of Belarusian workers who went abroad in 2001, 70% of them were under the age of 24. Unofficial estimates put the number of Moldavians working abroad at between 600,000 and 1 million persons. From some communities in Moldova up to half the population has emigrated. The Romanian researchers point out that it is a combination of economic and political factors at home that creates a favourable climate in which young people want to emigrate. These include low pay, insecurity of employment, and the inadequacy of the educational system at home to respond to the labour market. But they also include the low level of community and parental involvement with young people and the negative perceptions that young people have about their futures in their own country as important 'push' factors. The Moldova research quotes official polls as showing that almost 90% of young people between the ages of 18 and 29 want to leave the country. The Russian report refers to research among school-girls by Stellit in 2003 which showed that many minor girls want to find a foreign husband, and see the possibility of marrying a foreigner and going abroad as a real opportunity to solve their financial problems. They use the Internet and marriage agencies to find such husbands.

In-country migration, where young people move from rural areas to towns and cities, is mentioned in the Albanian, Czech, Estonian, Moldovan, Russian and Ukraine reports. Many end up on the streets and in prostitution.

Another issue highlighted in some reports is the lack of migration policies on the part of governments which would help young people to migrate safely. The Belarus report mentions that less than 5% of those who want to leave the country had adequate information about employment outside the country. The Estonian, Romanian and Ukraine reports also refer to this lack of information among young people trying to emigrate. In such circumstances, it is not surprising that young people are vulnerable to sexual exploitation. On the other hand, research among 24 victims in Moldova by an NGO, CIVIS, found that half of the young people had known about trafficking, but had hoped it would not happen in their cases. Most, however, said that if they had been informed about the dangers, they would have avoided the experience.

National responses

In six countries of the research project, there is a state programme to combat trafficking in human beings, including children. These are Albania, Belarus, the Czech Republic, Moldova, Romania and Ukraine.

In Albania, the issue of trafficking has been a priority over the last 3 years, with a National Strategy to Combat Trafficking in Human Beings adopted by the Council of Ministers in 2001. An inter-ministerial Working Group prepared a National Plan of Action (NPA) to be implemented between 2001 and 2004. While the Plan provides for concrete measures with defined responsibilities for a number of state institutions, there were no separate provisions for child trafficking. A Working Group, including government ministries, NGOs and international organisations, was formed in 2003 to devise a specific strategy to combat child trafficking. This new strategy is expected to be approved during 2004.

In Belarus a number of state programmes are directed at the protection of children from violence and abuse, and promoting their rights, including the State programme of Complex Measures to Combat Trafficking in Human Beings and Prostitution 2002-2007. More than 20 ministries and government agencies, as well as NGOs, are involved in the delivery of this programme. Belarus is beginning to develop a National Plan of Action for child protection which will seek to address a number of problems, including trafficking.

An NPA to combat commercial sexual exploitation of children was approved for the Czech Republic by government resolution No.698 in July 2000. That NPA was reinforced in September 2003 by the adoption by government resolution No. 849 on a National Strategy to Combat Trafficking in Human Beings for the Purpose of Sexual Exploitation in the Czech Republic. As with Albania, the problems lie in its implementation. The Czech researchers point out that the Strategy on trafficking is primarily focussed on adult victims, and was even drafted without consultation with the two NGOs who focus on child prostitution and child trafficking and are working actively in providing support to street children.

The government of Moldova established a National inter-departmental Committee on Trafficking in Human Beings in 2001 as part of its efforts under a Stability Pact²⁵ for the region. A National Plan was adopted in November of that year. A group within the Committee is looking at legislation and law enforcement. The researchers point out that the Plan, while

²⁵ As part of a Multi-year Anti-trafficking Action Plan for South Eastern Europe (SEE). The countries of the SEE are: Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Serbia and Montenegro, FYR Macedonia, Greece, Hungary, Moldova, Romania, Slovenia.

comprehensive in scope, is more like a general framework for action than a detailed plan, that the Committee has no budget or funds allocated, and that it met irregularly until 2003. Recently, local commissions were set up to contribute to the work of the National Committee. The local committees consist of the representatives of local authorities and educational institutions, social workers, policemen and lawyers.

The Romanian Plan to Combat Trafficking in Human Beings, adopted in 2001, has served as a regional model, with eleven countries adopting similar plans, according to the research report. The activities detailed in the Plan will be carried out with the participation of local communities, inter-governmental agencies and NGOs. Implementation involves almost all the state institutions, and, according to the researchers, it has a clear focus on the establishment of an institutional framework and on prevention. NGOs will play an important role in relation to the rehabilitation, recovery and reintegration of victims.

The Cabinet of Ministers of the Ukraine in 2002 adopted a Comprehensive Programme for the Prevention of Trafficking in Human Beings for the years 2002 to 2005. This followed an initial government programme for the period 1999 to 2001. The latest Programme involves a number of ministries, but there are difficulties with coordination of efforts. The reports from all of the countries that have plans to combat trafficking mention problems with financial or other resources for implementation of the plans.

In Estonia and Russia there are no current national plans to combat trafficking of human beings. In Russia, there is not even recognition that trafficking is a problem.

The Demand Factor

Not much information was gathered about demand, which reflects the absence of such information in general.²⁶ Only some of the reports deal explicitly with the question of demand. On the whole, the demand appears to reflect opportunism on the part of clients to a large supply of vulnerable young people. Traffickers accept any transaction that brings profits, and take into account not only the demand from the destination countries but also the fact that children do not know their rights and cannot protect themselves as well as adults. The fact that girls are under age does not seem to be relevant to a client, but for a trafficker young people are more vulnerable and more easily influenced and controlled (by violence or other means). On the other hand, some reports say that the prices that can be obtained by traffickers for young people increases the demand (Czech Republic, Moldova, Romania, Russia). In the Romanian research, interviewees pointed out that there must be a high demand for minors, because otherwise there is no explanation as to why traffickers would risk incurring the heavy penalties they can get for trafficking minors. Prices paid for minors vary according to the destination country, the purpose of trafficking and the physical qualities of the young person. It is not clear whether age influences prices. However there is some specific demand for young children; the Romanian report describes the demand for young boys in Western European countries, and the Moldovan research mentions demand for virgin girls. Concern is expressed in the Russian and Ukraine reports about adoption procedures being used to traffic young children, with the possibility that they are subsequently used for sexual exploitation. Some reports emphasise the increasing demand for young children for the making of pornography as a growing feature of sexual exploitation of minors in their countries.

Czech Republic

There is a strong demand for sex from beyond the borders of the Czech Republic. Clients come into the country from Germany, Austria and other western countries to find prostitutes. However, the clients are indifferent as to whether a prostitute is underage or not, unless they are looking specifically for young children. According to one interviewee, minor prostitution has disappeared from the clubs, and in the last year has even reduced on the streets. Instead adult prostitutes or pimps work as agents, and guide clients to children living in flats or back rooms. A phenomenon in the Czech Republic, described by the NGO ENYA, is the so-called "gay-friendly family houses", where sex tourists can rent rooms and along with the room they get a prostituted minor boy. Many young boys also travel abroad for short periods with tourists from Austria, Germany, Greece and other places. Clients are described in the report as mostly 'normal' citizens, average men, from all social classes, but mainly middle class. There is a special group of clients who are paedophiles, and they come from all over the world, but are mostly German. The Czech Vice Squad says that 'very high' prices are paid by paedophiles for prostitutes who are less than 15 years of age. The purchase of very young children for €20,000 is mentioned in the research. But some children are paid with sweets or toys. Clients get information from the Internet, and from personal contact. Children who are used in prostitution are also used for the making of pornography. Many paedophiles film their sexual intercourse with minors, and then distribute it on the Internet.

²⁶ In the Albanian report no information was provided on the demand factor.

Estonia

Organised prostitution services are provided in brothels or apartments, or women and girls are brought to the clients. Clients get their information about the services available through newspaper advertisements, the Internet and from taxi drivers. The advertisements do not clearly offer sexual services, and never mention minors; instead saunas, massage, and striptease are suggested. Brothel clients include sex tourists, mostly Finnish, as well as local Estonian and Russian men. Many clients are said to use alcohol and drugs and to use violence towards the women and girls. During summertime the number of clients increases, and there are more foreigners.

The report says that tourists are charged more for the sexual services, and that there are elitist brothels charging very high prices. The women and girls receive only one fifth to half of the amount. The rest is divided between others involved in the business: the brothel owner, dispatcher, driver (when a girl is driven to the client) and to the taxi driver (when a client is driven to the brothel).

Moldova

In Moldova, many different kinds of persons, and even UN peacekeeping troops, use the sexual services of minors. In most cases where children have gone abroad, the children's own parents will have paid US\$1000-\$1500 to send them out of Moldova, hoping that they might build a better future for themselves. From the trafficker's point of view, the value of a minor will depend on the destination. The report notes that in Russia, a Moldavian girl can cost US\$400, but in the Arab Emirates she can be sold for US\$10,000. According to the Moldavian police, in the summer of 1999 police in Moscow discovered two brothels, where 15 of the girls were Moldavian minors sold into slavery for US\$400 each, their virginity costing US\$150. However sexual exploiters normally use private apartments in order to avoid being detected by the police; they are careful about approaching potential clients, or advertising the services of minors, and they don't allow occasional clients to enter the apartments.

Romania

The Romanian report says that depending on the position of the trafficker within the criminal network, the price that each receives for 'selling' a girl will vary. On the first sale, the trafficker will receive from €100 to €400 (usually the transaction is made at the border). The trafficker who sells a girl outside the country usually receives up to €1,000. After this, the prices that the traffickers get will increase with each sale. Some traffickers tend to look for children that are already exploited in prostitution in their own country. Then they can just buy the minors from the local pimps and sell them outside the country.

Information on prices paid by clients is vague. Girls usually do not have information on the prices fixed for their services, because the clients deal directly with the exploiter. In the Balkan countries, cases of payments-in-kind were reported, the clients having to buy, for example, an expensive bottle of champagne, in exchange for sexual intercourse. Usually the clients know the bars or hotels where sexual services are offered. It was not clear to the Romanian researchers if clients deliberately seek minor girls, or whether they are indifferent as to their age. One

respondent stated that abusers who specifically seek underage children for sexual intercourse make contact through secretive communication channels, such as the Internet, post office boxes, private clubs with restricted membership, etc.

Russia

According to the experts, most of the clients that buy sexual services from children in foreign countries are either paedophiles or middle aged men. Interviewees were not able to give approximate costs for sexual services. It is thought that it depends on the specific nature of service: sexual contact with a child under 12 years of age is more expensive than with a minor over that age. Boys attract a more specific market and are more expensive than girls. Both men and women purchase child sexual services in Russia. They are often married, and are mainly Russian or from CIS countries. North-West Russia and Saint Petersburg are the most accessible markets for illegal sexual services for clients from western countries, such as Finland, Sweden, Germany, Norway and England. However, Africa, Turkey, Arabian countries, India, Iran, Japan and the USA are mentioned among the more distant foreign countries. Clients from Azerbaijan, Georgia, Tajikistan and Uzbekistan are also mentioned.

Ukraine

The experts consulted in the course of the research believe that girls are sold for between US\$2,000 and US\$10,000 each. The destination countries are Turkey, Greece, Cyprus, Canada, Italy, the United States, Germany, the Arab Emirates and Japan. They point out that, in Israel, for instance, a minor Ukrainian can earn US\$50,000-\$100,000 per year for her pimp. Only a few prostituted minors in Ukraine work in hotels, casinos and restaurants; most of them offer their services at stations, on highways and in marketplaces. The report refers to the dangerous and unhygienic conditions in which minor prostitutes in Ukraine work, particularly those who operate on the highways and the streets. For this reason, many prostituted children get ill with sexually transmitted diseases.

Numbers of Children Involved

No country could provide reliable statistics on the number of children trafficked into, within, or out from their country; they could only give estimates. The lack of numbers is inherent in the secret and criminal nature of the problem, but even when victims return to their countries they do not always want to tell their story to others, so the figures for returned victims cannot tell the full story. Furthermore, organisations involved in repatriation of children are usually working with voluntary returnees, and therefore the numbers do not include children that do not want to, or who cannot, return.

But all of the country reports acknowledge that trafficking of young people for labour exploitation and prostitution has flourished. Even if there is little reliable data to show precise numbers, there are practical experiences and examples from all the research teams. Many of these experiences are detailed throughout this report.

The numbers who have returned through IOM, or who have received services from NGOs on their return, can help to give an idea of the total number of victims, but they cover mostly adult women. Only occasionally is the percentage of minors known among the total number of returnees. Even the figures quoted from IOM have to be understood as representing only those victims who have been identified and offered a process of return.

Another complication for this research is that the purpose of the trafficking is not always clear from the numbers uncovered in the country reports, and so no firm conclusions can be drawn from them as to whether the original purpose was sexual exploitation. The reports tend to show that many young people simply fall into the hands of traffickers in pursuit of a better life and through their own vulnerability. The case studies, however, do show a serious and violent level of sexual exploitation in the experiences of the victims. The research also shows that many victims, although found when they were adults, had been recruited for sexual exploitation while still minors.

There are no figures available on minors who leave their countries unaccompanied, but there is information that large numbers of unaccompanied minors fall prey to traffickers and sexual exploitation in destination countries.

Some countries have provided limited (estimated) data on the number of prostituted minors sexually exploited within their borders.

Albania

Albania is considered to be a country with one of the highest numbers of trafficked human beings who are being used for profit and exploitation within Europe.²⁷ The Anti-Trafficking Directorate at the Ministry of Public Order estimates that during the period 1992-2000, about 4,000 children under 18 years of age were trafficked. These children were trafficked to neighbouring countries such as Italy and Greece, mainly for sexual exploitation, begging, slave labour, and involvement in criminal networks. According to data for 2001 from the Comitato Minori Stranieri of Italy, 9,047 Albanian children were reported to be unaccompanied in Italy between June 2000 and November 2001.

²⁷ Data provided on website of the Ministry of Public Order, Albania.

Belarus

Although experts could describe cases and give facts about trafficked minors, the data obtained from the research is not considered by the researchers sufficient to appreciate the full scale of trafficking of minors from Belarus to other countries for sexual purposes. According to data from IOM Belarus, 6-7 % of the 40 persons supported by the organisation up to September 2003 were minor victims of trafficking.

Czech Republic

There is no reliable data available on children in prostitution and minor victims of trafficking within the Czech Republic, but it seems to be a growing problem. Among the thousands of prostitutes in the Republic, who are mainly working in the Czech-German and Czech-Austrian border regions, there are many minors, most of them over 12 years of age.²⁸ A growing child prostitution scene was also described in a book published in October 2003 in Western Bohemia.²⁹ From 1996 onwards the author monitored the border region, together with her street social worker colleagues from the Czech Republic. They recorded over 500 cases of children involved in prostitution in and around the cities of Cheb, Aš and Sokolov, both on the streets and in sex establishments. A lot of these children had been trafficked and forced into prostitution after being sold by friends or family members.

According to the National Strategy of the Czech Government, street prostitutes in Western Bohemia are mainly Czech and Slovak women; most of them are Roma between 15 and 50 years of age, while in Southern Bohemia, Roma and foreign women aged between 13 and 50 years of age are found.³⁰ In the National Plan of Action of 2000, the Czech government mentions 290 trafficking cases discovered in 1999, in which 16 of the victims were underage. According to a regional prosecutor, there was only one trafficked minor detected in the Cheb region in the last 3 years. But he admitted that in his jurisdiction there were about 10 cases involving prostituted minors in the last 8 years in which trafficking was obvious; however, since the incidents concerned in-country trafficking, they could not be considered trafficking under the Czech law.

In sex establishments along the borders with the western countries there don't seem to be many children, but according to the National Strategy 'the police have found thirteen-year-old prostitutes working in a night club in Tábor'.³¹

The crime statistics for the year 2001 show that of 26 victims of trafficking, five were underage girls (one was under 15).³² But because of the hidden nature of this crime, and because of the

²⁸ Information from a social streetworker from the NGO KARO.

²⁹ Cathrin Schauer: *Kinder auf dem Strich – Bericht von der deutsch-tschechischen Grenze*. Hg: UNICEF Deutschland, ECPAT Deutschland, Horlemann-Verlag, Bad Honnef, 2003, p.83.

³⁰ National Strategy to Combat Trafficking in Human Beings for the Purposes of Sexual Exploitation in the Czech Republic, draft Resolution of the government of the Czech Republic of 03.09.2003, No.849, Appendix No.2, Prostitution in the Czech Republic, p.2,f.

³¹ National Strategy to Combat Trafficking in Human Beings for the Purposes of Sexual Exploitation in the Czech Republic, draft Resolution of the government of the Czech Republic of 03.09.2003, No.849, Appendix No.2, Prostitution in the Czech Republic, p.6.

³² Statistics from the Ministry of the Interior. Interestingly, an Internet version of the same statistics show different figures: In 23 cases of human trafficking, there were 26 victims, of whom 16 were underage girls, including one who was under 15 years of age.

legal situation, the police have to prosecute cases that are potentially cases of trafficking under other provisions of the Criminal Code.

The Alien and Border Police do not collect data on children crossing the border into the Czech Republic, unless those children are seeking asylum. Every year hundreds of children, mainly from Eastern Europe or China, ask for asylum in the Czech Republic; there have been over 1,100 children in the past 4 years. According to research by IOM, 75% of UAMs disappear in the asylum seeking process and possibly end up being trafficked. According to a staff member of ÚOOZ, the Special Unit for the Detection of Organised Crime, the ÚOOZ is aware of a big discrepancy between the number of UAMs entering and those leaving the country. He would not exclude the possibility that some children could have become victims of trafficking. But he also stressed that there is too much speculation and not enough evidence on the matter.

On the political stage a heated discussion is going on about the quality of statistics. The opposition spokesman for the Ministry of the Interior says: "Our police measure their success with statistics, which they show when the results are good. What they do not mention is how the conclusions from these statistics are sometimes distorted, leaving out aspects of a latent and concealed criminality. Numbers can be manipulated in many ways, and even forged. And some of these cases of forged statistics came to light in 2002. The police say that this happens all the time. The reason for these fraudulent reports lies in a false method of analysis, where only the detection of crimes is a measure of success."
(Country report Czech Republic)

Estonia

There is no accurate data available on the number of minors trafficked from Estonia to other countries for sexual purposes. The institutions and organisations that have direct experience of working with victims of trafficking are small in number. Most of these organisations have come across only a few cases of trafficking and often these are cases involving adult women as victims. For example, the Estonian Border Guard only knows of one case of illegal trafficking across the Estonian border, and it involved adult women. The Border Guards also knew of individual women returning to Estonia with entry permits, having been sexually exploited abroad. But a representative of the Citizenship and Migration Board had not come across any cases of trafficking for sexual purposes. Police statistics reflect very few cases concerning trafficking and sexual exploitation of minors. Nevertheless, despite the fact that the numbers of minors trafficked abroad is not known, none of the interviewed experts said that trafficking in minors for sexual purposes should not be considered a problem in Estonia.

IOM estimates that about 500 Estonian women and girls become victims of trafficking yearly.³³ Out of 158 prostituted women questioned in 2002 who used the services of an NGO, 31% had been involved in the sex industry abroad.³⁴ Research carried out by IOM Estonia in 2001 showed that approximately 10% of the respondents had information about trafficking cases involving someone they knew.³⁵ Twelve girls were interviewed, and most of them had acquaintances that were or had been involved in prostitution as minors. The girls knew two cases of a minor who had been trafficked outside Estonia and several of the interviewed girls had some acquaintances who were just over 18 years old and who had been involved in the sex

³³ Uusmaa, Inga; Uusen, Rain 2002/May (No 05). Luup: "500 naist aastast".

³⁴ Kalikov, J. (2003). Research – Prostitution in Estonia, Latvia and Lithuania. <http://www.policy.hu/kalikov>

³⁵ IOM (2002). Public Perception and Awareness of Trafficking in Women in the Baltic States. Helsinki: IOM

industry abroad. Information about a total of seven trafficking cases, which involved girls between the ages of 14 and 17, emerged from all the interviews. Some cases affected several minors.

In Estonia it is estimated that there are some 50-70 brothels and brothel/apartments in Tallinn, with 5 to 20 prostituted persons in each. Almost half of the police questioned in 2002 thought that there are more than a thousand prostituted women in Tallinn.³⁶ When comparing the different data sources available, the number of minors among those prostituted inside Estonia appears to exceed ten percent.³⁷ According to experts, the number of those prostituted and the ratio of minors among them has decreased compared to the mid 1990s. However it was also said during the interviews that there are some places that procure only minors.³⁸ Apart from being prostituted in brothels, street children and drug addicted children get involved in prostitution, according to the research report.

Moldova

According to the interviewees, the number of trafficked minors is huge, but no exact figure can be put on it. None of the state institutions, including the frontier guard department, have information about the number of trafficked victims or the number of deportees. Many trafficked minors do not want to report to the police, and others remain in the sex industry. The only relevant data is information provided by the Ministry of Home Affairs on the number of cases taken against traffickers, which gives no data on the number of victims.

Data provided by IOM Moldova, shows that between the years 2000 and 2003, 1,074 trafficked women and children returned to Moldova. 30% of the returnees were recruited when they were minors and 42% of these were still minors when they came back. An IOM report concerning 130 women trafficked to Kosovo between 2000 and 2001 shows that 61.21% of all the victims came from Moldova.³⁹ From the total number of victims, 8.46 % were in the age range of 14 to 17 years, and 55.38 % were between 18 and 24 years old. It is estimated that 30 % of repatriated teenagers return to the sex industry because of the lack of job opportunities in Moldova.

Up to January 2000, Save the Children, Moldova, with help from IOM and other international organizations ensured the repatriation of 263 victims, and 25 of them were minors. Although a lot of cases of minors trafficked from Moldova to Russia have been recorded, there is no concrete data on the cases. According to the Ministry of Internal Affairs, in 2001 there were some 500 known cases in which kidnapped minors had been forced to beg on the streets of Russian cities and some of them were also sexually abused. The Temporary Centre for Minors in Moscow (managed by the Ministry of Interior) estimates that at least 50% of children begging on the streets of Moscow are from Moldova.

³⁶ Pettai, I. & Kase, H. (2002). Prostitutsioon ja naistega kauplemine kui lahendamata probleem Eestis. Eesti riigi suutlikkus tõkestada ja ennetada prostitutsiooni ja naistega kauplemist. Tallinn

³⁷ Kalikov, J. (2003). Historical Background of Prostitution in Estonia.

<http://www.policy.hu/kalikov/ESTONIA.html> and Kalikov 2003b; Pettai, Kase 2002

³⁸ Trummal, A. (2001). "Sexual exploitation of minors in Tallinn: results of the study carried out within the framework of the STOP2 project" in *Minors in the Sex Trade* edited by Jyrkinen, M. & Karjalainen, L. Hamina: Oy Kotkan Kirjapaino Ab.

³⁹ IOM Pristina (2001). Counter-Trafficking Unit Situation Report.

According to an investigation carried out by the NGO, CIVIS, out of 24 victims of trafficking who they interviewed, almost half were under the age of 18.

Romania

Although there has been important progress, Romania still does not have a coherent and unified method by which the numbers of trafficked children can be estimated, nor is there a national data system on victims who have been repatriated. Different kinds of data are held by the various stakeholders: IOM has data on voluntary repatriations, the Ministry of the Interior has data on unaccompanied children repatriated through bilateral agreements with foreign governments, and NGOs have data on cases assisted by them. Between January 2000 and May 2003, some 778 Romanian victims received assistance. These numbers mainly include women and girls who returned voluntarily to Romania through the available assistance programmes.⁴⁰ The number for foreign victims assisted in Romania is given as 40. The number of trafficked children is said to have increased in the last years. Data provided by IOM Bucharest, revealed that since 2000, around 23% of the assisted victims were minors.

The IOM figures show that young people between 18 and 20 years of age are the most affected by trafficking. In 2002, 48 assisted victims were aged between 15 and 17, and, in 2001, 46 were in that age bracket. In those years, 80 (in 2002) and 87 (in 2001) of the assisted victims were aged between 18 and 20. The ages documented are the ages when girls return from abroad, but the age of recruitment is not known. Since 'the period of trafficking varies from two months to two years'⁴¹, it follows that many of the repatriated adult victims must have been trafficked while they were minors.

Data provided by the General Division for Combating Organized Crime and Anti Drugs shows that, in 2001, 192 separated children abroad were repatriated, and that there were 205 such children in 2002. Of those children, approximately 25.3% stated that they had been trafficked. Data provided by the IOM Office in Tirana (Albania), quoted in a Unicef report⁴², shows that in 2000, 34% of the trafficked victims assisted in Albania were Romanian, and included 9 minors, who were between 13 and 17 years of age.

Russia

None of the experts interviewed for the research could estimate the numbers of minor victims who had been trafficked. Obtaining information on the issue is difficult because of the involvement of organized criminal groups, and because trafficking is a 'taboo' subject for public discussion. However, another reason given is that trafficking of human beings is not considered a serious problem by the authorities.

There is no official data collection system relating to minors who leave the country. Besides, most of the trafficked victims are not considered as victims by the immigration authorities, but as persons who have breached the passport and visa regulations.

⁴⁰ Stability Pact (2003). Regional Clearing Point First Annual Report.

⁴¹ Stability Pact (2003). Regional Clearing Point First Annual Report.

⁴² Unicef (2000). Trafficking in Human Beings in South Eastern Europe.

Information about the sexual exploitation of boys is even more difficult to access than information on girls. In Russia there is a deeply negative attitude to homosexuality, and therefore male homosexuals suffer discrimination and social exclusion. Boys involved in homosexual prostitution are exposed to a double discrimination, both as homosexuals and as prostitutes. The researchers suppose that organizations avoid working with prostituted boys because of the complexity and scandalous nature of their activities. However, research done by Stellit showed that the involvement of boys in prostitution is rather widespread in Russia. It is more organized than the prostitution of girls, because of the higher earnings involved (according to some boys, many rich and well-known men, including foreigners, are among their clients), which also makes the business more concealed. The researchers believe that boys can also become victims of trafficking, but no information is available on this. One boy they spoke to told them about a brothel in Finland where in 2000 and 2001 children, including boys, were brought from St. Petersburg.

At present there are no procedures to search for disappeared adults or children in foreign countries despite the widespread trafficking of both within the country and abroad.

Ukraine

Prostitution is increasing in Ukraine, and the sex industry is diversifying, including by the use of minors. But there are no figures available. The majority of respondents stated that trafficking in minors is hidden and that the problem is much bigger in Ukraine than any figures can show. Only a very small number of trafficked victims dare to inform the law enforcement bodies or to seek social assistance.

The Ukrainian Ombudsman⁴³ states that between 1991 and 1998 more than half a million Ukrainian women were trafficked to the West. These figures correspond to data provided by IOM, and, according to IOM, a significant number of minors are among them.

The police report that most children who are engaged in prostitution in Ukraine are sold to brothels. They estimate that 24% of all prostitutes are minors over the age of 15.

⁴³ The official under the Constitution responsible for the protection of human rights in Ukraine.

Sending, Transit, and Destination Countries

All Eastern European countries of the project appear to be receiving, transit and destination countries for trafficked minors, although some are more 'receiving' or more 'sending', depending on their economic situation. For example the Czech Republic moved from being a sending country to being a receiving country, because of its stronger economic situation than many of the neighbouring countries. Some countries reported cases where victims were supposed to travel onwards, but ended up staying in the transit country because of the economic situation there, or because of a change of plan or because they escaped from their pimps. Traffickers use many different routes, and the same routes are used for minors as for adult women. Traditional migration routes, and traditional forms of transport, are used, including cars, trains, and buses. Traffickers usually take the easiest routes, through the regular border crossings, but there are also 'green routes' through forests and areas not patrolled by border guards that are used.

Some routes are dictated by the geographical situation of a country, which means that minors living in the east may be trafficked further east, and from the west, further west. Minors are not only trafficked to Western Europe. Destinations are also located in Central and Southern Europe, including Turkey. Cases where minors had been trafficked were even found in Africa and Asia. Because of the easy visa regime between the CIS countries, a lot of trafficking takes place within those countries.

In-country trafficking is common; domestic trafficking of young people is mostly from rural areas with high unemployment to bigger population centres. In-country trafficking is easier and safer for traffickers. In some countries, such as Russia and the Czech Republic, domestic trafficking is popular because there is such a high demand from incoming sex tourists, so it is unnecessary for traffickers to cross borders in search of profit. The expectation in Estonia is that after the country joins the EU, it will become a favoured destination for other Eastern European countries. Belarus also expects to become a favoured destination as soon as Poland joins the EU.

Albania

The geographical position of Albania favours different kinds of trafficking, including the traffic of children. Albania is like a main gate to the West for the countries of Eastern Europe, and a transit country for victims from Bulgaria, Moldova, Romania, Russia, Serbia, and Ukraine. Children are trafficked in and from Albania by Moldavian, Romanian, Serbian and Albanian traffickers, and are sent to receiving countries, such as Italy, France, Belgium, The Netherlands and the United Kingdom.

60% of the population of Albania lives in rural areas, and these areas are the main 'suppliers' of minors. According to one report, the main source areas for children are: Berat, Fier, Shijak in Durres, and the region of Laç and Vlora.⁴⁴ That research shows that 87 % of the girls trafficked from those places were between 13 and 18 years of age when trafficked, and the rest were older. Most of those interviewed for the study were under the age of 18, and those who were over that age had already been trafficked when they were minors.

According to interviewees from the Anti-Trafficking Office in the Ministry of Public Order, and the Regional Office to Combat Trafficking, Albania is no longer considered a transit country,

⁴⁴ The Psychosocial Centre (2002). *Girls and Trafficking*. Vlora: The Psychosocial Centre.

but NGOs and international agencies do not draw the same conclusion. The researchers point out that although the route through Vlora is not used any more to traffic children, the same cannot be said about trafficking of children to Greece and Kosovo. For example, IOM Kosovo reported⁴⁵ that their rehabilitation centres had accepted nine Albanian children during 2002, indicating that a new route has been opened between the two countries.

Belarus

Belarus is a country of origin, destination and transit. There are a number of routes dictated by the geographical situation of the country: minors from areas on the borders of Russia go to Russia and minors from the western regions go to Western Europe. Information from the law-enforcement bodies, the opinion of experts and data from international agencies confirm that Russia is one of the main destination countries for Belarusian minors, where they are used in the sex industry and for begging. The transparency of the border between Belarus and Russia makes trafficking easy.

Victims are trafficked mainly through cities in the Vitebsk area (Verhnedvinsk, Novopolotsk) to Russia. Trafficked minors from Belarus were found in the following Russian cities: Moscow, Himki, Ryazan and Saratov. Individual cases of trafficked children were found in the Czech Republic, Israel, Turkey, and Poland, according to data from the Ministry of Internal Affairs and the State Border Guards Committee.

In 2001 and 2002 non-governmental organizations found women from Ukraine and Moldova involved in the sex-business in border regions of Belarus. In 2002, for the first time, law-enforcement bodies prosecuted criminal cases relating to the involvement of minor girls from Moldova in begging and the production of pornography in Belarus.⁴⁶

The research found that minors are trafficked from all regions of the country, especially from regional centres, including cities in the Minsk area and the border areas near Grodno and Brest. In the area of Gomel, traffickers work in Kalinkovichi and Petrikov, in Mogilyov, in Bobruisk and Kirovsk.

Czech Republic

The Czech Republic has changed in the last decade from a sending country into a receiving country.⁴⁷ Because of the huge incoming sex tourism there is no need to traffic prostitutes on to Germany or Austria. The women and children stay in the Czech Republic, while clients cross the border, which is cheaper, and safer for both pimps and traffickers. "Most of the victims of trafficking come from countries other than the Czech Republic. The percentage of those who are trafficked here is incomparably higher than the number of those trafficked out of the country."⁴⁸ The reference is to victims of trafficking in general, whether minors or adults. However, according to another source, children "not much below the age of 18" from Slovakia, Ukraine,

⁴⁵ IOM Kosovo (2002). Counter Trafficking Unit Return and Reintegration Project, Situation Report February 2000-September 2002.

⁴⁶ Seminar Report of the Anti-vice Department in the Gomel region, April, 2003

⁴⁷ Police officer, Vice Squad.

⁴⁸ Staff member of the UOOZ, the Special Unit for the detection of organised crime.

Moldova, Belarus, and Lithuania come to the Czech Republic, mostly legally (but in rare cases they are trafficked) and end up in prostitution in Western Bohemia.⁴⁹

A 13 year old Bulgarian girl, Daniela, from Varna on the Black Sea coast, was lured by her 'loverboy'. He went out with her for a few weeks, made her fall in love with him - and one day sold her off to his friends, "who were looking for girls to sell for sex, but I didn't know then that my boy-friend was doing this too". The boys abducted her, threatened "to break my knee caps if I protested" and brought her together with other girls illegally over the borders of Bulgaria, Romania, Hungary, Slovakia, the Czech Republic, Poland – and finally to Berlin. Here Daniela stayed for a week, was raped repeatedly, and was then trafficked on to Belgium. After spending 10 months in Western Europe (being sold on from Belgium to France (Strasbourg) and then to Luxemburg) she was caught in a raid in spring of 2001 and expelled to Bulgaria. Since then she lives in a prison-like shelter for girls aged from 8 and 18 – all of them victims of trafficking to Europe. Daniela is now 17 years old.
(Country report Czech Republic)

A police officer from the Vice Squad denies that children under 15 can be victims of trafficking out of the country for the simple reason that they are not in possession of legal travel documents. According to a street social worker in Prague, Cathrin Schauer, and her colleagues in the border areas, there are a few cases of children under the age of 15 who go or are sent abroad. Experts mention that they hear from girls, sex tourists or from adult prostitutes, that girls cross the borders, with their pimps, in taxis, trains and buses, and stay in Germany with their clients for a weekend or even longer. "We were told by girls who came back that they had been brought to the French-German border region, especially to Kehl and Strasbourg, where obviously whole rings of pimps from Cheb live as brothel owners and forced them into prostitution. Every day the children were brought over the border from Kehl to Strasbourg to make money," according to Cathrin Schauer. There are also known cases of Czech Roma girls being trafficked out of the country, on the basis of fraudulent promises of non-sexual work with distant relatives.⁵⁰

Staff at the Ministry of the Interior accept that the Czech Republic is a receiving country, but consider that it is not very young children who are entering, but mainly 16 and 17 year old girls from Slovakia. The Ministry also accepts that there are cases of girls from Vietnam, Moldova, and Ukraine. They say that the girls from Slovakia and the Czech Republic are mostly 16-17 year old Roma girls.

The Czech Republic still remains, however, a country of transit for foreign children (from Romania, Bulgaria, Moldova, Ukraine, and Russia) who are suspected of being sent for sexual exploitation beyond the Czech borders.

Estonia

Estonia is mainly a country of origin. According to the research results Estonian minors are trafficked mostly to Finland, Sweden, Spain and Italy. In the case of women trafficking, Germany, The Netherlands, Norway, Denmark, Japan and Egypt are mentioned by the interviewed experts. Other research quoted in the country report shows the list as even longer. However, Estonia is also considered a destination country, since the economic situation in

⁴⁹ Source: Cathrin Schauer.

⁵⁰ Confirmed by the UOOZ unit in an interview with La Strada.

Estonia is better than in several Eastern European countries. Only one case of a minor trafficked to Estonia came out of the interviews, and this involved a Latvian girl. As far as trafficking of women is concerned, Ukraine, Belarus and Russia are also mentioned as countries of origin. An enquiry conducted from 1996 to 1999 among prostituted women in Estonia revealed that 2% of the 382 women questioned came from countries other than Estonia;⁵¹ however no minors were found among them.

There are different views about Estonia as a transit country for trafficking. Some experts believe that Estonia cannot be considered a transit country since it is not necessary to travel through Estonia, where border controls are technically more developed than in some other post-soviet countries, to get to the West. At the same time, some experts took the opposite view, on the basis that Estonia has good shipping communication with Finland and Sweden. Other reports confirm that, on a small scale, Estonia is a transit country for trafficking from Eastern Europe to western countries. However, no cases involving minors were identified during the interviews. Movement of minors between different regions within Estonia is mostly from areas with higher unemployment rates (like the northeast of Estonia) to the capital, but also to other large towns, like Tartu.

Experts expect that when Estonia joins the EU in 2004, the country will become more desirable as a destination country. They estimate that the number of trafficked persons coming from Eastern Europe will increase. Experts also believe that when Finland criminalizes the purchase of sexual services, the amount of sex tourists coming to Estonia will seriously increase.

Moldova

Because of its geographical location and current economic situation, Moldova became a major country of origin for trafficking in human beings. It is also a transit country for traffickers from Ukraine and other countries of the former Soviet Union. Moldovan girls exit the country via Belgrade and Budapest. There are reports of young and naive girls being brought to Belgrade where they are used in the sex industry. In Budapest more intelligent Moldovan women are used as escorts and providers of high-class sex services to clients from Western Europe. Girls who get to Belgrade believe that they are going to work in Greece or that a well-paid job is waiting for them in Macedonia, Bosnia or Albania. Girls who get to Budapest think they will be hired in a travel agency, work in a hotel chain, or do secretarial work. Another border point is Odessa (Ukraine) from where girls are trafficked to brothels in Turkey. According to the Ministry of the Interior, destination countries for Moldavian girls and women trafficked for sexual exploitation include Turkey and the Middle East, Southern Europe, the Balkans, Russia, and Western Europe.

From the cases assisted by the Centre for the Prevention of Trafficking in Women, it can also be said that Moldavian girls are trafficked to Afghanistan and Saudi Arabia. While there is information about women going to Turkey there are very few known cases of women coming back from Turkey to Moldova who have been helped by NGOs. Better working conditions in Turkey are given as the explanation, and the fact that women are allowed to keep more money for themselves.

⁵¹ Kalikov, J. (2003). Historical Background of Prostitution in Estonia.
<http://www.policy.hu/kalikov/ESTONIA.html>

A tourist agency from Moldova, set up in 1999 by two citizens (husband and wife), advertised jobs for young girls as dancers and waitresses in Cyprus and Spain. In discussion with the girls who were interested in getting more details about the jobs, the couple explained the working conditions. Depending on the characteristics and personalities of the girls, they told some of them that if they wanted to earn more money they could offer sex, but to others these conditions were not explained. The girls who accepted the agency's offer were photographed in bikinis, and the photos were sent to the purchasers, who then made their choices, over the Internet. The couple prepared the documentation for the girls who were chosen. Those who were minors became adults by falsification of their identity documents. Then the girls were brought to Cyprus and Spain, accompanied by the agency's representatives. Sometimes they travelled alone and were met by their 'owners', with translators, at the airport. In both countries the girls were forced to work at different jobs for a period of two months with no payment in order to repay their debts to the agency. Some of the girls were forced to have sex in the owners' bars. Their movements were restricted. Some girls managed to escape and complained to the police. There were 22 girls who collaborated with the police on this matter, including 8 minors aged between 15 and 18. In the course of the police search at the residence of the company, over 100 photos and over 100 passports of girls who had not been sent abroad were found. Some of the passports were found to be forged. Investigations to find other persons involved in this network were not successful. The officials who had issued the false passports were not identified; the purchasers in the destination countries were not arrested. The case is still under judicial examination; the couple were arrested and a preliminary investigation took place. Currently they are on bail.

(Country report Moldova)

Another reason for the failure of women to return from Turkey might be the very limited assistance offered to victims in Turkey, and the tendency to deport Moldavian women from Turkey to Odessa. Women deported from Turkey are shipped to Odessa and have to find their own way back to Moldova. Often they are approached by traffickers and are re-trafficked before they are able to get home or make contact with any assistance agencies.

Romania

The trafficking routes are usually the same as the routes for migration for temporary work, because the victims of trafficking leave the country believing that they are going to a job abroad. Romania is a country of origin and transit mostly for women and girls trafficked to Bosnia, Serbia, Macedonia, Kosovo, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation.⁵² Romanians and Moldavians are trafficked from Romania⁵³, often first to Serbia and Montenegro, and then to other Balkan or Western European countries. Women and children trafficked from Romania have been reported in Bosnia and Herzegovina, Macedonia, Montenegro, and Serbia (including Kosovo) and in Western European countries like Belgium, Luxembourg, and France. Other European destinations for trafficked women include Albania, the Czech Republic, Ireland, Italy, the Netherlands, Spain, and Turkey. Outside of Europe, Romanian victims of trafficking have been reported in Cambodia, Canada, and South Africa.

Due to its geographical position, Romania is also an important transit country for victims trafficked from Moldova, Ukraine and even Asian countries. Most of the people trafficked

⁵² Unicef (2000). Trafficking in Human Beings in South Eastern Europe.

⁵³ A Human Rights Report on Trafficking in Persons. especially Women and Children. The Protection Project (US). <http://www.protectionproject.org>

through and from Romania are brought first to Timisoara (due to the international transport available from there) or Turnu Severin, on the western side of Romania; from there, they are taken to the border where they cross into former Yugoslavia and beyond.⁵⁴ Usually the border with the Republic of Serbia and Montenegro is crossed through Drobeta Turnu Severin. Another route, used to a lesser extent, is the one from the south of Romania through Bulgaria to Greece. The US Protection Project Report shows that almost 50 percent of trafficked Romanian women come from the north-eastern part of the country. Also, IOM assisted cases reveal that most of the Romanian victims come from the northern part of the country (province of Moldova), but also from other border regions.

Although there is no official evidence on foreign victims of trafficking found in Romania, NGOs and international organizations interviewed insisted that some of the victims transiting Romania had ended up being exploited there. Journalists also spoke of cases of Romanian children involved in prostitution or in forced labour within the country. The researchers felt that the issue of internal trafficking needs more attention both from state institutions and from NGOs. There is less information about unaccompanied Romanian minors in European Union countries, but it seems that in the case of unaccompanied Romanian children in France, many have come from the Maramures area, and cross the border around Arad or Oradea, into Hungary.

Russia

Russian children are sent to Western Europe, in particular Germany, Italy, Cyprus, Denmark, France and Sweden, trafficked through the countries of the former USSR (Ukraine, Belarus and Moldova). Other countries of destination mentioned by the experts are the USA, China, Korea, Japan, Israel and Turkey. Most of the experts consider these to be the routes for trafficking in women. However, they can also be used for minors.

There are some situations that promote trafficking within Russia and countries of the CIS. Firstly, no visa is required for travelling within the countries of the CIS; only a child's birth certificate is required. Secondly, child prostitution, pornography and child sex tourism are increasing in Russia. The lack of law enforcement makes it easier and 'safer' for (foreign) clients to use the sexual services of children in Russia, where these children are not well protected.

Russia and the northwest of Russia in particular is also a destination country for children who will be used for cheap labour as well as for sexual purposes. Minors trafficked to Russia come either from the countries of the former CIS (Moldova, Belarus, Ukraine and Kazakhstan) or come from within Russia itself.

In the opinion of the experts, internal trafficking of minors is widespread in Russia. Saint Petersburg and the northwest of Russia are among the largest centres where sexual exploitation of children takes place in Russia, due to their relative wealth, and to the developed contacts with foreign countries, especially in Scandinavia. Children are removed from small towns of the middle region, the Urals and Siberia, to the major cities of the northwest. According to previous research on sexual exploitation in Saint-Petersburg carried out by the NGO Stellit, most of the minors who live on the streets and are involved in sexual exploitation are migrants from regions

⁵⁴ A Human Rights Report on Trafficking in Persons, especially Women and Children. The Protection Project (US). <http://www.protectionproject.org>

of Russia. Sometimes minors are also brought to cities situated at the intersection of highways and industrial centres (such as Tolyatti). One of the experts mentioned trafficking of minors in the region of Chechnya, where local wars have been going on for ten years. In that case, trafficking of minors within the country is connected to the presence of military forces. Children are trafficked to Chechnya from villages and settlements nearby for sexual exploitation at the military bases.

Ukraine

According to the respondents, the destinations depend on the extent that information about countries and their wealth is available. Minors leave Ukraine to go to Western Europe (Germany, Netherlands, Belgium), to South Europe (Italy, Greece, Turkey, France, Spain) and to Asia and Africa. Trafficking of minors to CIS countries is less common, but still happens. Trafficking from Ukraine to Russia (the Moscow region) for sexual purposes happens during the warmer months of the year.

Ukraine is even a destination country. Mainly during the summer months, minors from the CIS countries are trafficked to the Crimea and the Azov seacoast for prostitution.

Ukraine is also a transit country, especially for migration from Asian countries to Western Europe. According to the police, a high number of these migrants are minors and sometimes they are used by their parents for prostitution in Ukraine itself.

Prostitution is mostly in big cities such as Kiev, Donetsk, Odessa, Kharkiv, Simferopol and Lviv, where there are restaurants, casinos, and other forms of entertainment. Prostitutes originate mainly in rural areas and small towns with substantial unemployment. These towns are the “suppliers” of prostitutes for big cities and into the system of trafficking in human beings. Small towns and districts (centres with populations under 150,000) in southern and eastern regions of Ukraine were said by interviewees to be the biggest suppliers. Central and particularly Western Ukraine is not considered a ‘supplier’ region because of its specific socio-cultural and religious (Greek-Catholic) ethos.

In 2001 the Moldavian Border Police from Bender discovered, in the train from Chisinau to Odessa, a group of minors between the ages of 13 and 16 (boys and girls) who were accompanied by two Moldavian women. The group claimed to be traveling to the seaside for a month where they would have a holiday and improve their English. In fact, they were to be used in studios in Odessa for pornography. These Moldavian citizens had recruited the children, with the permission of their parents, who did not know the real reason for the trip. Some of them, however, did suspect something, but accepted the offer, considering the trip a good occasion for their children to enjoy the seaside. The children came from vulnerable families; the majority of them were from rural areas. Some of the children stated that they had been previously trafficked and had agreed to repeat the trip in return for small sums of money – 100 lei (almost \$10). A criminal investigation was started into the two women. The people who were to use the children in the studios were never identified.

(Country report Moldova)

The Trafficking Chain

The chain seems to be the same, whether the victims are adults or minors. Girls who have been trafficked mostly end up in prostitution. Their use in the making of pornography is also common. But children are not only trafficked for sexual purposes. The younger ones especially are used for begging and manual labour, such as agricultural work. Children are also used in criminal gangs for stealing and drug peddling. Trafficking for organ transplantation was mentioned by some countries, but they had no evidence on any such cases.

Minors are often lured into a trafficking operation with their apparent consent, but they will have been misled about the job they will do, and the working conditions. Recruiters offer jobs abroad for which no particular qualifications are needed to minors, such as modelling, serving in bars or restaurants, childminding, dancing. Children are frequently misled with offers to study abroad or to marry a foreigner.

Recruiters are usually acquaintances of the victims and are people they trust. The Internet is also used to lure youngsters. Recruitment by advertisements in magazines and newspapers seems to be less frequent. Children's homes can be fertile recruiting grounds for traffickers. The 'loverboy' syndrome is another ruse whereby girls are seduced first and then sexually exploited and coerced into prostitution. Even the sale of children, by parents or relatives, is common. Simple abduction of a minor rarely happens.

Adoption of young children is thought to have been a frequent channel for traffickers until the countries in the region tightened up their procedures in recent years.

Different people are involved in the trafficking process, and the numbers involved will depend on the size of the criminal organisation. Frequently the recruiters are previous female victims, who are either sent back to their country as recruiters, or even set up in business for themselves. Violence is rarely used until the young person is completely under the control of the trafficker, and the documentation has been confiscated.

Transportation can be public or private (cars, trains, buses), but is rarely by 'plane, because of the stricter checks at airports. The travel will be made to look as normal and 'legal' as possible, using stolen, altered or forged documents.

"On arrival in the destination country, the trafficker will provide the teenager with a place to live, clothes, hair colour, condoms and a place where he/she will work. The teenager is supervised, so that on the one hand he/she does not keep any of the money, and on the other hand to protect him/her from abuse by other pimps. If he/she does not obey, physical and mental cruelty is used: he/she is beaten, raped, threatened, or witnesses the beatings of others to terrify him/her.

There is also information on the involvement of minor girls in prostitution on the highways between Russia and Belarus: "Many girls stand on the road..... There are certain parts of the roads where adults in cars show up to choose a girl they want. In certain places the girls work for a female pimp who deals with the clients and handles the money".

(Country report Belarus)

In a pattern that is common in these reports, money and identity papers are taken from the victims. They are brought to a brothel or an apartment, where they are kept locked up or under close supervision. Victims will first have to pay back the travel and other expenses, with huge interest, to the traffickers. The money they earn from their sexual encounters is taken by the pimp. Sometimes victims are even forced to pay for their living expenses, which are added on to their debts. After the debt is repaid, victims can be re-sold to another pimp, and the same cycle

starts all over. Children work under harsh circumstances, working many hours, servicing many clients, and living in difficult conditions. They run serious risks of sexually transmitted diseases and HIV infections, as well as pregnancy and physical abuse from clients. Violence is used as a means of intimidation. Drug and alcohol dependence are commonly used to ensure compliance.

Albania

Children who have been trafficked from Albania are used for sexual exploitation, begging, slave labour and working for criminal gangs.

During the period 1992-1999, the ways of recruiting children for prostitution included coercive abduction, deceit, promises of marriage, promises of education, etc.⁵⁵

According to some experts, since 2000 other ways have emerged to traffic girls, such as their own families sell them, or members of a family conspire in the exploitation of their children. The majority of the interviewees for this study stated that some families of trafficked children are aware of the intention to exploit the child sexually, and some are even collaborators in the exploitation of their own children. Interviewees also said that most children know that they will be made to work in the country of destination, but they do not know about the conditions under which they will work, and who will take their earnings.

“I was engaged and my lover invited me to go to Greece for holidays. When we arrived in Athens, he and his friends raped me. After that they forced me into prostitution. We were four girls, forced to do the same thing each day. At that time I was 16. When I couldn’t earn 100.000/200.000 drachmas each night, they tortured me. There were three males who tortured me, cutting me with a razor. One of them lives in Korca and still threatens me.”
(Country report Albania)

In a study conducted by the Psychosocial Centre ‘The Hearth’, the breakdown in the way the girls were recruited into prostitution showed that most were recruited willingly for prostitution abroad, but many were deceived by the promise of marriage or a job. Out of the total of 276 women surveyed in 2002 (most of who were under 18 at the time), 10 had been sold by their family and 3 had been abducted by coercion.

Belarus

Children from Belarus are trafficked for sexual exploitation, including both prostitution and pornography. Children, both boys and girls, as young as 10 years of age were reported to have been trafficked for the making of pornography.

Traffickers operate in youth clubs, at youth meetings, in pubs and in student hostels in large and small cities in Belarus. Cases where children were recruited by close relatives were known to NGO representatives who were interviewed for the research. The media are not used as a channel of recruitment of minors; personal recruitment on the streets, and probably also via the Internet, is more frequent. Often traffickers will offer highly-paid work and easy money in another country. They also offer new clothes and support to the child’s family.

⁵⁵ The Psychosocial Centre (2002). Girls and Trafficking. Vlora: The Psychosocial Centre.

Representatives of non-governmental organizations notice that 14-15 year old teenagers receive offers for training abroad, with subsequent employment, for example in Poland.⁵⁶ Often traffickers are well informed about the family of the child (or its absence) and the child's problems, which makes it easy to manipulate the potential victim. One of the common methods of recruitment is seduction, by giving girls attention and affection, of which many teenagers are deprived. For a short period the 'loverboy' dates the girl, and then he offers her a visit to another country (for example, Russia or Poland). Sometimes he asks her to live with him and to get married. In 2001, two 17-year old girls disappeared from Belarus following such seduction. Incidents of kidnapping children are less widespread. Sometimes minors have been taken to other cities or countries under the pretext of a 'hitch hiking' expedition. There are also cases known of alcohol being forced on a child, who passes out and wakes up in another country, e.g. Russia.

In 1998 a 16-year old girl was recruited for hotel training in Poland. The female trafficker, a Russian, received permission from the parents to take the girl out of the country. The purpose of the trafficking was to exploit virgin girls in public houses in Poland.

(Country report Belarus)

Along with false promises of easy earnings, open recruitment also takes place when the sexual character of the work is made obvious to the child. Such offers are discussed with children who already have sexual experiences and/or experience in prostitution in Belarus.

Educational experts excluded adoption as a channel for trafficking. However the Chairman of the State Committee of Border Guards provided information that some children might have been trafficked for adoption.⁵⁷ Representatives of the above-mentioned Committee also spoke of an arrest of a man, in 1996 or 1997, who described in detail a network of trafficking in children, ostensibly for adoption.

Border crossings by young people are often illegal, as Belarusian children are only entitled to a passport after reaching the age of 16; below that age they have no right to cross the border without permission from their parents or guardians. Children are transported by car or train. In cases of trafficking to Russia, the porous nature of the borders allows traffickers to cross freely without fear of having the child's documents checked.

Czech Republic

While there was a lot of information in the country report about children exploited for sexual purposes within the Czech Republic and on its borders, the purposes of trafficking to countries outside of the Republic are not specifically identified in the research. Minors are lured with promises of becoming a dancer or waitress, but a criminologist also mentioned two cases in which girls were recruited for working with horses abroad, and another one in which the supposed objective was to improve language skills. Children are also recruited by direct approaches in their homes or via their families. According to a staff member of ÚOOZ, a Special Unit for the Detection of Organised Crime, victims hardly ever anticipate the risks they

⁵⁶ Interview with YWCA, Belarus, 'La Strada' programme.

⁵⁷ Pavlovskiy, A. (2002). Chairman of the State Committee of Border Guards of the Republic of Belarus at the European conference 'Prevention and combating trafficking in persons – global challenge of the XXI century', 18-20 September 2002, Brussels, Belgium. Non-official translation from English by NGO 'YWCA of Belarus'.

face. They are easily taken in by dubious job offers or travel agencies, or they believe the lies they read in Internet advertisements.

Sometimes minors use forged passports and visas to leave the country by the legal channels, and sometimes they cross the 'green frontier'. They travel on buses, in trains or in the traffickers' cars. The researchers suggest that there are a lot of unreported or undetected cases of trafficking, and say that one reason is the lack of follow-up where minors are over the age of 15, because collection of data on exploited children has only recently started. In general, however, the 'sending' problem is not considered to be large in the Czech Republic, compared to the in-country problem of sexual exploitation.

An underage girl at a bus stop in Cheb tells the street worker her story: she comes from Eastern Moravia. A family friend came to visit the family and took her with him to the German-Czech border area. There she stayed with other 12-14 year old girls in a room. The man gave her a forged passport which showed her age as 19. He brought her to the street where she was offered to German sex tourists. He and other middlemen/women brought her to the clients' hotels and to other border villages. The street worker did not see her again. When asking other prostitutes about her, their answer was: Sold!

(Country report Czech Republic)

Estonia

According to the research results, minors are mostly recruited into the trafficking chain on the false promise of a job. Most of the time trafficked victims go to other countries seeking job opportunities advertised in the press or about which they are told by an acquaintance. Jobs are often posted in advertising papers, and the use of the Internet is reported to be increasing. The advertisements invite women to work abroad as dancers, waitresses, service attendants etc., or they may just offer an unspecified 'profitable' job abroad.

In the case of younger women and girls the 'loverboy' method of creating a relationship or false friendship is used. During the interviews for the Estonian research, information was gathered about three cases (one of them concerned an adult) where a girl fell in love with a man who then invited her to go with him to a foreign country, where the girl was forced into prostitution. It may also happen that a trafficked person knows beforehand that the job abroad will involve striptease or prostitution, but she does not know the real conditions in which she will work. In cases of internal trafficking, minors get involved in the sex business through newspaper advertisements or through acquaintances already in prostitution or new acquaintances. In some cases reported to the researchers, a minor was recruited by getting acquainted with a brothel owner. The researchers were told that recruiters, mostly young men, work for brothels to lure new girls. One girl recounted in an interview how she had been asked by an acquaintance whose parents were brothel owners to recruit girls for them, and was offered a large amount of money to do so. Two cases were described where a young man first created a sexual relationship with a girl (in one of the cases the girl was a minor) and then sold her to a brothel.

In addition to the use of force and luring by the trafficker, drug addiction can be used to coerce a minor into prostitution. In connection with an increase in drug addiction among young girls in Estonia, one expert mentioned a case where a girl who owed money to a dealer was sold by him to a brothel.

When a girl arrives in a foreign country a common pattern is followed. The papers and money of the trafficked person are taken away. Victims are taken to a brothel or an apartment, where

they are kept locked up or under close supervision. Next step is to demand repayment of the money used for the travel expenses, which is to be earned back by prostitution. Even when a girl goes abroad to work as a striptease dancer, she will be pressured to also have sex with clients. In case of trafficking within the country the girls' documents are also taken away. To avoid girls running away from the brothel, threats of physical violence and of passing information on to her family are used. Minors are locked up or are kept under strict supervision. In one case money the girls had earned was not given to them straight away, but was paid in instalments in order to increase their dependency on the pimps. If the girls do not obey the rules (such as refusing to service a client, or running away) heavy fines are imposed as a sanction. In some brothels the girls and women even have to pay for their accommodation. Those prostituted can be sent from local brothels to the sex industry abroad.

According to the law enforcement agencies, leaving the country is mostly done legally, using the victim's own documents. For this reason, the Estonian officials only learn about such trafficking cases when the trafficked person returns to Estonia with an entry permit. Forged documents are more commonly used in cases where a person who lives in Estonia does not have Estonian citizenship, since citizens have a right of visa-free entrance to western European countries. No concrete cases of cross border trafficking of minors were known to the border police, however.

Moldova

The experts consulted for the research believe that the younger minors are recruited for begging, and that older children are recruited for sexual exploitation, including the making of pornography. Other occupations, such as work in agriculture and animal husbandry in Ukraine are also mentioned. It is mostly girls who are recruited for sexual exploitation, but cases of boys are also known. In many cases, the children recruited initially for begging are also exploited sexually.⁵⁸

Minors are recruited both by individuals and by legal entities. The individuals are usually people who have been abroad, have established certain contacts and have returned home to recruit girls. Former pimps blackmail earlier victims to involve them in this activity, but some of the girls start their own businesses. The legal entities are usually officially registered in Moldova (tourism agencies, employment agencies, modelling agencies, marriage agencies). Girls are recruited through advertisements that promise them a career as dancers, hotel workers or tourism workers abroad, or work as waitresses, housekeepers, or child-minders. Usually the girls agree to pay the cost of the transport to their destination from their anticipated salary: US\$800-\$1000. According to Save the Children, Moldova, children are kidnapped or taken under false pretences from their parents by members of the Roma community, and trafficked to Russia (Moscow, St. Petersburg), Ukraine and other countries. According to the police Anti-Trafficking Unit, however, the majority of trafficked children actually leave Moldova with their own mothers. The Italian Committee of Solidarity carried out research on the family situation of minors who had gone to Italy. They discovered that in the majority of cases parents had paid US\$1,000-\$1,500 to send their children abroad, being deceived by the traffickers who promised highly paid jobs, and hoping that their children could build a better future. There were also cases where parents, often addicted to alcohol, had sold their own children for less than US\$50.

⁵⁸ Press release of the Ministry of Internal Affairs (www.mai.md)

There are cases when children were simply kidnapped from the streets, but mostly girls are picked up in public places (discos, bars). The traffickers gather information about poor and dysfunctional families and attract the victims by promising high incomes abroad. If the girls later change their minds, the procurers force them or their relatives by means of threats or physical abuse. According to a study by the NGO CIVIS, victims said that their decision to go abroad was influenced exclusively by the traffickers, who were all acquaintances or close friends, and who suggested that they should not inform their relatives about their leaving in order to surprise them when they came back. In a study carried out by the Public Policy Institute of Moldova,⁵⁹ in 48% of cases the travel of the interviewed child victims was organized by close acquaintances. 13% of the children confirmed that their departure was organized by friends, 13% by members of the 'Gypsy' community, 11% by strangers, 5% by relatives, and 2% by an employment agency. Only 2% confirmed that they had organized their departure by themselves and were recruited at their destination by traffickers. The majority of victims stated that the traffickers, who paid for all the necessary expenses, prepared the documents.

One of the particularities of trafficking in Moldova is the transparency of its borders. Moldavian citizens can travel to Romania or the CIS countries without a visa. In addition, a great part of the Moldavian border with Ukraine is not under the control of the Moldavian authorities, which makes for uncontrolled migration, including that of minors.

E., aged 16, comes from an intellectual family, without financial problems. But being in conflict with her parents she accepted a proposal from an acquaintance to leave for Moscow. Trusting this person completely, she left for Moscow in his car. Two other girls left together with them. In Moscow they were hosted in an apartment with other girls from Moldova and the CIS countries. One of these girls told her that she was brought to Moscow for prostitution. Not having realised the purpose of the journey, E. had a nervous breakdown and refused to prostitute herself. The trafficker took her ID and took her to pimps threatening her with a beating. She worked for a few days, her pimp earning 150 USD per client. She tried to escape but she was under permanent surveillance. One day, together with another minor girl from Moscow, she was taken to an apartment where they were to have sex with two Caucasian men. The clients forced them to drink alcohol and were behaving crudely. In the end E. could not bear it anymore, and she jumped from the sixth floor. E. has had several operations and her health is seriously damaged. The children were afraid to go to the police.

(Country report Moldova)

The means of transportation vary: car, minibus, train or plane. To reduce expenses and additional risks, traffickers can avoid the customs points and use 'green frontiers' (paths known only to guides) instead, across rivers, mountains, and swamps. But corruption of border officials and forgery of documents are classic means of crossing the border.

Experts told the researchers that most of the trafficked minors are taken out of the country 'legally' by falsification of documents, such as a change in a real birth certificate to indicate an age over 18, or the use of stolen passports (usually Russian or Romanian). The victim may be told to give her identification document to the trafficker who sends it to corrupt workers of the Passport Service and the foreign embassies in Moldova and gets a passport. Traffickers also bribe notaries, who issue permissions for minors to go abroad without their parents. Now, however, as a result of information campaigns, minors that leave the country, even with the correct documents, are interviewed about the purpose of their travel.

⁵⁹ Prevention of Child Trafficking in Moldova, 2003.

Often the transfer takes place with the victim's consent, and it is only afterwards that the traffickers start to use violence. The victims can be sold from one gang to another. If a girl does not consent, violence is used from the beginning of the trafficking process. In the majority of cases victims are assembled in temporary accommodation found by the recruiter beforehand, until a group of girls is gathered, and the necessary documentation is completed. Victims are strictly supervised, and are not allowed access to the telephone, to go out, or even to look out the window.

Children enter the destination country usually in total captivity. Traffickers take their identity papers, and personal belongings; victims have no freedom to move or communicate, and are continuously threatened. The children have to refund the traffickers the expenses of the journey. Also owners who give the children things, such as food, clothes, jewellery, cosmetics, drugs, shelter, during the period of exploitation then force the minors to repay the value of the goods from their earnings.

In more than half the cases mentioned in the questionnaire responses, children were reported to have been in debt to their owners for the costs of transportation. The period they had to work to pay their debts lasted from one to two years. Most of the time the children were not paid, and in all cases they were physically abused, malnourished and were subjected to sexual perversities. Their normal working periods were from 8 to 12 hours per day/night daily, serving from 6 to 10 clients. In Italy the situation of Moldovan children was reported to be much more serious in that the number of the clients per day varies from 15 to 25. Punishments were randomly imposed, if the children didn't satisfy the client, for example. The children were forbidden to speak to other people or to call their parents. If they were allowed to talk to their parents they were forced to tell them that they had a decent job.

Romania

The primary purpose of trafficking children from Romania, according to the interviewees, is sexual and labour exploitation. Usually girls are trafficked for sexual exploitation, and boys for their labour. But there was also a case where girls who were considered too young for prostitution in Italy were forced to work in Macedonia, and it was reported that boys were being brought to Western countries for sexual exploitation.

Experts highlighted different types of recruitment, all of them taking advantage of a child's vulnerability. The most common way is the false promise of work abroad made by acquaintances, relatives or friends. The jobs that are offered require no special qualifications, such as childminding, waiting on tables or housekeeping, and are promised to be very well paid. The approach to the minor is made in a familiar location (a bar, disco, in the street, even at home). Most of the time, the preparations take just a few days, so the trafficker does not give the victim time to think too much about the offer or to discuss it with others.

It was reported⁶⁰ that for minors who were known to have already prostituted themselves, recruitment consisted of promises of jobs that involved 'innocent' sexual activities in private clubs or massage parlours, or better paid prostitution work. Sometimes such girls were simply bought from local pimps.

Some of the children that are trafficked for labour exploitation (begging, petty crimes), or for sexual exploitation, leave the country with their parents or relatives, who have sold them to

⁶⁰ Interview with a representative of the Romanian Ministry of Interior and Public Administration.

traffickers in the destination countries, not knowing, or not wanting to know, what kind of work the children will do.⁶¹ Sometimes parents have given permission for a child to be trafficked abroad. Some of those families return to Romania where they receive regular amounts of money from the traffickers who are exploiting their child. This is said to be the situation of many unaccompanied children abroad.⁶²

Another way of recruitment, used to a lesser extent in the case of children, is by way of advertisement in the press offering jobs abroad (usually Italy, Greece, Spain, or France). Traffickers take advantage of the lack of information about the legal ways to work abroad, and people do not know how to check out the companies that are authorized to arrange jobs abroad, or to find out what are their rights as workers, what documents they need to leave the country legally, and what are the procedures.

Advertisements are also placed by marriage agencies. Girls leave the country convinced that they will marry someone they have seen in a picture or to whom they have talked on the telephone.

Kidnapping is another method of recruitment, but these cases are rare.

Different strategies are used to get children out of Romania. Children may leave the country using false documentation prepared by the traffickers. The respondents identified a possible relationship between the age of the victim and the method of leaving the country: if the victim is younger, the chances of an illegal border crossing increase, due to the extra documentation needed at the border.⁶³ In the case of border crossings at the official control posts, the most common strategies are the use of a tourist visa (individual or group), invitations from relatives, and fictitious marriages.

The means of transport most frequently used for border crossings are cars, taxis and public transport (buses, trains). In some cases, children are taken close to the border, and then taken over by another person (the guide) who knows how to avoid the border control points. They cross the border at night, walking through the woods, or by boat.

Since 1 January 2002, Romanians don't need a visa for the Schengen area. The result has been an increase in the trafficking of children for labour and/or sexual exploitation by the official routes.

The situation of girls trafficked for sexual exploitation is different from case to case, but one common element is physical violence. Traffickers use force when the girls do not obey or refuse to have sexual relations with clients. The girls told us that they were menstruating and wanted to stay in their room, and not to have sexual intercourse. I have heard of girls that have been shot because they refused to have sexual intercourse during their menstrual period. Even in this period of the month, the girls are forced to have sex. This gives them serious bleedings in case of normal sexual intercourse. But usually in such situations the clients ask for services involving sexual perversions.

(Country report Romania)

Depending on the structure of the trafficking network, the child can be taken over by different people at different points along the route, until she/he reaches the person that will host and exploit him/her. There are cases when the recruiter is not a member of a trafficking network, but

⁶¹ Rapid Assessment Survey on The Trafficking of Children For Labor and Sexual Exploitation in the Balkans and Ukraine, ILO, ICCV Romania, Save the Children Romania (not yet published).

⁶² Interview with IOM Bucharest.

⁶³ Interview with IOM Bucharest.

he contacts a trafficker in another country, and becomes involved in the network. This is common in the case of children who are sold by their parents or relatives.

Usually, the girls believe that they are going abroad for work, so they are disoriented and do not understand what is happening. In some cases, if the girls start to ask questions, the traffickers use violence to intimidate them. The trafficker explains to the victim that he has bought her and he will set her free when she has repaid the amount he spent on her. The girl enters a 'debt bondage' she cannot escape. Some respondents stated that the traffickers who buy them in the destination country usually rape the virgin girls. Then they explain to the girl that that will be her job from that moment. Many of the girls trafficked to Macedonia, Bosnia/Herzegovina and Albania, who were helped by IOM Romania, stated that alcohol and drug addiction was used to ensure their obedience to the traffickers. Sexual abuse is not the only type of abuse to which the girls are exposed. It was reported that girls forced to prostitute themselves also had to pay for their room, food and clothes. Even if the trafficker gives them a small amount from the money they make, it is only enough to cover the basic necessities. The girls cannot use the money for anything else because they are not allowed to go out, and also because the amount is very small. Children are sold to different exploiters, and the price increases with each sale. The traffickers control the places where the children are exploited, such as bars, brothels, massage parlours etc., the child being moved only when he/she is sold to another exploiter. Minors are also moved around so that the regular clients are given variety.

Once the girls have been forced into prostitution they obey, knowing that their 'debt' is decreasing and they will be free soon. However, despite their efforts, every time they have repaid the amount of money that they 'owe', the trafficker sells them again. The promise of freedom is just a means to manipulate the girls, together with violence and alcohol/drug addiction.

The children benefit from the trafficker's 'protection' as long as they represent profit to him. This 'protection' is limited to the provision of the basic survival needs of the victim. Seizing their legal documents, threatening them, and using physical violence are common elements used by exploiters in the case of trafficked girls, but also against trafficked boys. Usually boys are taken to special houses where they are guarded. Being guarded all the time, beaten and intimidated, trafficked children lose contact with their family and friends. This limits their possibilities of escape.

Russia

The Russian report says that the main purpose of trafficking children abroad is sexual exploitation, but the researchers also mention begging, drug peddling and some low skilled work as occupations. Different ways of recruiting children for trafficking to foreign countries were described by the experts. Suggestions are made to young people to work abroad as dancers, child-minders, servants, etc. Offers of opportunities in show business, beauty contests, modelling schools, and work in the service industry, such as bars, were also mentioned.

The work is usually proposed to minors by people they know and trust, or by acquaintances they do not know very well. Sometimes women who make the proposals are victims of trafficking themselves, the 'second wave' of trafficking. Recruitment can also be done through advertisements. Such announcements can include marriage proposals, or meetings with a potential husband. Parents can even be involved in trafficking, for example by coming to an

agreement with a purchaser, and unknowingly selling their child to traffickers. Another well-known way of recruiting is by making proposals for exchange and educational programmes to school pupils.

Minors who are trafficked within the country are often offered work in a big city, with the promise of good pay and independence by people they know, or older adolescents. It is not difficult to move children within Russia or the CIS countries, and mostly the child leaves voluntarily. Minors are brought to large cities, where it is easier to 'hide' them. Once in the city these children are exploited in pornographic films or other kinds of sexual acts. Experts mentioned the use of narcotics to remove a minor's inhibitions, and the use of violence.

In 2000 a Russian woman, who had been living in Germany for a long time, called the Saint-Petersburg Women's Crisis Centre. She worked with foreigners, who came to live in Germany, and helped them to settle in. She told the Centre about a Russian woman who had married a German citizen. The woman had two children, aged 10 and 13. Her husband began to sexually abuse her children. The situation was that the woman depended legally and economically on her husband. She did not want to report this incident. She was afraid of being deported. She had no social security in Germany. She didn't want to go back to Russia.

In the opinion of the woman who called the Centre, such incidents occur very often in Germany. These are cases where foreigners deliberately marry women who have children in order to get access to the children.

(Country report Russia)

Removing children abroad can be done in a number of ways. Forged passports are made most often for girls under 14 years of age. The experts say that falsification of documents in Russia is widespread and does not entail any special difficulties. A forged passport for a 14-year-old girl can be made for a bribe of US\$800.⁶⁴ Minors younger than 14 years of age are recorded on their parent's passport. However, under the age of six, the child's photo is not attached to passport. Therefore it is easy to remove a child under six.

Adoption was also mentioned as a means to get a minor out of Russia. The number of children being adopted by foreigners in Russia is rather stable and no incident of exploitation of children abroad after adoption by foreigners has been reported.⁶⁵ However, illegal adoption of Russian children by foreigners is on the increase, and there is a suspicion that some is connected to sexual exploitation. Three experts gave examples of incidents where the directors of children's homes established direct contact with a potential foreign adopting family, and were paid by the family. According to information from the law-enforcement authorities, between 1993 and January 2001, more than 500 children were removed from the Volgograd region for adoption. Experts said that many of these children could not later be found at the addresses of their supposed adoptive families.

Two experts described marriage as a way of trafficking, when a Russian woman, who has children, marries a foreigner, who intends to sexually exploit her children. It has been also known in Russia that women go abroad, give birth to a child, and then come back to Russia. There was a case discovered in 1998 in which Russian women had gone to the United States, given birth, and returned without the child. The researchers consider this was a potential trafficking operation.

⁶⁴ Sinicin F.L. (2000). International legislation concerning the problem of trafficking in people.

⁶⁵ Periodical report on the CRC submitted by the Russian Federation for the period 1998-2002.

Experts have different opinions concerning the location of children. On the one hand they say that children are kept in apartments, because they are servicing a particular market. Others say that children go to clients in their houses. It is considered easier to control prostituted children when they are kept together in a common apartment. Such apartments also function as secret brothels. Pimps control the children and search out the clients. The pimp also watches over the children's health and provides them with food and clothes. Experts said that children were controlled through intimidation, by the use of physical and psychological violence, drugs, and a combination of 'kind' and 'strict' treatment that gives children a sense of security, and emotionally binds them to their exploiters.

Ukraine

According to the Ukrainian experts, the majority of girls trafficked abroad are deceived and trafficked under the pretence of employment, marriage, adoption⁶⁶ and prostitution. Dubious announcements about highly paid jobs abroad appear frequently in employment columns of newspapers and on the Internet. There are notices for jobs for singers and dancers in casinos, models, tutors and child-minders, nurses, housemaids and agricultural workers. Companies that publish such advertisements hardly ever check them, and the police do not have sufficient legal grounds to do so. Another widely used method of attracting minors and forcing them into prostitution are 'lonely hearts' advertisements, and marriage agencies. A lot of young Ukrainian girls dream of marrying a foreigner and living in a Western paradise. Less frequent ways of recruiting minors are through arranged or spontaneous meetings with a dealer in a bar, night club, supermarket or even in the street. Some anonymous sources say that a large number of traffickers enjoy the protection of the law enforcement agencies.

A small number of trafficked girls are girls who are already prostituting themselves in Ukraine and who consciously leave Ukraine in search of more money.

Two respondents mentioned kidnapping as a trafficking method.

In Kharkiv, the law enforcement bodies detected criminal activity by a Greek citizen, Zorbu, who recruited Ukrainians for work outside Ukraine, namely in Italy, Greece, Portugal, Serbia, Montenegro, and other countries. After he had been expelled from Ukraine, this type of criminal activity in the city ceased to some extent. From analysis of such activity in the city of Kharkiv, it is noted that in most cases the recruited girls had been promised that they would work in cafes and bars and earn \$2,500 - 3,000 per month. From 235 persons recruited to go abroad, only 24 women (whose average age was 24) received accurate information about their real work as prostitutes. The rest were deceived. When ascertaining why some of them were told the truth, it was revealed that these persons were already engaged in prostitution in CIS countries (mostly in Ukraine itself). Minors were an insignificant number among them, being 19 girls, who, unfortunately, were already prostituting in the city and region of Kharkiv.

(Country report Ukraine)

⁶⁶ A Ukrainian (anonymous) source said that the adoption of Ukrainian children by foreigners used to be one of the most common ways of trafficking minors for sexual purposes. As relevant legislation was practically non-existent, large numbers of young Ukrainian children were taken abroad after the collapse of the Soviet Union and until 1996 when a moratorium was placed on foreign adoptions.

Legislation, Law Enforcement and Organised Criminality

The researchers adopted different approaches to the exposition and analysis of the legal system and the legislative provisions in their country of study. For that reason, their reports varied quite widely in the presentation of the information and in the depth of the analysis. In none of the researches was there much information obtained that would detail the involvement of organised criminal groups in the trafficking of children. However, all the researches were able to give a profile of the type of persons that engaged in trafficking of human beings, and from these profiles, a certain level of organisation can be recognised. But the results are not uniform.

In general it can be said that law reform has been a priority in the project countries, and most countries have adopted legislative changes in recent years. However, apart from Romania, no country has sought to comply with the terms of the Trafficking Protocol, and incidents of trafficking tend to be prosecuted under provisions that cover procuring, kidnapping, abduction, rape, sexual assault and sexual abuse. Law enforcement is a problem everywhere, and there are hardly any successful prosecutions detailed. Penalties tend to be severe for cases of proven trafficking, but mild where the prosecutions are pursued under other provisions such as procurement.

Links between trafficking and violence against women

The UNDP report 'Trafficking in Human Beings in South Eastern Europe' (2003) says that the police can quite often take advantage of the local prostitution market, and fail to deal with internal trafficking of human beings and violence against prostituted persons. The report points out that the interdependence between violence against women and trafficking in women is not understood, so that internal trafficking is not stopped before victims are trafficked abroad.

'According to NGOs, the police have already started to see foreign women as potential victims of trafficking, but have problems applying the same standards to the local prostitution market. The police are reported to quite often take advantage of their position to co-operate with pimps and to make profits from the local prostitution market. They are, therefore, reluctant to address the issues of violence against prostitutes and internal trafficking.

There is also, on the one hand, a lack of understanding by the law enforcement agencies of the interdependence between combating violence against women, including violence against sex workers, and combating trafficking in women for sexual exploitation. Consequently, trafficking in women is not stopped at an internal level before the women are trafficked abroad.

On the other hand, there are examples in the region of the police using the excuse of combating trafficking to conduct massive bar raids without collecting beforehand the necessary evidence to prosecute the traffickers. The usual result of such raids is harassment of the women working or forced to work in the sex industry and their deportation, while the bar owners, pimps and traffickers go free.'⁶⁷

⁶⁷ Limanowska, B. (2003). Trafficking in Human Beings in South Eastern Europe. UNDP.

Albania

Legislation

There is no definition of the term ‘trafficking of children’ in the Albanian legislation. NGOs and state institutions use the definition of the Trafficking Protocol when dealing with the issue. However, there is no provision in the Criminal Code prohibiting the sale of children.

Legislation on trafficking dates from January 2002, when Law No. 8733 was passed to make a number of amendments to the Criminal Code. Art. 128/b of the current Code deals specifically with trafficking of children, and penalises ‘trafficking of children for material or any other profit’ with 10 to 20 years’ imprisonment. If the act is carried out in collaboration with others, or is a repeat offence, or if it involves mistreatment and/or physical and/or psychological violence, or seriously damages the health of the victim, or causes his/her death, then the penalty is a minimum of 15 years’ imprisonment.

Other acts linked to trafficking are also penalised under the Code, such as concealing or trading in children, crossing the border illegally, or conspiring for others to do so. Pimping and procuring are also penalised. Acts that facilitate trafficking, such as keeping premises for prostitution, procuring, abduction of children under 14, unlawful detention of a person, rape and sexual assault, taking identity papers, forging identity papers, or carrying out any criminal acts in collaboration with criminal organisations are penalised.

Criticism of the legislative provisions by a representative of the CRCA related to the absence of clear definitions, so as to distinguish between ‘trafficking’ as it is meant in the Trafficking Protocol, and other dealings, such as human smuggling and illegal border crossings, that are not for the purposes of exploitation. The absence of provisions on the sale of children is also criticised in the country report.

The CRC is considered part of Albanian legislation since March of 1992. But the researchers note that there have been no legislative changes to improve the situation for children. While there is a National Strategy for Children, little attention is given to the victims of trafficking in it. A new Family Code came into force in Albania in January 2004; however, it failed to address the sale or trafficking of children by their parents or members of the extended family, and the problem of unaccompanied children. The NGO sector is requesting amendments to cover these gaps.

The Convention on Transnational Organised Crime entered into force in Albania in August 2002. An Anti-Trafficking section operates under the Directorate for Combating Organised Crime at the Ministry of Public Order.

Law Enforcement

A major problem identified in the Albanian research was the failure of the law enforcement authorities to apply the national and international legal standards and enforce the existing provisions of the law.

Victims have the right to legal representation, and to a translator, and they also have a number of rights in the course of criminal proceedings, such as to speak and to have access to information. However, there are no protective provisions for witnesses in criminal cases, and because victims can be afraid for their own lives or the lives of the family, they tend not to denounce traffickers to the authorities.

Under the National Strategy to Combat Trafficking in Human Beings, the Ministry of Defence, in collaboration with the Ministry of Public Order and especially with the Anti-trafficking Centre in Vlora and the Italian police, targeted the illegal traffic of speedboats on the Albanian

coast, in the Adriatic and Ionian Seas. Because of the strong action, the 'Vlora Route', which had been frequently used for trafficking and smuggling of human beings, was closed. However, the Albanian country report says that the borders between Albania and Greece and Kosovo still leave opportunities open to traffickers.

Unfortunately, while there is a data collection system for crimes related to human and child trafficking within the Ministry of the Interior, it is not stable enough to measure the crime levels of child trafficking for sexual purposes. The country report quotes data for the first six months of 2003 which showed that 8 cases of child trafficking had been reported that year; the figure for 2002 was 14 cases. There was no information on conviction rates available.

Organised Criminality

Senior officials at the Anti-Trafficking section believe that trafficking of children is one of the activities of organised criminal gangs in Albania. They break the categories of traffickers into three. These include small-time traffickers, who may even be close relatives of the children. The second category is a larger type of gang of cross-border collaborators. The third category is an even larger organisation, capable of functioning in several countries, including the countries of origin, transit and destination. A large number of persons can be involved in the latter type of criminal gang, and they are very well organised. Children who fall into the hands of such traffickers are considered at great and unpredictable risk.

Belarus

Legislation

There is no single piece of specific legislation to tackle trafficking in human beings in Belarus. Rules regulating aspects of the problem can be found in various legislative acts of the criminal and administrative law, the law covering migration and the legislation on the rights of women and children.

A new Criminal Code came into operation in January 2001, and a crime of 'Trafficking in Human Beings' was added to the section on 'Crimes against personal freedom, honour and dignity'. Under the section, the following acts are penalised:

Under Art. 173 of the Criminal Code, corruption of minors is sanctioned where a person over the age of 18 induces a person under that age to make pornographic materials. The penalty is imprisonment from 6 months to 3 years. If violence, or the threat of violence is involved, or if the crime is committed by a person who has responsibility for the minor, the penalty is imprisonment for from one to 5 years, with possible prohibition on the holding of public office. Art. 181 prohibits any action, the purpose of which is to sell, purchase or engage in any activities which result in the trading or purchase of a dependant person. Where the victim is a minor, a minimum penalty of 5 years' imprisonment and a maximum of 10 years is available. Seizure of the perpetrator's property is an optional penalty. Where the victim suffers physical injury or dies, the penalty ranges from a minimum of 8 years to 15 years' imprisonment, again with an option of property seizure.

Under Art. 187, the recruitment by means of deceit of persons for the purposes of sexual or other form of exploitation is penalised by imprisonment from 6 months to 10 years. Sexual exploitation of a person under 18 years of age or of a person under 16 is considered an aggravated offence, and increased penalties are available.

A gap in the child protection legislation is, however, the absence of a prohibition on the making and distribution of child pornography.

In Belarus, the state is responsible, under Art. 9 of the Law on the Rights of the Child (1993), for the protection of children from all forms of sexual exploitation and abuse.

Assistance to victims of trafficking is available under the Law on Social Services (2000). Under the Act, a wide range of social supports for disadvantaged individuals and families can be provided in the medical, labour, psychological and other fields.

Under a law of 2003, 'For the Prevention of Child Neglect and Offences against Minors', more than 15 state agencies pursue programmes to prevent child abuse, which the researchers believe can have a deterrent effect in preventing minors from becoming victims of prostitution and trafficking.

The state accepts as mandatory its obligations under the international conventions it has ratified. As a result of the ratification of the CRC, a National Commission on the Rights of the Child was established in 1996, with the objective of ensuring the implementation of the rights guaranteed in the Convention. Unfortunately, the Commission's activities have been limited, due to a lack of funding.

Since 1996, a databank of orphaned and abandoned children exists in Belarus under the supervision of the Ministry of Education.

Measures to prevent abuse of the adoption procedures were introduced between 1998 and 1999, because of concerns about foreign adoptions. There was also some tightening up in 2002 of the procedures applicable to children leaving the country without their parents. The concerns arose because large numbers of Belarusian children were leaving the country every year after the Chernobyl disaster for periods of treatment and health improvement abroad. Children under the age of 16 are obliged to have the notarised consent of both parents before they can leave, and are placed formally under the care of the organiser of their rehabilitation programme. However, some children on such programmes have been subjected to sexual abuse.

"In one of the regions around Minsk, a group of women, including minors, were trafficked for the purpose of sexual exploitation to the Russian Federation - to Moscow and the Moscow region. There were some 10 to 12 victims in the age group of 11 to 18 years. Some of the victims had gone voluntarily, others were persuaded by promises of earning money, and some had been rendered unconscious by drinking spirits. They were deserted in the bus and discovered by police. Some ran away, some were returned home, and some are considered still missing."

(Country report Belarus)

Law Enforcement

The criminal cases investigated mainly relate to women recruited for sexual exploitation. Terms of imprisonment imposed on conviction do not normally exceed 7 years, according to data collected by the IOM.

No criminal cases of trafficking in children were prosecuted in the years 2001-2002, and no data was available for the year 2003. In any event, according to several respondents, the penalties are not high enough in Belarus for this type of crime. In the opinion of the researcher, the lack of prosecutions is no indication that trafficking of children does not happen. It reflects, on the contrary, a lack of awareness on the part of the state institutions, and a lack of specialised programmes to identify the problem. However, respondents from the State Border Guards Committee reported that attempts to transport children illegally abroad have practically stopped since the introduction of the increased restrictions on minors travelling abroad.

The combating of trafficking in human beings and of prostitution falls under the responsibility of the Ministry of the Interior and its specialised Anti-Vice department. During 2002, 443 crimes were investigated of which 2 concerned trafficking in persons, 20 concerned recruitment of persons for sexual exploitation, 342 concerned the operation of brothels, 90 involved pimping for the purpose of trafficking, 30 involved the distribution of pornographic materials, and 2 were crimes of kidnapping. Also included in these investigations were 47 incidents of the corruption of minors.

During 2002, the Anti-Vice Department arrested the members of 10 organised criminal groups which were recruiting women for sexual exploitation. In that year, 47 persons were convicted of crimes associated with trafficking in persons.⁶⁸

Organised Criminality

Organised crime related to trafficking in persons has been identified in Belarus. The research report refers to the arrest in 2002 of ten organised criminal groups that were recruiting women for sexual exploitation.

One respondent described the Minsk region as a centre for the trafficking of women and children for sexual exploitation to the Russian Federation. In one operation in which a criminal gang was recruiting both adult and child victims, 10-12 victims in the age group of 11 to 18 years were found. The victims had been lured by the prospect of easy money, but some had been drugged with alcohol before transportation.

Czech Republic

Legislation

Under the NPA, which was approved in July 2000, changes in legislation have taken place in the Czech Republic.

An amendment to Art.246 of the Criminal Code (in July 2002) renamed the offence of 'trafficking in women' to 'trafficking in persons', so now both sexes are covered. The article penalises any person, whether in the Czech Republic or abroad, who tricks, hires, or transports another person 'to or from a foreign country' with the intention of exploiting him/her for sexual purposes.⁶⁹ Since the amendments of 2002, the penalties range from imprisonment for 1 to 6 years for lesser offences, 3 to 8 years in aggravated cases (as where the victim is a minor), and from 5 to 12 years in the most serious cases. However, the article only covers transnational trafficking⁷⁰, and therefore does not fully conform to the provisions of the Trafficking Protocol.⁷¹

Other articles of the Criminal Code have to be used where a trafficking offence cannot be established (because of lack of proof, or because the trafficking was internal). These include Art.204 on procuring and soliciting (pimping), where the penalties are from 2 to 12 years' imprisonment if the victim is a minor, Art. 216 which prohibits trafficking in children for the purposes of adoption or labour exploitation, where the penalty is a fine or imprisonment for up

⁶⁸ Information from the Anti-Vice Department, Ministry of Internal Affairs.

⁶⁹ 'Whoever seduces, hires or transports a person to or from a foreign country in order to exploit them for the provision of sexual services, shall be punished by one to five years of imprisonment.'

⁷⁰ A re-codification of the Criminal Code is planned, and internal trafficking may be included as a trafficking offence under the new provisions. Other relevant acts will be penalised, and the penalties will also be increased. The work is expected to be completed in 2005.

⁷¹ The Czech Republic has signed, but not yet ratified the Trafficking Protocol.

to 3 years⁷², and Arts.241 (rape) where the penalties are from 3 to 15 years if the victim is a minor, and depending on the gravity of the damage caused to the minor. Sexual abuse of minors is penalised under Arts. 242 and 243, with a penalty of imprisonment for up to 8 years if the victim is under 15 years of age.⁷³ Corruption of minors is covered under Art.217 of the Code.

There is a witness protection law in force since July 2003 that provides special protection for witnesses in cases involving organised crime who are in immediate danger. But the scheme has not been operated to date.⁷⁴

Only witnesses who are Czech nationals can claim compensation for damage caused to them, under Act No.209/1999 on the provision of financial support to the victims of crime. A foreign victim of trafficking, although unable to claim financial compensation, could be granted a year's residence permit. Foreign children can be granted assistance under the asylum procedures (Act No. 482/1991).

The recent changes in legislation mean that it is seen as more effective than before. However, interviewees criticised the transnational requirement to bring Art. 246 into operation, since, under it, internal trafficking cannot currently be prosecuted as such.

New legislation under consideration in the Czech Republic includes a law to legalise prostitution, which it is hoped will operate as a preventive measure against street prostitution and trafficking in women and children for sexual purposes. Under the proposal, persons over the age of 18 will be able to work under annual legal licences and with the benefit of medical checks, in recognised sex clubs, licensed by the local authorities.

Law Enforcement

According to a regional prosecutor for the Cheb area interviewed in the course of the research, there has been only one trafficking case in his region in the last 3 years in which the victim was a minor. This is partly because cases of internal trafficking cannot be prosecuted as such, as they do not contravene the current legislative provisions. In 2001, 27 cases of trafficking in women were recorded for the whole country, with 26 victims, of whom 5 were underage girls. One of the girls was under the age of 15. When the cases get to court, they tend to be concluded with suspended sentences for the traffickers, or in acquittal or dismissal of the case. It was suggested to the researchers that there are many undetected and unreported cases.

There was also criticism of the fact that the penalties for traffickers are still low. Courts often impose non-custodial penalties, even in the most serious cases. However, the interviewees considered that the law would be adequate to tackle offenders, but that there is not yet enough experience to apply it efficiently. Lack of personnel in the police and the prosecution services is another problem for the efficient enforcement of the law.⁷⁵ Whereas there is extensive trafficking of minors within the Czech Republic, such cases tend to be treated by the law enforcement authorities as simply prostitution by minors, on account of the incomplete legislative provisions.

⁷² This article is considered inoperable since it deals specifically with bribery for the purpose of purchasing a child.

⁷³ Amendments to Art.205 of the Code, passed also in 2002, prohibited the distribution and possession of pornography, and increased the penalties for distribution of hard-core pornography, which includes child pornography. The penalty is a fine or imprisonment for up to one year.

⁷⁴ A new scheme for assistance to and the protection of witnesses is planned under the National Strategy.

⁷⁵ An analysis of the human resource capacities to combat organised crime is a priority for the National Strategy's Action Plan.

Only unaccompanied minors who ask for asylum are registered by the Alien and Border police when they cross into the Czech Republic. There are estimated to be hundreds of children from Eastern European countries and China who seek asylum each year – an estimated 1,100 since 1999. Up to 75% of them disappear without trace from the asylum centres.

Although the Special Unit in the police for combating organised crime (the UOOZ) has highly specialised and qualified personnel, the local police are described as far from well trained on the issue of trafficking. The interviews revealed a lack of both training and sensitivity to the issue, and because of such lacks, victims have no faith in the local police. It is also the case that corruption in the police is a serious national problem. In 2002 alone, 444 policemen were prosecuted for criminal activities. Training is planned for police and public administration authorities in investigation and prosecution of trafficking offences under the PHARE programme of the European Commission for the Czech Republic, approved in 2003. Collaboration between the police, the prosecutors and the judges is also a problem in the Czech Republic, attributed by the interviewees to a failure to appreciate the serious nature of trafficking cases. There are efforts, however, to improve bilateral and international police collaboration. Cooperation between German and Czech border police is already working well, although contacts with other foreign police forces are not effective. This is partly attributed to language difficulties.

Organised Criminality

On the question of organised crime, the head of a police department responsible for combating prostitution, pointed out that the turnover for those who trade in pimping and trafficking in human beings already generates the same amount of money in the Czech Republic as the drug business. Thus there is an incentive for criminal gangs to get involved. Even the police themselves get involved in organised crime, and there have been cases of policemen with connections to the Russian Mafia engaged in such crimes as bank robberies and blackmail. Cases of trafficking in children are not always, but in most cases, the work of organised criminal networks and international mafia structures. A member of the UOOZ said that even single operators are always somehow linked to a bigger network, and that in every case a line can be drawn to another network. The police know that a lot of money from trafficking finds its way to banks in countries of the former Soviet Union, mostly to Russia and the Ukraine. However, the criminal procedures are weighed heavily in favour of an accused person, which is said by the researchers to have been the reaction in all the former communist countries after the fall of the 'Iron Curtain', such reaction favouring a 'human rights' approach to criminal prosecutions. Interviewees felt that the rules of criminal procedure needed to adapt to the modern world so as to improve law enforcement against organised crime.

Example of the inapplicability to internal trafficking of the current Czech law:

Two Vietnamese men were accused of pimping two underage girls (aged between 15 and 18). When the special unit to tackle organised crime investigated the case, it found that the girls had been sold for money, and brought from their home town in the north of the Czech Republic to Cheb, where they were forced into prostitution.

Under the Czech justice system, the girls had not been trafficked, because there was no transnational aspect to the crime. The exploiters could only be prosecuted for 'pimping', 'wilful corruption of morals', 'sexual abuse', but not for trafficking. Therefore the case would not be recorded under any statistics as a trafficking case, and the higher penalties applicable to trafficking cases would not apply. If the girls did not testify against their pimps (which often happens because of fear and intimidation), they would simply be considered as young prostitutes, because the age of consent to sexual relations is 14 years.

(Country report Czech Republic)

The researchers point to a new situation affecting the Chinese and Vietnamese minority in the Czech Republic. The Vietnamese have lived for years in the Republic, because of old agreements between the communist Czechoslovakia and the communist Vietnam. During those years, almost no cultural exchange or communication took place between the Vietnamese ex-patriot community and the Czechs. After 1989, the social isolation of the Vietnamese continued, but they began to take over and control nearly all the 'black market' in the Czech Republic. Up to now there is almost no insight on the part of the Czech police or the Ministry of the Interior into the structures of the Vietnamese *diaspora*. While they can be seen in every major town of the country running their markets with illegal and tax free goods, not much is known about their hierarchy and structure.

During the 1990s, the Vietnamese stayed away from the prostitution market. However, all that has radically changed, and the police are discovering increasing numbers of semi-legal hostels and gambling dens in the area of Cheb, As, Teplice etc., all of which point to the fact that the Vietnamese minority is now involved in forced prostitution. The women are often Vietnamese, but are also from China, and even from countries like the Ukraine and Moldova. While the pimps from the traditional markets of the Balkans and the countries of Eastern Europe have become wary of trading in juveniles, the police believe that they are now seeing a new trend of prostitution of minors within the Vietnamese community. The Chinese Triads have also established very loyal and highly complex criminal structures. These groups are known by the Czech security services to be increasingly engaged in the smuggling of people across the Czech frontiers. The researchers say that single cases of the prostitution of minors have been discovered among the Chinese and Vietnamese criminal networks, and are concerned that this could be just the tip of an iceberg.

Furthermore, while the Czech Republic may not be the major source of supply of women and children forced into prostitution abroad, the internal structures of the country are very similar to those of Russia and the Ukraine. Large sections of the night-life, and nearly all of the brothel business is controlled by non-Czech criminal organisations based in East and Southeast Europe, and it is to these countries that the profits from the enterprises are being channelled. The researchers comment that as long as the Czech Republic serves as a wing of the Balkan and East European criminal networks, it will remain a 'sending country' for human trafficking. Overall the researchers conclude that child prostitution and trafficking of children is still not recognised as a priority by the state authorities, and this lack of priority means that the problem is not being addressed with the speed, energy and political will that is required.

Estonia

Legislation

The Penal Code of June 2001 (operable since September 2002) deals with trafficking in persons, sexual exploitation and abuse. The Code does not actually contain the term 'trafficking in persons'; trafficking can be prosecuted under Arts. 133 and 134 which are new provisions that cover enslavement and abduction. Articles 133 and 134 are in Chapter 9 of the Code, under the title 'Offences against the Person'. The provisions are as follows:

Art. 133 (Enslavement). The placing of a human being, through violence or deceit, in a situation where he/she is forced to work or perform other duties against his/her will for the benefit of another person. The penalty is from 1 to 5 years' imprisonment. The penalty is increased to from 3 to 12 years' imprisonment if the victim is a minor or if there are more than two victims.

Art. 134 (Abduction). Taking or leaving a person, through the use of violence or deceit, in a state where they are open to persecution or humiliation on the grounds of race or gender or other grounds, and where that person does not have the benefit of legal protections against such treatment, and is unable to leave the state. The penalty is a fine or up to 5 years' imprisonment, and from 2 to 10 years if the victim is a minor or if there are more than two victims.

Art. 141 (Rape). Sexual intercourse with a person without their consent or by taking advantage of a situation in which the person is unable to resist or understand is punishable by from 1 to 5 years' imprisonment. If the victim is a minor or there are other aggravating circumstances, the penalty can be from 6 to 15 years' imprisonment.

Art. 142 (Sexual assault using violence). This article punishes sexual assault, other than intercourse, where advantage has been taken of the victim by the use of force or where the victim is unable to resist or understand the situation. The penalty is up to 3 years' imprisonment and up to 5 years if the victim is a minor.

Art. 143 (Compelling a person to engage in sexual intercourse). This offence covers sexual intercourse without the use of violence, but where advantage is taken of the victim's situation of dependency. The penalty is up to 3 years' imprisonment and up to 5 years if the victim is a minor.

Art. 145 (Sexual intercourse with a child). This offence covers sexual intercourse with a person under the age of 14, and is punished by up to 3 years' imprisonment. Sexual assault on a child under 14 that does not amount to intercourse carries a penalty of up to 2 years' imprisonment (Art. 146).

Experts consulted for the purposes of the research considered that the penalties for offences of trafficking and sexual exploitation are too low in Estonia. They also felt that the legislation needed to be improved to comply with the standards of the Trafficking Protocol. They pointed to the need for a witness protection law (currently planned), as well as for criminalising the purchase of sexual services, following the Swedish example.

Also relevant is Chapter 11 (Offences against the Family and Children) of the Penal Code. The sale or purchase of a child is punishable by 1 to 5 years' imprisonment (Art. 173). Inducing or coercing a minor into prostitution carries a penalty of up to 3 years' imprisonment (Art. 175). Any act of assisting a person under the age of 18 to engage in prostitution is punishable by a fine or up to 5 years' imprisonment (Art. 176). Under this article, the court may impose a fine on the offender that is equivalent to his assets (or the assets of the company if the offender is a legal personality). Chapter 16 of the Penal Code contains provisions for Offences against Public Order, which include offences relating to illegal entry to and exit from the country.

Illegal crossing of the state border, and the illegal transportation of aliens across the border, is dealt with under Arts. 258 and 259. Penalties of a fine or imprisonment up to 1 year are increased to 4 to 12 years of imprisonment if the illegal crossing is achieved by the use of violence or results in serious damage to health.

An alien who remains in Estonia without permission more than once within a year can be fined or imprisoned for up to one year (Art. 260)

Pimping or providing premises for the purposes of prostitution are considered Public Order offences and are punishable (under Art. 268) by a fine or up to 5 years' imprisonment, and a possible additional fine equivalent to the assets of the perpetrator.

A separate Child Protection Act, in force since 1993, gives rights to minors for protection from sexual abuse and exploitation. Law 1272, in Art. 14, guarantees the protection of the child from economic, physical and emotional exploitation. Art. 33 guarantees protection from all forms of sexual exploitation, and prohibits adults from inducing a child to engage in sexual activity, or exploiting a child for prostitution or pornography.

To enter or leave the country, Estonian children under the age of 15 must hold a passport or a certificate of return, unless his/her personal data are entered on the passport of a parent who is accompanying the minor. An alien minor does not need to hold a passport if he/she enters Estonia in the company of a person in whose passport the details of the alien minor are recorded. (State Border Act, Law No. 410 of 1994).

Under the Obligation to Leave and Prohibition on Entry Act (Law No.88 of 1998), a deportation order may be served on an alien living in Estonia without permission. Simple expulsion, without a deportation order, may be effected against a person who entered the country illegally in the first place, unless such expulsion could result in that person being persecuted.

The Act also provides that where a deportation order has been served on an alien who is accompanied by a minor, the deportation order will also cover the minor. The expulsion of an unaccompanied minor must be done only under wardship (state guardianship) proceedings. If a minor is deported from Estonia, the competent state authorities in the admitting country, or any transit country, are notified, so that the protection of the minor is assured.

A witness protection law in Estonia was expected to be published by the end of 2003. Currently the Code of Criminal Procedure, applicable since 1961, allows a victim/witness to claim anonymity for his/her own protection. If the victim is under 14 years of age, there are additional protections during the enquiry. Four towns in Estonia are equipped with special rooms for the taking of evidence from abused children, including trafficked victims.

Law Enforcement

The first prosecution under the new provisions of the Penal Code of 2002 was tabled in April 2003, and concerned a Latvian girl who was trafficked into Estonia for sexual exploitation. Otherwise, no details of criminal prosecutions were known to the researchers. The difficulties with proof were referred to by respondents in the course of the research. Respondents from the police force pointed out that trafficking in human beings was not a priority issue for the Estonian police.

A cooperation agreement was entered into in 2000 between the three Baltic States for the protection of the victims and witnesses of crime. However, law enforcement representatives interviewed in the course of the research considered the States incapable of effectively protecting such witnesses, due to their small size. Other experts voiced the opinion that law enforcement efforts in Estonia for crimes of trafficking are minimal because they are so difficult to prove.

Organised Criminality

In relation to cross-border trafficking, some interviewed persons talked about the transporting of women and girls from Estonia to Finland. They travel from one port to another either with a recruiter or alone, and are met at the Finnish side by another organiser.

As for organised criminality within Estonia, respondents stated that the traffickers are men as well as women, including previous victims. Respondents also claimed that there was a link between people trafficking and drug trafficking, and that the same people were involved in both types of criminal activity.

Moldova

Legislation

Moldova's legislation against trafficking dates only from 2002. Its introduction came about because of concern over foreign adoptions during the period 1995 to 1997, which were seen as a form of trafficking. In 2000 amendments to the law on entry to and exit from Moldova introduced a requirement that no minor could leave the country without a notarised parental consent.

A new Criminal Code was introduced in 2002 in which trafficking in children was identified as a crime. Victims do not incur criminal liability as long as they collaborate with the police in pursuing the traffickers. The penalties for trafficking of children, under Art. 206 of the Code, are from 10 to 25 years or life imprisonment. Under Art. 207, the illegal transportation of a child out of the country is punishable by 7 to 12 years' imprisonment. Procuring, under Art. 220, carries a penalty of 4 to 7 years' imprisonment. The new provisions are said by the researchers to have made law enforcement against trafficking much easier for the police.

Law Enforcement

A new agency to combat human trafficking was set up in 2000 under the Ministry of the Interior. This agency was modified in June 2001 to create a specialised Directorate to Combat Trafficking in Human Beings within the Department for Combating Organised Crime. The Directorate has three sections to deal with international trafficking, domestic trafficking, and illegal migration. Statistics provided by the Ministry for the year 2003 showed that there were 173 cases of trafficking in human beings, of which 58 were sent for trial. There were 15 cases of trafficking in children. A conviction in one case of child trafficking has been reported from the Office of the General Prosecutor. This involved the trafficking of a mother and her two children to Poland for begging. The regional court convicted the trafficker and imposed a sentence of 15 years which is under appeal.

Since June 2003, a new data collection system at the Ministry of the Interior makes the tracking of trafficking cases involving children easier, because the system now differentiates between adults and children.

In October 2001, the Romanian police discovered and broke up a human trafficking network which was headed by a Moldovan named Svetlana Gorceac. During 2000 and 2001 she had recruited and trafficked many teenagers from Moldova and Romania into the former Yugoslavia, helped by nationals of Moldova, Romania and Serbia. She had promised the girls well paid jobs in the Far East. The girls had been attracted by the fraudulent advertisements of job opportunities abroad. In the course of the police investigation, 33 girls were identified. Gorceac had rented apartments under different names in Timisoara where she kept the girls before trafficking them into former Yugoslavia. She was arrested, together with three accomplices, in October 2001.

(Country report Moldova)

The majority of persons interviewed in the course of the research considered that, despite the new state protections that can be offered to victims and witnesses under Arts. 110-111 of the new Code of Criminal Procedure, the lack of resources to implement these protections makes them inoperable. Interviewees also complained at the lack of training and expertise among the police, prosecution and judicial personnel for handling trafficking cases. Also of concern was the high levels of corruption in matters relating to trafficking, and the lack of international police cooperation. The report says that while the first steps have been taken towards combating

trafficking in human beings, much more needs to be done in terms of legislation and law enforcement. At present, because of the lack of protections for them, trafficked victims rarely denounce their traffickers, and are often not given any legal assistance or advice.⁷⁶ The lack of bilateral agreements for gathering evidence between Moldova and other countries was also considered a problem.

Organised Criminality

Insofar as organised criminality is concerned, the researchers for Moldova classified traffickers into three categories:

- People involved in a small way by handling the domestic or international transport of the victims. These may be taxi-drivers, boat or truck owners, and people who know unofficial border crossing points and are able to transport individuals or small groups through them.
- Organised gangs or small groups of traffickers. These groups usually specialise in trafficking Moldovan citizens, using the same routes as the individuals mentioned above.
- Sophisticated international trafficking networks. The members of such groups are highly dangerous. They live in the countries of origin, transit and destination, and can access stolen or forged identity documentation. They are flexible and can change routes and methods of transport quickly. They have logistical support and safe houses in the transit and destination countries.⁷⁷ Austrian and Slovenian gangs control the crossing of the Italian Northern border, gangs from Kosovo control the central 'sea border' between Bar and Ancona, and Albanian gangs control the Southern 'sea border' between Valona and Lecce.

Romania

Legislation

In 2001 Romania adopted legislation designed to prevent and combat trafficking in human beings. The law (No.678 of 2001) contains some specific provisions relating to child trafficking. It did not actually come into operation until 2003, so there is not yet sufficient jurisprudence to provide analysis as to its effectiveness.

Until the new law applied, trafficking cases were prosecuted as crimes of pimping. The old law actually penalised trafficked victims, who were prosecuted themselves for prostitution if they did not give evidence against the traffickers.

Law 678 was drafted to enable Romania to comply with European Union Directives and with the Trafficking Protocol. Art. 12 of the law defines trafficking in persons as the recruitment, transportation, transfer, accommodation or taking in of a person by means of threat, violence or other form of coercion, by kidnapping, fraud or deception, misuse of authority or taking advantage of that person's vulnerability or helplessness, or by offering, giving, accepting or

⁷⁶ Legal assistance to child victims can be provided through the Association of Women Lawyers working with the Centre for the Prevention of Trafficking in Women, and the Working Group for Combating Trafficking in Children, established in 2002 by UNICEF, other international agencies and national NGOs (including the CPTW). The assistance includes advice, recovery of documents, family tracing, and representation in court.

⁷⁷ IOM (1996). Trafficking in Women to the European Union: Characteristics, Trends and Policy Issues. European Conference on Trafficking in Women (June 1996).

receiving money or other consideration for obtaining the consent of a person that has authority over another person with intent to exploit the latter.

Recruiting, transporting, transferring, accommodating or taking in of a person under the age of 18 for the purpose of exploitation constitutes the offence of trafficking in minors. The penalties are higher where the victim is a minor, and highest of all if the victim is under the age of 15. The penalties are also increased where the trafficking results in the victim's suicide or death.

The Romanian law defines the meaning of 'exploitation' as

- imposing forced labour or services, in violation of legal provisions on labour conditions, remuneration, health and safety;
- keeping persons in a state of slavery or in any way so as to deprive such persons of their freedom or forcing them into submission;
- compelling a person to engage in prostitution or pornographic performances or other forms of sexual exploitation;
- removal of organs;
- engaging in any other forms of activity that violate fundamental human rights and freedoms.

All actors in the trafficking operation are criminalized, including organisers, guides and carriers, as well as persons who form part of any criminal group involved in trafficking operations. Regulations were adopted in 2003 for the application of Law 678. The regulations detail the responsibilities attached to the main actors in combating and preventing human trafficking. They also establish mechanisms for the repatriation of Romanian citizens who have been the victims of trafficking.

The work of preventing and combating trafficking in persons is made the responsibility of a number of ministries, reflecting the ministries named in the National Plan of Action for Combating Trafficking in Human Beings.

There are special provisions concerning the physical and emotional protection, and the recovery and reintegration of trafficked persons. Procedural issues, including the use of modern investigation techniques are regulated. Provisions for international cooperation are included. The posts of a liaison officer within the Ministry of the Interior and liaison magistrates have also been created.

In addition to the anti-trafficking law, an Emergency Ordinance No. 105/2001 on border controls contains the penalties that will be imposed on persons who cross the border illegally. Art. 77, paragraphs 4 and 5 contain provisions relating to minors. Only minors over the age of 16 can be punished by imprisonment, and only to the extent of half the available penalty. Minors under the age of 16 who break the law are dealt with under child protection provisions.⁷⁸ International adoptions, which were long suspected of being used as a form of trafficking, have been suspended in Romania. A new law will be adopted soon.

A law to prevent and combat organised crime was passed in 2003. This is Law 39/2003. It categorises pimping, trafficking in human beings, and slavery as serious (aggravated) offences. Any group organised for the purpose of committing one or more aggravated offence is considered an organised criminal group. Initiating, organising, joining or supporting by any means a criminal group is a felony, punishable by imprisonment for 5 to 20 years, with

⁷⁸ A minor under the age of 14 is exempt from criminal responsibility. Between the ages of 14 and 16, a minor can only be made legally responsible if he/she is proven to have intended the result of the crime.

deprivation of some civil rights. Respondents considered that the national legislation is adequate to respond to the problem of trafficking in human beings.

Law Enforcement

In addition to legislative reform, law enforcement has been improved to respond to the new challenges. The national and border police have been given new powers, and bilateral agreements have been entered into with a number of countries in the region, including Albania, Armenia, Bulgaria, Croatia, Cyprus, the Czech Republic, Greece, Moldova, Poland and Ukraine. The terms of cooperation include the exchange of information and of statistical data. An agreement on combating trafficking has also been signed with the states members of the Black Sea Economic Cooperation area.⁷⁹ A Memorandum of Understanding was signed with France relating to the protection of unaccompanied minors, because of the alarming extent of trafficking of children to France and the need for urgent action.

An inter-Ministerial Working Group for the coordination and evaluation of the work in combating trafficking has been set up. Furthermore, the powers of the General Division for Combating Organised Crime and Anti-Drugs were enhanced. Training of judges and prosecutors on the new anti-trafficking legislation has been organised. The Minister for Foreign Affairs has instructed all embassies and consulates in destination countries on the implementation of Law 678/2001, particularly by providing information on the rights of trafficked persons, on the law applicable in the destination country, and on the assistance and protections available to victims.

Unfortunately Law 678, although passed in 2001, did not come into operation until 2003. In the meantime, trafficking cases were prosecuted under the provisions of Art. 329 of the Criminal Code on pimping. This meant that victims of trafficking were labelled as prostitutes and it was more difficult to provide for their rehabilitation or for them to access the social services available to trafficked victims.

The new legislation is considered weak on rehabilitation, since none of the shelters provided for in the legislation are yet open (due to a lack of coordination and of financial resources). The period stipulated for staying in the shelters (10 days) is in any event considered too short. The Witness Protection provisions of the new law are not yet in operation. It is therefore difficult to convince victims to report to the police, since protection from their traffickers cannot be guaranteed.

At the Cahul customs in Moldova a procurer was trying to cross the border into Romania with a group of teenagers (13 girls and 4 boys under the age of 18), using Russian passports. At the border, customs officers became suspicious when one of the girls became emotional, and after a rigorous investigation of the group they found that all the documents presented by the procurer were false.

(Country report Moldova)

By March 2003, there had only been two convictions for trafficking in human beings under the new law. One case was from 2002 and the other from 2003. According to the research report, the slow rate of convictions is due to the fact that although the law was adopted in November 2001, the regulations for the application of Law 678 were only adopted in 2003. Another reason for the low number of convictions was the fact that the law could be applied only to cases where

⁷⁹ Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, the Russian Federation and Ukraine.

the infringement had happened after Law 678 entered into force (2001). So, if a trafficking network was discovered and arrested in 2002, but the testimonies were referring to facts that happened at the beginning of 2001, they were prosecuted as ‘pimping’, ‘illegal border crossings’ or other infringements. Lack of experience on the part of the police and prosecutors in applying the new provisions is another reason, as well as the practical problems of obtaining adequate proofs. The Division for Combating Organised Crime and Anti-Drugs does not have enough staff for the case-load they are required to handle. Finally, the respondents consider that victims are not adequately protected, and report that some withdraw their complaints after threats from their traffickers, or because they are ashamed of what happened to them. Children in particular find it difficult to report, because of the emotional bonds they form with their exploiters.

Organised Criminality

The research found that the recruiters of trafficked girls can be either male or female, but in many cases would be a woman aged between 35 and 45, who has all the appearances of success. She will take advantage of vulnerable and naïve girls, possibly from dysfunctional families. Telling the girls about how easy it is to earn money abroad in a job that does not require any particular qualification, she will gain the trust of her victims. A male recruiter will also gain the trust of his victims, but in this case, it will be through charm and his apparent spending capacity. He is likely to be younger, perhaps 25 to 35 years of age, and also displaying all the outward signs of success.

In almost all trafficking cases, criminal networks are involved. They are well structured, operating under strict internal rules. The head of the network gives the orders, and controls the actions of its members. The networks are usually better organised outside of Romania than in the country. Violence is the common method of control of victims, but alcohol and drug addiction are also used as instruments of control. Some trafficked girls reported the use of drugs and carrying of weapons by both traffickers and clients.

Respondents noted in interviews that it is both difficult and dangerous to infiltrate the criminal networks. A police respondent said that even their specially trained personnel found it difficult to infiltrate such networks, although it had been done, and had led to the successful destruction of several.

The networks operate on trust, the members of the group knowing each other for long periods of time. They are motivated by profit. They function under cover of legal activities, which help them to analyse their markets from an economic perspective, such as demand, distribution, promotion etc.

At least four categories of traffickers were identified by the researchers: the recruiter (who identifies and recruits the child), the person who obtains the legal documentation and arranges the transportation, the transporter (who crosses the border with the child, either by legal or illegal routes), and the person who receives, hosts, and exploits the child. Each category may have more than one person.

Different methods of exploitation are used, depending on the objective. Where children are used for begging, they are rotated around a number of places in order to increase the profits. Where sexual exploitation is the objective, the young people are sold and resold. In one case, a 15 year old Romanian girl was sold 22 times, her price increasing with each transaction.

Respondents reported that in Romania there were no cases where the authorities themselves had been found to be involved in trafficking networks. However they did report the involvement of

the authorities in receiving countries, including immigration officials and police. But they were not able to produce any concrete evidence to support this allegation.

Russian Federation

Legislation

The provisions of the Criminal Code of the Russian Federation that cover trafficking of minors are considered by the researchers to be very weak. In fact there is currently no specific crime of ‘trafficking in human beings’ in Russia. Instead one has to look to other provisions, such as those dealing with kidnapping, illegal removal and illegal adoption.

Art. 152 of the Code prohibits the trading of minors, with penalties of imprisonment for 5 to 15 years. Trade in minors consists of a purchase or sale of a minor by his/her parents or guardians to another person for money or other consideration. The act of purchase and sale is completed when the minor is handed over and money changes hands.

The same article of the Code covers the illegal removal of a minor out of the country, or illegal entry to the country. An illegal removal would occur if documents had been forged or where an adoption was in reality a sale. An agreement with a pregnant woman that she will give away her child when born to another person qualifies as an attempt to trade a minor.

The provisions of the Code are limited in their application. In the explanatory commentary to the Code, the perpetrators of such crimes are limited to ‘a person who controls and manipulates a minor’ and states that such person may be a parent, adoptive parent, tutor, or a member of the staff of a medical or children’s institute. By limiting the possible identity of the perpetrator, the interpretation of the Code therefore excludes as an offender a person who is a middleman in a trafficking operation, or a person unrelated in some way to the victim. Furthermore, the article requires proof of a completed financial transaction before the crime can be prosecuted. Since it is virtually impossible to obtain such concrete proof (such as a video-recording, or the statement of a witness to the transaction etc), the numbers of prosecutions are very low.

The problem is partly solved by Art. 126 of the Criminal Code, which deals with abduction, including the kidnapping of a minor. This offence covers any capture and removal of a human being by means of deception, removal from his/her surroundings or place of residence, and detention of the victim against his/her will. The penalty for kidnapping is from 5 to 15 years’ imprisonment. Simple deprivation of liberty of a person against his/her will (without removal) is punishable under Art. 127 with a penalty of imprisonment of from 4 to 8 years. However, since most trafficked victims agree voluntarily to leave the country, these articles are not really applicable as anti-trafficking measures.

Art. 165 of the Family Code of the Russian Federation deals with foreign adoption of Russian children. Priority for adoption is given to Russian families. Children over the age of 10 can only be adopted with their own consent. Foreign adoptions are controlled and only permitted through accredited foreign agencies. The agencies must report periodically on the welfare of the child to the Russian authorities.

Trafficking in minors may also be connected with illegal adoptions. Art. 154 of the Criminal Code provides for the imposition of penalties (a fine or detention for up to six months for repeated offences) for the abuse of adoption procedures, including the forgery of documents or other abuses. However, despite the regulations dealing with adoption under Art. 154 of the

Criminal Code and the other legislative provisions, the researchers comment that it is so easy to arrange the removal of a child abroad through corruption of the adoption procedures or through falsified documentation, the law is actually unworkable to prevent trafficking of children. The researchers report that there are increasing incidents of illegal adoptions. Foreign adoptive parents pay for the adoption order, and in the opinion of some of the expert respondents, some of these orders are extremely flawed.

N., a former citizen of Russia was arrested in 2000. Since 1993 she had represented the interests of an Italian association which specialized in the adoption of orphans. She was frequently involved in the removal of Russian children from Volgograd abroad. The staff of the Federal Security Service of the Volgograd region established that many documents necessary for the adoption of the Russian children and their removal abroad were fictitious.

The court found N. guilty of falsification of documents and of bribing officials. The other accused, who were the head physician of a children's home, the former principal of the Volgograd children's home, and a former local committee specialist on education, were found guilty of taking bribes from N. to assist her in the adoption process. All of them were sentenced to seven years probation.

According to information from the law-enforcement authorities, between 1993 and January 2001, more than 500 children were removed from the Volgograd region. In the opinion of the experts, many of these children would not be found at the addresses of their supposed adoptive families.

(Country report Russia)

Other provisions concerning the removal of minors are contained in the Federal laws which regulate entry to and removal from the Russian Federation. A minor may only have a passport to travel on the written application of one or both parents or a guardian. Under the 1996 provisions, a minor can only leave the Federation in the company of a parent or guardian, or with a notarised consent.

Responsibility for the life and health of a Russian minor abroad is placed on his parents or guardian, or on the head of the responsible organisation where a group of minors is travelling together.

Only children over the age of 14 are entitled to a passport in their own name. Between the ages of 6 and 14, children can travel only on the passport of an adult to which the minor's photographic identification has been attached. Under the age of 6, however, children can be removed from the country without any photo ID required on the adult's passport.

Foreign children found illegally in Russia are deported under administrative provisions.

There are other provisions in the Criminal Code which deal with sexual crimes against minors, including rape, buggery, and corruption of children under 14 years of age perpetrated by a person over 18 years of age.

Prostitution is a crime in Russia, with non-custodial sentences imposed, whether the prostituted person is an adult or a minor. Brothel-keeping is a crime (Art. 241), punishable by up to 5 years imprisonment. Corruption of minors, including involving minors in prostitution, is punishable by up to 4 years' imprisonment under Art. 151 of the Code. Pimping, and living off the earnings of prostitution, were criminalized under the new 2001 Criminal Code and carry non-custodial sentences.

Draft legislation is currently under consideration in the Russian Federation which would translate the Trafficking Protocol into law, and thus allow the legislation to address the specific offence of 'trafficking', including trafficking in children. Under discussion since 2001, the

proposed law 'On the Prevention of Trading in Human Beings' would use a definition of 'trafficking' based on the wording of the Protocol. The new legislation will also cover prevention measures. A Working Group, consisting of governmental and non-governmental agencies are working on the proposed legislation, which will include a definitions section, provisions on international cooperation, prevention measures, penalties, and reintegration and rehabilitation measures. Importantly, the victim of trafficking will be formally recognised as such. The research report, however, criticises the new proposals on the basis of its failure to properly identify the structures responsible for combating trafficking. The researchers point out that, given the way in which the legal system operates in Russia, there needs to be a direct link between the authorities responsible for combating trafficking in human beings and the criminal justice system. The current proposal (in Chapter 3 of the Bill) is to establish commissions to combat trafficking in persons at federal and regional level. Although the authority of these commissions is not defined, it appears that they will function under the President of the Russian Federation, as other commissions now do. But, as the researchers point out, there are no criminal investigation powers vested in the anti-trafficking commissions, and they therefore risk being ineffective. Another problem with the proposals is the absence of budgetary provision for the services of care and rehabilitation envisaged for victims.

At the beginning of November 2003, the Russian President, V.V. Putin proposed certain amendments to the Criminal Code relating to commercial sexual exploitation of human beings, namely human trafficking and related criminal activities, prostitution and pornography. These amendments have been presented to the State Duma for consideration.⁸⁰ The articles are intended to regulate in the criminal law and the legislation such phenomena as traffic of minors, production and distribution of child pornography, involvement of minors in prostitution and organisation of child prostitution. These amendments are an important step towards the formation of a legal basis for responsibility for crimes of sexual exploitation, including where children are concerned.

Law Enforcement

The current anti-trafficking legislation in the Russian Federation is not being properly enforced, according to the researchers. They quote official statistics according to which 74 crimes under Art.152 (Trade in Children) were detected in 1997, 35 in 1998, 28 in 1999, and 37 in 2000. The corresponding numbers of persons prosecuted for these crimes in the corresponding years were 45, 49, 30 and 8. In St. Petersburg from 1995 to date, only 2 crimes under Art.152 (Trade in Children) were recorded. There were another 2 cases recorded under Art.154 (Illegal Adoption) in both 1998 and 2000.

Most of the experts interviewed complained to the research team about the inadequacy of the legislation in relation to the trafficking of both women and children, and in particular criticised the provisions of Art. 152. The experts consider the article to be inoperable due to its heavy evidential requirements and the lack of police expertise for its enforcement. Respondents also pointed to the fact that trafficking in children is given no priority in Russia, despite the fact that many considered Russia to be both a sending and a receiving country, and pointed to the absence of legislation covering care provision for victims who returned to Russia having been trafficked.

Poor law enforcement was attributed to the lack of precision in the laws available, and to a lack of practical expertise on the part of the law enforcement personnel.

⁸⁰ A review of the amendments to the Criminal Code of the Russian Federation is scheduled for the start of the work programme of the new Parliament.

From the official statistics available, it would appear that uncovering of crime in Russia is very high (above 90%). However, cases that are difficult to investigate are not actually recorded, and victims are even discouraged from reporting them. In any event, the general population distrust the police and do not have the finance to get legal assistance to pursue complaints, so crimes tend not to be reported.

Children who have returned to Russia having been trafficked are not entitled to seek an investigation of the crime committed against them, except through their legal guardians. In fact there does not appear to have ever been such an application made on behalf of a minor victim. Law enforcement officers themselves consider that the incidence of child trafficking is very low, and that there are only isolated incidents. This attitude is widespread and reflects the attitude of society towards the issue of the commercial sexual exploitation of children. Since most children who are commercially sexually exploited are street children or from disadvantaged families, there is no pressure on the law-enforcement agencies to protect them. Corruption among law enforcement personnel at all levels, and their connection to organised criminal networks, which provide a financial incentive to 'turn a blind eye' to trafficking operations, were also mentioned as reasons for the poor level of law enforcement.

Organised Criminality

On the subject of organised criminality, most of the experts believed that anyone could traffic children out of Russia. They described criminal structures consisting of organised criminal gangs, who get help from members of the law-enforcement agencies, the migration services and the customs services, and believed that these structures include traffic in children as part of their operations. Six of the experts believed that there is a direct connection between weapons and drug trafficking and trafficking in human beings. They also believed that there is a direct connection between these criminal networks and the local sex industry in Russia, and that it is basically the same groups that are involved in trading in child pornography, and dealing in sex tourism and trafficking in persons. They point out that the roles of those involved in trafficking operations include recruitment, selling, purchasing, and covering the tracks of the transactions. Often the traffickers will include a male foreigner and his Russian wife. She will recruit the children, and he will sell them. The woman may herself have been a trafficked victim at one time. Children may be recruited through individual contact, or they may be located through agencies, such as model agencies and job-seeker agencies. Once arrived in the country of destination, the girls will be met by a Russian representative. A foreign 'impresario', who has connections to Russia, will have all the information on the girls, including their photographs. He will distribute the data among the owners of brothels, cabarets, strip clubs, etc, and the girls will be placed with one of these businesses, which is usually quite different from what the girl was promised to persuade her to leave Russia.

Two of the experts noted that the traffickers involved in recruitment and sale are not usually rich people. In contrast, the purchaser will be a rich person, and probably will own a number of brothels or clubs in a foreign country. Usually a child will be the subject of a specific purchase request from such an entrepreneur.

In relation to trafficking of minors to Russia as a destination country, the experts believed that this was not a big profit business, and did not require many financial or other resources. Therefore, persons from marginalised or poor groups were often involved in such activity. In particular several experts identified the Roma and gypsy populations as traffickers, operating within Russia and the CIS countries.

Ukraine

Legislation

A new Criminal Code came into operation in September 2001 as part of the first national programme to combat trafficking in women and children.

Art. 149 of the Code deals with 'The Trade in Human Beings or other Illegal Contract for the Transfer of a Person'. Under that provision, the sale or transfer of a person without his/her consent across the border of the Ukraine for subsequent sale or for handing over to another person or persons for the purposes of sexual exploitation, criminal purposes, payment of debt, adoption, use in armed conflicts, or labour exploitation is punishable by imprisonment for 3 to 8 years. If the offences are committed against a minor or other vulnerable person, the penalties are increased to 5 to 12 years with the possible forfeiture of property. The penalties are also increased if the offences are committed by an organised criminal group or relate to trafficking in minors or organs.

Apart from the Criminal Code itself, there is no other law in the Ukraine dealing with trafficking in human beings. The Code does not distinguish, in terms of penalties, between the different objectives of a trafficking operation. Indeed the Code does not use the term 'trafficking' but uses instead the terms 'trade in human beings', 'illegal transfer' and 'illegal contract for the transfer of a person'.

Particular emphasis is placed on the protection of children against exploitation for profit. Under Art.150, if several minors are exploited, or harm has been caused to a child's health, development or educational achievement, then the penalty is a 2 to 5 year term of imprisonment, together with a prohibition on holding public office for a similar period.

Sexual violence towards minors is dealt with under Articles 152 (rape), 153 (buggery), 155 (sexual intercourse with a prepubescent child) and 156 (corruption of minors).

Some provisions of the Code are of a preventive kind. For example, Art.304 dealing with 'Criminalisation of Minors', penalises anyone who lures a minor into alcohol abuse, begging or gambling. In addition, Art.303 penalises anyone who forces another into prostitution, with increased penalties if the prostituted person is a minor. The Code defines prostitution as a systematic provision of sexual services in return for a financial gain. Fines up to €1,400 or 120 hours of community service can be imposed. Inducing a minor into prostitution carries a 3-5 year term of imprisonment. A minor in such circumstances is not defined as either a criminal or a victim in the Code.

However, such children are treated as victims by the police and in the judicial process.

It is considered by the researchers that while no specific law in the Ukraine provides for an offence of trafficking in minors for sexual purposes, the existing provisions are adequate in legal terms to deal with the phenomenon. They identify the problem as the lack of sufficient preventive mechanisms or even to recognise that the problem exists.

Apart from the Criminal Code, a number of other legislative provisions can be used to prevent or combat trafficking in minors. The researchers mention the Code on Administrative Violations, which provides for the imposition of fines for minor offences such as soliciting, refusing treatment of venereal disease, and inducing intoxication in a minor. They consider that such provisions have a deterrent effect on the involvement of minors in prostitution, and therefore indirectly combat the trafficking of minors for sexual purposes.

Some of the sources interviewed in the course of the research expressed concern about the adoption of Ukrainian children by foreigners, believing this to be a common avenue for the trafficking of minors for sexual purposes. The procedures for adoption were extremely simple during Soviet rule, and as a result, large numbers of children were taken abroad, and there were many newspaper reports that children had been sold to brothels or for organ removal. A temporary moratorium on such adoptions was introduced by the Ukrainian Parliament (Verkhovna Rada) in 1996, and now international adoption is controlled by a state agency under the Ministry of Education and Science. Professionals claim that these reforms have significantly decreased the abuse of adoption procedures.

A policeman gave an example of a trafficking operation: In May 2003, a group of 200 girls, 15 of them minors, was detained at Kyiv railway station. They were to be illegally transported to Germany by German and Ukrainian dealers and put into a brothel. The girls were recruited in Kyiv bars by "German businessmen". As for the 15 minors, none of them had a written permit from their parents or guardians to leave the country.

(Country report Ukraine)

Regarding entry to and exit from the Ukraine, there are generally no restrictions on the movement of persons. Men who are of the age at which they are liable to be conscripted into the army (18), however, do not have an automatic right of exit. As for minor children, they must have a notarised consent from their parents, or a court order, allowing them to leave the country.⁸¹ The researchers state that there is widespread abuse of these restrictions in relation to minor girls; notarised consents and even court orders are easily obtained through bribery of officials, rendering the restrictions incapable in practice of preventing the trafficking of minors for sexual purposes.

There appears to be a consensus among Ukrainian lawyers, NGO workers and some officials, that substantial reform is still needed for Ukrainian law to comply with international standards of child protection. Not only are there serious gaps in the existing legislation, but the practical application of that legislation is inadequate, in particular by the courts.

Law Enforcement

On the question of law enforcement, most respondents considered the establishment of a Task Force for the Prevention of Trafficking in Human Beings an important and positive step, together with the research and prevention work that is going on under the governmental anti-trafficking programme. But lack of coordination among governmental agencies, and lack of awareness, is considered a drawback. However, a new administrative task force within the Ministry of the Interior, with 27 regional departments, is having some success. During 2002, 169 investigations were started, out of which 41 criminal charges for trafficking were brought. Convictions were obtained against 28 traffickers, 17 of whom received prison sentences. The respondents also pointed to the positive effect of the ratification by the Ukraine of the Council of Europe Convention on Legal Protection and Legal Relationships in Civil, Family and Criminal Cases. They claim that the resulting cooperation and mutual assistance between the Ukraine foreign missions abroad led to the rescue of a Ukrainian minor who had been trafficked to Poland.

At domestic level, the police (militia) were found to do little to prevent trafficking, prosecute offenders and protect witnesses.

⁸¹ Art.10. Law on the Procedure and Entry to and Exit from the Ukraine of Citizens of the Ukraine.

Organised Criminality

On the question of the involvement of organised criminal gangs in trafficking, the researchers encountered difficulties in accessing hard information. Practically all their respondents believed that there were criminal networks in the Ukraine involved in trafficking of minors, and that these networks had international links. Some journalists reported suffering threats and intimidation when they had tried to investigate the situation.

The informants were also convinced that the networks benefited from the protection of Ukrainian officials at home and abroad. However, since they could not produce evidence to support their beliefs, they suggested that the research simply deduce from the cases that had actually been prosecuted in the courts whether organised criminal gangs were involved.

Child Care and Protection: Prevention, Rehabilitation, Repatriation

In the report from every country some prevention projects are mentioned or described. Most of these projects deal with public awareness campaigns in which information is given to the general public, government officials and professionals, as well as specific risk groups, through leaflets, radio, television and training programmes. Some schools have a role in prevention of trafficking by including information in the teaching curriculum, or by training young people as peer communicators. In some countries, counselling was also seen as a prevention mechanism. Telephone hotlines are another way in which people can get information on the risks of trafficking, and about the help that is available to victims.

However, it is very noticeable from the research reports that there is a serious lack of rehabilitation programmes. These are programmes offering psychological, social, medical and legal assistance. Most programmes that are operating are not specific to children, and not even specific to victims trafficked for sexual purposes. The same applies to shelters; the provision of shelter accommodation to victims of trafficking is usually by organisations already servicing the needs of women suffering from domestic violence. Most of the research reports complained that even if the resources were there to provide services to returned trafficked minors, there are no trained personnel to do the work.

As for repatriation, not many of the programmes are directed specifically at children, or at children who were trafficked for sexual purposes. IOM plays an important role in voluntary repatriation in most of the countries, and has worked for younger, as well as adult, victims. In the programmes, attention is paid to reintegration in the family and school, and vocational training can be provided to prevent re-trafficking. There are no repatriation programmes reported in Russia or Ukraine, and very limited services, even for adults, in Estonia.

Albania

Prevention

CRCA, in collaboration with the Olof Palme International Centre in Sweden, is implementing a prevention programme entitled 'Stop Child Labour in Albania'. This programme is tackling the worst forms of child labour, and also seeks to prevent the trafficking of children for exploitation. The programme includes the operation of Children's Clubs in five districts of Albania, a national awareness campaign against child labour and child trafficking, and capacity-building measures for the government and NGOs. The Children's Clubs currently provide services to 1,200 child workers and children at risk, including non-formal education, psychosocial services and humanitarian aid.

IOM's Tirana office is implementing an awareness programme to combat trafficking of human beings and build institutional capacity. IOM also has a project for the 'Prevention of Women and Girls Trafficking' which focuses on prevention through awareness-raising.

The OSCE coordinates anti-trafficking activities among the international organisations and provides support to local NGOs, including capacity-building. It also supports an educational project on women's rights and anti-trafficking.

Save the Children and 'Help the Children', a local organisation, opened two youth centres in 2003 to provide young people with information about trafficking and its consequences.

Terre des Hommes has implemented a programme on 'Prevention, re-integration and assistance to children, victims of migration' together with 'Help for Children', with support from UNICEF and the Oak Foundation. This programme is being implemented in Elbasan and Korça, and seeks to prevent migration by raising awareness among 3,000 children, with the support of schools and parents.

Rehabilitation

The Ministry of Labour and Social Affairs in collaboration with the Ministry of Public Order established a Hosting Centre for victims of trafficking which opened in September 2003.

The Psychosocial Centre 'The Hearth' which was set up in collaboration with Save the Children, Albania, in Vlora in 2001, offers rehabilitation and re-integration services to minor and adult victims of trafficking. This shelter accommodates a considerable number of women and girls, including more than 70 minors.

In February 2002 IOM opened a Reintegration Centre, which provides temporary shelter, medical assistance and psychosocial counselling, to returned Albanian trafficked victims. This shelter is able to care for 28 persons at a time. Since the opening of the centre, about 98 people have been treated, and some of them were children.

The Children's Clubs described above are part of a CRCA strategy to reintegrate working children into schools, by establishing child-family-school relationships as well as by offering psychosocial services and informal education to all children involved in the 'worst forms' of child labour. The children that frequent the Clubs include children that were previously trafficked to Greece and Italy. Over 80 previously exploited children have been integrated into the formal education system through this programme.

CRCA, in collaboration with Defence for Children International, provides free legal services to children in conflict with the law and child victims of crime. Psychosocial assistance to children who are victims of trafficking is also offered.

*'At the instigation of the juvenile prosecutor in Thessaloniki, Filoxenia, the NGO ARSIS and the group of NGOs working together in Albania, good practices are followed to repatriate children under the age of 12 arrested by the police or found by a social worker'. The good results are attributed to the protection of the child at Filoxenia, the staff being from the same origin as the children, good knowledge about families at risk on the part of the Albanian organisations, coordination between the authorities in both countries, agreed procedures, and the personal commitment of the juvenile prosecutor in Thessaloniki.'*⁸²

Repatriation

The government of Albania has bilateral agreements with Italy, Hungary, Switzerland, Belgium, Bulgaria, and Romania on the readmission of its citizens.

International Social Services, in collaboration with the Italian authorities, is working on the voluntary return of unaccompanied Albanian children in Italy. Terre des Hommes, in collaboration with the Greek government, manages a repatriation programme that is helping the return of trafficked children from Greece to Albania.⁸³

New standards for the repatriation of children exploited in Greece and Italy are being prepared by the Ministry of Labour and Social Affairs.

⁸² Terre des Hommes (2003). The trafficking of Albanian children in Greece.

⁸³ For a full description of the trafficking of Albanian children to Greece, see Terre des Hommes (2003). The trafficking of Albanian children in Greece.

Save the Children launched a Regional Child Trafficking Response Programme for Southeast Europe in May 2002. The objectives of the programme are:

- *To develop a better understanding of the needs and concerns of high-risk and trafficked children*
- *To implement effective child trafficking interventions through six pilot projects*
- *To develop good practice guidelines for national and regional dissemination*
- *To develop and disseminate advocacy messages informed by children and their communities*

The regional programme takes a participatory approach to developing and implementing child-trafficking interventions aimed at high-risk and trafficked children in several South East European countries: Albania, Croatia, Kosovo, Montenegro, Romania, Serbia. The interventions build upon ongoing activities and programmes that support at-risk children, and range from prevention strategies and awareness raising campaigns, to direct intervention and reintegration activities.

While the country contexts and the range and scope of the projects are diverse, they all involve high-risk and/or trafficked children, their families and their communities in the development, implementation and/or evaluation of the project in the interest of ensuring that they are reflective of and effectively respond to children's self-identified needs and concerns. The information and experience drawn from the programme will inform the development of good practice guidelines, which will be disseminated nationally and regionally, as will key advocacy messages informed by the experiences of children themselves.

The Regional Child-Trafficking Response Programme aims to contribute to a greater understanding and awareness of the needs and concerns of trafficked and high-risk children, a greater quantity and quality of child-focused child trafficking intervention programmes, and a strengthened regional network of actors responding to trafficking in the Southeast Europe region. In these ways, it is hoped that the longer-term objectives of eliminating child trafficking and fostering an environment where children's rights are promoted and respected will be realized.⁸⁴

Belarus

Prevention

The first anti-trafficking project in Belarus was started in 1998 on a voluntary basis by the Young Women's Christian Association of Belarus (YWCA). Since January 2002 a La Strada programme is in operation. The programme focuses on raising public and political awareness and informing potential victims. The national La Strada hotline operates daily for 12 hours. The charitable fund 'For the Children of Chernobyl' does educational seminars on the issue of trafficking. They are working with graduates of professional training schools, institutes, and universities. In 1998 the fund opened the 'Malinovka' centre for women and girls suffering from violence. Counselling was provided, mainly for women and girls from Minsk, as a prevention strategy.

In January 2003, a regional hotline was set up by the Business and Professional Women's Club within the IOM programme 'Combating trafficking in women in Belarus'.

Children- Not for Abuse in Belarus, an affiliate member of the ECPAT network, has a project for the prevention of prostitution among girl students in Minsk.

⁸⁴ www.savealbania.org/en/antitrafficking.htm

Rehabilitation

The YWCA gives assistance to victims of trafficking and their relatives. IOM is able to provide trafficked persons with services within its project 'Combating trafficking in women in Belarus'. However there is no specialized NGO which provides reintegration and rehabilitation for minor victims of trafficking, either developed by the state, or by non-governmental or international organizations. On the other hand, many NGOs in Belarus are able to help victims by putting them in touch with the social service institutions and specialists. The Ministry of Labour and Social Welfare, under the programme 'Children of Belarus' and 'The National Action Plan on Maintenance of Gender Equality for the years of 2001-2005' plans to establish a network of social service institutions providing medical, social, psychological, pedagogical, legal and other kinds of services. So far 108 centres have been opened around the country, including 24 centres that provide legal and psychological services to families and children. In the longer term, the social service centres will be able to help with the reintegration of victims of trafficking.

However, the specialists collaborating with the centres need to be trained in gender sensitivity, and their awareness of women's human rights and trafficking issues needs to be raised. One of the interviewees⁸⁵ pointed out that there are no professionals with the expertise to work with sexually exploited and trafficked children, and no educational institution able to provide the training to build such expertise. In Mozyr, in the region of Gomel, a Crisis Centre for women and children who suffer domestic violence and trafficking was set up. However, there is only one centre in Belarus that can offer accommodation shelter and over-night facilities for women and children who are victims of domestic violence and trafficking. That Crisis Centre is administered by the NGO, Radislava, and is situated in Minsk

Repatriation

There are places where young offenders are housed in Belarus which are also available for minors who have returned from abroad after being trafficked. The centres will look into the background of each minor and prepare reports for the law-enforcement authorities. The 'For the Children of Chernobyl' Fund, at the Malinovka Centre for women and girls who have suffered from violence, provide some support in reintegration to women in Minsk who return to Belarus after being trafficked.

Czech Republic

Prevention

There are not enough prevention programmes in the Czech Republic, even for the adult victims of trafficking. The NGO, KARO, does prevention work in prostitution in the Czech-German border region around Cheb and Aš and at present is the only NGO in the Czech Republic which targets underage prostitution as well as adult prostitution. KARO has faced serious obstacles since it started its work six years ago. The mayors of the towns and villages do not appreciate the importance of prevention work, and worry about the image of their region because of the immense media interest in the work of KARO and the topic of prostitution in general. A counselling centre had to close because of public objection. KARO also faces difficulties with the Czech police, but co-operation with the German police seems to work well.

⁸⁵ From the NGO 'League of voluntary youth workers'.

La Strada specialises in working with adult victims of trafficking, but they also have some prevention programmes for minors, including empowerment lectures for girls in schools, and for Roma girls. Two years ago IOM, together with La Strada, carried out a public prevention campaign. IOM offers information about trafficking through its website 'Children in the Trap'⁸⁶ and did some workshops together with the NGO, Projekt Šance.

ENYA offers seminars dealing with prevention of trafficking, forced prostitution and sexual abuse of minors and women, as well as capacity-building programmes for caregivers and social workers.

Projekt Šance, runs a community centre in Prague where social assistance is provided to street boys, and according to NGOs interviewed, this is an excellent means by which to prevent child prostitution and trafficking. However they face financial problems.

Despite the targets set in the NPA for public awareness-raising and work in schools, nothing has been done by the government, except for a video prepared in collaboration with IOM, which is only available in limited numbers.

Rehabilitation

At the moment there are no rehabilitation or repatriation programmes for children, since, officially, there is no trafficking of minors in the Czech Republic. Money was allocated for such programmes under the NPA, but NGOs who were expected to receive funds did not receive any, or received much less than was promised.

A model for the support and protection of trafficked victims was piloted under the National Strategy, but the model does not deal with child victims, although under the Strategy, it was intended to cover children. Pilot testing of the model victim assistance scheme is funded by the UN and has already started.

There are special places for unaccompanied minor children within the homes for those seeking asylum. The Ministry of Education established a shelter specifically for UAMs, as well as for foreign children, who are not necessarily asking for asylum but are without parental care. Social assistance and educational courses are provided in the shelter. The country report suggests that the shelter could become a rehabilitation centre for minor victims of trafficking where they could receive counselling and help with integration into Czech society, or from where repatriation could be managed, depending on the best interests of the child in question.

ENYA is planning to build a shelter in Prague in the summer of 2004. This will be a mixed centre for 6 to 12 young people, victims of trafficking and sexual exploitation, who will be able to live there for a maximum of 2 years.

Repatriation

Repatriation programmes for children (not specifically for the victims of trafficking) are provided by IOM, but there are financial limitations to its capacity to operate in the Czech Republic.

Estonia

Prevention

The experts consulted for the report commented that there is very little knowledge among young people about working abroad and safe migration. They felt that prevention work should focus on providing such information. They stressed the importance of involving the Ministry of

⁸⁶ www.detivpasti.cz

Education in trafficking prevention work in schools. Up to now, two campaigns on trafficking issues have been conducted by international organisations in Estonia. There are several local NGOs involved with trafficking prevention work.

Rehabilitation

In Estonia there are some NGOs that, among their other activities, also provide support to victims of trafficking by helping with repatriation or counselling needs. But no organisation specialises in such work. The services available provide primarily crisis support. There is a lack of long-term psychological support and rehabilitation programmes for victims.

A general service providing support and information to victims of crime as well as help in court and during criminal proceedings has been created, coordinated by the Ministry of Social Affairs.⁸⁷ In Tallinn and Tartu there are special support centres providing psychological support to children. Interviewees pointed out that the services in place are not able to give specialised support to victims of trafficking. There is a need for professionals who are specialised in the problem of trafficking and sexual exploitation of minors, and for a separate centre where victims of trafficking can get support that is targeted to their particular needs.

Moldova

Prevention

After years of ignoring the problem of trafficking, a significant amount of work has been done in Moldova in the last two years, especially in the area of raising awareness. However, the report points out that these activities were initiated by international organizations, subsidized by foreign institutions and implemented by NGOs, without any support from the government.

The public awareness campaigns include the following efforts and areas of concern:

- Publication and dissemination of booklets, videotapes, newsletters, magazines, and leaflets about the problem at the local, national, and international level;
- Information on the health consequences of sexual exploitation;
- Media campaigns targeting young girls both inside and outside the official school system;
- Provision of counselling for vulnerable groups, especially the unemployed and victims of domestic violence;
- Referrals of information for assistance in destination countries (contacts, addresses, telephone numbers, legal advice);
- Elimination of pornography and violence from the mass media;

Recently a free telephone hot-line, that operates 24 hours a day and is administrated by La Strada, opened in Moldova offering full information about the risks of illegal migration. The Centre for the Prevention of Trafficking in Women (CPTW) recruited a team of lawyers who provide legal assistance and represent the rights and interests of victims in courts. They also train representatives of the law enforcement authorities and educational institutions. In order to inform and train representatives of the local public authorities about trafficking, CPTW conducts training all over the country. Following a decision of the National Committee for combating trafficking in human beings, in 2003 CPTW started to train representatives of all

⁸⁷ <http://www.ohvriabi.ee>

local commissions for combating trafficking on issues related to prevention and prosecution of trafficking offences.

Rehabilitation

In Moldova there is no specialized agency and there are no professionals capable of identifying, investigating and dealing with child abuse. There is no social assistance system caring for abused and neglected children, and therefore such children have no access to treatment or rehabilitation. The researchers say that Moldova has no culture of respect for the rights of children, and for many children it is difficult to even find an adult they can trust and to whom they can speak about abuses they suffer.

Since 2002, several programmes were developed for trafficked victims, but only IOM, La Strada, Save the Children, and CPTW offer help to child victims. There is no government-assisted reintegration programme. In September 2001, IOM established a Reception and Rehabilitation Centre for victims of trafficking in cooperation with the local health authorities. The Centre provides many services including medical examinations (tests and treatment and HIV/AIDS tests), social and psychological support, group therapy, psychiatric support and vocational orientation. IOM also provides women with a reinstallation cash grant.

The Ministry of Labour has begun co-operation with IOM and signed an agreement to select businesses from all over the country that would be able to employ returned women and to provide victims of trafficking who returned to Moldova with employment opportunities after training. So far, 100 women have attended the training; 50% completed it, but only a few of them have found jobs.

Despite the low attendance and low success rate of the existing repatriation and reintegration programmes, such programmes do prove that reintegration is possible and can bring positive results. However, they also show that some programmes are not suitable for traumatized women or women with psychological problems. More options are needed for women to choose from, more time to explore these options, and a better referral system at national and local level should be developed. The researchers say that a network of cooperating NGOs is needed to which cases can be referred, and cooperation with the Ministry of Labour is also needed to provide women with employment opportunities. They point out that reintegration for children should mean family reintegration, not institutionalisation. However there are no mechanisms in Moldova to prevent institutionalisation at this point. There are day care centres for children, but there are no professionals who are able to set up programmes suitable for trafficked children. Practical assistance with legal advice, recovery of identification documents and representation in court is provided by the CPTW.

Approximately 350 victims of trafficking were assisted by IOM by the end of 2002, the majority being from Macedonia, Kosovo, Bosnia/Herzegovina, Albania and Italy. The assistance included the cost of the return journey and a one-night stay in the shelter. All women were informed about the available assistance and reintegration programmes, and about 160 women took part in these programmes. The programmes include lodging and meals, social and psychological counselling, psychiatric, gynaecological and general medical examinations and treatment. The average stay in a programme is 12-15 days. Women with small children tend to go directly back home, but they are placed on a list of beneficiaries for humanitarian aid. The Centre can accommodate up to 16 women at a time. The women can also take part in vocational training subsidised by the shelter (secretarial, manicure, hairstyling, tailoring and computer training). The average duration of the training is from 6 months to a year.

(Country report Moldova)

Repatriation

Many trafficked girls suffer from post traumatic stress, and many of them return pregnant. At home, society refuses to accept them, so reintegration is difficult. In those cases where girls were driven out of home because of their parents' attitudes, they cannot return to live with the family. The government provides no support to returned victims, and NGOs have limited possibilities to help. Many women are afraid when they return, both of the prejudices of their parents and friends, but also of the traffickers. The report points out that 10% of the women who return to Moldova after being trafficked do not have the necessary social and vocational skills to get a job, and do not have contact with their families. Without education or survival skills, they have very limited possibilities for getting on with their lives.⁸⁸

Moldavian victims of trafficking generally return to the country through IOM⁸⁹ or Interpol, the police of the destination country, or NGOs in the destination country. But some are deported by the police of the country of destination to the border of a neighbouring country. Only some of them come to the attention of the specialised agencies, and in general it is only those who return with the help of IOM or NGOs who get any help. The border police and the Anti-Trafficking Unit do not inform IOM or the NGOs about the returnees they deal with, because they don't regard them as victims of trafficking. Even in situations where women were interviewed and were giving information about the circumstances of their trafficking, the police simply released them without offering them assistance and without informing them about the available programmes. The argument given by the police is that the women don't want to be recognized as being trafficked. They just want to go home and forget about their bad experiences.

*In September 2001, IREX, a US based NGO, started the Regional Empowerment Initiative for Women programme, with USAID funding. The Moldavian programme started in May 2002, and is aimed at women between the ages of 15 and 29, who are potential victims of trafficking. It includes the provision of small grants to unemployed women who want to open their own business, vocational training for women, and grants to women's NGOs working on the empowerment of women.
(Country report Moldova)*

Romania

Prevention

There are several NGOs and international organizations working on prevention in Romania. These include IOM in Bucharest, Save the Children Romania, Social Alternatives Association, Pro-family Agency (AFI) and the Partnership for Equality Centre. Some of the work is carried out in partnership with government departments, such as the Ministry of Education and Research. Most of them have local or regional coverage (one or more counties, one or more cities), some try to cover all the rural areas of Romania. Prevention and awareness raising campaigns are addressed to children and youngsters in schools, and students, and to the general public, through radio campaigns, posters, leaflets and video spots. IOM Romania, is training priests to intervene in prevention or reintegration cases. Another project carried out by an NGO

⁸⁸ Interview with IOM shelter staff, Chisinau, Jan.2003.

⁸⁹ According to information provided by the Moldovan researchers, IOM assisted 1,195 victims between 2000 and 2004, of which 56 were children. The victims had been repatriated from Macedonia, Bosnia/Herzegovina, Serbia (Kosovo), Albania, Serbia (Montenegro), Turkey, Russia, Italy, Romania, Israel, Poland, Bulgaria, United Arab Emirates, the U.K., and Greece.

educates young girls from residential state care institutions to reduce their vulnerability to trafficking.

According to the Romanian report, trafficked girls who have been helped with their return mention support for multi-problem families as an important aspect of prevention programmes. Information campaigns are important, but they are limited: “When you are not offered any opportunity except to leave the country, you will do it, because you refuse to think that something bad might happen to you”, said one victim.

Rehabilitation

Rehabilitation programmes for minor victims of trafficking are offered by NGOs; the public social services are not developed in this field of intervention. There are several NGOs that specialise on the issue of trafficking, and three of them offer such services to minors,⁹⁰ including psychological counselling, legal and social assistance, school reintegration assistance, vocational training, medical assistance, financial support and shelter.

Several NGOs⁹¹ offer assistance to victims of trafficking within programmes where the target groups are victims of abuse or violence. They offer the same kind of support as the NGOs listed above. Two of these organisations also offer family and professional reintegration. Some NGOs offer a whole package of support, others focus on one aspect of support, such as counselling. While these NGOs do have specialised staff, the high number of victims and their needs mean that the services are still inadequate in terms of personnel and financial resources to meet the demand.

Unfortunately, the number of shelters for trafficked victims is quite low, and there are only eight in the whole country.⁹² Other NGOs offer accommodation to victims of trafficking in shelters for victims of domestic violence. There is no shelter providing only services to trafficked children, so due to the lack of resources, children are accommodated in adult shelters. Despite the accommodation problems, trafficked children do benefit from some specialised services, including therapy, assistance, and vocational training in accordance with their needs. The respondents emphasised that successful programmes for trafficked children need to have a ‘Victim First’ approach, specialised professional staff, with field experience, a national reach, and to work on the basis of multidisciplinary teams.

From discussions with trafficked children assisted by Save the Children, Romania, it appears that the most difficult problem children encounter is fear, and lack of trust in themselves and in others. One girl stated that she had been afraid to walk on the street in the middle of the day when she came back, because she had the feeling that everybody would see her “ugliness” (her experiences of sexual exploitation). Being made to feel at home, and to have people who support them whenever they need it, is really important for children. The most important aspect of the rehabilitation programme is the chance to make their own decisions about their futures.

(Country report Romania)

⁹⁰ Save the Children (Bucharest and Suceava), Reaching Out (Pitesti), Social Alternatives Association (Iasi), Association for Developing Alternative Practices for Reintegration and Education (ADPARE-Bucharest), Pro-Family Agency (AFI).

⁹¹ Association for Community Partnership (Focsani), Association Sinergii (Medias), For Each Child a Family (Resita), Women’s League Areta Tatarescu (Gorj), Women’s Association against Violence (Baia Mare and Cluj-Napoca), Equal Opportunities for Women (Iasi), Avicenna Foundation (Deva), Conexiuni Foundation (Deva), National Mutual Association Romania-France (Craiova), and Caritas (Satu Mare).

⁹² Six shelters mentioned in the Clearing Point First Annual Report, 2003, and two shelters identified by the researchers.

Repatriation

IOM is the most important actor in the repatriation of trafficked victims in Romania. IOM, in partnership with the relevant offices in the destination countries, prepares the return of child victims. If the victim is willing to be helped, a case manager will monitor his/her case and a partner NGO will offer assistance. Government departments and agencies also have an important role, including The Ministry of External Affairs (for identity documentation), the Ministry of Public Administration and Interior, and the National Authority for Child Protection. The latter refers cases to the local Child Protection Departments (from the county where the child was living), and an enquiry is held before the child is returned.

Russia

Prevention

There is a lack of prevention programmes in Russia; only a few exist in isolation. They are mainly in big cities, and are operated mostly by public organizations and directed at the potential 'risk' groups, that is, mostly towards girls. The researchers suggest several preventive measures, including mass media campaigns, but point out that no measures can be effective when there are no rehabilitation centres and shelters to receive victims of trafficking. There is a helpline run by the crisis centres for women, through which information is provided on work, education, marriage abroad and possible risks. However, the numbers for the helpline are not well known or distributed nationally.

The researchers say that prevention programmes are needed, not only for the risk groups, but also for different groups of the population such as school children, parents and teachers, since everyone runs a risk of becoming a victim of trafficking.

Rehabilitation

Rehabilitation programmes are available only in big cities through the crisis centres for women suffering from violence, and are directed at adult women. Some of these centres now offer support to victims of trafficking. The Russian government does not support projects for trafficked women, because it does not accept that there are any such victims. So organizations are dependent on fundraising to provide such programmes.

In Saint-Petersburg, the state Social Rehabilitation Centre 'Malohtinski House of Diligence' works with minor victims of trafficking. The Centre implements a project called 'Safe Home'. During the project's existence (since 2001), however, only one trafficked minor, who returned from the CIS, was rehabilitated. The researchers point out that successful rehabilitation programmes need to provide special guarantees and privileges for the victims of trafficking. The government needs to change its attitude towards the problem, as only then will returned minors get adequate social and psychological support.

Repatriation

As there are no repatriation programmes, experts named the Red Cross as one of the organizations that could have information about a disappeared child, and the IOM as an organisation that can assist the police in locating trafficked children. They also suggested that the networks of women's NGOs can play a helpful role in reintegration.

One of the experts (a lawyer) suggested that the network of Christian churches in Europe, which are located in every European country, could assist in the tracing of trafficked children.

Ukraine

Prevention

Respondents considered the Comprehensive Programme for Prevention of Trafficking in Human Beings for 2002-2005 (adopted by Decree of the Cabinet of Ministers of Ukraine) as a core prevention programme. It involves several state institutions.

Good communication by district police officers with people, in particular with risk groups, was recognized as an indispensable preventive measure against trafficking in human beings.

It was also pointed out that NGOs, particularly those active in the field of human rights, can provide important help to the law enforcement bodies. The main activities of NGOs such as La Strada in prevention of trafficking in women and girls include awareness-raising work with risk groups, and lobbying to address the economic and social factors that push women and girls to leave the country. La Strada operates a telephone Helpline in Ukraine.

La Strada Network

La Strada, an international NGO network was set up in September 1995 in a bilateral exchange programme between the Dutch Foundation Against Trafficking in Women (Stichting tegen Vrouwenhandel, STV) and two women's rights NGOs in Poland and the Czech Republic. Later, in January 1997 and June 1998, partners in Ukraine and Bulgaria respectively joined this network. In 2001 the La Strada Network expanded with four new partners in Belarus, Bosnia-Herzegovina, Moldova and Macedonia. Including STV, the network currently consists of nine member organisations.

The La Strada Programme for the Prevention of Trafficking in Women in Central and Eastern Europe aims to make trafficking in women visible. It wants to raise awareness among authorities, media and the general public about this violation of human rights. The programme also aims to help victims contact support networks and informs women and girls about the possible dangers of trafficking. La Strada accomplishes its mission and policy by developing a multi-disciplinary approach that includes Information & Lobby work, a Prevention & Education campaign, and Social Assistance to victims of trafficking.

The goal of the Prevention and Education campaign is to empower women to make independent decisions while protecting their rights. In addition to targeting risk groups directly, the campaign focuses on the environment for groups at risk, by educating professionals (police and border police officers, teachers, school psychologists, school advisors, peer educators, street workers etc.) on how to prevent potential victims from falling prey to trafficking. Activities of the Prevention and Education campaign include the production and distribution of educational and informational material aimed at different target groups, and building up relationships and conducting training seminars for labour agencies, NGOs, street workers, embassies, police officers, teachers and other parties.

The aim of the Social Assistance service is to provide social and emotional support to survivors of trafficking. Within the La Strada Programme, national and international networks are created for a safe return and support to survivors. La Strada develops policies and strategies for meeting the needs of the survivors of trafficking. It combines direct victim support with lobbying at different levels in connection with specific cases. One of its activities is operating local Helplines and providing anonymous consultations and advice on practical, medical, legal and social matters to victims, survivors and their relatives.

La Strada is an international, East-East and East-West partnership on the issue of trafficking in women, with very close international co-operation on individual cases of

*victim support, well developed international communication systems, and exchange of best practices. La Strada is a 'bottom-up' programme, in which the direct contact with victims of trafficking provides invaluable experience, skills and information.*⁹³

Rehabilitation

Experts stressed the lack of national rehabilitation programmes for minor victims of trafficking. However, international and local organisations such as La Strada-Ukraine, the World of Women (Svit Zhinok), Hope Crisis Centre (Nadiya), IOM, and Winrock International have contributed towards the establishment of rehabilitation centres available to all victims of sexual violence and exploitation.

Protection of victims and their re-integration form part of the government's Comprehensive Programme for Prevention of Trafficking in Human Beings. Some steps have been taken in this field, such as assistance in the repatriation of Ukrainian victims of trafficking, providing medical, psychological and legal assistance to victims, and the establishment of a network of re-integration and crisis centres for victims.

⁹³ La Strada (2003). Prevention of Trafficking in Women in Central and Eastern Europe. Utrecht: Dutch Foundation against Trafficking in Women (STV).

Public Awareness and Media

Information on public awareness differed from country to country. Some reports provided a lot of information on how the general public perceives the problem of trafficking in children for sexual purposes. Other countries could not provide such information. Everywhere the media is a powerful source of information and plays a very important role in its dissemination. However, information on trafficking is frequently distorted, sensationalised and prejudiced towards victims.

The Albanian report noted that victims of trafficking are frequently subjected to prejudice and humiliating discrimination in the Albanian media. Children who have been trafficked are labelled 'prostitutes', whereas traffickers are called 'protectors', 'tutors', or 'exploiters'. The Albanian researchers point out that to describe a child as a prostitute not only defends the aggressor, but labels the child as a guilty party. Articles in the press even sometimes name the victims, although this is prohibited by law, as well as being unethical. As a result of the press attitude to victims, the public perception of child victims is quite prejudicial.

In Belarus, public opinion tends to blame women victims of trafficking. Human rights are considered the preserve of law-abiding citizens. There is also a culture of justifying sexual violence against women on the basis of 'provocation'. Violence against children, or sexual abuse of children, is not discussed in society, and as a result, child trafficking has not drawn much attention from the mass media. The situation is now changing, thanks to the efforts of NGOs and IGOs.

The Czech researchers echoed the tendency of the media to sensationalise the issue of trafficking. All interviewees in the Czech research confirmed a lack of awareness of trafficking issues in general in Czech society. The line between forced and voluntary prostitution is not clear, and people think of prostituted women and children as 'human waste'.

After the publication of the UNICEF book⁹⁴ in Germany in 2003, the issue of children in prostitution and their German clients became a big media scandal. The EKD – the Protestant Churches in Germany - reacted immediately and decided to set up a German-Czech commission on the problem of sexual abuse of children and women at the German-Czech border. It was felt that the churches must not close their eyes to this problem, but "should have a look at the social, moral, economic and political problems and should clarify and name the options for taking action." The recommendations of such a commission should then be applied to other European border regions.

(Country report Czech Republic)

In Estonia it was noted that there is general disapproval and lack of tolerance towards prostituted and trafficked women. Some experts, mostly representatives of law enforcement agencies, were of the opinion that many women become involved in the sex business voluntarily.

In Romania, the researchers report that people still mainly blame victims for what has happened to them, and this is especially true in respect of the victims of sexual abuse and human trafficking. All victims of trafficking are perceived as prostitutes, and this general attitude makes the reintegration of the victims, and their psychological recovery, more difficult. Sometimes the victims do not want to tell their families what happened to them, because they

⁹⁴ Cathrin Schauer: Kinder auf dem Strich - Bericht von der deutsch-tschechischen Grenze. Hg: UNICEF Deutschland, ECPAT Deutschland, Horlemann-Verlag, Bad Honnef, 2003.

are afraid of rejection. Social workers in Romania who assist the victims of trafficking stated that they even encountered a negative attitude from hospitals and schools towards victims. The Russian research says that publicity on the issue of trafficking is sporadic, sensationalized, and distorted in the media. Stories about young women who left Russia to work abroad and became involved in the sex industry are widespread.

The Russian experts consulted in the course of the research attribute the sensationalizing of sexual matters to sexual repression during the Soviet era, and the commoditization of sex that is a feature of the new liberalization. Experts consulted for the Estonian research also expressed their concern that the media and the advertising industry continuously popularize sexuality as a commodity, thus encouraging tolerance of prostitution. Some felt that such a consumerist attitude makes it difficult to effectively combat trafficking and the prostitution of minors. In the research from Belarus it was noted that generally consumerism is the value promoted by the mass media. The impact of television has been to simplify and glorify sex, leading to a decline in traditional moral values and an idealization of life in western countries. Such a media climate does not develop realistic and positive life goals in children. The Belarusian researchers mention research carried out in the 1990s on cultural values among young people, which showed that young people aspired to be prostitutes or bankers rather than doctors or teachers, indicating a decline in the values attached to the traditional professions.

The Estonian report says that from the middle of the 1990s there has been a widespread debate in Estonian society and the media about the legalisation of prostitution. There are strong arguments being made on both sides of the debate about legalising prostitution or prohibiting the purchase of sexual services. While the attitude towards adults involved in prostitution tends towards the belief that adults should do as they like in the matter of sexuality, children are considered to be in a different category. However, there is a failure to realize that as far as the criminal organization of trafficking is concerned, minors and adults are both victims of the same system. The research suggests that there is a need for more information to be disseminated in Estonia about the physical and psychological effects of sexual exploitation and trafficking, and the meaning of this form of abuse in the context of respect for human rights. The Russian report blames the poor media coverage on the fact that journalists lack information, training, and understanding on social issues. They say that even specialists in the fields of social services, law-enforcement and other disciplines in Russia have very little knowledge about trafficking. The issue of child trafficking is hardly ever discussed in professional forums. The Ukraine research also laments the lack of public or professional information on the issue. The report says that state bodies, including the Ministry of the Interior, do not recognize the large scale nature of the problem, and treat it as occurring only in isolated instances.

The Romanian research is positive about some good responses from the media, and mentions that several awareness raising campaigns were carried out by the national television and other TV stations as well as by the printed press. The problem still is that the majority of the newspapers are looking for sensational news, and present cases of trafficking in human beings from a point of view that does not help the general public to understand the risks and the consequences of the phenomenon. The Romanian respondents agreed that there is a strong need for information campaigns, focused on different target groups, campaigns that will raise awareness on the risks and the consequences of trafficking in human beings. They point out that it is important to relate child trafficking with its consequences (forced prostitution, sexual abuse, physical violence, violations of the right to personal freedom), but also to relate it to the issue which is at the root cause of trafficking, namely migration for work.

Multi Stakeholder Cooperation

The Association of Women Lawyers implements the project entitled Centre for the Prevention of Trafficking in Women (CPTW) in cooperation with La Strada, IOM and Save the Children. This project was launched in February 2001 with funding from the US Embassy, the World Childhood Foundation (Sweden) and the Soros Foundation. Initially, the Centre concentrated on developing a multi-media campaign. In addition, it publishes and distributes a monthly newsletter, a quarterly magazine and brochures. The Centre conducts seminars targeting teenagers and distributes materials for raising awareness in the schools across the country. As a result of the campaign, trafficking is now better understood, at least in the big towns in Moldova and the issue is discussed in the media, although the media coverage was not always appropriate. Children are involved in prevention actions. CPTW has trained more than 100 child volunteers who inform other children about the dangers of trafficking, identify potential victims of trafficking, and report suspected cases to a team of lawyers. CPTW believes that pupils better understand the information when other teenagers explain it to them (using games, brainstorming activities, case studies, group work, etc.). They also organize public debates in their regions to raise awareness.

(Country report Moldova)

The importance and value of all parties working together to combat trafficking was underlined in several country reports; especially important is the cooperation between the state agencies, international organisations and NGOs. States do not always take responsibility for the problem, and most programmes in the different countries are carried out by voluntary organizations. In Russia, for example, there are no official programmes; the government does not consider that trafficking of minors is a problem. In Romania no state level social services for victims of trafficking exist; only NGOs are working with such victims. In Belarus and Moldova the initiative to introduce the issue of trafficking in human beings into the political agenda was the work of non-governmental and international organizations.

Several persons interviewed in Estonia stated that the current interest on the part of the state in combating trafficking is a result of international pressure. Therefore, most actions there are limited to meetings and seminars which have not yet resulted in the implementation of concrete measures. At the same time, international pressure can lead to better action. Estonian experts expect that because of international pressure, cooperation and information sharing between the different parties involved in combating trafficking will develop, and that the number of NGOs involved in prevention work will increase.

A problem for NGOs is the project based nature of the work, and their dependence on funding, which leads to problems with sustainability and continuity in working on the issue. Therefore structured governmental support, currently lacking, is necessary.

A state programme, such as a National Plan of Action (NPA), that sets out the responsibilities and obligations of the different agencies dealing with the trafficking issue was mentioned in several country reports as very important in combating the problem. In all countries, except for Estonia and Russia, such a state level programme exists, often developed in collaboration with NGOs and inter-governmental agencies. These programmes are generally perceived by the persons consulted for the research in a positive light.

Example of collaborative working can be found in Albania, Belarus, Moldova, and Romania where government departments, international agencies and NGOs have common strategies and shared programmes to combat trafficking. From the point of view of child protection and

prevention of child trafficking, inter-ministerial and inter-agency collaboration, and collaboration with NGOs for direct service provision is extremely valuable. A good example of constructive collaboration can be found in Moldova, where a project entitled the Centre for the Prevention of Trafficking in Women was set up between IOM, La Strada, Save the Children and the Association of Women Lawyers. The Centre not only had awareness-raising campaigns, and is providing legal representation to victims, but it is also training personnel from the local public authorities.

Stakeholders with a role to play in combating trafficking

Many parties have a responsibility in combating trafficking in minors. The research reports suggest the following:

International Organizations:

- *Capacity building of local NGOs by offering advice, funds, and lobbying the government to adopt the necessary measures.*
- *IOM, La Strada and Save the Children all play an important role in the region.*

Media:

- *Formation of public attitudes.*
- *Mobilisation of society towards helping victims and towards actions that prevent recruitment and trafficking.*
- *The media also have a preventive role by informing young people about the risks they run.*

Judicial system:

- *Police, prosecutors and the judiciary.*
- *Enforce the legislation, bring the criminals to justice.*
- *Protect minor victims before, during and after the proceedings.*

Customs police:

- *Identifying and recovering trafficked children.*
- *Discourage traffickers by improving the quality of border controls.*

Education system:

- *Schools are important places for raising awareness among children about the risks of trafficking and the consequences.*
- *Information can reduce the risks for some children, and can also promote understanding towards the victims.*
- *Information about trafficking should be part of the curriculum.*
- *Special programmes should target marginalized youth outside of the formal education system.*

Children themselves:

- *Children can be involved in informing other children about the dangers of trafficking.*

NGOs:

- *Prevention, protection and rehabilitation of victims.*
- *Training law enforcement personnel.*
- *Lobbying for the adoption and implementation of the necessary measures to combat trafficking in children.*
- *Information to groups and the general public about trafficking.*

- *Establish and maintain collaborative relationships with international organizations.*

Parents/caregivers:

- *Responsibility for the supervision and care of children so as to prevent them from falling prey to traffickers.*
- *Rehabilitation of victims, their attitude being one of the most important factors in successful reintegration of victims.*

The healthcare system:

- *Free medical services should be available to victims.*

The private sector:

- *The sector should be encouraged to fund actions that will combat trafficking as well as reintegration programmes.*

The social care system:

- *Rehabilitation and reintegration services need to be coordinated at national level.*
- *Assistance to high-risk children should be available at an early stage to prevent trafficking.*

Countries of origin:

- *Prevention programmes against trafficking.*
- *Prevention programmes to address the high levels of poverty in the community.*
- *Information programmes to inform young people about safe migration, the rights of migrants and opportunities for jobs abroad.*
- *Well developed reintegration services to prevent re-trafficking.*
- *Programmes to avoid stigmatisation by society.*
- *Reintegration programmes.*

Churches:

- *Churches are a place where people in difficulty go for help, and they therefore can be an important agency in locating missing victims.*

Western European Updates on Children and Trafficking

In the course of the current project, those countries that had participated in Trafficking I agreed to provide a report detailing events since that report was published at the end of 2001. The updates provide interesting reading in that they all show an increase in awareness on the issue of trafficking in Western Europe, including trafficking in minors, and a movement towards harmonised anti-trafficking legislation. On the negative side, they also all show a continuing absence of data collection, continuing difficulties with age identification, and a lack of social services for the care of trafficked child victims. Details from the updates show the following:

Belgium

Trafficking of human being remains an issue of great importance on the political agenda in Belgium. Both the government and NGOs made great efforts to improve the legislation and the prevention systems, and to provide care, recovery and reintegration for minor victims of trafficking. It is important to recall the structure of the Belgian State and the breakdown of responsibilities between the various levels of authority.

Belgian governmental policy on CSEC, including trafficking of children, is therefore broken down into several parts. On the one hand, the Federal State is responsible for justice and foreign affairs matters. On the other hand, the Communities are responsible for prevention, awareness and aid to victims.

Legislation

The most important progress at federal level was made in the field of legislation by reinforcing the existing laws and regulations.

On 23 March 2000, the Belgian Parliament adopted a new constitutional provision (Article 22 bis) on children's rights in order to guarantee respect for the moral, physical and sexual integrity of children. This provision gives concrete expression to the objective of ensuring the recognition of the child as a subject of rights in the Belgian Constitution.

Belgium also adopted a new law on the protection of minors in the criminal justice system, dated 28 November 2000. This completes the provisions already added to the Belgian Criminal Code in 1995 concerning commercial sexual exploitation. The law reinforces the protection of minors, particularly with regard to trafficking, prostitution and pornography. In line with the implementation of the Trafficking Protocol, the provisions of the law on human trafficking will be modified shortly.

The law of December 1980 on access to the territory, residence, establishment and expulsion of foreigners, makes it an offence to facilitate the entry, residence and, in future, the transit, of a foreigner in Belgium by using fraudulent means, violence, threats or constraints, or to abuse the vulnerability of a foreigner. A new article in the law of November 2000 adds 'minority' to the criteria by which a foreigner could be vulnerable, so that the fact of being a minor is automatically considered a position of vulnerability.

Ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography requires adaptation⁹⁵ of the Belgian law, which currently does not make a sufficient distinction between trafficking and smuggling, and has no special provisions for cases in which the trafficked person is a minor.

Care provisions

Unaccompanied minors are considered an important risk group. On 24 December 2002 a law was passed in the Belgian Parliament which creates a system of guardianship, allowing for the appointment of a guardian to every unaccompanied foreign minor on Belgian territory. Reception centres specialising in the reception of victims of trafficking of human beings already exist for several years in Belgium. Since 2000 three specialised centres for the reception of minor victims of trafficking and unaccompanied minors were opened in both regions of the country. Those centres are financed by the regional governments. The centres offer temporary reception while efforts are made to find a long-term solution for the young people.

The regional governments dedicated more resources to street social work as an important instrument in the detection of and care for young foreign prostitutes. The objective is to take steps so that the victims of prostitution – whose unstructured, underground lifestyle are an obstacle to any initiative – come into contact with social assistance. For example, in Antwerp, the non-profit association, Payoke, provides assistance, among other things, to young people who are involved with prostitution in one way or another (e.g. groups of prostitutes starting up, groups of very young pimps, children of prostitutes, and young street children in red light districts) most of whom are from former Yugoslavia and have no papers. Similar associations exist in the two Communities.

Law Enforcement, coordination and prevention

In implementing the section on trafficking of human beings of the Federal Plan for security and penal policy⁹⁶, a working group was created in September 2000 under the chairmanship of the Criminal Policy Department (Ministry of Justice), in which all sectors participated (justice, internal affairs, judges, police, “*Office des étrangers*” (the Immigration Services), etc.). The sectors comment in this working group on the progress of the internal action plans. Working meetings took place every month for several months and resulted in an inventory or stock-taking on the trafficking of human beings, with a special place for the situation of children. This inventory is revised periodically.

A network of expertise in the field of trafficking of human beings is being put in place by the College of General Prosecutors. Liaison magistrates are appointed for each judicial district and made responsible for the issue of trafficking. A national magistrate in the Public Prosecutors Department has the task of coordinating the work against trafficking at national level. The purpose is to contribute, by means of concrete projects, to the development and implementation of criminal policy in this field. One of the objectives is to optimise the implementation of the Ministerial Directive of 31 May 1999⁹⁷ on the policy for investigation and prosecution of cases involving trafficking of human beings and child pornography, while correcting any loopholes or shortcomings shown up by the evaluation carried out in 2002.

⁹⁵ Approved by the Council of Ministers in a legislative proposal of November 2003.

⁹⁶ In execution of the government agreement called “*La voie vers le 21^e siècle*” (Towards the 21st century), and particularly under point 3 referring to a “secure society”, the Minister of Justice was appointed by the federal government to draft a Federal Plan for security and penal policy. This plan was adopted unanimously by the government on 31 May 2000.

⁹⁷ COL 12/99.

During 2004, the Directive will be modified in line with the Trafficking Protocol. The age of the victims is one of the criteria for priority with regard to investigation and prosecution. The directive recommends not losing sight of the objective, which is to prosecute those who organize trafficking of human beings and child pornography, or who benefit from such crimes. The directive sets out the tasks of liaison magistrates appointed for each judicial district and each prosecution service, in so far as trafficking of human beings is concerned. It provides for the holding of periodical coordination meetings with all the services involved, including those concerned with the sexual exploitation of children for commercial purposes.

During 2003, 18 Federal Prosecutors were appointed to handle, lead and prosecute all sub-local and/or international criminal investigations. Four of these Prosecutors are specialised in human trafficking matters.

A Taskforce on "trafficking of human beings" in which all departments dealing with this problem, as well as the Centre for Equal Opportunities and the Fight against Racism, are involved, was set up in December 2000. The mission of the Taskforce is to design an integrated policy covering administration, social welfare, criminal law, and assistance to victims. In January 2003, the Taskforce prepared a Royal Decree on the functioning and coordination of the struggle against trafficking of human beings.

A concrete plan for organizing the exchange and processing of information in a structured way has been developed. The objective of this human trafficking information and analysis Centre⁹⁸ is to find structured ways to coordinate and integrate information. It is used by police forces, NGOs and the social services in an effort to harmonise their policies. The same Decree that will formally establish this new Centre will also set up a multi-agency co-ordination on human trafficking, which will advise the government on policy in the area.

Various prevention campaigns, awareness actions and distributions of information have been subsidised by the regional governments in both parts of the country. They were carried out by specialised NGOs and child care organisations. Young people can ask questions free of charge and anonymously by means of a telephone line ('kindertelefoons') and Youth Centres are available to them if they want to get more personalised information or assistance. Victims of trafficking make only occasional use of this general service.

After the Second World Congress in Yokohama, the government decided to focus actively on the demand side of the child prostitution and trafficking issue. A prevention project is being developed with ECPAT in Belgium involving different target groups.⁹⁹

Data collection

All the studies done in the last two years on child trafficking involving Belgium (IOM, Save the Children, UNICEF) agreed that no reliable data is available on the number of trafficked children involved in sexual exploitation. In Belgium no distinction is made in the official statistics between adults and minors, although minors are given a special legal status.

The '*Office des étrangers*' (Immigration Services) registers 1,000 UAMs every year. In 2002, 15 new cases of trafficking in minors were started in the courts. In 11 of those cases, trafficking

⁹⁸ IAMM-CIATTEH.

⁹⁹ A national campaign with ECPAT Belgium/Federal police and other partners (National Transport Federation, National Railway, NMBS, Child Focus, Ministry of Foreign Affairs, Army, National Tourism Industry, ...) directed towards lorry drivers, army personnel, embassy personnel, NGO personnel etc. Information leaflets and posters in all train stations and police stations, a code of conduct for Belgians working abroad, training courses for all embassy and army personnel. Renewed efforts towards tour operators and travel agencies. A 6 month campaign directed towards the public in general will be launched in March 2004 (posters in railway stations, police posts, airports and embassies abroad). A national hotline will be created.

for sexual purposes was explicitly mentioned. The centres for the reception of victims of trafficking accounted for more than 45 minor victims of trafficking for sexual purposes in that year.

Finland

The authorities in Finland have not noticed traffic in minors to be a problem, whereas the trafficking of women for sexual purposes to Finland is a reality. An estimated 500 to 1,000 women work in prostitution in the capital, and up to 3,000 are engaged in the trade nationwide. The majority of the women are aged over 18. They are foreign women from Estonia and Russia, but there are also women from Latvia and Lithuania. The Finnish police estimate that 90% of the prostitution market is in the hands of criminal syndicates; gangs from Estonia manage the Helsinki area, and gangs from Russia manage the trade in the rest of the country, and use harsher methods of control of the women. It is thought by the police authorities that the recruitment is done in the women's home country by newspaper advertisement and by word of mouth.

In 2002, 66 convictions were obtained for the crime of procuring. There are no figures on foreign minors in prostitution. According to the police, the pimps are careful to use young people over the age of 18 because of the higher penalties attached to pimping of minors. At the same time, in one raid on a prostitution ring run by Estonians, two minor Estonian girls were discovered. They claimed to be over the age of 18 and were repatriated to Estonia under the Aliens Act.

In other cases the minors involved in prostitution have been Finnish, or immigrants living permanently in Finland, and have been taken into care by the social services.

Legislation

New legislation is under consideration to deal with trafficking; this will mean an updating of the criminal, civil and public order provisions to improve the capacity of the authorities to combat trafficking in human beings and prostitution. Currently the law provides penalties for 'organised prostitution', and under these provisions the authorities can prosecute traffickers. Other provisions include those that prohibit detention and abduction of persons, and the purchase of the sexual services of minors. Under that legislation, there were two convictions in 2002, and one conviction in each of the three previous years.

Since October 2003, new Public Order legislation prohibits the purchase or offer of sexual services in public places, thus clamping down on street prostitution. Proposals for changes to the criminal law would outlaw the purchase of sexual services, thus criminalizing the client. If this legislation goes through, it will make the new Public Order legislation irrelevant. The proposals also suggest increasing the current penalties for the purchase of sex from a minor. Separate proposals to deal with trafficking are under consideration. Human trafficking would be defined as the taking advantage of a person's dependency or defenceless situation, leading a person astray, recruiting, handing over, transporting, receiving or accommodating a person and placing her/him in a situation where that person is sexually abused or used for forced labour, or in any situation that offends human values, or removes organs or tissues for the financial benefit of another.

There are further suggestions to criminalise the marketing or promotion of sexual services. The researcher points out that if these proposals are implemented, Finland will be able to implement the Trafficking Protocol, and will have quite a prohibitionist policy on prostitution. However, witness protection laws would remain inadequate.

Some attention is being devoted to the development of new social measures, but these have not yet been published.

Public awareness

Public awareness has definitely increased in Finland, largely due to the publicity surrounding the new legislative proposals. More information is now available.

The researcher claims that minors are very likely to be found in Finnish massage parlours, but these businesses are not investigated by the police. Massage parlours in Finland are staffed mainly by women from Asia.

Minors arriving unaccompanied in Finland and claiming asylum are mostly from African countries. Trafficking for sexual exploitation is not currently suspected in such cases.

France

The researcher for France estimates that despite a strong commitment shown by the French government to combating the sexual exploitation of minors, the problem is increasing, and there are obstacles to the implementation of protective actions and to cooperation between agencies. The central agency responsible for combating the trafficking of human beings has not identified any criminal network that specialises in trafficking of minors for sexual purposes, and consequently treats this aspect of the problem as marginal, whereas NGOs report alarming information about the sexual exploitation of foreign minors.

A lot of media attention has been paid to the phenomenon of Romanian boys involved in prostitution, because of a crackdown on delinquency among this cultural minority. However, minor boys and girls from other countries of Eastern Europe and from north and western Africa are also involved in prostitution in France. It is estimated that there are up to 600 boys under the age of 14 from North Africa living as unaccompanied minors in Marseille alone, and potentially vulnerable to sexual exploitation.

Evidence of the extent to which foreign children are involved in the sex trade in France is, however, only anecdotal. The lack of hard evidence partly relates to the difficulties of identifying young people involved in prostitution as minors, given the mature physical appearance of many of them, and their high mobility. The juvenile police tend to only follow up those cases in which the minor is obviously very young, so as to avoid wasting time on court cases where the age of the young person will be challenged.

An increase in the number of unaccompanied minors arriving from China has been noted.

The researcher points out that only those minors who arrive at international airports are identified and registered by customs officers, if they are not simply deported as aliens without notification to a magistrate, as required by the procedures. Most arrivals are by other means of entry, where minors evade identification and enter the country clandestinely. The reality is that most minors who seek entry are considered simply as aliens of full age, and are not given the benefit of any child protection measures. While protective measures are available, there is no systematic coordination between services, and children disappear before the legal procedures are completed, or escape from shelters, and become vulnerable to all kinds of exploitation. To try to deal with the problem, a new service for unaccompanied minors has been opened by the Social Services Child Care department, and in the Juvenile Court in Paris.

It would seem that minors who have been trafficked into France are exploited in different ways according to their nationality. While Roma children are used for begging, and Chinese children

are sent to work in factories, many Romanian and Moroccan children fall into prostitution as a survival strategy. Eastern European and African girls are exploited in off-street prostitution by criminal gangs already involved in adult prostitution, and it is extremely difficult to obtain any evidence or information about them.

Legislation

Significant changes have been made to the legislation in France. Child prostitution is now explicitly illegal throughout the jurisdiction of the French Republic, and a new offence that criminalizes the client has been introduced. Soliciting, contracting for, or obtaining sexual acts from a minor is a crime. The new provision fills a previous gap in that children up to the age of 18 are protected, since the age of consent to sexual relations is now totally irrelevant when it is a matter of the commercial sexual exploitation of a minor.

There is also new legislation to combat trafficking in human beings. Trafficking is defined as recruiting, conveying, moving, hosting or receiving a person of any age for the purposes of exploitation. If the victim is a minor, the penalties are a term of imprisonment of up to 10 years plus a fine. The provisions include protection and assistance for trafficked victims.

However, case studies show that the law is not always properly applied, and there is a need for the training and sensitisation of the judiciary towards children. The age identification issue is particularly difficult, and judges tend to see the child victim of trafficking and sexual exploitation as simply an alien breaking the law.

Care provisions

France and Romania signed a bilateral agreement of cooperation in October of 2002 aimed at the protection of children in difficult circumstances. The programme seeks to enhance the protection and reintegration of trafficked children, as well as to work on prevention through the provision of information and networking between organisations in both countries. However, it has been difficult to find out how many children have been repatriated under the programme. In a similar move, the government has set up a joint project with three NGOs to provide assistance to foreign street minors in Paris, with a mobile unit working 24 hours a day, and the provision of two drop-in centres offering training and social services.

The researcher points out that trafficking is not necessarily the operation of a structured criminal network, or imply that the child victims are forced into compliance by criminal gangs. Even the organisations working with foreign children do not always recognise the children as trafficked victims. Moreover, too often the legal system itself only recognises the minor as an illegal immigrant, rather than as a child with rights to be protected. Immigration laws tend to take precedence over child protection measures.

Germany

Data collection

Data collection remains weak and there are no current figures relating to children trafficked into Germany for sexual exploitation. The only statistics available that would cover trafficked children are those relating to kidnapping and abduction of minors.

The Federal State Police (BKA) has published figures about trafficking in women which show some data about children over 14. Figures about victims under the age of 15 are collected under sexual abuse in general and not under these statistics. The BKA figures show that, in 2002, 811

women were recorded as victims of trafficking in human beings. None of these victims was under 15 years of age. Only 38 victims were minors. Among these, there were 4 girls from Russia, 2 from Lithuania, 5 from Bulgaria, 7 from Poland and 4 from Romania.¹⁰⁰

The BKA also published figures about persons suspected of trafficking in general. There were 821 suspects in 289 investigations for 2002 which represents an increase of 7.9 % compared to 2001. German nationals (39.4 %) head the list of suspects (pimps or traffickers but not clients or offenders).¹⁰¹

There are no figures available about the number of German clients who have sexual intercourse with trafficked children from Eastern Europe, in particular from the Czech Republic.

Recently, ECPAT Germany and UNICEF Germany published a report about sexual exploitation in the Czech-German border region. The author of the report described some cases of trafficking in children.¹⁰²

Legislation

Several legislative changes were passed by the German Bundestag at the end of 2003.¹⁰³ These included sentencing guidelines for the more serious cases of child sexual abuse, and increased penalties for all forms of sexual abuse. The law now also prohibits the use of a communications medium to elicit sexual acts from children. The new law includes cases of abuse without bodily contact and penalties for persons who arrange sexual contacts by children. While trafficking in children is still not dealt with specifically in the legislative provisions relating to organised crime, trafficking of women and girls is covered. Protective programmes for trafficked victims therefore cover minor girls, who can now enter the witness protection programmes at any age. The Code of Criminal Procedure allows legal representation for victims to be granted upon request. Further reform of the Code of Criminal Procedure is envisaged to improve the status of child victims within the legal system. However, the situation is still not considered satisfactory in relation to child victims of trafficking. Not all children get legal assistance. The judges and the prosecutors have no specialised training that would equip them to handle sexual abuse cases.¹⁰⁴ It is suggested that children need more protections so that they can give evidence without fear, and should have victim protection during the whole of the criminal process.

The new articles of the Penal Code dealing with child pornography and sexual abuse will facilitate more efficient law enforcement against child prostitution and trafficking in children.

Also it will be an important indication of more effective child protection in Germany.¹⁰⁵

Research is being carried out by the Max Planck Institute on behalf of the German Federal government on the question of the use of entrapment measures to combat child sexual abuse and the use of children for pornography.

Child protection

A new Action Plan was announced by the German Federal Government in January 2003, and includes a number of prevention measures. The Plan includes awareness programmes, increased

¹⁰⁰ Bundeskriminalamt, Trafficking in Human Beings 2002, Wiesbaden 24.7.2003, page 9

¹⁰¹ Bundeskriminalamt, Trafficking in Human Beings 2002, Wiesbaden 24.7.2003, page 12-14

¹⁰² Cathrin Schauer; Kinder auf dem Strich, Bericht von der deutsch-tschechischen Grenze, Hg. ECPAT Deutschland und UNICEF Deutschland, Bad Honnef 2003. See also under the country report for the Czech Republic.

¹⁰³ Gesetz zu Änderung der Vorschriften über die Straftaten gegen die sexuelle Selbstbestimmung und zur Änderung anderer Vorschriften, announced on the 30.12.2003 unter www.bundestag.de; Stand der Gesetzgebung des Bundes 15. Wahlperiode, Berichtsstand 26.1.2004; Bundesministerium der Justiz, Mitteilungen für die Presse Nr. 106 / 03 30.12.2003: Verschärfung des Sexualstrafrecht im Gesetzblatt

¹⁰⁴ Kathleen Schnoor/Prof.Dr.Jorg Michael Fegert: The German National Report on Child Abuse and Adult Justice – National Reports, Hg: Save the Children, Sweden 2002, page 74.

¹⁰⁵ Prof.Dr..Birgit Thoma; Stellungnahme zu den Gesetzänderungen, in ECPAT Rundbrief 2/2003, Freiburg 2003.

training for professionals and child care workers, networking arrangements between the police, the judicial officials and child welfare offices, and sensitisation of the tourist industry towards child protection. A proposal for mandatory reporting of offences against children was rejected in favour of awareness-raising and the encouragement of voluntary reporting. On the other hand, witness protection programmes within the German states have been harmonised since January 2002, although there are no child-specific provisions. There are plans to introduce special refugee provisions for children, but currently the protections for children under the Aliens Act are considered weak.

Cooperation

Germany has ratified the Hague Convention on international adoptions, which came into force in Germany in March 2002. This agreement is expected to strengthen the fight against trafficking through international collaboration.

The German government also participates in the cooperative arrangements in the Baltic Sea region, with support for child protection initiatives and exchange of expertise. Further collaboration with other countries in the region will be achieved through the formation of a German/Czech/Polish Working Group to combat trafficking in women and girls and to protect children from sexual exploitation. The project includes common training for police and border guards. An Evaluation Group to evaluate the National Action Plan, was set up by the Federal Government, and began work in September 2003. The Group includes the state government authorities and NGOs.

Italy

Data collection

Increasing attention is being paid in Italy to the issue of child trafficking for sexual purposes, thanks to the activities of NGOs and to the interest of the media. Research published in 2002 by the Lelio Basso International Foundation and the PARSEC Association (in collaboration with Terre des Hommes and Save the Children, Italy)¹⁰⁶ established that minor girls make up almost 5% of an estimated total of up to 12,700 foreign women involved in prostitution. This would mean that up to 670 foreign girls are prostituted on the streets of Italy. However, in the opinion of many social workers and of the police, today an increasing number of women and children, especially from Eastern European countries, are being exploited in ‘hidden prostitution’ (apartments, night-clubs, etc.), and as a result, combating the phenomenon is becoming even more difficult than it was in the past. The majority of the children come from Romania, with high numbers also from Albania and Moldova.

With regard to organised crime, the research found that Albanian criminal groups had the monopoly on the foreign prostitution rackets involving girls and women from Eastern Europe. Given the risks with the use of underage girls, high mobility and subjugation of the child victims are the strategies used to evade the police authorities. Girls are not kept in one place for more than a couple of weeks, and are then moved on. Selling to, and exchanging the girls with, other criminal groups are other strategies adopted to avoid detection.

Legislation

Many changes in legislation are under consideration in Italy to combat trafficking and prostitution of minors. Law 228/2003 ‘Measures against trafficking in persons’ was approved in

¹⁰⁶ Il traffico di minori: piccolo schiavi senza frontiere. July 2002.

August 2003. This is the first Italian law that specifically penalises the crime of trafficking. It uses the definition of trafficking from the Trafficking Protocol, and provides severe penalties for traffickers (8 to 20 years' imprisonment). These are even higher where minor victims are involved. This law has amended Art.601 of the Criminal Code which penalises trafficking for the purposes of sexual exploitation, begging, and trade in human organs.

Amendments to Law 269/1998 are also under consideration. This is the law that addresses the commercial sexual exploitation of children. The amendments are intended to remedy some weaknesses in the legislation, by increasing the penalties and providing for supervision of offenders after release. Another piece of legislation being discussed in Italy is a proposal to legalise prostitution. The law, which is being hotly debated, would ban soliciting in public places, and provide severe penalties for clients purchasing sex with minors under the age of 18 (the current protection is 16 years of age).

Law Enforcement

Weak law enforcement is considered by the Italian researchers to remain a problem in Italy. There is, in fact, little information available on the extent to which the provisions to combat trafficking are being enforced. A survey of the work of 54% of Italian prosecutors conducted during 2002, revealed that only two cases had been prosecuted under the Trafficking in Minors provisions of Law 269/1998. This could be because of difficulties with proofs, but it could also be that another provision of the Criminal Code was applied in cases of child trafficking, namely Art.600 of the Code relating to Slavery or Conditions Comparable to Slavery.¹⁰⁷

With regard to the protection of victims, Art. 18 of Law 286/98 (the Immigration Consolidation Act) allows for a special stay permit to be granted to foreigners who have suffered abuse or severe exploitation. It allows a victim to remain in Italy and to work, study and have access to social and health benefits, and ultimately to acquire a regular work permit. In return, the victim has to bring charges against the trafficker, or at least to provide information about his/her experience of trafficking.

Art.18 of Law 286/98 has been very effective. In fact, between January 2000 and March 2003, more than 2,000 victims in 154 projects funded under this provision benefited from social assistance and integration programmes. Of these beneficiaries, 4.3% were minors. In the same period, more than 1,000 permits to remain were issued, of which 7% were to minor girls. Art.18 has many positive benefits for children. However, only a small percentage of child victims of trafficking have been rehabilitated under it. Instead, most of them benefited from a stay permit for unaccompanied minors. This kind of stay permit allows the victims to remain in Italy until they are 18, but not to work. In addition, under the new provisions relating to immigration that came into operation in July 2002 (Law 189/02, which updates Law 286/98), unaccompanied minors, including children who have been trafficked, can remain in Italy after attaining the age of 18 only if he/she has been in Italy for at least three years by then, and has been in a reintegration project for at least two years.

According to most social workers, the permit to stay granted under Art.18 is more effective than the stay permit for unaccompanied minors, because it gives the victim the opportunity of a real integration into society through having a job, and protects him/her from being repatriated on reaching the age of majority. For this reason, wider use of the benefits provided by Art.18 is recommended.

¹⁰⁷ This Article has also been amended by the new law 228/2003 'Measures against trafficking in persons'.

Child protection

The funds earmarked under Art.18 have also been used to open new shelters for the child victims of sexual exploitation, and to promote prevention campaigns in the country of origin of victims.

The Italian government has also been involved in promoting a number of measures for the voluntary repatriation of the victims of trafficking, both adults and minors. In 2002 some 80 victims were repatriated, and the same numbers are expected for 2003. Prevention programmes are being undertaken in Albania, Romania, Ukraine and Moldova.

The Netherlands

Awareness about the problem of child trafficking has increased in the Netherlands in the past two years, partly as a result of the Trafficking I project and the attention it received in The Netherlands. The government is still committed to tackling the issue of trafficking and the prostitution of minors. There are plans to create a national police unit with a section dedicated to combating trafficking in human beings. The investigation and prosecution of trafficking offences have improved. Combating trafficking is one of the main focuses of the serious crime division of the Dutch police. A Dutch National Rapporteur on Trafficking in Human Beings has been appointed, and started to work in September 2000 as an independent advisor to the government. So far she has produced two reports (in 2002 and 2003), with a third expected shortly. The reports provide an overview of the situation in The Netherlands in relation to trafficking in human beings, and make recommendations for policy, legislation and law enforcement, prevention and assistance to victims.

Legislation

The ban on the maintenance of brothels was lifted in October 2000 in The Netherlands. Under this new law prostitution of minors has been made explicitly illegal for both exploiters and clients of such minors. Licensing has been introduced in the municipalities, and police checks are made to ensure compliance. The checks operate also as control mechanisms against illegal migration, trafficking and prostitution of minors. Regulation of the sector means that it is not attractive for sex establishments to employ minors or child victims of trafficking and prostitution.

An evaluation of the new legislation was carried out in 2002¹⁰⁸, but it concluded that it was still too early to reach any conclusions on the effectiveness of the legislative changes. The evaluation did, however, conclude that minors in prostitution had become less visible, and that exploitation of minors is now more common in those parts of the prostitution business that have less supervision and are less accessible to police and health controls, such as street and home-based prostitution, escort services, and prostitution that is organised by mobile telephone and over the Internet. ECPAT Netherlands reached the same conclusions in its own survey in 2003. Concerned agencies are recommending that the supervision of legalised prostitution should be left to the municipalities, and that police work should concentrate on the illegal sector and on combating trafficking.

The researchers have noted opposing interests between the immigration authorities, and the agencies responsible for the prosecution of offences of trafficking in human beings. They point

¹⁰⁸ Daalder, A.L. (2002). Het bordeelverbod opgeheven: prostitutie in 2000-2001. Den Haag: WODC

out that when police raided brothels in 2002 and 2003 in Amsterdam and Rotterdam, the women found living illegally in The Netherlands were simply deported by the immigration authorities, without any investigation into the routes and conditions by which they had entered the country.

Data collection

There is still no concrete data available on the numbers of children involved in prostitution in The Netherlands. Research into women involved in prostitution, having been trafficked into the country, has revealed that as many as 20% were trafficked before they were 18 years of age.¹⁰⁹ In one care institution, 28% of the clients disclosed that they had been active in prostitution before the age of 18. Occasional prostitution by young street children seems to be a growing phenomenon, and such children include unaccompanied minors who were denied asylum in The Netherlands and other foreign children.

One estimate puts the number of underage victims of trafficking involved in prostitution as between 600 and 1,150 children (which would represent 40-70% of the total number of underage prostitutes). The National Rapporteur's office found that, in the year 2000, at least 129 underage foreign victims of trafficking were in touch with support organisations. The Rapporteur also reported that an estimated 1% of trafficked victims are male. Other research done in 2001 estimated that at least 1,500 minor boys work in prostitution in The Netherlands, of which between 8 to 12% are Romanians. Other nationalities also feature, including boys from Poland and the Czech Republic. In July 2003 Czech boys were discovered as possible trafficked victims in the south of the country.

According to the Foundation against Trafficking in Women (STV), between 2001 and 2003, 83 minors were registered with the organisation. Most of the women and girls registered with STV will have come into contact with health care workers or have been detained after a police raid, and are therefore not representative of the most hidden groups of girls. Overall, the largest group of clients of STV are women aged between 18 and 24 years of age, but many of these would have been working for some time in prostitution before they registered. Not all cases are registered with STV, and it is suspected that the numbers of minors coming into their system is only the tip of the iceberg. STV has found that trafficked minors may know before they arrive in The Netherlands that they will work in prostitution, but they do not realise the circumstances in which they will work and be controlled. In general it appears that although adult Eastern European women choose to work in prostitution, the minor girls have been lured by the promise of good jobs or the offer to study abroad. Boys seem to work mostly for themselves, and are not dependent on or forced by pimps. However, they can still be vulnerable to sexual exploitation because of the circumstances under which they are living. Sometimes boys are lured with offers of a holiday or a job and then forced into prostitution.¹¹⁰

Many of the young girls involved in prostitution in The Netherlands have been lured into the profession by so-called 'loverboys' who seduce them and then persuade the girls to work for them. Victims include both Dutch girls and girls of other nationalities. It is even suspected that Moroccan girls are seduced in their home countries and brought to The Netherlands on the pretence of 'family reunification', but in reality are pushed into prostitution.

¹⁰⁹ Hopkins, R. & Nijboer, J. (2003). Research based on case studies of victims of trafficking in human beings in 3 EU member States, i.e. Belgium, Italy and The Netherlands: Country report The Netherlands. Amsterdam: De Rode Draad.

¹¹⁰ Horn, J.E. van Bullens, R.A.R., Doreleijers, Th.A.H. & M. Jägers. (2001) Aard en omvang seksueel misbruik en prostitutie minderjarige allochtone jongens – een verkennend onderzoek. In opdracht van het Ministerie van Justitie. Amsterdam: Fora, Vrije Universiteit.

The biggest group of trafficked women in The Netherlands are from the countries of Central and Eastern Europe. There are also many women of African origin. Minors who are trafficked victims are mostly between the ages of 14 and 17. Police and social workers can have difficulty with age identification especially for African girls.

While The Netherlands has a law criminalizing trafficking in human beings, the government will not be in a position to ratify the Trafficking Protocol until it extends the remit of its legislation to other forms of trafficking. Such legislation is currently under consideration. One major gap identified by the ECPAT-NL/DCI-NL researchers for this study is the lack of a unified system of registration between the social services and the police for foreign minors who come into the Dutch child care system.

It has been noticed in The Netherlands that the numbers of minors seeking asylum fell dramatically after a new policy on asylum came into force in May 2001. While in 2000 there were 6,705 unaccompanied minors seeking asylum, the number had fallen to 3,232 in 2002. Traffickers seem not to use the asylum procedures anymore, but instead use other methods and different routes to bring minors into the country. However, due to the circumstances in which they are cared for, unaccompanied minors are still a group vulnerable to sexual exploitation.

Child protection

The number of local and regional initiatives to prevent minors from getting into prostitution is slowly increasing. However, the projects mostly focus on the Dutch victims of so-called 'loverboys' and victims who are unaccompanied minors. There is hardly any attention paid to the victims of cross-border trafficking. There is still a lack of reception centres for such victims. The Netherlands only has one centre specifically for trafficked and sexually exploited minors, with around ten places. As far as the Dutch police are concerned, minors in prostitution is a priority issue, whether they are Dutch nationals or foreign victims of cross-border trafficking. However, recognition of the young people as victims is still a problem.

Aliens who are the victims of trafficking, or witnesses of a trafficking operation, and report the crime, are offered a temporary legal stay in The Netherlands under a special procedure (B-9), with a reflection period of 3 months for victims only.¹¹¹ A residence permit will be granted for the duration of the investigation and expires when the case is completed. Victims and witnesses are also offered shelter, medical assistance, legal assistance and financial support, but they are not allowed to work. 10% of the requests under the B-9 procedures granted between 1996 and 2002 concerned minors. However, most trafficking victims do not use this procedure, being unwilling to report the crime for fear of reprisals, and because they will be sent home anyway once the case has finished. There is very little risk of traffickers being prosecuted and convicted, and even if they are, the penalties are usually low. The researchers suggest that better witness protection programmes would help to change this attitude.

The Dutch National Plan against the Sexual Abuse of Children ended in 2002, and no further activities have been identified, nor has an evaluation of the Plan taken place. The issue has been moved to the agencies with responsibility for the National Action Plan against Domestic Violence.

Traffickers

Traffickers tend to be small groups of young people operating from the Balkans and Central and Eastern Europe as well as Turkey. They have a loose network in which they operate, and are involved in other forms of criminality as well. Larger groups, involving older people, operate in

¹¹¹ B-9 regulation, Section B-9 of Immigration Law Circular 2001.

more stable and hierarchical organisational structures from countries of Central and Eastern Europe and from Africa. Between 1997 and 2001 Dutch police prosecuted 445 traffickers; 26% of them were women. Most traffickers were Dutch nationals, but some were born outside of The Netherlands, and others were from former Yugoslavia, Nigeria, Turkey, Albania and Bulgaria. Between 1995 and 2001, 18% of the cases registered with the public prosecution service on suspicion of trafficking concerned minor victims.

Norway

Data collection

There are no accurate figures on the extent of trafficking of children to Norway. However, the Prostitution Centre in Oslo has noticed that there has been a dramatic increase in the trafficking of women to Norway and prostitution by women of foreign origin. In 2002/3 the Centre estimated that more than 1,250 foreign women, including some men, from 48 different countries, were involved in prostitution in Norway. It is difficult to estimate how many of these might be minors, because many will use false documentation. But many from Eastern European countries are just over the age of 18 and in their early twenties. The Oslo police report that they come across a couple of cases of trafficking of children each year, and that these mostly originate in the Baltic States and South East Europe.

Norwegian men travel across the border to Murmansk to buy sex from Russian women and children, and there are rumours of children being trafficked from Murmansk to Norway, but there is no hard evidence. Children are invited to Norway for holidays and sports events, and these have been known as methods to gain access to children for exploitation. Adoption, and access through adult foreign partners, have also been identified as ways in which foreign children can be abused sexually.

The reception centres for refugees are known to be places where men and women are recruited into prostitution. Quite a few children have disappeared without trace each year from these reception centres. In December 2003, 71 children disappeared. It is assumed that some of these minors were trafficked for sexual purposes.

Children are seldom exploited on the streets, but in secret locations, and this makes it difficult to estimate the numbers that may have been trafficked. If the police do find children, they deport them as illegal migrants. However, there has been no follow-up service to ensure the child's safety once he/she has been repatriated, and no coordination among the existing services in Norway in relation to these children.

An emergency plan will hopefully be in place by spring 2004 to assist victims of trafficking. Extraterritorial laws are rarely applied to prosecute Norwegians who travel abroad to exploit children. There appears to be only a small risk of such offenders being detected.

Child protection

Efforts are being made by ECPAT Norway/Save the Children Norway to get the child protection services to take responsibility for trafficked children, so that there are support systems that will come into operation when a trafficked child is identified as such. The issue of trafficking has had a high profile in the press in recent years, and the Ministry of Justice, who heads an inter-Ministerial task group, has taken a strong position on combating organised crime. ECPAT Norway has been advocating that any action towards trafficking of children must be based on an understanding of children's rights. Children have different development needs and requirements from adults, and these are recognized as human rights under the CRC.

Legislation

Legislation has been passed to strengthen the protections for victims of sexual crimes. Advertising for sexual services in the press is now forbidden. The law against child pornography has also been strengthened: it is now a crime to purchase child pornography on the Internet, and mere possession of such material is enough to commit the crime. It is also a crime to mislead a person under the age of 18 for the purpose of taking pornographic pictures for commercial use, or to produce such material using a minor.

In Norway, the purchase of sex from a minor is a crime. It is also a crime to organise prostitution, or to rent out property or accommodation that is used for prostitution. With the ratification of the Trafficking Protocol, new legislation against trafficking in persons was prepared by the Ministry of Justice. A new article of the Criminal Code prohibiting trafficking, and providing for the prosecution of persons involved in such crimes, was adopted in July 2003.

In February 2003, the Norwegian government published a three year action plan to prevent trafficking in women and children. As part of this plan, the government is launching a series of measures to protect and assist victims, as well as to prevent trafficking and prosecute offenders. The government is making efforts to launch an emergency plan by spring 2004 to give victims of trafficking immediate assistance.

United Kingdom

Awareness of the phenomenon of trafficking in human beings has also increased in the United Kingdom, and more attention is being paid to it by the government. Media interest focused on the circumstances surrounding the discovery of a child's torso in the River Thames, and the film about child trafficking, 'Lilya 4-Ever'. UNICEF UK launched a 'Stop the Traffic!' report which also attracted attention.

The countries of origin are mostly African, but court cases involving victims from Romania and Thailand were tried during 2002 and 2003.

Legislation

In 2002 new legislation was introduced. The Nationality, Immigration and Asylum Act of 2002 includes under Section 145 the offence of 'Traffic in prostitution'. The offence criminalises the arrangement or facilitation of the arrival in the U.K. of a person who will be controlled in prostitution. The maximum sentence is 14 years imprisonment, but the law does not distinguish between adults or minors.

The 2002 law was envisaged as a temporary measure until more substantial legislation was passed. The substantial measures are contained in the Sexual Offences Act 2003, passed in November 2003, which will become operational in early 2004. The Act provides that a person who intentionally arranges or facilitates the arrival in the U.K. of another person with the intention of doing or facilitating anything that would constitute an offence will commit an offence of trafficking. The Act also outlaws the purchase of the sexual services of a child, causing or inciting child prostitution or pornography, controlling a child prostitute or a child involved in pornography, or arranging or facilitating child prostitution or pornography. The Act also recognises the age of protection for children as 18 years of age.

The researchers point to three cases of law enforcement prior to any anti-trafficking legislative measures being in place. These include a case against an Albanian male, who was sentenced to

ten years for rape, sexual assault and living off the immoral earnings of a Romanian 15 year old girl. The defendant had bought the girl in Italy after she had been trafficked there through several countries, and brought her to London. In the second case, Thai nationals were prosecuted for controlling prostitution, and one of the victims was a 17 year old girl.

Child protection

Care provisions for trafficked victims in the U.K. are not considered adequate. There are no prevention or rehabilitation programmes and the only safe house for trafficked girls has closed. A child protection police officer is now based at Heathrow Airport. His role includes monitoring any concerns regarding children travelling, and following up cases where child trafficking is suspected.

The U.K. Home Office has designed a web-based toolkit on trafficking which can be used by various authorities, such as Immigration, Police and the Social Services, to learn about trafficking and their roles and responsibilities.

A Counter Trafficking Steering Group has been formed and is chaired by a senior police officer. Within the Steering Group immigration police, the government, and the voluntary sector are represented. Under the Steering Group there are three sub-groups: one for the police, one for the Home Office, and the remaining group is for voluntary organisations and the Social Services. This latter group is called The Counter Trafficking Victim Support Group, and consists of about 60 groups throughout the U.K. Both levels of the Steering Group meet regularly and much progress has been achieved through this joint working strategy.

The asylum process in the U.K. has been tightened, which has caused concern to child-care groups. If an application for asylum is not made immediately on entry to the country, the applicant may be refused benefits and accommodation. Some children have had their age disputed by officials and, being treated as adults, were left destitute and vulnerable to exploitation.

Data collection

The number of children going missing from the care of the one social service area known to have had multiple trafficked children has dropped dramatically. Whereas in 1999 and 2000, West Sussex social services 'lost' over 20 children each year, none went missing in 2003 that had been identified as at risk of trafficking. The numbers of children placed in the care of the West Sussex services has also declined, mainly because flights from Nigeria now arrive in Heathrow instead of Gatwick. It is suspected that traffickers instead use false documentation to identify the passenger as over the age of 18, and avoid the child being taken into care.

Cases of child trafficking have started to appear in areas in the north of England, creating concerns that new areas may be targeted for child prostitution.

There are concerns among some Social Service departments that adult asylum seekers are using unaccompanied minors to claim increased benefits for themselves. Although this may not be part of a trafficking operation, there is suspicion that the situation has been 'pre-arranged'.

In 2002, 30 cases of minors who had been trafficked were reported to ECPAT UK, but they were mostly from African countries, with the remaining cases being Eastern European.

However, the level of information on Eastern European girls is still low, and this may be because of the high level of 'girlfriend/boyfriend' relationships in regard to girls from Eastern European countries who enter the sex trade in the U.K. Such girls are kept close to their traffickers and rarely come to the attention of the authorities. Also, the girls tend to be over the age of 15, and pass themselves off easily as over 18. In one case, a 16 year old Albanian girl was deported from the U.K. because the authorities believed her documented age of 18 years.

There is little evidence of male children being trafficked, but occasional cases of African boys turn up.

UNICEF U.K. has estimated that a total of at least 250 children have been trafficked into the U.K. in the past 5 years, but this figure is really the minimum possible, given that it is based on reported cases only.

The researchers suggest that more work still needs to be done in relation to awareness-raising and training. There are great concerns that immigration officials are not adequately aware, and are therefore not identifying potentially trafficked victims. Even within the police and social services, the only officials that are aware of the trafficking phenomenon are those that have already encountered it.

Support services are only available to adult female victims of sex trafficking. There are supports in the social services for children, but these are not geared to the care of children who may be fleeing their abusers. Different standards of care apply throughout the country, and some of it is considered inadequate by the researchers.

Conclusions

Concluding observations

The research results show that there are many similarities between the Eastern European project countries in terms of their political, social and economic situations, all of which affect the issue of trafficking in minors for sexual purposes.

The main risk group is teenagers, from 13 to 18, the majority of those trafficked being in the age group of 15 to 17 years. The reports mention alcoholism, single-parent families, drug abuse, sexual abuse and domestic violence as alienating factors. Children born into or living in situations of social and economic poverty tend to drop-out of school, to leave home and live on the streets, to migrate from rural areas to towns and cities. The reports note the risks to children who may have migrated normally with their families or voluntarily on their own, but who end up in foreign countries without any protections, and become extremely vulnerable to exploitation.

No country could provide reliable statistics on the number of children trafficked into, within, or out from their country, which is inherent in the secret and criminal nature of the problem.

Numbers mentioned in the different country reports vary from a few to several hundreds. It is clear, however, that the young people who do fall victim to traffickers and exploiters are very harshly treated, and that the traffic of young people needs to be addressed separately within the overall problem of trafficking in human beings. There are no figures available for minors who leave their countries unaccompanied, but there is information that large numbers of unaccompanied minors fall prey to sexual exploitation in destination countries.

On the whole, the demand for minors as sexual partners appears to reflect opportunism on the part of clients and traffickers to a large supply of vulnerable young people, rather than a demand for underage sex. For a trafficker young people are more easily influenced and controlled (by violence or other means).

All Eastern European countries of the project appear to be receiving, transit or destination countries for trafficked minors, the extent of the problem being directly related to the economic situation in the country. Traditional migration routes, and traditional forms of transport, are used, including cars, trains, and buses. The travel will be made to look as normal and 'legal' as possible, using stolen, altered or forged documents. Traffickers usually take the easiest routes, through regular border crossings, but also 'green routes' through forests and areas not patrolled by border guards. Minors are not only trafficked to Western Europe but also to Central and Southern Europe, including Turkey. Even Asia and the Middle East were mentioned by several countries as destination countries. Because of the easy visa regime between the CIS countries, a lot of child trafficking takes place within those countries. In-country trafficking is common from rural areas with high unemployment to towns and cities.

Recruitment of young people happens on the streets, and also via the Internet and sometimes advertisements in magazines and newspapers, with offers of highly-paid work and easy money in another country. Girls who have been trafficked mostly end up in prostitution. But children are not only trafficked for sexual purposes. The younger ones especially seem to be used for begging and manual labour, such as agricultural work. Minors are often lured into a trafficking operation with their apparent consent, but they will have been misled about the job they will do, and their working conditions. Children are also misled with offers to study abroad or to marry a foreigner. Children's homes can be fertile recruiting grounds for traffickers. The 'loverboy'

syndrome is another ruse whereby girls are seduced first and then sexually exploited and coerced into prostitution. Even the sale of children, by parents or relatives, is common. Simple abduction of a minor rarely happens.

Frequently the recruiters are previous victims who are either sent back to their country as recruiters, or set up in business for themselves. Violence is rarely used until the young person is completely under the control of the trafficker, and his/her documentation has been confiscated, but violence is then usual as a means of intimidation. Drug and alcohol addiction are commonly used to ensure compliant behaviour. Children work under harsh circumstances, servicing many clients, and living in difficult conditions. Victims first have to pay back the travel and other expenses to the traffickers. After the debt is repaid, victims can be re-sold, and the same cycle starts all over.

Most countries have adopted legislative changes in recent years incorporating anti-trafficking provisions. Despite a dedication in the countries of Eastern Europe to combat trafficking in human beings, the legislative environment to protect children from trafficking remains weak in all of the Eastern European countries studied, with the exception of Romania. In some countries the current legislation should be adequate to prosecute traffickers, but others say that their legislation is inoperable or comment on the failure of the governments to even recognize that there is a problem of trafficking in children, so there is no urgency for legislative reform. On the other hand, considerable progress has been made since the Trafficking I project in the ratification by states of the relevant international instruments (the Trafficking Protocol and the OP to the CRC), which together with the EU Council Framework Decision, are leading steadily towards harmonised legislation including a common definition of trafficking and equivalent penalties. Law enforcement is a problem everywhere, and there are hardly any successful prosecutions detailed.

Prevention projects are described in the reports. Most of these projects deal with public awareness campaigns directed towards the general public, government officials and professionals, as well as specific risk groups. Some schools include information in the teaching curriculum, or train young people as peer communicators. Telephone hotlines are another way in which people can get information on the risks of trafficking, and about the help that is available to victims.

There is a serious lack of rehabilitation programmes and shelters offering psychological, social, medical and legal assistance. Most programmes are not specific to children, and not even specific to victims trafficked for sexual purposes. There were complaints in several of the research reports that even if the resources were there to provide services to returned trafficked minors, there are no trained personnel to do the work.

The updates of the Western European countries all show an increase in awareness on the issue of trafficking, including trafficking in minors, in Western European countries, and a movement towards harmonised anti-trafficking legislation. Several countries noticed that there is now less use of asylum procedures to gain entry of young people into western European countries. On the negative side, the reports also all show a continuing absence of data collection, continuing difficulties with age identification, and a lack of social services for the care of trafficked child victims.

The most important conclusions

1. The traffic of minors for sexual exploitation concerns mostly older teenagers.

The age profile that emerges from the research reports of those minors who fall victim to sexual exploitation through trafficking is the age category of 15 to 18 years. This finding confirms the conclusions of the Trafficking I project.

The trafficking of younger children features in the reports, but mostly not as victims of sexual exploitation; they are mainly trafficked for use in begging and for labour exploitation. Of course, once trafficked, these younger children are highly vulnerable, and run serious risk of sexual exploitation in the countries of destination, even if that was not the primary purpose of their removal.

In some countries (Norway, Romania, Russia, Ukraine) concern was expressed that the adoption procedures were used to traffic children for sexual exploitation. However, in Estonia, no abuse of adoption procedures had been noticed.

In Romania, foreign adoptions had been suspended pending the introduction of new procedures, and in Ukraine the adoption procedures had been tightened up. The Russian report expressed concern that the procedures were easily flouted through corruption.

2. There is a failure on the part of the state authorities and civil society to realize that minor victims are entitled to special protection provisions.

The Trafficking I report had pointed out that children who have been trafficked need to be seen as victims first. This is in fact the legal duty of states under the provisions of the CRC, which identifies children as persons under the age of 18. But this Trafficking II report shows that, when faced with a minor who is being sexually exploited, the police and the public tend to see only a prostituted person, and not a child. There is a general perception, clearly emerging from the Eastern European reports, that young boys and girls who are prostituted are engaging in anti-social behaviour; the young people are not seen as victims of exploitation in need of protection. In several reports it is said that the reaction to such children is to treat them in the same way as adult prostitutes, and to simply arrest and deport them. Importantly, even where there is the opportunity for police to obtain valuable information about trafficking, they do not pursue it, as was demonstrated in cases mentioned in the update from The Netherlands and in the Moldova country report, but rather treat the potential victims only as illegal migrants. This is a short-sighted response to the trafficking problem, because much can be learnt from the debriefing of possible victims, although of course it can still be very difficult to get useable information from persons who are in situations of risk.

The pressure is on the police to combat illegal migration, and they end up treating all women without legal documents as illegal migrants. Both women and children are treated as criminals, either as illegal migrants or as prostitutes.

3. There is a failure on the part of the Eastern European states to effectively apply their child protection systems to protect young people from sexual exploitation and many children therefore become vulnerable to trafficking and unsafe migration.

It is very clear from the reports that the minors who are vulnerable to sexual exploitation are generally those who have been deprived of proper care in childhood.

All the Eastern European states do have child protection systems, but they are not adequate to address the problems for children that result from poverty and deprivation, and are not responsive to the developmental needs of children. Even the state institutions for children are

frequently reported as abusive environments, and that children are at risk while in them, and after leaving them.

The legal and social systems within states need to really empower child protection mechanisms. To properly fulfil their obligations under the CRC, states need to have in place child protection systems capable of legal enforcement at national level, including by the provision of an independent office of Children's Ombudsman.

The inadequacies of the current systems result in large numbers of young people getting involved in prostitution locally, migrating (or being trafficked) to cities and large towns in their own countries and being exploited in prostitution and pornography, becoming street children and exposed to all kinds of violence and exploitation, and generally being in situations of high vulnerability. Boys are especially mentioned in the reports from the Czech Republic, Estonia and Russia as being in this high-risk category. The children's vulnerability is not even identified by the law-enforcement authorities as a matter of concern, so young people end up subjected to violence and exploitation even by the very officials who should be concerned with their protection. Many of them later voluntarily leave, or are trafficked out of, their countries.

4. Children who are not under the control of traffickers, but end up in destination countries through voluntary migration or asylum-seeking, are highly vulnerable to sexual exploitation.

The updates from the Western European countries demonstrate (as their reports did in the Trafficking I report) that special attention needs to be directed towards UAMs, who are extremely vulnerable to sexual exploitation, not only during their travel, but particularly when they end up as illegal immigrants in the destination country.

Most young people who leave their countries are migrating voluntarily, although in ignorance as to the consequences. Minor children who are without family care and protection, are highly vulnerable to sexual exploitation in the 'destination' countries, whether they were originally trafficked for sexual exploitation, or not. The reports from the countries of Western Europe had expressed concern for unaccompanied minors who become victims of sexual exploitation, even when in the care of the social services. The use of asylum procedures has lately decreased in Western European countries, probably because of the more stringent asylum procedures and of the increased protections, (the Czech Republic continues to have large numbers of minor asylum seekers), but there are still reports of disappearances from care centres in the reports from France, The Netherlands, Norway and the Czech Republic.

A highly dangerous phenomenon, noted in the report from The Netherlands and even in the reports from Albania and Belarus, is the strategy used by 'loverboys' in the context of both their own nationals and foreign minors. The girl is seduced by a young man, and then forced into prostitution on his behalf.

5. Tackling the problem of trafficking of children should not be impossible.

Numbers of children trafficked for sexual exploitation reflected in the reports for this project range from hardly any to several hundreds per year. Reliable statistics, however, are not available, except for the numbers that are based on victims who have returned voluntarily, or on reports to police and/or care organisations.

IOM estimates on the percentage of child victims among the victim population differ widely and range from 6-7% for Belarus to 30% for Moldova. Some countries do have serious cause for concern, however, and others can see the problem increasing (Belarus, Estonia). The Netherlands and Albanian reports have evidence that many trafficked adults were trafficked when they were underage.

But there does not seem to be a high level of specific demand for underage young people. The exploitation of minors appears to have more to do with the ease with which they can be controlled, rather than with market demand. It should therefore be possible to put in place adequate protections to prevent trafficking of children. Certainly, the cases described in the reports are so exploitative and violent that the issue definitely has to be tackled not only in terms of prevention but also through law enforcement and care provisions. Most importantly, the issue of internal trafficking of young people and the high vulnerability of children to sexual exploitation within their own frontiers has to be addressed. It is significant that no numbers are available for minors who are in prostitution within their own countries.

6. Anti-trafficking legislation inadequate.

Despite a dedication in the countries of Eastern Europe to combat trafficking in human beings, the legislative environment to protect children from trafficking remains weak in all of the Eastern European countries studied, with the exception of Romania. Some countries (Czech Republic, Ukraine) report that the current legislation should be adequate to prosecute traffickers, but others say that their legislation is inoperable (Estonia, Russia, Moldova). The Albanian report comments that even recent legislative changes have not answered a fundamental issue, namely the sale of children. The reports from Belarus, the Czech Republic, Moldova, and Ukraine all comment on the failure of the governments to even recognize that there is a problem of trafficking in children, so there is no urgency for legislative reform.

On the other hand, considerable progress has been made since the Trafficking I project in the ratification by states of the relevant international instruments (the Trafficking Protocol and the OP to the CRC), which together with the EU Council Framework Decision, are leading steadily towards harmonised legislation including a common definition of trafficking and equivalent penalties.

7. Lack of Special Protections for Children as Victims and Witnesses.

There is a failure to recognise the special place of children as victims of trafficking, which is reflected in the lack of witness protection systems for them. The psychological and physical situation of child victims makes it even more difficult for them to access support than adult victims.

In Germany, a trafficked victim can be given legal representation on request in legal proceedings against a trafficker, but there are no special provisions for children. The Netherlands reported very little use by child victims of a special regulation (B-9) which allows victims to claim protection and support during court cases. The report stated that this is because the witness protection systems for court hearings are inadequate.

But there is at least in Western European countries a tradition of giving children certain procedural protections during court hearings, such as hearing evidence by video-link. In the countries of Eastern Europe, witness protection for child victims simply does not feature. Even if there are legal provisions for the protection of witnesses, as in the case of Moldova and Romania, no responsibility is in fact taken for their security. As a result, child victims of trafficking tend not to seek help and not to report to the police. Even in the 'destination' countries of Western Europe, child victims do not report to the local police, which may be partly due to their lack of trust in the police forces of their own countries.

8. Law Enforcement remains a problem.

All the countries of Eastern Europe involved in the research reported problems with the enforcement of their laws. In-country trafficking does not appear to be pursued by the law-enforcement authorities, which was highlighted in the report from the Czech Republic. Even the

Western European updates do not demonstrate any noticeable improvement in the prosecution and conviction rate for traffickers, which indicates that despite the legislative changes, enforcement remains a problem. At the same time, all reports demonstrate efforts to counter the trafficking of human beings through detection and police work. Respondents contacted for the Belarus report say that illegal removal of minors has practically stopped since new measures were introduced. The Romanian research indicated that improvement in law enforcement is expected after new powers were given to the national and border police forces. The Moldova report mentioned that the Minister for Home Affairs had considerable success in bringing cases to prosecution in 2003, and attributed the success to changes in the Code of Criminal Procedure. For the most part, however, it was felt that the evidentiary requirements in legislation, and fear on the part of victims and witnesses, operated against successful prosecutions.

9. Collaboration is effective prevention.

It is long acknowledged that cooperation at international, regional and national level between all responsible parties (government departments, police, the general public, law-enforcement bodies, NGOs, the private sector, etc.) is needed in order to prevent and combat trafficking. The information in the country reports indicates that the work of NGOs in providing services to child victims of trafficking and sexual exploitation is closely linked to the work of those NGOs who work on combating violence against women and trafficking of women. Also, collaboration between police agencies in the targeting of traffickers, nationally and internationally, is a clear feature of national efforts in most of the project countries. The UK Counter Trafficking Steering Group, with its specialised sub-groups, the Belgian Task Force on Trafficking in Human Beings, and the German/Czech/Polish cross-border working group to combat trafficking, are all examples of collaborative actions that are functioning well. In Albania, collaboration between Albanian and Italian police forces has reduced the level of migrations from Albania. The Romanian research reported on activities by government ministries coordinated under the South Eastern European Cooperative Initiative (SECI) which successfully target trafficking networks. In Ukraine, a Task Force to combat trafficking was set up in 2001 with the help of IOM and the European Commission.

10. Greater awareness needed.

The research points out the need to promote a culture of awareness around migration, so that young people can learn how to verify information related to job offers abroad. Many young people are motivated not just by the difficult circumstances in their home countries but also by a sense of adventure. They need to know what they are facing so that informed decisions can be made. It was clear in the reports that some young people would never have undertaken to leave and go to another country if they had realised the dangers they would encounter on reaching their destination. But public discussion about trafficking and prostitution remains a taboo in Eastern Europe where the issue is quite new. It is felt important to develop campaigns that will sensitize public opinion to what it means to have experienced trafficking as a victim. Many victims are reluctant to seek help or to report the crime because of fear of the reaction from the families and communities.

Some of the awareness-raising programmes in Eastern European countries are peer education schemes, as for example in Albania, Moldova and Romania, and these can be doubly effective as prevention and awareness-raising strategies. The reports show there has been considerable movement since the Trafficking I report noted the need for awareness and prevention campaigns, with every country report citing national anti-trafficking campaigns. However, The Netherlands and Belgium still remain the only countries with National Rapporteurs on human

trafficking, despite the recommendation in the Trafficking I report that all states should have such a focal point.

11. Better prevention, but lack of rehabilitation, reintegration and repatriation programmes.

There are several prevention programmes in the Eastern European countries, and they are frequently collaborative efforts between governments, intergovernmental organisations and NGOs. Except for Russia, where activities are very limited, every country in the project has operated programmes to educate young people and help to prevent them falling prey to traffickers. There is general recognition of the usefulness of such programmes and the need for them to increase and continue. Unfortunately, however, prevention programmes are frequently project based, and therefore not long-term.

There is a serious lack of care facilities for those who do become victims of trafficking, very noticeably in the countries of origin to which victims return after a trafficking incident. Apart from Albania and Romania, there are almost no rehabilitation and reintegration programmes specifically directed to child victims of trafficking. Most shelters to which young people have access, if they exist at all, are designed for the victims of domestic violence and other trauma. In general it is NGOs that are providing care for returned children, often in collaboration with IOM, which is a very important agency in the management of safe repatriation. There is a general recognition that repatriation programmes need to be carried out in collaboration with child care NGOs in the home country, since not all victims are able to return directly to their families.

The Trafficking I report had noted that where specialist care facilities are set up (in Western European countries), they can be very successful. Western European countries are now moving towards the provision of street social workers (on the street and in care centres) who have cultural identity with foreign minors they find involved in sexual exploitation.

12. Data collection systems inadequate.

In no country of the research project was there an adequate system of data collection on minors who came as foreigners into a country, transited through a country, or who left their own country. There is quite a lot of effort in the countries of Eastern Europe to control foreign adoptions, which is a good sign. There is also more attention to registration of victims who come to the notice of the authorities in the countries of Western Europe. But the problem presented by lack of information in relation to the movement of children and young people across borders remains very large. Even where data is collected, there is a lack of transfer of information and collaboration among the authorities to make it useful. Data is also lacking on the commercial sexual exploitation of children in prostitution and for the making of pornography. In several countries both phenomena are regarded as anti-social behaviour, and in any case, no distinction is made between minors and adults involved in such activity. The Trafficking I report had already drawn attention to the lack of adequate data collection, and of the need for a child-focus in such collection; attention to this issue continues to be needed. Again, the appointment of a National Rapporteur has been shown in Belgium and The Netherlands to be a significant institution for gathering and distributing information.

13. Relevance of organised crime.

While the Estonian research did not uncover much information on trafficking networks, informants in countries such as Albania, Moldova, Romania, Russia and the Ukraine certainly accepted that organized criminal groups were involved in trafficking children, and that these groups were extremely dangerous, both for the victims and for the investigating police.

However, some reports concluded that it would be a mistake to exaggerate the importance of organized crime in relation to the crime of child trafficking. It appears that in many cases, the traffickers are the families themselves, or are small-time criminals. This information confirms the conclusions contained in the Trafficking I report.

While it is therefore important not to assume that trafficking is always the work of organized criminal gangs, it should be recalled that many children do fall into the hands of such gangs, and suffer terrible consequences. Neither should we ignore the fact that even families of victims can qualify as an 'organised criminal group' within the meaning of the Trafficking Protocol, and that the organisation of prostitution itself involving minors can qualify as a 'serious crime' so as to come within the meaning of the Protocol.

14. Legalisation of prostitution as a means to reduce the exploitation of children.

In some countries (Czech Republic, Italy, The Netherlands) the legalisation of prostitution is seen as a possible way in which to prevent sexual exploitation of children by regularizing the sex market. The legalization question is also being discussed in Estonia. Experiences in The Netherlands suggest that legalisation of prostitution only works when there is sufficient police capacity to go after the illegal forms of prostitution such as the prostitution of minors.

15. Lack of specialist personnel.

Most countries of Eastern Europe complained that even if the resources were there to provide services to returned trafficked minors, there are no trained personnel to do the work. This does not mean that there are not care professionals in those countries, but that the particularities of caring for young people who have been sexually exploited in a commercial sense require additional specialisations and experience.

16. Need for media sensitivity to the issue of child trafficking.

In general the media do not report objectively on the issue of trafficking in minors. The research reports show that instead of explaining the risks and consequences of illegal migration, consumerism and the idealisation of life in the West are promoted in the media. Sensational stories and negative attitudes from the press enhance the prejudice of the general public against children who fall victim to sexual exploitation.

Recommendations

We refer to the Trafficking I Report and to the Recommendations contained in it, all of which remain valid today, even though many advances have been made. We also refer to the OSCE Action Plan to Combat Trafficking in Human Beings, and to the Brussels Declaration on Preventing and Combating Trafficking in Human Beings which in their recommendations reflect the recommendations of this Report below.

The recommendations are categorised in groups according to the stakeholders to which they are addressed:

- Governments
- National social and educational services
- NGOs
- Governments, NGOs and IGOs
- Governments, Funding Agencies and the Private Sector

I. Recommendations to Governments:

1. Establish effective Child Protection mechanisms at national level.

Children need to be protected first in their country of origin. The existing state institutions in the project countries need to be empowered so that they can really tackle the situation of vulnerable children. These institutions are the national commissions for children's rights, the national offices of ombudsman for children (where they exist), the ministries for social welfare, families, justice, and education. Their powers should be established by law, and the exercise of their powers should be monitored and evaluated on a regular basis. The focus of such powers is the CRC, which is ratified by all the project countries, but not adequately implemented yet. Under the Convention, the principle of non-discrimination applies to all children, so children who reach destination countries are equally entitled to its protections as nationals.

Relevant national institutions that should be present in every country to encourage and monitor child protection at national level are:

- A national commission on the Rights of the Child, working with government representatives on youth and children issues, and monitoring the various activities in relation to the observance of the CRC and the OP. One task of such a commission should be to supervise the implementation at national level of Art. 35 of the CRC relating to combating the traffic of minors. This work should involve an evaluation of the protections for children (including foreign children in the country) from trafficking and sexual exploitation, an identification of the gaps, and proposals to fill those gaps.
- An Ombudsman for Children would be another important independent monitoring organ. An Ombudsman can receive communications from young people, and can identify and publicise issues that need to be tackled for the protection of children from trafficking and sexual exploitation.
- A National Rapporteur on Trafficking in Human Beings (a national focal point for human trafficking) is a valuable monitoring organ because he/she has access to all state statistics, is independent of government, and is in a position of authority to

advise government. The mandate of a National Rapporteur must specifically include children as a separate category of trafficked human beings to be monitored.

2. Develop an Anti-Trafficking Programme with specific provision for combating the trafficking of children.

The governments that have not already done so (Estonia, Russia) should develop a comprehensive anti-trafficking programme in which all Ministries and departments are involved. Those states that have anti-trafficking programmes should ensure that specific measures to deal with child trafficking are part of the programme. NGOs, as organisations working with victims, should be involved in the planning of these programmes and in the follow up and monitoring of the actions taken.

3. Give children their rightful priority in national judicial systems.

The international legal instruments detailed at the beginning of this report provide for measures to be taken by states to ensure that children are given special protections in the legal system of participating countries. Each state should therefore make an inventory of the international obligations it has undertaken, or intends to undertake, compare those obligations with its existing legislation and procedures, and put measures in place to fill the gaps. It is clear from the country reports that children are generally not considered or treated as separate and distinct categories of trafficked victims, and attention must be given to giving children their rightful priority in the national judicial systems. Even where the international provisions are not mandatory, the inventory should detail them and make their implementation part of national policy, in the best interests of children. The practical recommendations specific to children in the Brussels Declaration concerning passport and visa restrictions and protections should be taken into consideration.

Evidence necessary to establish that a victim is a minor must be capable of being easily obtained by alternatives to the production of documentary evidence.

Legislation must cover responsibility for the recovery process: the care, rehabilitation and safe repatriation of minor victims of trafficking.

4. Criminalise in-country human trafficking.

In the context of the Convention against Transnational Organised Crime, an evaluation of national legislation should be undertaken to ensure that in-country human trafficking is a criminal offence with severe penalties, to cover the situation where children are trafficked internally for exploitation, and do not cross the national borders.

5. Criminalise the purchase of sexual services from minors.

The precedents being set in some Western European countries by the criminalization of the purchase of sexual services from minors should be followed by all countries, with the burden on the client to know that the person is of full age. The deterrent effect of such a provision would lessen the attraction for traffickers of dealing in minors.

6. Law enforcement officials must recognise the special vulnerability of children to sexual exploitation.

Ignorance and indifference among police officers and officials must be tackled through awareness-raising and training on child rights. Prosecution and judicial officers can also benefit from training on the treatment of children in the investigative process. Experience has shown that during special anti-trafficking actions the police, when clearly instructed or trained, do treat all women (or children) as victims of trafficking. Law enforcement officers should focus on

proof of exploitation, and follow the clients and the money rather than rely on the statements of child victims.

The police and magistrate liaison network system, which is part of the EU strategy to improve judicial cooperation, should include trafficking crimes as part of their responsibilities. The Belgian example of appointing senior prosecutors with special responsibility for human trafficking should be considered. The liaison magistrate system should be extended throughout Europe, even where countries are not yet members of the EU.

7. Provide Witness Protections for Child Victims.

Special provisions to protect children in the judicial system must be put in place so that child victims of trafficking can be protected both from their abusers and from further trauma. The protections should include a safe place during the investigation and judicial proceedings, a safe system for making a complaint, a safe system of giving evidence, and a safe system of reintegration after the proceedings.¹¹²

8. Consider the establishment of a Counter-Trafficking Steering Group along the model of the UK, with specialised sub-groups.

The UK model consists of a group set up to counter human trafficking in which police, immigration, government (Home Office), voluntary organisations and the social services participate. This model not only gives priority to the issue of trafficking in human beings because of its high level membership, but also enables specialisation to contribute to combating of organised crime at several levels, including through the NGO sector. The group is chaired by a senior police officer. Three sub-groups work on police matters, government and policy matters, and victim protection matters. The sub-groups participate in the overall group through their various chairpersons. The Group has pushed the issue of trafficking up the government agenda in the UK, and has influenced many aspects of tackling the trafficking problem, particularly in the area of victim support. The presence of the not-for-profit sector and social services ensures that the special position of children is constantly on the agenda of the Group. Such national groupings could share information and cooperate with sub-regional groupings, such as the Council of Baltic States, and the Stability Pact for South Eastern Europe Task Force on Trafficking in Human Beings. However, financial resources have to be available for the work of such groupings to be effective.

Another potential model is the new agencies to combat human trafficking set up in the countries of the Stability Pact for South Eastern Europe.¹¹³ Their common and collaborative agenda means that the law enforcement bodies in the region are working in cooperation with each other, and they have established a common secretariat.

9. Re-thinking of Migration Policies

Among the strongest 'push' factors for trafficking are poverty, unemployment and political and economic instability, all of which stimulate migration. Migration is a fact of life in poor countries, so governments need coherent policies around it. The main prevention tool should be poverty reduction and economic development, creating opportunities where people live. The urge to migrate makes young people vulnerable to trafficking. Programmes should provide solid information on migration and discourage people from migrating through illegal channels. Newspapers and magazines that advertise job offers should be obliged to check out the agencies

¹¹² These recommendations are reflected in the Brussels Declaration, in which there are also concrete recommendations for multilateral police and judicial cooperation for a coherent European response to crimes of human trafficking.

¹¹³ See especially under the pages above dealing with law enforcement in Moldova.

offering the jobs. State authorities need to monitor the activities of agencies that offer employment or marriage opportunities to young people. The countries of Western Europe should provide opportunities for young people to visit and work in their countries, so that they can travel in safety and gain experience in legal ways in another country for reasonable periods of time.

10. Research the extent and the nature of the prostitution of minors.

In order to develop policies to prevent minors from becoming the victims of prostitution (and in-country trafficking) for sexual purposes, it is important to establish the extent and nature of the domestic problem. Research is needed in every country into how many minors are involved in prostitution, where they have come from, at what age they get into it, how long they remain in the trade, their background, their level of education, the family background, etc.

II. Recommendations to national social and educational services:

11. Develop data registration systems specific to minors.

A system of data collection should be set up to record unaccompanied minors entering a country, the foreign minors found in prostitution in the country, the minors repatriated to other countries, the end-result for child victims, including details of prosecutions and other outcomes, and information on children who are reported missing. The social services, the police and child-care NGOs should be able to submit information to the system, and receive information from it. The records should be centralised so that they can be cross-referenced and checked by all services. The record should show where the minor comes from, how she/he entered the country, the gender, and the form of exploitation to which the minor has been submitted, including the age when first exploited.

It should be noted that the Brussels Declaration on Preventing and Combating Trafficking in Human Beings has called for the establishment of a European database of missing persons that would record details of missing persons believed to be the victims of traffickers. Such a database is considered to be very important in the context of unaccompanied minors who become victims of trafficking. The OSCE Action Plan also suggests the development of common standards for the collection of statistical data, and separating the data related to men, women and child victims. The content of national databases should therefore be agreed between all countries in Europe so that they are comparable.

12. Map the national services.

The general public, police, law enforcement bodies, social workers, teachers and other professionals and NGOs should know about existing support programmes for child victims of trafficking at local level in order to refer victims to the services. In each country a social map should be available containing details of all existing local programmes, together with contact details for similar services in other European countries.

13. Education, awareness raising and social assistance for prevention.

Education is a powerful mechanism to prevent trafficking. Prevention programmes should become part of the curricula in primary and secondary schools in all the Eastern European project countries. Children need to be given information in such a way that they develop life-skills and the capacity to make informed choices, as well as to know their rights. Any child can become a victim of trafficking, but there are circumstances that enhance the risks. Information

also needs to be given in non-school environments, in regions and localities where there is a significant school drop-out population.

Healthcare workers, the police, NGOs and social workers are important agents for primary prevention: children already at risk can be protected from further risk by social assistance and support. Prevention education can even be part of youth entertainment and community involvement; examples are the Children's Clubs in Albania where young people can get information about safe migration as part of the Club's activities.

III. Recommendations to NGOs:

14. Co-operation between NGOs working for children and NGOs working for women.

In order to maximise their strengths, the child-centred NGOs and the NGOs that are working for women should increase their collaboration and networking. A coalition against trafficking of minors between East and West Europe (similar to the coalition against child soldiers) could be a body through which this networking could function. In Eastern European countries it should include existing (or forming) ECPAT groups and the La Strada network. The coalition could do lobbying, share skills on awareness-raising and prevention work, share tools and training on victim rehabilitation, share facilities for witness protection, collaborate on victim reintegration, and work on combating demand.

15. Use of the Offices of the UN Special Rapporteur and OSCE Representative.

NGOs should use of the offices of the UN Special Rapporteur on the sale of children, child prostitution and child pornography (Geneva), and of the OSCE Representative on Trafficking in Human Beings (Vienna), to make reports from their national and regional experiences, so that these offices have the opportunity to develop a regional and global perspective on the issue of child trafficking for sexual purposes.

IV. Recommendations to governments, NGOs and IGOs:

16. Awareness-raising.

Awareness raising campaigns should continue to be developed for different parties such as governmental officials, the police, the general public, professionals, teachers, children themselves, parents, communities, the media (including children's and youth entertainment TV channels) in order to open up public discussion. Negative attitudes, stereotypes and prejudices about victims of trafficking need to be tackled. Trafficked children need to be recognised as victims, and not as offenders/criminals.

Communities need to be involved in combating the trafficking of children, but this involvement means the development of trust in the state institutions which are the main actors in solving the problems. The programmes developed for victims of trafficking, the good practices and the transparency of the processes should be made public so that people can see that something is happening and how their support can prevent trafficking and help victims.

Peer to peer education can be effectively used as a vehicle for awareness and prevention programmes. Experiences have shown that young people are very willing to listen to people from their own age groups. People, and especially children, need to be made aware of the dangers of trafficking and about what they can do to prevent young people from becoming victims. Victims themselves, where they are willing to share their sufferings, can help with prevention and support programmes.

On the demand side, awareness campaigns should target potential prostitute users such as long distance lorry drivers, bus and coach drivers, business travellers and tourists. A Europe-wide campaign on demand should be undertaken to bring home to clients the criminal nature of using minors as sexual partners. The coalition suggested earlier could be a vehicle for such a campaign. Experiences of the anti child sex tourism campaigns¹¹⁴ could provide useful learning tools.

17. Information and training for those involved in combating trafficking.

Many professionals involved with or working with children do not understand the specific effects of trafficking and sexual exploitation on children, and do not know how to work with such children. Yet there are professionals already capable of designing and delivering training. European ECPAT groups should collaborate with the NGOs involved in this project to research training modules, identify experts capable of delivering training, design training packs, and undertake the compilation of a database of modules and trainers suitable for the different types of professionals and caregivers who come in contact with trafficked minors. The research would provide a series of 'best practice' training modules that could be used and adapted in the various jurisdictions. Collaboration with the ECPAT International experts on care-giving would be important in the development of the training modules.¹¹⁵

18. Improving the quality of media coverage.

The principles developed by the International Federation of Journalists on the protection of child rights in the media need to be promoted among journalists and media professionals so that they understand how to avoid exploitation and victimisation of children.¹¹⁶

19. Hotlines/Helplines.

The development of such emergency and information services should be encouraged. Existing services of La Strada and those for children or women suffering domestic violence could be extended to the provision of information to young victims of trafficking. This requires collaboration at local level between the social services and NGOs providing services to women and children, and additional training for those who maintain the national helplines. Again, further research is needed to identify and document the existing services, together with an evaluation to see how those services might be expanded to provide help to young victims of trafficking.

20. Developing programmes for shelter, rehabilitation and reintegration.

The need for more programmes to protect, rehabilitate and reintegrate child victims emerges from all the country reports, and also the fact that there are not many such programmes in Eastern Europe. It is clear that a multidisciplinary approach to the care of the victim, and a legal component to the service are important.

A number of recommendations can be made:

- Research and evaluate the programmes directed to the care and protection of child victims of sexual exploitation that currently operate in Europe (Albania, France, Italy, Romania, The Netherlands, U.K.).

¹¹⁴ www.ecpat.net, www.thecode.org, www.world-tourism.org

¹¹⁵ A useful tool is the Ecpat International series of handbooks on training for caregivers of sexually exploited children. See www.ecpat.net for details.

¹¹⁶ Putting Children in the Rights. Guidelines for Journalists and Media Professionals. IFJ, January 2002.

- Prepare an inventory of the programmes, and develop prototypes so that such programmes could be culturally adapted in the region. Collaborate with the ECPAT International experts on care-giving.
- Work with child-care NGOs at national level to implement rehabilitation and reintegration programmes where such NGOs are not already providing this type of service to trafficked victims.
- Identify NGOs caring for adult victims of trafficking for sexual purposes, violence and abuse, where the personnel could be trained to address the needs of sexually exploited minors in places where there are no such programmes currently for children.
- Collaborate with those NGOs working on women's issues to increase the shelter accommodation available for child victims.
- Work with the state institutions to encourage national social services to provide services to child victims.

21. Attention to repatriation programmes.

Repatriation is a long recovery process which starts from the moment victims are detected in a destination country, and involves returning them to their own country and reintegrating them into their own society. Bilateral agreements between states are fundamental to the smooth and safe repatriation of trafficked victims. Several of the project countries mention such agreements (Albania, Romania, Moldova); special attention to the treatment of child victims should be part of any such agreements. Collaboration between IGOs and governments and between NGOs and IGOs is also very important for successful repatriation.

While there are some repatriation programmes specific to children, more should be developed. Research by Terre des Hommes on the problem of Albanian children trafficked to Greece showed that children found in Greece were returned safely and successfully as a result of good collaboration between the Greek authorities and NGOs, together with NGOs in Albania.

IOM already plays an important role in repatriation, and should be encouraged to develop more programmes specific to child victims of trafficking in collaboration with state authorities and NGOs. In repatriation programmes the child's best interests (and not the migration policies of the receiving countries) must be the primary concern, whether that is repatriation or integration in the destination country. Programmes should be evaluated and best practices developed.

V. Recommendations to governments, funding agencies, the private sector:

22. Fund the not-for-profit sector to provide care for victims on a continuing basis.

The not-for-profit sector, which is the sector closest to the problem of trafficking, is mostly funded on the basis of short to medium term projects, and usually lacks core funding to pursue long-term and sustainable work with child victims of sexual exploitation.

Funding agencies and state authorities need to realise that both the prevention of child trafficking and the care of trafficked victims require to be addressed on a long-term basis, and support the voluntary sector accordingly. Core funding to organisations that have access to victims or potential victims of trafficking will not only prevent trafficking as well as provide care and assistance to victims, but will also enable such organisations to monitor the situation and collect data that will be important for state agencies, including the law enforcement agencies.

Case Studies

Albania

Case study 1

According to a news report of May 2002, five persons were arrested in a police operation on suspicion of trafficking a 16-year-old girl, V.K. According to the police sources, the girl had been kidnapped four months earlier by the offenders. During those four months they moved her to different cities of Albania including Burrel, Bulqize, Peshkopi, Durrës and Vlora in order to evade detection. The police said that the girl had been sold three times from one group of traffickers to another for the amount of 400,000 Leke (US\$3,000). The girl was systematically raped by the offenders. The Police sources said that the girl was going to be illegally trafficked to Italy, but it is believed that the final destination was England.¹¹⁷

Case study 2

The Petalli Case¹¹⁸ - A married couple Ramiz and Xhulieta Petalli, arrested in Italy, had made 16 journeys to traffic 36 Albanian children. For every minor they sent to Italy, they made a profit of 2.4 million Leke (€1800). The documents were falsified in Elbasan and the journeys were through the Port of Durrës and through Vlora.¹¹⁹

The Albanian and Italian traffickers “ordered” their collaborators in Tirana to find the “goods”. Finding the children was easy because of the poor economic conditions of large numbers of Albanian families. The children’s parents were promised that their children were going to safe places where they were going to work and get well paid. The children were mostly recruited on the streets of the capital, Tirana. Traffickers managed to deceive beggars and other abandoned children in Tirana with the excuse of a better life in the neighbouring country of Italy.¹²⁰

After some children were found, Xhulieta exchanged the photo of her son in her Italian documents with the photo of the child that she planned to traffic to Italy. The trafficked children were declared as sons or daughters of the Petalli couple. Between 2001 and 2002, the Petalli couple trafficked 36 children in 16 journeys. After the arrest of Xhulieta, the Italian police found out that the woman had been arrested in Albania in 2002, on suspicion of child trafficking, and later released. The police could not find or save any of the trafficked children. The Italian police authorities said that they are working on verifying whether the children were sold to different couples for adoption, or to criminal bands. The possibility that the children were trafficked for their organs or for paedophile abuse has not been ruled out.¹²¹

¹¹⁷ Korrieri, 12 May 2002, page 5

¹¹⁸ The so-called “Petalli Case” has been one of the most sensational news stories during 2002 and 2003 in Albania and Italy. Several arrests were made in both countries, where most of the people detained have been accused of organising child trafficking. One of the most striking questions is “What happened to the children?” and so far the Police Authorities in Albania and Italy have not been able to answer that question. (Editor’s note, Albania country report).

¹¹⁹ Gazeta Korrieri, August 30, 2002, page 7

¹²⁰ Gazeta Shekulli, Thursday, August 29, 2002, page 7

¹²¹ Gazeta Korrieri, August 30, 2002, page 7

Case study 3

The confession of a 16-year-old girl raped and trafficked to the Naval Base of Bisht Palla¹²² The girl's history starts in June of this year. From Vlora she had come to Durres¹²³ and was walking in the market in the centre of the city. There, by chance she met a soldier named Gjergj Tema, who was doing military service in the Bisht Palla base. After they chatted for few minutes, Gjergj realised that the girl was very young and naive. He then promised to marry her. He even insisted that he couldn't leave her alone for a moment, and took her inside the naval military base. She was illegally housed in the soldiers' dormitories at the base. Only then did she realise what was happening. After Gjergj raped her, she was obliged to have sex with other soldiers at the base.

"They had sex with me; they forced me to have sex with other soldiers too. I even had sex with ten soldiers a day. After that, Tema sent me to two other soldiers called Ervis Kaculli and Seat Kullani who forced me to have sex with them. They kept me for two weeks and exploited me in some clubs in Durres. They took me out to the coast. During this time, my pimps wanted to traffic me to Italy, but they didn't have any success. They sold me to Ilir Burbuqi from Korca. He sent me to some clubs in Korca, where I continued to be sexually exploited. This lasted for about one month. Then Burbuqi sold me to a man from Durres, who, in collaboration with a man from Kosovo, provided me with a false passport and took me to Prizeren (in Kosovo). I was sexually exploited for some months by Kosovars in different hotels and motels. One day during a document control check, the soldiers of UNMIK realised that my documents were false, so they sent me back. A humanitarian centre sheltered me and I decided to sue all the people who raped, sold or trafficked me."

Estonia

Case study 1

In December 2002, the Swedish police arrested a woman (a Finnish citizen) who during the previous two years had trafficked 36 women, most of them from Estonia, to her four brothel-apartments in Stockholm. She found Estonian women through the Internet, newspaper advertisements and acquaintances in Estonia. The advertisements offered jobs with escort services, and involving striptease, modelling and massage. With every woman, the procurer filled out a form where she noted what kind of sex the woman was prepared to provide. She photographed women for an Internet 'album' where over 400 pictures could be found. The procurer had more than 500 clients on her books. Two of the trafficked persons were minors; one of them was a 17 year old Estonian who answered the newspaper ad with another girl. The two girls met the trafficker in Tallinn. The woman told them that the job involved keeping company with clients, and that the girls could decide for themselves if sex would also be involved. A week later, they all went together to Sweden. The apartment where the girls stayed and worked was always locked. When a client arrived, the procurer opened the door by remote control. During their two weeks stay in Sweden, the girls were only once let out of the apartment. They had to be available for clients from 9 a.m. to 12 p.m. Between three and five 25 to 65-year-old clients visited the apartment every day. The service cost about 1,100 Swedish kroner, of which 70% went to the procurer. The 52-year-old woman was prosecuted and charged with pimping, unlawful deprivation of personal liberty, and trafficking. She was convicted of pimping and given a sentence of 4 years' imprisonment.

¹²² Gazeta Shqiptare, Thursday, December 11, 2003

¹²³ City-port 30 km from Tirana, the capital of Albania.

Case study 2

A minor Latvian girl found herself in Estonia after some men she did not know had taken her away from a party. She had been drunk and woke up in a brothel in Tallinn. In August 2001, after changing “owners” several times, the girl remained in one brothel in the north of Tallinn where three men and a woman forced her and a Russian girl from Tallinn, who was a year older, to prostitute themselves. The 16-year-old Latvian was kept in that brothel for a year. In summer 2002 both girls were sold to a brothel situated in a village in Tartu County. The keeper of this brothel, a 43-year-old woman, had already spent a year and a half in prison for pimping. Three men were also involved in the brothel. Clients paid 300-400 kroons (€19-26) for the service; the girls got 50 kroons (€3). The girls managed to escape a few times, but were soon found. They were kept in the brothel until March 2003 when they managed to turn to the police. In April 2003 four persons from Tallinn and four from the village in Tartu County were charged with enslavement and luring minors to engage in prostitution.

Case study 3

Two 15-year-old minors were found in a brothel in Tartu. The girls were from West-Viru and East-Viru County, Tallinn, and from Tartu itself. The girls had found their way to the brothel through newspaper ads or acquaintances. They had difficult family backgrounds – poverty, unemployment and alcoholism of the parents. The parents knew that their children worked in bars. Some of the girls sent money to their parents. The prostituted girls lived in a three-roomed apartment, three persons to each room. The men supervising the girls lived in the same place. When the girls managed to get out and go to the town centre by themselves they were punished by being kept in a dark room for several days. The prostituted girls were taken to the clients by car. The service cost about 300 kroons (€19). Half of it went to the procurer, 50 (€3) to the driver and 100 (€6) to the girls themselves. Sums varied according to the clients, the time spent and the service offered. The money earned was not given to the girls right away; it was kept by the brothel owner and paid in instalments. When the girls did not follow the rules of the brothel and refused to have sex (during menstruation for example) a fine had to be paid. The procurers were locals.

Moldova

Case study 1

Natalie was born in a village and lived there with her mother and with her two sisters. At 14 years of age, Natalie was raped. At 15, she already had a baby. In her family there were frequently difficult situations because of lack of money.

Natalie was persuaded by a man to go for a job as a waitress in Moscow. He also convinced Natalie to bring her one-year daughter to Moscow as well. Because of the lack of opportunities at home, she agreed to leave her village and to go to Moscow to find a job. In Moscow, she met many girls from Moldova, including Diana from her own village. They were taken to one apartment in the central area of Moscow. She was told that she should prostitute herself. She refused, but she was beaten, physically abused and threatened that she would never see her baby again.

Tania, the one-year old baby, was taken away by the traffickers. Natalie prostituted for more than a year. This was a terrible torture. She managed to escape when she was beaten by a client and thrown into the street. It seemed that her anguish would end, but it couldn't because she was thinking that she would never see her child.

Natalie worked for a while in the street to earn the money to go back home.

In April 2003, after she returned home, she came to the Centre for the Prevention of Trafficking in Women, accompanied by the regional social worker. At CPTW she was interviewed by a social worker and a lawyer. The social worker assessed the social situation of the victim, drew up an individual plan for her recovery, contacting specialised organizations (the Labour Force Office, Social Work Directorate, Directorate for the Protection of Children's Rights, IOM), and supervised the case until the victim was completely socially rehabilitated.

The lawyer informed Natalie about her rights. After this, the CPTW lawyer responsible for working with the Directorate for Combating Trafficking in Human Beings at the Ministry of Interior helped her. As a result, Natalie was recommended for participation in a rehabilitation programme with IOM in Chisinau.

The CPTW lawyer assisted the victim throughout the entire investigation. This included meeting the traffickers, processing the identity documents, and also arranging accommodation for her and her daughter and for Diana, who had been repatriated from Moscow when the traffickers were caught and who will participate in the trial as an injured party. The injured parties were also under State protection for the duration of the investigation. The advocate who was involved in processing the criminal case (from 2002) has been contacted and the victims will be assisted until the sentence is passed in this case.

Romania

Case study 1

A. is a 17 year old Romanian girl, trafficked to Skopje, Macedonia. Her case was referred to Save the Children Romania, Suceava Branch, by IOM Bucharest because the case involved trafficking and sexual exploitation.

A. was recruited by a friend (male) who promised her that she would work as a waitress in Italy. She was forced to prostitute herself in Serbia and Macedonia. She was sexually and emotionally abused. She saw how the owner of the bar (who was also the owner of the girls) cruelly beat a girl for refusing to have sex with customers.

The investigations by the social workers showed that A. grew up in a dysfunctional family, with a history of abuse and violence. Her mother was in a psychiatric hospital for aggressive behaviour with episodic violence and alcohol abuse. Finally she deserted the family.

A.'s biological father also has alcohol problems, and physically abuses his family. He divorced A.'s mother and remarried. A.'s mother married again as well, after a long period of living together with A's stepfather, during which they had two girls (who are now 9 and 13 years of age). The stepfather has a physical disability. They are all living in the same room in poor conditions.

A. had a lover when she was 14 years old and also had an abortion. She was the victim of a group rape when she was 12, but she believes that she succeeded in overcoming the trauma. She only did the first year of high school, and left school a year before leaving the country.

The reintegration programme aims to provide her with vocational training and a job. Also, efforts are being made to find an apartment in Suceava that can be rented for her and another girl, also a victim of trafficking. In the meantime, a request for special financial aid from the public social services has been submitted.

A. is participating in weekly group therapy to overcome her traumatic experiences, to learn to adapt her behaviour to her new context, and to readjust her self-image and self-esteem.

Case study 2

I. is a 15 year old Romanian girl who grew up in a dysfunctional family, with divorced parents living in the same house for financial reasons. Her father is an alcoholic, but he is the only one who has a job. So, she was poor, and felt unsupported financially and emotionally by her family. She lived in the suburbs of the city (Bucharest), her friends had left school, and some of them used drugs or were involved in crime.

After she was admitted to high school, she dropped out and decided that she had no future in Romania. Her sister had already left for Italy and so she thought she would join her and have a better life abroad. She was helped by the same acquaintance of her mother's that had facilitated her sister to leave for a job in sales. So she went abroad thinking that she would meet her sister. She went by train from Bucharest to Timisoara (an important city in the west of the country, near the border with former Yugoslavia) with an unknown man. When she arrived in Timisoara she was taken to meet a friend of his and then to an old man's house to sleep. In the morning he came back and they went to a market where they met a woman that hosted her for about three hours. After that, another man took her to a guide with whom she crossed the border into the former Yugoslavia. They walked through fields for about 5 km, and then she walked alone to a forest where another guide was waiting for her. This one did not speak Romanian very well. He took her to a car and another man, who did not speak Romanian, drove the car. They were driving for about an hour, stopped for an hour and a half, and then followed another car for about thirty minutes. Eventually, she was put in the other car.

They went to Belgrade, where a blond, fat woman gave her some food and a place to sleep. After three days, some men came to look at her (it was then she realized that they wanted her to prostitute herself). They told her to lift her blouse and then they left. After a few hours another man came and asked her the same thing. After a few seconds thinking, he told her to get dressed, get her things and come with him. He took her to the border with Macedonia and two guides helped them walk through mountains for about 12 km. They went to Skopje, where she was locked in a flat. They took some pictures of her and made a false passport that helped her to cross the border. Finally she arrived at the bar of her new "employer". There were 8 girls there. She found out that she would not meet her sister and that she had been sold and was being forced to live at that bar.

She felt lost in a world of strangers who were mean to her and forced her to sell her body against her will.

She stayed there for about a month, being forced to prostitute herself, because otherwise she was mercilessly beaten. After a month, a police raid took place and she was repatriated to Romania.

The reintegration programme provided her and her mother with counselling and social assistance in the Child and Family Counselling Centre. They received financial support and necessities (food, clothes and medicines). A social assistant also accompanied the girl to a doctor, where she was diagnosed and treated. She was helped to reintegrate into the educational system for the school year 2002-2003 and to take a vocational course in hairdressing.

After psychotherapy, she accepted her past and overcame her trauma. Now she has formed her own family and she is working as a hairdresser.

Russia

Case study 1

This story is about a girl from a republic of the former Soviet Union. It happened in 2002. A school-girl, 16 years of age, was kidnapped from her home city.

The girl met a young man who offered to take her for a walk and to drink some alcohol. She agreed. After that she does not remember anything. Evidently, there was a soporific in the alcohol.

When the girl came to her senses, she found that she is in St. Petersburg. She was taken to an apartment and she was forced to serve clients. Porno movies were also made at the apartment. At the apartment there were other minor girls. Then she came to be trusted and she was allowed to go outside. She managed to escape and was detained by the police.

The girl told her story to the police. The police arrested the organizers for keeping a brothel, because the kidnapping was impossible to prove. The girl was returned to her home city and to her family.

Case study 2

A girl of 16 years of age lived in a former Soviet republic. In her city she met a man from Azerbaijan, a pimp. She was taken by him to Moscow with false documents. He beat and raped her to break her resistance and forced her to prostitute herself. He let her call home. She told her family that she was working as a cook.

When the girl couldn't endure the humiliating and cruel treatment any longer, she gave her "owner" several stabs with a knife. He was seriously injured. The girl has been put in jail while the investigation is carried out, and she will receive a long sentence of imprisonment. During her detention, friends of the pimp visited her and blackmailed her that if she gives evidence, her little sister will suffer.

The girl has no education, and is of low intellectual development. She has no money for a lawyer. The Moscow women's crisis centre did not give her any help. In the opinion of the expert, it will be really difficult for her to get off on the charges.

Ukraine

Case study 1

Olena was 17 years and 8 months old when she agreed to work in a bar abroad (having finished school). During 2001 she stayed abroad for 5 months.

Olena studied at a secondary school in the town of Irpin, Ukraine and followed English courses in Kyiv. While attending the courses, she saw an advertisement in a newspaper about the recruitment of young girls for bar work in Great Britain. An intermediary agent's phone number and address was given in the advertisement. Olena got in contact with this person, who presented himself as in the business of job placement, and she gave him her data; she also paid \$200 for the registration of documents and as an advance for securing her future work.

The agent was Ukrainian. He promised her parents that the girl would be given a job and that he would be responsible for her. Being confident that the girl would earn money for herself, the parents gave their written permission for Olena's trip abroad. In July, she set out for Great Britain in a tourist coach. Until her journey had already started, Olena had paid no attention to the passport and the ticket given to her. The ticket was in fact valid for a journey to Germany (to the state of Bavaria). It was only in the coach that she noticed these details. But she was

promised that from Germany she would continue to her destination, and that this change had been made in order to save money.

Upon her arrival in Germany, she, together with a girl named Tetiana, were introduced to a bar owner as girls who would do unskilled labour. Olena's passport, with a six-month visa, was given to the owner. During the first week the girls worked together with the bar cleaners, and washed dishes, for which the owner paid them 180 marks. In doing so, he discussed with them the possibility of earning money on the "first floor" on their days off. When the girls refused this possibility of earning additional income, the owner threatened them with dismissal.

Having been put in a position in which they did not have a choice, the girls agreed to prostitute. For three months, Olena remained on her own, because Tetiana had stolen her documents and run away home. Olena had to work as a bar cleaner for another two months and to prostitute in the evening. One evening she heard Russian being spoken at the bar. She approached the persons who were speaking, introduced herself, and asked for help. Three men from the town of Lutsk asked the bar owner about her. He answered that Olena worked voluntarily and that she had the right to prostitute, which is legal and recognized in Germany as a proper employment. The owner agreed to their request to pay her 1,780 German marks, and even thanked her for the work, and expressed his hope that if Olena needed money, she might rely upon his help. In this way Olena found herself back with her family via Lutsk.

The law enforcement bodies were unable to find the person who had recruited Olena and Tetiana; there were no similar advertisements published, and the flat where Olena had met the agent had been let to persons who themselves had gone to work in other countries. Now Olena, having taken a course in psychotherapy, has got a job, and works in Kyiv.

Case study 2

Inna, aged 15, was found in the town of Mladovnets in the Republic of Serbia and had been engaged in prostitution for 3 months in 2003.

During her school holidays, Inna, together with her mother, went off to earn some money in Greece where she first worked at picking oranges. As the work was tiring and Inna had no interest in manual work, she had a row with her mother and ran away from the place in which they were staying. Later she met an acquaintance from the Russian Federation who was touring in Greece and wanted to cross into Serbia. They took a train to Serbia together. There her acquaintance suggested that she would prostitute herself and earn money for getting back home. Inna agreed. First, they prostituted together, but then they quarrelled over "clients" and money. They separated and each of them began prostituting by themselves.

Inna, who was being searched for as a missing child, was identified by the Serbian police and handed over to the authorities in Ukraine. The other girl was also detained by the police and deported to the Russian Federation.

Case study 3

Larysa, aged 34, resident of the city of Lutsk, Ukraine, the mother of two girls (15 and 4 years of age) was let go from her job because the business she had worked for closed down. Larysa had divorced and received no assistance from her former husband. As she had absolutely no means or way of making a living, Larysa was happy when she met someone who offered her work as a housemaid in Poland and the chance to earn \$200 per month.

The supposed master seemed not to object to her daughters living with her. When Larysa arrived in Poland, her documents were taken from her (on the pretence of registration) and she was told that, instead of the promised work, her younger daughter and herself would beg near to banks, shopping centres and cathedrals. The older daughter was to work in a nightclub as a striptease-girl. When Larysa refused and asked to be sent back home, she was pressurised

morally and physically: she was beaten, her younger daughter had leg injuries inflicted in front of her, and the older daughter was raped.

Larysa remained begging in Poland for a year. She carried her younger daughter in a wheel chair and had no information about her older daughter. Maryna, the 15-year old daughter of Larysa, was made to work in a strip-bar and to prostitute herself, being forced to earn \$350 per day for her master. When she could not earn that much, she was beaten physically and psychologically tortured.

Finally, when she was really desperate, Larysa spoke to a policeman in the street, and told him her story. She asked for help to find her older daughter. The policeman took Larysa and her younger daughter to the police station and launched a search for Maryna. When she was found, the police deported the family to Ukraine and paid the trip to the Ukrainian border. Larysa came back to Lutsk partly by local train, and partly on foot. Being terrified, she did not turn to the Ukrainian law enforcement bodies. Neither Larysa nor Maryna went to the rehabilitation centres and prefer to forget everything as a terrible nightmare.

Case study 4

Maria, a 17-year old from Kharkiv, Ukraine, was brought up in a single-parent poor family. Together with her mother, she carefully studied the ads of marriage agencies and dreamed about a happy marriage with a rich foreigner. A good friend advised Maria to go to an agency which was located in a private flat, equipped as an office, in the centre of Kharkiv. Maria was worried that there was no notice or company name on the door, but she still went in. First, she was asked to have pictures taken of her in her underwear. Some time later, she was called by the agency and asked to come and have the photos taken again because the previous pictures were said to be bad. She went. She was brought into a room in which there were a lot of computers. Several naked girls were waiting there. Maria was offered \$100 for posing for nude photos. Maria refused because she noticed that pornographic pictures were immediately sent via Internet to the customers. The clients indicated what position a girl had to take and what she had to do. Maria said: "I don't know how I would have escaped if my friends were not waiting for me at the door of the agency. I managed to overhear that they wanted to sell me as a slave to a brothel abroad. They were promised \$10,000 for each girl." Maria and her friends immediately informed the law enforcement authorities. The dealers were arrested. During the investigation, the work of the "agency" was revealed. They were careful. The girls were recruited from other towns or from poor families. And they were easy targets; the girls needed money, and had no one to care for or protect them. They were introduced to foreigners, married, granted a visa. The girls left the country expecting to find a palace with a handsome prince, but instead they were put into brothels and controlled by pimps.

Executive Summary

This report is the second part of a study undertaken by the ECPAT Europe Law Enforcement Group into trafficking in children for sexual purposes in Europe. The Group is coordinated by ECPAT Netherlands/Defence for Children International-Section The Netherlands. The first part of the research ('Trafficking I'), published in 2001, had concluded that there was a need for further research in the Eastern European countries of origin, and for such research to be carried out in collaboration with partners in those countries.

Focusing on legislation, law enforcement, co-operation and prevention, and the care facilities available to child victims, these current research results are intended to indicate the formulation of specific policy recommendations, as well as to share practical ideas for prevention, training and cooperation.

The research has been co-financed by the STOP II programme of the European Commission as well as by the Oak Foundation.

International Legal Framework

Great attention is being paid worldwide to the problem of trafficking in human beings, including children as a special category of victims, and in Europe in particular very concrete measures are being taken to combat it. The ultimate global international legal instrument is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime. The Convention and Protocol are already in force, although adopted only in the year 2000. The extremely rapid rate of ratification demonstrates the worldwide political concern about the powers of organised criminal groups and the levels of crime associated with migration. Under the Protocol children are considered as victims of trafficking once they were recruited, transported, transferred, harboured or received for the purposes of exploitation. Another relevant instrument is the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP) which contains measures designed to protect the rights and interests of child victims of trafficking.

In the European context, a Council Framework Decision on Combating Trafficking in Human Beings will ultimately lead to the approximation of the criminal laws of the member states concerning trafficking in human beings. The focus of the European Commission is to tackle, through legislative means, those who engage in trafficking in human beings and the economic exploitation of migrants, including children.

Results of Trafficking I: Focus on Western Europe

The Report of Trafficking I had concluded that trafficking of minors for sexual purposes occurred within Western Europe, but that more in-depth research is needed to prevent and combat the phenomenon. Where it was possible to get information about the ages of minors from Eastern European countries involved in prostitution, they were mostly between the ages of 15 and 18, but children as young as ten years of age had also been found. In several of the researched countries it was found that the girls who had come from Eastern Europe to the west had been tricked by false promises of work or marriage, or had fallen in love with the person who ultimately forced them into prostitution. Force and blackmail were common methods used to keep the victims under control. Asylum procedures were found to have been used to gain entry for and access to trafficked minors in several Western European countries. The involvement of organised criminal groups was found to vary from complex international networks to small criminal groups or even families.

Trafficking II: Joint East West Research, the Sending Countries

This second part of the project is based on a ‘twinning’ concept of cooperation, between so-called ‘sending’ and ‘receiving’ countries. The Western European partners were the same countries and organisations as had been involved in Trafficking I. The Eastern European partners were chosen for their previous experience in research on similar subjects, or for their work on child protection in their countries. The research teams and their methodologies are set out in the report. The following partner countries have been involved:

Albania – UK
Belarus – Belgium
Czech Republic – Germany
Estonia – Finland
Moldova – Italy
Romania – France
Russia – Norway
Ukraine – The Netherlands

Research Results

General Situation

The research results show that there are many similarities between the Eastern European project countries in terms of their political, social and economic situations, all of which affect the issue of trafficking in minors for sexual purposes. In every country poverty and unemployment have seriously increased in the last ten years, due to the political changes in the region, and the resulting economic instability. The main risk group is teenagers, from 13 to 18, the majority of those trafficked being in the age group of 15 to 17 years. When poverty affects families, many social problems arise that have adverse effects on young people. The reports mention alcoholism, single-parent families, drug abuse, sexual abuse and domestic violence as alienating factors. Children born into or living in situations of social and economic poverty tend to drop-out of school, to leave home and live on the streets, to migrate from rural areas to towns and cities.

Many people, and especially young people, are migrating, because of the lack of opportunities for them in their own countries. The fall of the ‘Iron Curtain’ and the links with countries of the European Union have opened up both borders and travel opportunities, and at the same time the increasing gap between rich and poor, the growth of international organised crime, and indifference, ignorance and possible corruption among officials, provide their own incentives or opportunities. Some of the researched countries have experienced migration of young people both into and out of the country to service the sex industry. Other countries see mostly the emigration of their young populations to service the sex industry and labour markets abroad. A combination of economic and political factors at home creates the climate in which young people want to emigrate, including low pay, insecurity of employment, and the inadequacy of the educational systems to respond to the labour market. Low levels of community and parental involvement with young people and negative perceptions among young people about their futures in their own country are also important ‘push’ factors. But lack of information about foreign travel, and about the risks related to migration, endanger children. The search for adventure, idealised notions about living abroad, and success stories from those who return from abroad encourage risk-taking. Very importantly, the reports note the risks to children who may

have migrated normally with their families or voluntarily on their own, but who end up in foreign countries without any protections, and become extremely vulnerable to exploitation. In-country migration, where young people move from rural areas to towns and cities and end up in prostitution, is mentioned in several reports.

A description of national responses from the project countries shows that in six countries researched there is a state programme to combat trafficking in human beings, including children. But in two countries there are no current national plans to combat trafficking.

The Demand Factor

On the whole, the demand for minors as sexual partners appears to reflect opportunism on the part of clients to a large supply of vulnerable young people, rather than a demand for underage sex. However some specific demand for young children is mentioned in the Romanian report which describes the demand for young boys in Western European countries, and the Moldovan research mentions the sale of virgin girls. Some reports emphasise the use of young children in the making of pornography as a growing feature of sexual exploitation of minors in their countries. The demand that emerges from the reports includes foreign tourists (Czech Republic, Estonia, Russia), UN peacekeepers (Moldova), the military (Russia), paedophiles (Czech Republic, Russia), and of course the domestic market. Traffickers accept any transaction that brings profits, and take into account not only the demand from the destination countries but also the fact that children do not know their rights and cannot protect themselves as well as adults. The fact that girls are under age does not seem to be relevant to a client, but for a trafficker young people are more easily influenced and controlled (by violence or other means).

Numbers of Children Involved

No country could provide reliable statistics on the number of children trafficked into, within, or out from their country, which is inherent in the secret and criminal nature of the problem. Numbers mentioned in the different country reports vary from a few to several hundreds. The most reliable figures quoted are provided by the International Organization for Migration. However, even the IOM figures have to be understood as representing only those victims who have been identified and offered a process of return to their own countries. Only occasionally is the percentage of minors among the total number of returnees known. IOM estimates on the percentage of child victims among the victim population differ widely and range from 6-7% for Belarus to 30% for Moldova. There is also evidence that trafficked adults were trafficked when they were underage.

It is clear, however, that the young people who do fall victim to traffickers and exploiters are very harshly treated, and that the traffic of young people needs to be addressed separately within the overall problem of trafficking in human beings. Specific case studies from the project countries are detailed throughout the report.

The reports tend to show that many young people simply fall into the hands of traffickers in pursuit of a better life and through their own vulnerability. There are no figures available for minors who leave their countries unaccompanied, but there is information that large numbers of unaccompanied minors fall prey to sexual exploitation in destination countries. Prevention strategies are therefore needed in sending and destination countries.

Sending, Transit, and Destination Countries

All Eastern European countries of the project appear to be receiving, transit or destination countries for trafficked minors, the extent of the problem being directly related to the economic situation in the country. Traditional migration routes, and traditional forms of transport, are used, including cars, trains, and buses. The travel will be made to look as normal and 'legal' as

possible, using stolen, altered or forged documents. Traffickers usually take the easiest routes, through regular border crossings, but also 'green routes' through forests and areas not patrolled by border guards. Minors are not only trafficked to Western Europe but also to Central and Southern Europe, including Turkey. Even Asia and the Middle East were mentioned by several countries as destination countries. Because of the easy visa regime between the CIS countries, a lot of child trafficking takes place within those countries. In-country trafficking is common from rural areas with high unemployment to towns and cities.

The Trafficking Chain

Recruitment of young people happens on the streets, and also via the Internet and sometimes advertisements in magazines and newspapers, with offers of highly-paid work and easy money in another country. Girls who have been trafficked mostly end up in prostitution. But children are not only trafficked for sexual purposes. The younger ones especially seem to be used for begging and manual labour, such as agricultural work. Minors are often lured into a trafficking operation with their apparent consent, but they will have been misled about the job they will do, and their working conditions. Children are also misled with offers to study abroad or to marry a foreigner. Children's homes can be fertile recruiting grounds for traffickers. The 'loverboy' syndrome, noticed particularly in Belarus, Estonia and The Netherlands, is another ruse whereby girls are seduced first and then sexually exploited and coerced into prostitution. Even the sale of children, by parents or relatives, is common. Simple abduction of a minor rarely happens. Frequently the recruiters are previous victims (described in the Russian report as 'second wave' victims), who are either sent back to their country as recruiters, or set up in business for themselves. Violence is rarely used until the young person is completely under the control of the trafficker, and his/her documentation has been confiscated, but violence is then usual as a means of intimidation. Drug and alcohol addiction are commonly used to ensure compliant behaviour. Children work under harsh circumstances, servicing many clients, and living in difficult conditions. Victims first have to pay back the travel and other expenses to the traffickers. After the debt is repaid, victims can be re-sold, and the same cycle starts all over.

Legislation, Law Enforcement and Organised Criminality

Most countries have adopted legislative changes in recent years incorporating anti-trafficking provisions. Despite a dedication in the countries of Eastern Europe to combat trafficking in human beings, the legislative environment to protect children from trafficking remains weak in all of the Eastern European countries studied, with the exception of Romania. In some countries the current legislation should be adequate to prosecute traffickers, but others say that their legislation is inoperable. The reports from Belarus, the Czech Republic, Moldova, Russia and Ukraine all comment on the failure of the governments to even recognize that there is a problem of trafficking in children, so there is a lack of urgency towards legislative reform. On the other hand, considerable progress has been made since the Trafficking I project in the ratification by states of the relevant international instruments (the Trafficking Protocol and the OP to the CRC), which together with the EU Council Framework Decision, are leading steadily towards harmonised legislation including a common definition of trafficking and equivalent penalties.

Incidents of child trafficking are frequently prosecuted under provisions that cover procuring, kidnapping, abduction, or rape. Law enforcement is a problem everywhere, and there are hardly any successful prosecutions detailed. Penalties tend to be severe for cases of proven trafficking, but mild where the prosecutions are pursued under other provisions such as procurement. Little information was available on the involvement of organised crime in the trafficking of children. Some reports concluded that it would be a mistake to exaggerate the importance of

organized crime in relation to child trafficking. It appears that in many cases, the traffickers are the families themselves, or are small-time criminals. While it is therefore important not to assume that trafficking is always the work of organized criminal gangs, it should be recalled that many children do fall into the hands of such gangs, and suffer terrible consequences.

Child Care and Protection: Prevention, Rehabilitation, Repatriation

Prevention projects are described in the reports. Most of these projects deal with public awareness campaigns directed towards the general public, government officials and professionals, as well as specific risk groups. Some schools include information in the teaching curriculum, or train young people as peer communicators. Telephone hotlines are another way in which people can get information on the risks of trafficking, and about the help that is available to victims.

There is a serious lack of rehabilitation programmes offering psychological, social, medical and legal assistance. Most programmes are not specific to children, and not even specific to victims trafficked for sexual purposes. The same applies to shelters; the provision of shelter accommodation to victims of trafficking is usually by organisations already servicing the needs of women suffering from domestic violence. Most of the research reports complained that even if the resources were there to provide services to returned trafficked minors, there are no trained personnel to do the work. IOM plays an important role in voluntary repatriation in most of the countries, and has worked for younger as well as adult victims, but repatriation programmes are generally not specific to children. There are no repatriation programmes in Estonia, Russia or Ukraine.

Public Awareness and Media

Everywhere the media is a powerful source of information and plays a very important role in its dissemination. However, information on trafficking is frequently distorted, sensationalised and prejudiced towards victims. This general attitude makes the reintegration of young victims, and their psychological recovery, more difficult.

Multi Stakeholder Cooperation

The importance of all parties working together to combat trafficking was underlined in several country reports; especially important is the cooperation between the state agencies, international organisations and NGOs. States do not always take responsibility for the problem; most programmes are carried out by voluntary organizations. A problem for NGOs is the project based nature of the work, and their dependence on funding, which leads to problems with sustainability and continuity.

A state programme, such as a National Plan of Action, that sets out the responsibilities and obligations of the different agencies dealing with trafficking is very important in combating the problem. Example of collaborative working can be found in Albania, Belarus, Moldova, and Romania where government departments, international agencies and NGOs have common strategies and shared programmes to combat trafficking.

Western European Updates

In the course of the current project, those countries that had participated in Trafficking I agreed to provide a report detailing events since that report was published at the end of 2001. The updates all show an increase in awareness on the issue of trafficking, including trafficking in minors, in Western European countries, and a movement towards harmonised anti-trafficking legislation. Several countries noticed that there is now less use of asylum procedures to gain

entry of young people into western European countries. On the negative side, the reports also all show a continuing absence of data collection, continuing difficulties with age identification, and a lack of social services for the care of trafficked child victims.

Conclusions

The Report concludes that there is a general failure to recognize the specific rights of children to protection from sexual exploitation, both within their national systems, and as a separate category of victims of human trafficking. The international obligations of states requires them to implement special protections for children to prevent them from becoming victims and to rescue and protect them after they have fallen into the hands of traffickers. The numbers of young people affected seem not to be so high as to make the problem unmanageable, and it therefore should be given priority in national anti-trafficking measures and in measures for the return, recovery and reintegration of child victims.

Recommendations

1. Child protection mechanisms must be made effective at national level in every country.
2. Anti-trafficking programmes must have specific measures to combat trafficking of minors.
3. Children must be given priority in national judicial systems. Legislation to combat trafficking must match the standards of the agreed international instruments. Where children are concerned, even discretionary provisions of the instruments should be fully implemented.
4. In-country trafficking must be criminalized.
5. The purchase of sexual services from minors should be made a criminal offence in every country of the region.
6. The special vulnerability of children in the investigation of trafficking offences must be recognized by law enforcement agencies.
7. Witness Protection for Child Victims must be institutionalized in the countries of the region.
8. A Counter-Trafficking Steering Group, with specialised sub-groups, including NGOs, along the lines of the UK model should be considered for every country.
9. Migration Policies should be examined in every country and reviewed to cover the current needs of young people for safe migration.
10. All countries should research the extent and nature of child sexual exploitation in their domestic context.
11. Common data registration systems specific to trafficked, exploited and missing minors should be developed for all the European countries.
12. National services available to child victims should be mapped, and the information made available to all the services that come in contact with trafficked minors.
13. Education for Prevention programmes should become part of the curricula in primary and secondary schools in all the Eastern European project countries. Social assistance and support must be available to children at risk.
14. Collaboration between child-centred NGOs and the NGOs working for women should increase. A coalition against trafficking of minors between East and West Europe (like the coalition against child soldiers) could be a body through which this networking could function
15. NGOs should use the Offices of the UN Special Rapporteur and the OSCE Representative as common reference points to which to supply information about child trafficking.
16. Awareness-raising must continue in the region, and be further developed to target a wide range of risk groups and professionals.

17. Information and training should be prioritized by each country for those involved in combating trafficking.
18. Efforts must be made to sensitise the media to the protection of children, based on existing guidelines.
19. The expansion of Hotlines/Helplines to provide information services to trafficked victims should be encouraged.
20. Programmes for shelter, rehabilitation and reintegration of children should be expanded and developed, with a multidisciplinary approach and a legal component.
21. Repatriation programmes should be developed that are targeted specifically at children.
22. Core funding to the not-for-profit sector providing protection for children should be recognized as necessary to enable NGOs to care on a long-term basis for trafficked and exploited minor victims.

Резюме Отчета *(Executive Summary in Russian)*

В настоящем отчете представлены результаты второй части исследования трэффика детей с целью сексуальной эксплуатации в Западную Европу, выполненного ЕСПАТ Europe Law Enforcement Group. Координатором работы Группы выступает ЕСПАТ Netherlands / Defence for Children International - Section, Нидерланды. Первая часть исследования («Трэффик I»), результаты которого были опубликованы в 2001 г., показала необходимость дальнейшего изучения этой проблемы в Восточной Европе, при тесном сотрудничестве с исследователями в этих странах.

Результаты проведенного исследования, акцентированного на анализе законодательства, деятельности правоохранительных органов, профилактике трэффика детей, доступности помощи жертвам трэффика, позволили сформулировать рекомендации по подходу к данной проблеме, а также предложить практические идеи по профилактике и сотрудничеству.

Исследование было реализовано в рамках программы Европейского комитета STOP II и международным благотворительным фондом ОАК.

Международная правовая структура

Проблеме трэффика людей, в том числе детей, как особенной категории жертв, уделяется большое внимание по всему миру. Так, в частности, в Европе принимаются конкретные меры для борьбы с этим явлением. Основным международным правовым инструментом противодействия трэффику является Протокол о предупреждении и пресечении торговли людьми, особенно женщинами и детьми, и наказании за нее, дополняющий Конвенцию ООН против транснациональной организованной преступности. Конвенция и Протокол, хотя и были приняты лишь в 2000 году, уже приобрели силу. Чрезвычайно быстрая ратификация этих документов национальными правительствами демонстрирует политическую озабоченность во всем мире проблемой организованной преступности, связанной с миграционными процессами. В рамках Протокола дети рассматриваются как жертвы трэффика, в случае их вербовки, перевозки, передачи, укрывательства или получения дохода в результате их эксплуатации. Другим значимым инструментом борьбы является Факультативный протокол (ФП) к Конвенции о правах ребенка, касающийся торговли детьми, детской проституции и детской порнографии и содержащий меры, разработанные для защиты прав и интересов детей – жертв трэффика. На уровне Европы, Совет по базовым решениям, направленных на борьбу с торговлей людьми, работает над приведением в соответствие уголовных законов европейских стран, касающихся трэффика людей. Европейская комиссия на законодательном уровне занимается преследованием организаторов торговли людьми и экономической эксплуатации мигрантов, в том числе детей.

Результаты исследования «Трэффик I»: Акцент на Западную Европу

Проект «Трэффик I» показал, что в Западной Европе существует трэффик несовершеннолетних с целью сексуальной эксплуатации, но это явление требует более детального изучения для его профилактики и противодействия. Полученная информация показала, что возраст несовершеннолетних из стран Восточной Европы, вовлеченных в проституцию, в большинстве случаев составляет 15 – 18 лет, однако были обнаружены дети младше 10 лет. В нескольких странах, участвовавших в исследовании, было выявлено, что девушки попали из стран Восточной Европы в Западную Европу путем обманных обещаний о работе или замужестве, или становились жертвами романтических

отношений с человеком, который в итоге вовлекал их в сексуальную индустрию. Распространенными методами контроля жертвы трэффика являются насилие и шантаж. Важным результатом является то, что в некоторых странах Западной Европы удалось найти детей, ставших жертвами трэффика, через приюты. Организацией трэффика детей могут заниматься как крупные международные криминальные организации, так и небольшие преступные группы и даже семьи.

Трэффик II: Совместное восточно-западное европейское исследование, страны - поставщики

Вторая часть проекта основывается на «парной» концепции взаимодействия между так называемыми «поставляющими» и «принимающими» странами. Западноевропейскими партнерами были те же страны и организации, которые участвовали в проекте «Трэффик I». Восточно-европейские партнеры были выбраны исходя из их предшествующего опыта исследовательской работы по данной теме и их активности по защите детей в своих странах. В отчете представлены исследовательские группы и методы, которые они использовали. В проекте участвовали следующие страны – партнеры:

Албания – Англия
Белоруссия – Бельгия
Чешская республика – Германия
Эстония – Финляндия
Молдова – Италия
Румыния – Франция
Россия – Норвегия
Украина – Нидерланды

Результаты исследования

Общая ситуация

Результаты исследования показывают, что между странами Восточной Европы, участвующих в проекте, существует множество сходных черт в политической, социальной и экономической ситуации, которые обуславливают рост трэффика несовершеннолетних с целью сексуальной эксплуатации. В каждой стране вследствие политических изменений и последующей экономической нестабильности в течение последних десяти лет обострились проблемы нищеты и безработицы. Основной группой «риска» являются подростки от 13 до 18 лет, большинство из которых становятся жертвами трэффика в возрасте от 15 до 17 лет. Материальное неблагополучие семей обостряет социальные проблемы, неблагоприятным образом отражается на положении подростков и молодежи. В национальных отчетах анализируются такие неблагоприятные факторы, как алкоголизм, неполные семьи, наркомания, сексуальное и домашнее насилие. Дети, рожденные или живущие в ситуации социальной и экономической нестабильности, часто бросают школу, уходят из дома и живут на улице, переезжают из сельской местности в города.

Многие люди, в особенности молодежь, мигрируют из-за отсутствия социально-экономических условий для жизни в их собственных странах. Падение “железного занавеса” и развитие экономических и культурных связей со странами Европейского Союза открыли возможности для туризма и миграции. В то же время увеличивается пропасть между богатыми и бедными, растет международная организованная преступная активность, безразличие, неосведомленность и коррупция среди чиновников.

В некоторых исследуемых странах были выявлены случаи миграции молодежи, как из страны, так и в страну для участия в сексуальной индустрии. Другие страны в основном демонстрируют эмиграцию своего молодого населения для участия в сексуальной индустрии и на рынке труда в зарубежных странах. Совокупность экономических и политических факторов, включающая низкий уровень оплаты труда, нестабильность рынка труда и несоответствие образовательных программ запросам общества, порождают желание молодых людей эмигрировать. Низкий уровень родительского участия в судьбе молодых людей, наряду с негативными перспективами относительно их будущего в собственной стране, являются очень важными «выталкивающими» факторами. Низкая информированность детей о зарубежном туризме и рисках, связанных с миграцией, увеличивает опасность. Поиск приключений, идеализированные представления о жизни за границей и истории успеха, рассказанные теми, кто вернулся оттуда, только способствуют рискованным предприятиям. Что особенно важно, отчеты отмечают риски для детей, которые могли удачно мигрировать вместе со своими семьями или по собственному желанию, но оказались в чужой стране без защиты и стали жертвами эксплуатации.

В нескольких отчетах отмечены миграции внутри страны, когда молодые люди перемещаются из сельской местности в города и вовлекаются в сексуальный бизнес. Анализ реакции государств на проблему сексуального трэффика детей в странах, участвующих в проекте, показывает, что в шести из них существуют государственные программы по борьбе с торговлей людьми, в том числе детьми. Однако в двух странах на сегодняшний момент отсутствуют какие-либо национальные планы по борьбе с трэффиком детей.

Спрос на секс-услуги с участием несовершеннолетних

В целом, формирование спроса на сексуальные услуги несовершеннолетних скорее отражает приспособление части потребителей коммерческого секса к ситуации, когда существует большое количество социально и экономически незащищенных молодых девушек и юношей, предлагающих сексуальные услуги, а не потребность клиентов в сексе с подростками. Однако, некоторый специфический спрос на детей упоминается в Румынском отчете, который описывает спрос на мальчиков в западно-европейских странах, а Молдавское исследование упоминает продажу девственниц. В некоторых отчетах представлена проблема использования детей для изготовления порнографических материалов, как особенно актуальную форму сексуальной эксплуатации несовершеннолетних.

Спрос на сексуальные услуги детей, который описывается в отчетах, формируют иностранные туристы (Чешская республика, Эстония, Россия), миротворцы ООН (Молдова), военные (Россия), педофилы (Чешская республика, Россия), и, конечно, представители внутреннего рынка. Организаторы трэффика соглашаются на любые сделки, которые приносят им прибыль, основывая свою преступную деятельность не только на особенностях спроса принимающих стран, но и на то, что дети не знают своих прав и не могут защитить себя так же эффективно, как взрослые. Если клиенту зачастую не важно, является ли девушка или юноша несовершеннолетним, то для организатора трэффика подростки являются более привлекательной целевой группой, так как они больше поддаются влиянию и контролю (с помощью насилия и других методов).

Количество жертв коммерческой сексуальной эксплуатации и трэффика детей

Ни одна страна не смогла предоставить надежную статистику по количеству детей, подвергшихся трэффiku, что отражает латентный и криминальный характер проблемы.

Цифры, встречающиеся в докладах разных стран, варьируются от единичных случаев до нескольких сотен. Самые надежные приведенные цифры были предоставлены Международной Организацией Миграции. Однако, даже они отражают лишь случаи тех детей, которые были выявлены и которым предлагалось возвращение на родину. Лишь в некоторых случаях известен процент несовершеннолетних среди общего количества вернувшихся жертв трэффика. По оценкам МОМ, доля детей среди общего количества жертв трэффика варьируется в диапазоне от 6-7% в Белоруссии до 30% в Молдове. Тем не менее, становится очевидно, что торговля детьми и подростками требует специального изучения. Анализ отдельных случаев в странах, принимавших участие в проекте, содержит целый ряд деталей, важных для доклада целом.

Многие дети и подростки попадают в руки организаторов трэффика в погоне за лучшей жизнью и из-за своей незащищенности.

Хотя количественные данные о несовершеннолетних, которые покидают свои страны в одиночку отсутствуют, есть много сведений о том, что никем не сопровождаемые молодые люди становятся добычей для организаторов секс-бизнеса в странах назначения. Таким образом, необходима разработка единой стратегии превенции детского трэффика как для принимающих, так и для поставляющих стран.

Маршруты трэффика детей

Все восточно-европейские страны являются принимающими, переправляющими (транзитными) или пунктами назначения для несовершеннолетних жертв трэффика. Причем размеры проблемы напрямую связаны с экономической ситуацией в этих странах. Для организации трэффика детей используются традиционные миграционные маршруты и такие виды транспорта, как машины, поезда и автобусы. Путешествия обычно организовываются как обычные и “законные”, насколько это возможно, с использованием украденных, измененных или поддельных документов. Для перевозки детей организаторы трэффика выбирают как маршруты через доступные пограничные пункты, так и “зеленые” маршруты - через лесные зоны и места, не патрулируемые пограничниками. Несовершеннолетние переправляются не только в Восточную, но и в Центральную и в Южную Европу, включая Турцию. Даже Азия и Средний Восток упоминаются в нескольких национальных отчетах как страны - пункты назначения. Из-за упрощенного визового режима между странами СНГ, наблюдается много случаев торговли детьми на территории бывшего Советского Союза. Внутри стран трэффик обычно осуществляется из сельских областей с высоким уровнем безработицы в крупные города.

Организация трэффика детей

Вербовка детей и подростков может происходить прямо на улице, через Интернет и рекламные объявления в газетах и журналах с предложениями хорошо оплачиваемой работы в другой стране. Девушки, ставшие жертвами трэффика, в большинстве случаев оказываются вовлеченными в сексуальную индустрию. Однако дети не всегда продаются с целью сексуальной эксплуатации. Более младшие могут использоваться для попрошайничества или низкоквалифицированного труда, например в сельском хозяйстве. Зачастую несовершеннолетние становятся жертвами трэффика, зная, что будут вывезены в другую страну, однако, как правило, они находятся в заблуждении относительно рода работы, которую они будут выполнять, и условий труда. Они также могут получить предложения об учебе за рубежом или браке с иностранцем. Детские дома могут быть благодатной почвой для организаторов трэффика. “Синдром “Дон-Жуана”, отмеченный в особенности в Белоруссии, Эстонии и Нидерландах, - это еще один метод вовлечения в

трэффик, когда вначале происходит соблазнение девушек, а затем их сексуальная эксплуатация и принуждение к занятию проституцией. Распространены случаи продажи детей их родственниками и знакомыми. Просто похищение несовершеннолетних случается редко. Сами вербовщики могут быть жертвами трэффика в прошлом (описание так называемой «второй волны» в Российском отчете), которые либо отправляются назад в свою страну для вербовки, либо организуют свой бизнес. Насилие редко используется до того, как подросток попал под полный контроль организаторов трэффика и его/ее документы были изъяты, но затем оно используется как средство запугивания. Употребление наркотиков и алкоголя часто используются для обеспечения более зависимого поведения детей. Дети работают в тяжелых условиях, обслуживая множество клиентов, и живут в сложных условиях. Жертвы сначала должны отработать деньги за транспортные и другие расходы организаторов трэффика. После оплаты долга, жертва может быть перепродана, и весь цикл начинается заново.

Законодательство, правоохранительная деятельность и организованная преступность

В течение последних лет был принят ряд изменений в национальные законодательства, в том числе касающиеся противодействия трэффiku. Несмотря на ориентацию правительств стран Восточной Европы на борьбу с торговлей людьми, законодательная база для защиты детей от трэффика на данный момент остается слабо развитой во всех изученных странах Восточной Европы, за исключением Румынии. В некоторых странах действующее законодательство формально предполагает наказание организаторов трэффика, но представители ряда стран отмечают, что эти законы фактически не применимы на практике. В отчетах из Белоруссии, Чешской республики, Молдавии, России и Украины, представлены неудачные попытки правительства хотя бы признать существование проблемы торговли детьми. Таким образом, можно отметить отсутствие целенаправленного лоббирования реформирования законодательства.

С другой стороны, необходимо отметить значительный прогресс со времен проекта «Трэффик I» - государствами ратифицированы международные документы по борьбе с трэффиком (Протокол по трэффiku и ФП к Конвенции о Правах ребенка), которые вместе с Советом по базовым решениям Европейского союза ведут к согласованию национальных законодательств, введению в них общепринятого определения трэффика и соответствующих мер наказания.

Торговля детьми обычно преследуется по закону только в тех случаях, если она включает сводничество, киднеппинг, насильственное похищение или изнасилование.

Неудовлетворительная деятельность правоохранительных органов является повсеместной проблемой, и поэтому тщательно разработанные схемы уголовного преследования организаторов детского трэффика практически не встречаются. Строгое наказание предполагается лишь при условии доказанности случая трэффика, а в таких случаях, как сводничество, следует мягкое наказание.

Информация об участии преступных групп в организации детского трэффика практически не доступна. В некоторых отчетах подчеркивалось, что было бы ошибкой преувеличивать влияние организованной преступности в отношении торговли детьми. Во многих случаях организаторами трэффика являются семьи или мелкие преступники. Однако, зная, что трэффик не всегда является делом рук организованных преступных сообществ, не стоит забывать, что многие дети становятся жертвами криминальных групп, что приводит к ужасным последствиям.

Помощь и защита детей: профилактика, реабилитация и возвращение на родину жертв трэффика

В национальных отчетах проанализированы программы, направленные на превенцию детской сексуальной эксплуатации и трэффика. Многие из них включают кампании, направленные на формирование общественного мнения, как на уровне широкой общественности, правительства и профессионалов, так и на уровне отдельных групп «риска». В некоторых школах подобный материал включается в учебную программу, проводятся тренинги. Телефоны доверия – это другой способ, с помощью которого люди получают информацию о трэффике и о помощи жертвам.

Однако существует серьезный недостаток реабилитационных программ для детей, ставших жертвами сексуальной эксплуатации, которые бы включали в себя психологическую, социальную, медицинскую и правовую помощь. Большинство существующих программ не всегда соответствуют нуждам и потребностям тех, кто стал жертвами трэффика. То же самое можно сказать и в отношении приютов; помещение жертв трэффика в приюты, как правило, возлагается на организации, которые занимаются нуждами женщин, страдающих от домашнего насилия. Большинство национальных отчетов содержат сведения о том, что, даже если бы существовали необходимые ресурсы для оказания помощи жертвам трэффика, вернувшимся на родину, на данный момент ощущается нехватка специально подготовленного персонала для подобной работы. В большинстве стран МОМ играет важную роль в добровольной репатриации, работает с молодыми и взрослыми, но подобные программы обычно не касаются детей. В Эстонии, России и на Украине вообще не существует подобных программ.

Средства массовой информации и общественное мнение

СМИ везде являются основным источником создания и распространения информации о трэффике. Однако, информация часто подается в искаженном, сенсационном виде, с предубеждением против жертв секс-торговли. Подобное видение проблемы значительно затрудняет реинтеграцию жертв трэффика и их социально-психологическую реабилитацию.

Сотрудничество организаций в борьбе с трэффиком

В ряде национальных докладов подчеркивалась важность слаженной работы различных организаций в борьбе с трэффиком детей; особенно необходимо сотрудничество между государственными учреждениями, неправительственными и международными организациями. Государства не всегда берут на себя ответственность за проблему трэффика; большинство превентивных и реабилитационных программ проводится организациями - добровольцами. Проблема неправительственных организаций заключается в проектной организации их работы и зависимости от финансирования фондами, что не обеспечивает непрерывную и продолжительную работу в данной сфере.

Таким образом, государственная программа как Национальный план действий в борьбе с трэффиком детей, которая устанавливала бы ответственность и обязательства различных организаций, очень важна. Опыт совместной работы правительственных учреждений, международных агентств и неправительственных организаций с общей стратегией и единой программой по борьбе с трэффиком существует в Албании, Белоруссии, Молдове и Румынии.

Новая информация о ситуации в Западной Европе

В ходе данного проекта страны - участницы проекта «Трэффик I», представили анализ событий в сфере превенции и борьбы с трэффиком детей, которые произошли с момента публикации отчета в конце 2001 г. Все отчеты показывают повышение общественной осведомленности о проблеме трэффика, включая детский, в западно-европейских странах и тенденцию к согласованию законодательства, направленного на борьбу с торговлей людьми. Некоторые страны отметили, что методы, которые позволяют получить доступ к детям – жертвам трэффика через приюты, в настоящее время используются значительно меньше.

Кроме того, в отчетах сообщается об отсутствии мониторинга ситуации и сбора данных, о продолжающихся трудностях с идентификацией возраста несовершеннолетних и о недостатке социальных услуг, направленных на защиту детей, подвергшихся трэффикку.

Выводы

Результаты проекта показывают, что на сегодняшний день основная задача в решении проблемы трэффика детей заключается в определении особых прав детей на защиту от сексуальной эксплуатации, как внутри национальных государств, так и среди категорий жертв торговли людьми. Международные обязательства государств требуют от них внедрять специализированную систему помощи и защиты для детей, направленную не предотвращение трэффика, а также на реабилитацию жертв торговли детьми. Количество детей и подростков, ставших жертвами торговли людьми, кажется не таким значительным, чтобы проблема была неуправляемой, а, следовательно, она должна быть признана первостепенной с точки зрения национальных мер по противодействию трэффикку и мер по возвращению, реабилитации и реинтеграции детей – жертв трэффика.

Рекомендаций

1. Механизмы защиты детей должны функционировать на национальном уровне в каждой стране.
2. Программы противодействия трэффикку должны включать в себя специальные меры по борьбе с трэффиком детей и подростков.
3. Дети должны пользоваться преимуществом в национальной правовой системе. Национальное законодательство по борьбе с трэффиком должно совпадать со стандартами международных документов. В случаях торговли детьми правовое обеспечение инструментами противодействия должно быть полностью выполнено.
4. Трэффик внутри стран должен быть объявлен противозаконным.
5. Покупка сексуальных услуг несовершеннолетних должна стать уголовным преступлением в каждой стране.
6. Особая незащищенность детей в случаях преступлений, связанных с трэффиком, должна быть признана правоохранными органами.
7. Во всех странах региона свидетельская защита детям – жертвам трэффика должна быть наделена законным статусом.
8. Каждой страной должны быть учтены рекомендации по организации Руководящей группы по борьбе с детским трэффиком, включающей специализированные подгруппы, в том числе НГО.
9. Национальная миграционная политика должна быть пересмотрена в соответствии с современными потребностями детей и подростков в целях безопасности миграции.
10. Во все странах должны проводиться исследования проблемы детской сексуальной эксплуатации.

11. Во всех европейских странах должна быть разработана система регистрации статистических данных, особенно относящихся к проблеме трэффика, жертвам эксплуатации и пропавшим несовершеннолетним.
12. Национальные службы, доступные детям, ставшими жертвами трэффика, должны быть нанесены на карту, информация о них должна быть распространена по всем службам, которые контактируют с несовершеннолетними, подвергшимися торговле людьми.
13. Превентивные программы должны стать частью общеобразовательных программ в начальной и средней школе во всех восточно-европейских странах. Социальная помощь и поддержка должны стать доступными всем детям, являющимися потенциальными жертвами трэффика.
14. Необходимо усиление взаимодействия государственных и негосударственных организаций, работающих с детьми. Коалиция против трэффика несовершеннолетних между Восточной и Западной Европой (как, например, Коалиция против детей-солдат) может стать координационным органом и наладить функционирование сети.
15. Офисы Особого Докладчика ООН и Представителя Организации по безопасности и сотрудничеству в Европе (ОБСЕ) должны использовать как базовые точки, осуществляющие сбор и систематизацию информации о детском трэффике.
16. Необходимо повышать уровень информированности о проблеме трэффика детей в регионах с целью максимального охвата групп «риска» и специалистов.
17. Приоритетными задачами работы организаций, вовлеченных в борьбу с трэффиком в каждой стране, должны стать распространение информации и обучение.
18. Необходимо прилагать усилия для вовлечения СМИ в борьбу с трэффиком детей.
19. Необходимо поддержать организацию телефонов доверия и центров помощи для жертв трэффика.
20. Организация приютов для детей, реализация программ реабилитации и реинтеграции жертв трэффика должны быть расширены и проводиться на основе междисциплинарных и правовых подходов.
21. Должны быть разработаны специализированные репатриационные программы для детей.
22. С целью поддержки долгосрочной работы негосударственных организаций с несовершеннолетними жертвами трэффика и эксплуатации целесообразно признание необходимости постоянного финансирования некоммерческого сектора.

APPENDICES

Appendix I - Interviewing Guide for the Project Partners

I. BACKGROUND INFORMATION: list of questions as a guide when interviewing

The questionnaire serves as a guide for the interviews. The interviewer should try to discuss the items on the list and the questions as complete as possible. In a certain interview, not all questions will be relevant; other questions need more attention, depending on the interviewed person. The questions presented here are guidelines, if the interviewer can receive more detailed information or other information, he or she should do so.

Terminology

We use different terms throughout the project when we talk about children or young people such as: trafficked children, sexually exploited children, and children in prostitution. We would like to stress that in all these cases we deal with commercial sexual exploitation.

The definitions used for the research are:

Trafficking:	Any behaviour which facilitates the entry into, transit through, residence in or exit from any territory for exploitation. It is irrelevant whether force is used or the child has been misled.
Child:	A person under the age of 18. Children are all human beings under 18 conform the UN Convention on the Rights of the Child and the Optional Protocol.
Sexual exploitation:	The use of a child in prostitution or the exploitative use of a child in other sexual practices, including use of a child in pornography and forced marriage.
Trafficker:	Any person who facilitates the entry into, transit through, residence in or exit from any territory for exploitation. This includes any one who contributes to the traffic at any stage or by any means.
Exploiter:	Any person who facilitates the sexual exploitation of a child. This includes a pimp, brothel-owner, taxi-driver, client, etcetera.
Sending country:	The country of a child's nationality or permanent residence.
Receiving country:	Any country where the child is sexually exploited.
Transit country:	Any country where the child is transferred to before arriving in the receiving country.

II. CATEGORIES

The questions in this guide are divided roughly into six categories:

Introduction

- A - Children/adolescents
- B - National Legislation and Law Enforcement
- C - Child care/protection
- D - General Observations
- E - Organised crime and how the trafficking "criminals" operate
- F - Public awareness

Ideally the aim of the interview is to obtain information that will give an overall picture of the situation with regard to trafficking in children in any given country, with special focus on the situation of trafficking in Eastern Europe to Western Europe. If that is not possible, try to get concrete information on the:

- Regional situation;
- National situation (with figures if possible);
- As well as the very local context for all 6 categories of questions, A, B, C, D, E and F.

III. QUESTIONS

Introductory for all interviews

1. Name of the interviewed person.
2. Name of the organisation/Function.
3. Does your organisation use any definition of trafficking for its work? If so, what is *your* definition of trafficking (of minors)?
4. In your organisation/work, what attention is given to trafficking in children/adolescents?
5. How did you come into contact or become involved with the problems of trafficking?

Category A: children/ adolescents

Your country as sending country:

1. a. How do trafficked children/adolescents leave your country? Please specify.
b. How are children/adolescents recruited (ads in magazines, newspapers, Internet, bars, streets)?
c. Do you know for what purpose?
d. What happens once they are in the receiving country?
2. Who are children in risk?
3. Where do the children/adolescents come from originally? (background, age)
4. Can you give any idea of:
 - a. Estimations;
 - b. Ratio of children/adolescents to adults (different age groups: <12, 13-17, 18-23)
 - c. Period of time covered (for estimations), setting?

Please illustrate all or any of the answers with a case study or story from your own working experience

5. Is your country also a transit or receiving country? If no, continue with B.

6.
 - a. How do children/adolescents enter your country? Please specify
 - b. Do you know for what purpose?
 - c. What happens once they are in your country?
7. Where do the children/adolescents come from originally?
8. What was the purpose for the children/adolescents to enter your country: legal or illegal, forced or not, refugee, temporary work permit, cultural or sporting exchange, medical treatment, adoption or other?
9. Can you explain how minors who entered your country legally are recruited for illegal activities such as commercial sexual exploitation?
10. Can you give any idea of:
 - a. estimations;
 - b. Ratio of children/adolescents to adults;
 - c. Period of time covered (for estimations), setting?

Category B: National Legislation and Law Enforcement

1.
 - a. In your opinion, is existing (national) legislation adequate and properly applied in practice?
 - b. What are the loopholes?
 - c. What measures exist specifically against traffickers?
 - d. What do you consider to be the weak point in your country's legislation?
2.
 - a. Do you have information about conviction rates?
 - b. How do you think the conviction rates can be improved?
3. When a minor enters illegal in your country, what laws apply:
 - a. in prosecuting the child/adolescent for being illegal?
 - b. in protecting minors?
4. Are there any special laws (trafficking related) concerning minors?
 - b. What do you see as the barriers?
 - c. What improvements in existing legislation do you consider necessary?
5. What are the legal implications for minors who have been sent back to your country after being trafficked to another country?
6. What bilateral agreements exist with countries with which you have common borders?

Category C: child care/protection

** N.B. Try to elicit specific information from the person you are interviewing, if possible at regional, national and local levels.*

1. Are there in your country:
 - a. Prevention programmes (what kind, for whom, by whom?)
 - b. Rehabilitation programmes (what kind, for whom, by whom?)
 - c. Repatriation programmes (what kind, for whom, by whom?)
 - d. Legislation/security programmes?If yes, please describe them.
2. Name three most important needs for prevention, rehabilitation and repatriation programmes to become successful and what are ways to address these needs?
3. Can measures be introduced into the immigration process to improve or strengthen procedures and keep children/adolescents safer while in custody? (*see* Q. A 8)
4. What is the opinion of the child?

Category D: general observations

As transit and/or receiving country:

1. a. Where is the demand for trafficked children coming from? Who are the clients interested in having sex with girls/boys or trafficked children?
- b. Can you give an indication of the prices involved? Is there a difference in price regarding sex and age?
- c. What are links with child sex tourism, child pornography, and the local sex industry?
- d. Has the phenomenon of trafficking in minors changes over time in your country?

As sending country:

2. a. Who are the ones involved in trafficking children?
- b. Can you give an indication of the prices of trafficked children involved? Is there a difference in price regarding sex and age?
- c. What are links with child sex tourism, child pornography, and the local sex industry?
3. According to your opinion what kind of institution/organisations/persons have a role to play in combating trafficking? What kind of role?
 - a. The police
 - b. NGO's
 - c. Customs
 - d. Justice system
 - e. Education system/schools
 - f. Children themselves
 - g. Parents/caregivers
 - h. Media
 - i. Healthcare system
 - j. Private sector
 - k. International organisations
 - l. Social care system
 - m. Others
4. What specific difficulties do you face in your work/organisation in combating trafficking?
5. Has any research been done on the topic of trafficking of minors in your country?
 - a. Give an overview of research. Please give contact details.
 - b. What are the main conclusions of this research?
6. a. In your opinion what responsibility is shared by the receiving (*if applicable*: sending) country(ies)?
- b. How and what should they do to help solve the problem?
7. Does your country have a National Plan of Action on the combat of commercial sexual exploitation of children?
8. What has been the impact of the National Plan of Action on combating trafficking in children in your country?
9. What has been the impact on child protection of the accession arrangements with the EU, in particular the requirements law enforcement, harmonisation of legislation with EU standards and protocols for cross border policies?

Category E: organised crime and how the trafficking "criminals" operates

1. a. Are the children's transit routes pre-arranged at the time they enter a receiving country?
- b. Can you say whether or not this is always the case?
2. As sending country: Once children have left your country:
 - a. What happens to them?

- b. What treatment do they receive by traffickers?
 - c. Who knows where they are?
 - d. Where do they go?
 - e. Are they trafficked around or do they stay in one place?
 - f. Where do they stay?
 - g. How do customers find them?
 - h. Who are those customers?
 - i. How do potential abusers know where and how to find child victims?
 - j. How can we enter this circuit to find the children first?
 - k. In your opinion, how risky/dangerous might such intervention be?
 - l. Are trafficking networks involved? What do these networks look like? How are they organised? Are there any authorities involved?
 - m. Are drugs, weapons or other illegal activities involved and how?
* *What evidence do you have for this/ case studies?*
3. As receiving and transit country: Once children are in your country
- a. What happens to them?
 - b. What treatment do they receive from pimps and traffickers?
 - c. Who knows where they are?
 - d. Where do they stay? In transit: where do they go?
 - e. Are they trafficked within the region?
 - f. How do customers find them?
 - g. Who are those customers?
 - h. How do potential abusers know where and how to find child victims?
 - i. How can we enter this circuit to find the children first?
 - j. In your opinion, how risky/dangerous might such intervention be?
 - k. Are trafficking networks involved? What do these networks look like? How are they organised? Are there any authorities involved?
 - l. Are drugs, weapons or other illegal activities involved and how?
* *What evidence do you have for this/ case studies?*

Category F: Public awareness

- 1. What is the public opinion about the situation of trafficking in your country? (existing myths)
- 2. How can we raise awareness so that outsiders (the general public) notice the trafficking or presence of children and pass on information about their whereabouts to the responsible authorities?

Appendix II - List of Interviewees

Because several interviewees had requested not to be mentioned by name in the report, it was decided not to mention any names here.

Albania

Government

- Spokesman, Ministry of State of the Prime Minister
- Chief, Anti-Trafficking Section in the Ministry of Public Order
- Director of the Centre for the Rehabilitation of Trafficked Victims in Linza – Tirana, Ministry of Labour and Social Affairs
- Specialist in Children on the Committee for Equal Opportunities in the Ministry of Labour and Social Affairs
- Chief, Section for NGO Relations in the Ministry of Labour and Social Affairs
- Chief of the Regional Office to Combat Trafficking, Police Authority of Tirana
- Social Worker at the Centre for the Rehabilitation of Trafficked Victims in Linza – Tirana, Ministry of Labour and Social Affairs
- Chief of the Children's Section in the Ministry of Justice
- Chief of the Criminal Information Analysis Section in the Ministry of Public Order
- Specialist in Children, Anti-trafficking Section in the Ministry of Public Order
- Commissar, Vice Directorate to Combat Organized Crime in the Ministry of Public Order

Non-Governmental Organizations/International Organizations

- President, Vatra Association, which deals with the rehabilitation of women, victims of trafficking, Vlore
- Chief, Terre des Hommes mission in Albania
- Coordinator of Elbasani Regional Project, Terre des Hommes Foundation Elbasan
- Programme Coordinator at Save the Children, Albania
- Director, Children's Human Rights Centre in Albania
- President, 'Useful to Albanian Women' Centre, Tirana
- Lawyer, Child Legal Protection Office of CRCA, Tirana
- UNICEF, Albania
- Director, 'Help for the Victims of Traffic' Project, Department of Law and Human Rights at OSCE in Albania
- Head of Mission, IOM Albania
- Representative, Public Information Office, IOM Albania
- Representative of ILO-IPEC Office in Albania

Belarus

Government

- Ministry of Internal Affairs, Anti-Vice and Anti-Drugs Department

- Department of Family Policy and Gender Problems of the Ministry of Labour and Social Welfare
- Labour Migration Office of the Migration Department of the Ministry of Labour and Social Welfare
- Ministry of Education
- National Institute of Education of the Ministry of Education

Non-Governmental Organizations/International Organizations

- City Reception Centre for Minors
- Minsk Centre for social assistance to families and children
- NGO Children – Not For Abuse
- NGO Young Women’s Christian Association, La Strada Programme
- Children of Chernobyl Fund, Centre ‘Malinovka’ for young women and girls
- International Association for Humanitarian Cooperation
- NGO ‘Radislava’ and the Women’s Crisis Centre
- NGO ‘League of voluntary youth labour’

Law enforcement

- State Committee of Border Guards of Belarus

The Czech Republic

Government

- MCSSP, a staff member of the Municipal Centre for Social Care
- Security Policy Department, an employee of the Ministry of the Interior, Prague
- Zvěřina, Dr. Jaroslav, Head of the Sexology Institute, University of Prague, Member of Parliament of the Czech Republic

Non-Governmental Organizations/International Organizations

- ‘Naše Dítě’ (Our Child Foundation)
- Dětské Krizové Centrum (Child Crisis Centre), Prague
- ENYA (Ecumenical Network for Youth Action), Prague
- Social worker from ‘Projekt Šance’, Prague
- Social worker from KARO, Plauen, Germany
- La Strada, Prague
- ‘Ružová Linka’, Prague
- Gladišová, Lucie, IOM Prague

Law enforcement

- Regional prosecutor, Cheb
- IKSP, a Criminologist from the Institut pro kriminologii a sociální prevenci (The Institute for Criminology and Social Prevention)
- ÚOOZ, a staff member of the Special Police Unit for Detection of Organised Crime
- Vice Squad, a staff member of the Police Headquarters in Prague

Others

- TV journalist, ORF (Austrian Broadcasting Company), Austria
- A female start-up pimp in the Cheb region
- TV journalist, ARD (First German Television), Germany
- TV journalist, ORF (Austrian Broadcasting Company), Austria
- TV journalist, ARD (First German Television), Germany

Estonia

Government

- Ministry of Social Affairs (2 representatives interviewed)
- Ministry of Justice
- Tartu County Government
- National Institute for Health Development
- Embassy of Finland, Tallinn
- Embassy of Estonia, Helsinki
- Nordic Council of Ministries, Nordic-Baltic Campaign Against Trafficking in Women

Non-Governmental Organizations/ International Organizations

- International Organisation for Migration, Tallinn office
- NGO Living for Tomorrow
- Legal Information Centre for Human Rights
- Estonian Institute of Human Rights

Law enforcement

- Police Board (2 representatives interviewed)
- Central Criminal Police
- Tallinn Police Prefecture (2 representatives interviewed)
- Tartu Police Prefecture
- Tartu Public Prosecutor's Office
- Board of Border Guards
- Citizenship and Migration Board

Moldova

Government

- Ministry of Education (1 person)
- Ministry of Labour (1 person)
- Ministry of Foreign Affairs, Consular Section (1 person)
- Department for Migration (1 person)

Non-governmental Organisations/ International Organisations

- Four NGOs
- Social Assistants dealing with child victims (3 persons)
- Psychologist (1 person)

Law Enforcement

- Office of the Prosecutor-General (3 persons)
- Judges (2)
- Advocates (2)
- Police from the General Directorate to Combat Trafficking in Human Beings (2)

Others

- Two journalists.

Romania

Government

- Juridical Counselor, Ministry of Justice, European Integration Department
- Legal Counselor, Ministry of Justice, International Relations and Human Rights Department
- Juridical Counselor, Ministry of Justice, Department for Relations with Public Ministry and for Preventing Crime and Corruption
- Representative, Ministry of Public Administration and Interior, General Department for Combating Organized Crime and Anti-Drugs
- Representative, Ministry of Public Administration and Interior
- Representative, Ministry of External Affairs, Public Diplomacy Division
- Representative, Ministry of External Affairs, Public Diplomacy Division
- Representative, Ministry of External Affairs, Council of Europe and Human Rights Division
- Council of Europe and Human Rights Division
- National Office for Refugees, European Integration Bureau, International Programmes and Cooperation
- Legal Counselor, National Authority for Child Protection and Adoption

Non-Governmental Organizations/ International Organizations

- Public Information Officer, International Organization for Migration, Romania Office
- Social Worker, Association “Turnul”
- Social Worker, Reaching Out
- Programme Coordinator, Partnership for Equality Centre
- Programme Coordinator, Partnership for Equality Centre
- Psychologist, Save the Children Romania
- Social Worker, Save the Children Romania
- Legal Adviser, Save the Children Romania
- Psychologist, Save the Children Romania

Russia

Government

- Director of Malookhtinsky Dom Trudolubiya (House of Diligence)
- Psychologist of Malookhtinsky Dom Trudolubiya (House of Diligence)

- Director of “Almus”, Social Rehabilitation Centre for Children Without Parental Supervision
- Psychologist of Social Service of Cimbalin’s Hospital (medical help for children without parental supervision, street children)
- Director of Governmental Crisis Center for Women, Shelter for Young Mothers
- Psychologist of Psychological Service for Minors
- Director of Center of Social Care and Protection (Moscowskiy District of Saint-Petersburg)

Non-Governmental Organisations/ International Organisations

- Head of department, Fund to help poor children in Saint-Petersburg
- Volunteer member of fund to help poor children in Saint-Petersburg
- Deputy director of The Crisis Centre for Women
- Psychologist of The Crisis Centre for Women
- Director of Regional Charitable Foundation ‘Protection of Children’
- Social worker of the Regional Charitable Foundation ‘Protection of Children’
- Director of the Medico-social Center ‘Lazaret’
- Jurist of Red Cross

Law enforcement

- Procurator’s Office, Petrogradskiy District, Deputy Chief Prosecutor
- Member of Saint-Petersburg General Department of Internal Affairs

Ukraine

Government

- Head of the Administration on Combating Prostitution
- The Ministry of Interior of Ukraine in the city of Kyiv
- Operational representative of criminal investigations involving minors of Vatutinskyi district
- Board of militia of the Ministry of Interior of Ukraine
- Head of Administration on Combating Trafficking in Human Beings of the Ministry of Interior of Ukraine
- Authorized agent for the implementation of the Convention on Human Rights and Fundamental Freedoms;
- Deputy Minister of Justice of Ukraine
- Deputy Head of Ivano-Frankivsk oblast Department of Justice
- Sociologist, Holosiivskyi district administration of the city of Kyiv
- Head of the department of Education of Pecherskyi district of the city of Kyiv
- Principal of gymnasium of Pecherskyi district of the city of Kyiv
- Principal of general secondary school of the city of Kyiv
- Teacher of residential gymnasium No. 13 of the city of Kyiv
- Department for the Family and Youth
- Representative of the student administration of the Interregional Academy of Personnel Management

Non-Governmental Organizations/ International Organizations

- Director, Social Centre ‘Woman for Woman’
- Social worker, Ukrainian Centre for Human Rights
- Psychologist, Women’s Centre for Information and Coordination against Trafficking

Law enforcement

- Seven Judges of the local courts of the city of Kyiv
- Head of the Department of Criminal Investigation on Crimes against the Person
- Lawyer for minors
- Lawyer, public association ‘Pravnyk’

Others

- Journalist of National TV channel
- First assistant to the Bishop of Andriy Pervozvannyi Cathedral

Appendix III - Bibliography of Relevant Websites

Code of Conduct

for the protection of children from sexual exploitation in tourism: www.thecode.org

Council of Europe: www.coe.int

Council of the Baltic Sea States (CBSS): <http://childcentre.baltinfo.org>

ECPAT International: www.ecpat.net

European Union: http://europa.eu.int/comm/justice_home

Europol: www.europol.eu.int

IFJ: www.iff.org

IOM: www.iom.int

ODIHR: www.osce.org/odihr

Office of the High Commissioner for Human Rights (UNHCHR): www.unhchr.ch

OSCE: www.osce.org

Save the Children: www.savethechildren.net

Stability Pact: www.seerights.org

Terre des Hommes: www.terredeshommes.org

United Nations Office on Drugs and Crime (UNODC): www.unodc.org

WTO: www.world-tourism.org

Appendix IV - The Research Teams: Contact Details

Albania

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Czech Republic

RadioVision.info
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Fax: +49 89 7400 4989
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Moldova

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Association of Women in Legal Careers
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Romania

Save the Children Romania (Salvati Copiii)

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Romania

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Fax: +4021 312 4486

Email: rocs@mb.roknet.ro

Website: www.savethechildren.net/romania

Russia

Saint-Petersburg NGO for social projects “Stellit”

Ms. Maia Rusakova

Zastavskaya 33 G, office 104

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196084 Russia

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Ukraine

All-Ukrainian Committee for Children’s Rights

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Appendix V - Abbreviations

CATW	Coalition against Trafficking in Women.
CIS	Commonwealth of Independent States.
CIVIS	Centre for Social, Political and Psychological Investigation (Moldova).
CPTW	Centre for the Prevention of Trafficking in Women (Moldova).
CRC	The Convention on the Rights of the Child. United Nations, 1989.
CRCA	Children's Human Rights Centre of Albania.
CSEC	Commercial sexual exploitation of children.
ECPAT	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes.
ENYA	Ecumenical Network for Youth Action (Czech Republic).
EU	European Union.
IFJ	International Federation of Journalists.
IGO	International governmental organisation.
ILO-IPEC	International Labour Organization's International Programme on the Elimination of Child Labour.
IOM	International Organization for Migration.
NGO	Non-governmental organisation.
NPA	National Plan of Action.
OHCHR	Office of the United Nations High Commissioner for Human Rights.
OP	The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. United Nations, 2000.
OSCE	Organization for Security and Co-operation in Europe.
SECI	South East European Cooperative Initiative (to encourage cooperation among participants and facilitate integration into European structures).
SEE	South Eastern Europe. The SEE countries are Albania, Bosnia Herzegovina, Bulgaria, Croatia, Serbia and Montenegro, Former Yugoslav Republic of Macedonia, Greece, Hungary, Moldova, Romania and Slovenia.
STV	Foundation against Trafficking in Women (The Netherlands).
Trafficking Decision	Council Framework Decision of 19 July 2002 on combating trafficking in human beings, 2002/629/JHA. Adopted pursuant to Title VI of the Treaty on European Union.
Trafficking Protocol	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.
UAM	Unaccompanied Asylum seeking Minor.

Appendices

UOOZ	Special Unit for combating organised crime (Czech Republic).
UN	United Nations.
UNICEF	United Nations Children's Fund.
WTO	World Tourism Organization.
YWCA	Young Women's Christian Association (Belarus).