

# Legislation, rights protection and assistance

Development of Inter-disciplinary Cooperation  
in Hungary to Combat Prostitution and  
Trafficking for the Purpose of Sexual  
Exploitation and to Support Victims  
(Project Summary)

## **60 years of the UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others!**

'Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community...' (UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, 21 March 1950).

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ISBN 978-963-06-9193-2

This publication was issued within the framework of the project “Development of interdisciplinary cooperation in Hungary to support the fight against trafficking and prostitution” (NCTA-2008-C01249), implemented by MONA Foundation for the Women of Hungary.

The project was carried out with the support of the NGO Fund of the EEA/Norwegian Financial Mechanism and the local implementing organizations Foundation for Development of Democratic Rights (DemNet), the Hungarian Environmental Partnership Foundation (Ökotárs Alapítvány), Autonómia Foundation (Autonómia Alapítvány) and the Carpathian Foundation (Kárpátok Alapítvány), and in cooperation with local partners NANE Women’s Rights Association, PATENT Association and the Association of Street Social Helpers (Utcai Szociális Segítők Egyesülete).

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Published by: MONA Foundation for the Women of Hungary

Design and layout: Guardian Bt.

Printed by: Passzer Kft.

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## Foreword

With regard to prostitution and human trafficking for the purpose of sexual exploitation, dominant views held by society about the phenomena and the legal regulations and sanctions to which they are subject vary in each European country as well as across the world. However, with the accession of Eastern-European countries to the European Union, and the region's consequent enclosure within Schengen borders, these differences have been superseded by the emergence of a unique phenomenon: traffickers are bringing more and more women from Eastern-Europe (including from Hungary), who can be pimped cheaply, to Western-European sites of prostitution—regardless of whether prostitution is legal or illegal in the given country—in order to prostitute them under illegal conditions. The significance of the problem is demonstrated by the fact that, recently, police headquarters in several Western-European cities—e.g. Amsterdam and Zurich—have employed Hungarian-speaking staff in response to the large number of Hungarian victims who do not speak any foreign languages. Furthermore, human trafficking and sexual exploitation are occurring to a great extent within Hungary's borders as well. These phenomena shed light on the real nature and purpose of prostitution: prostitution (and human trafficking, which is inseparable from it) is a form of violence against women: it serves, on the one hand, the fulfillment of sex-buyers' demands, and on the other hand, the quick prosperity of a small group of people—the traffickers and the pimps.

International statistical data and observations within Hungary testify that the overwhelming majority of prostitutes by no means choose this activity voluntarily, but rather become involved in it—often as minors—as a result of threats, coercion and violence—violence which then follows them throughout their time spent in prostitution as well. Prostitution, through its effects, contributes to the maintenance of gender inequalities, i.e. the socially superior position of men and the subordinate position of women; prostitution—both at the individual and the societal level—is primarily about power, and not sexuality. It has grave and complex negative effects on those who are forced into it: social exclusion and the psychological and physical traumas that result from violence which often have negative impacts throughout several generations. At the same time, it also has serious and hard to deal with detrimental effects on those women and children (and of course men) who may not have anything to do with prostitution; this is because the system of prostitution and human trafficking treats women and children as consumable objects that can be bought, sold and circulated, thus undermining the principle of equal dignity for all human beings. From a human rights perspective, it is clear that prostitution is a grave form of physical, psychological and material exploitation of women and children, and an abuse of the vulnerability of those in a difficult situation.

Since 1992, MONA Foundation for the Women of Hungary has been engaged—through research, publications and conferences—in promoting possible methods for achieving social equality between women and men, as well as the already attained aspects thereof, and the organization has at the same time has also been dealing with those phenomena in which gender inequalities are significantly manifested. It is our conviction that one of the greatest hindrances for the attainment of gender equality is the socially embedded nature of different forms of violence against women—including prostitution—, the impunity of the perpetrators, and the lack of recognition and protection of the human rights of women who have suffered violence. We decided to address the specific topic of prostitution because we intended to present—in contrast to the dominant arguments and explanations regarding

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prostitution, which are highly tolerant of it and reproduce over and over again the myth of its voluntary nature—a system of argumentation that places women’s human rights at the center, and to reinforce this within the public, political and professional discourses.

The project presented in this publication is based partly on research carried out by MONA Foundation in 2007, and aimed to remedy the legal and institutional deficiencies in the fight against prostitution, based on a human rights approach and taking gender issues into consideration. Starting in October 2008, MONA implemented the 18-month project, entitled “Development of inter-disciplinary cooperation in Hungary to support the fight against trafficking in women and prostitution”, with the support of the EEA/Norwegian Financial Mechanism, under the supervision of the national implementing organizations DemNet Hungary and the Hungarian Environmental Partnership Foundation, and in partnership with the experts of NANE Women’s Rights association, PATENT Association and the Tatabánya-based USZSE Association of Street Social Helpers, whom we would like to hereby thank for their indispensable cooperation. The project aimed to contribute to the creation of an efficient and coherent legal framework to promote the reduction of prostitution and human trafficking; it also sought to lay the foundations of a multi-layered institutional network based on interdisciplinary cooperation that can provide services for victims, ranging from prevention to long-term assistance services.

We do not regard our work as being by any means finished, but we hope that through our project and the present publication we have taken a step towards the establishment of wide-ranging and efficient nation-wide interdisciplinary cooperation, the improvement of the situation of victims, and the creation of a more adequate legal framework.

Sincerely,

The staff of MONA Foundation

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## Lack of information—inadequate legal framework—persons in need unassisted

(The situation of prostitution and human trafficking in Hungary)<sup>1</sup>

Anna Betlen

We are constantly being confronted with prostitution and human trafficking, be it while walking down the street, surfing the web, or looking through newspapers and other news sources. We know that they exist, we sense that they affect a significant number of people, and yet we don't really know anything about them.

Despite this, in Hungary there is **no research** being conducted at the present time (nor was there before) that meets scientific standards and that is able to reveal the problems' size and relevance; universities and research institutes don't deal with the social background of prostitution and trafficking; and prostitution as a problem doesn't appear in the training of professionals (such as police, doctors, social workers, psychologists, etc.)

General public opinion and the way of thinking of professionals and political actors is dominated by **stereotypes**: “prostitution has always been around and always will be”; “it's the oldest profession”, “a necessary evil”, “a free choice”, “every woman is a whore at some point in their lives”, “in capitalism one can buy and sell everything”, etc. And what about human trafficking? “It's a horrific thing but, thankfully, it's not really a problem here...”

### The consequences of a lack of knowledge

There exists in this field neither research nor data collection (the available criminal statistics cannot, even with the best of intentions, be considered to fall into the latter category, as they don't fulfill even the basic norms according to which data can be analyzed and relevant conclusions be drawn from them; they are not even gender disaggregated, for example). Because of this, we do not know the size of prostitution: we do not know how many people could be living in prostitution, how many use it, how many organize it, to what degree organized crime is present in the local (national) sex industry, or to what extent internal and international trafficking is present within the phenomenon.

We do know—since cases are reported regularly by the various media—that there is child prostitution, but we don't know how many minors we are actually talking about.

Since there is no research being carried out, we don't know what effect prostitution is having on those living in it; in other words, we don't have a clear picture of the harms caused by prostitution and trafficking. Since we don't carry out qualitative studies, we also don't know what kind of destruction these phenomena are causing within society: how many children are there whose education ends prematurely because of it, how many people get caught up in drug use, how many people lose their ability, interest and willingness to have normal, joy-filled and equality-based relationships... And how many people's lives are connected by weaker or stronger links to organized crime, etc.

Not being in possession of any scientific background studies that are professionally documented (or even just publicized by the media), we can't even imagine how difficult it can be to get out of prostitution, to escape from the system of trafficking, or how challenging it might be to rehabilitate even just one single victim who wishes to heal and begin a new life.

Furthermore, just as we have no knowledge about the social or individual psychological

1 - Edited version of presentation given by Anna Betlen at the conference “Legal and institutional conditions for combating prostitution and trafficking for the purpose of sexual exploitation – Hungarian and international experiences”, organized by MONA on March 9th, 2010 in Budapest. More information can be found on MONA's website: [www.mona-hungary.hu](http://www.mona-hungary.hu)

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background of the masses that prop up the demand for prostitution and trafficking, we also have no idea what difficulties we might have to confront if we were to embark on the breaking down of bad socialization patterns. There isn't even a remote concept of how to begin to dismantle or eliminate the (economic and criminal) groups that profit from the sex industry.

Since there are no analyses or studies (that can be called credible) being conducted for the purpose of informing politicians, professional circles or the wider public, it's only natural that public opinion is determined by the opinions of groups that have an interest in the maintenance, support and normalization of the phenomenon. From them (advocates of the so-called "pro-sex work" position), we can constantly hear about how the "girls" are "adult" women who are "voluntarily" engaged in "sex work", that brothels need to be legalized because there the "work" can be carried out under supervised conditions, and that in a country that adheres to the rule of law, what could possibly stand in the way of a "voluntary" agreement made between two adult persons (the prostitute and her/his user)?

It is therefore no wonder that this very complicated problem appears before the general public in a simplified way, stripped of its weight, implications and tragic characteristics ("after all, everyone acts out of force", "everyone has a right to do whatever they want with their body", etc.)

The media gladly use cases of female students making loads of money with their pleasant and delightful activity, but sometimes they also allow in the more disheartening stories of burnout, downfall and destruction. But hey, adventure just makes it all the more romantic, doesn't it?

With just one click we can search through the advertisements of legal, state-funded (or tax-break receiving) student unions (the minimum age limit is 16, of course strictly with parental permission), and there they are: the countless half-naked, awkward teenage girls in feather boas and provocative poses offering to take on student work.

In order to—despite the lack of information—be able to form at least an approximate idea of the national scale of this especially grave phenomenon, we have no choice but to rely on our own arbitrary estimates. During research carried out by MONA in 2006–2007 (described later in more detail), we asked leaders within the police – who are experts in the field of countering prostitution and human trafficking – for estimates of the number of people living in prostitution in Hungary; no one had any data on this. However, they considered a realistic estimate to be in the tens of thousands; more specifically, they estimated the number of prostitutes to be between 10,000 and 50,000.

Roughly in accordance with this, the organization that presents itself as the protector of prostitutes' interests (HPIPA)<sup>2</sup> states that (and we'd like to note that this figure is completely unverifiable, but at the moment this is what is being circulated) there are currently 15,000 prostitutes operating in Hungary. According to the HPIPA, each of them sees an average of 3 clients a day. This could mean between 650,000 and 980,000 clients per year; in other words, there are (could be) this many persons who go to a prostitute at least once—or more times—a year. That's every fourth or fifth biologically mature Hungarian man.

### **Causes of the lack of knowledge**

The cause is at the same time also an effect: if we don't know about something, we don't have any questions about it, either. Since society—and this includes researchers, politicians, members of the media, social workers, health care professionals and members of justice and law-enforcement just as much as the general public—does not know anything about

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2- Hungarian Prostitutes' Interest Protection Association, which has recently changed its name to "Hungarian Sex-Workers' Interests Protection Association."

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this phenomenon, it doesn't consider it a problem, and as a result it also doesn't ask any questions about it.

As for those who are participants or regular actors in the industry—and it seems there truly might be many of them—they're silent about it for good reason.

Ultimately, it might as well be said: prostitution, as the result of a wide range of various social inequalities, and at the same time also being an instrument for their maintenance, is, unfortunately, one of the basic pillars of our society. If we were to confront it, we would have to confront society's unjust and counter-productive structures.

### **The fate of a silenced problem**

With such a complicated and dangerous phenomenon permeated by crime and other serious problems, one can only expect scientific studies—that have a country-wide scope and are sufficiently supported by an adequate sample size—to be conducted if the government commissions it (or at least provides significant material and professional support). Without 'political curiosity' or governmental contract-based orders, there will be neither an inquiry into the situation, nor the development of services based on the results of such an inquiry, and furthermore, the issue won't be included in universities' curriculums.

The laws pertaining to prostitution and human trafficking are not thought through and they are contradictory: national legislation either does not harmonize with international guidelines or it does so only superficially; in the Penal Code, prostitution and trafficking exist as two completely independent concepts, far apart from each other, and their proof is hampered by overly stringent criteria; also, there exists no piece of legislation that prescribes rehabilitation or reintegration measures for prostitutes or victims of trafficking—even though they are visibly among the most seriously harmed groups in society.

There are absolutely no services (victim assistance, rehabilitation or training of professionals) that are being carried out within a framework regulated by laws and performed as a state task (i.e. financed from the central state budget).

There is no prevention (neither primary, i.e. prevention against entering prostitution or becoming a buyer, nor secondary, i.e. reduction of additional, further harms among victims, nor is there tertiary prevention, i.e. the prevention of harms to society).

As a result of pressure arising from the obligations placed on Hungary via international agreements and conventions to which it is a party, punishing the prostitute was removed from the Penal Code 17 years ago. But this change occurred without 'legislative conviction': the procurators, who are committing the truly serious and grave crimes, are still today considered only to be the 'halo' surrounding prostitution, aiding and abetting it, or living off it, and are considered perpetrators of so-called 'parasitic crimes' (an unofficial legal term in Hungarian used for crimes surrounding prostitution that are characterized by the perpetrator obtaining profit or any other sort of gain via the prostitute, e.g. by pimping, pandering, living off the earnings of someone else's prostitution, etc.) The focus of the justice system—and within it, of law-enforcement—remains the prostitute. He or she continues to be fined based on various other laws and regulations.

The UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others has just turned 60 years old. It was not commemorated in Hungary.

Hungary, which joined the UN only in 1955, has been indebted of the social, victim protection and rehabilitation measures contained in the Convention for 55 years now.

## **MONA's 2006–2007 research**

In 2006–2007, MONA—based on a research plan commonly agreed upon with other members of the European Network against Trafficking in Women (ENATW<sup>3</sup>)—carried out a small research study with the participation of altogether a dozen decision-makers in Hungary (just as the other partner organizations did in their own countries), with the aim of assessing the level of knowledge among political, state and police leaders, and finding out what methods for handling and solving cases they are aware of or propose. These were professionals who, by virtue of their positions or mandates, had to be or should be dealing with the issues of prostitution and human trafficking. The research summary is available on our website in English and Hungarian.

The contacted politicians, leaders and professionals were not all available for an interview. Some flatly declined our request, while some strung us along. In some cases we were able to replace the originally selected interviewee with someone else, but we also had instances when, due to the constant postponements, we ran out of time, and therefore fewer interviews were made than initially planned. (However, it has to be noted that not a single police representative who was contacted avoided giving an interview. Every single one worked together with us within the framework of the research with the maximum amount of good intentions and according to their best knowledge, and this is also true for the trainings held within the framework of the project which is the subject of this publication. If the research results do not attest to a large amount of knowledge and sensitivity in their case either (as in the case of the other interviewees), it is not the fault of the personnel, but that of the system).

### **Main results of the research:**

The political, public administration and police leaders whom we interviewed:

- o Did not have knowledge about the connection between prostitution and human trafficking, the phenomena's social background and causes, the sociological characteristics of the actors involved, the local (Hungarian) and international situations, or of practices in other countries;
- o They were not clear about the fact that, until the age of 18, someone is a child;
- o They were not very familiar with the relevant national legislation and barely knew anything about international instruments, agreements and conventions;
- o They had a double standard: the (female) prostitute, due to economic reasons or necessity, lack of morals or bad role models, CHOOSES prostitution, while the (male) sex-buyer, due to illness, inability to form relationships, uncontrollable extreme bodily urges or loneliness, is FORCED to use prostitution;
- o They did not think to consider that the support of and assistance to prostitutes or victims wishing to get out of prostitution is a state task and responsibility;
- o Regarding services to be offered, the interviewees brought up solely health checks, which (wrongly) serve to protect the sex-buyers (while there was no mention of, for example, rehabilitation, accommodation, perhaps rescue, therapy, or exit assistance for getting out of conditions of prostitution and trafficking).

### **MONA's position:**

Prostitution and human trafficking for the purpose of sexual exploitation are the exploitation of women and children.

3- Since then re-named ARETUSA, [www.aretusa.net](http://www.aretusa.net)

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Prostitution: one location—trafficking: varying locations. Both are about the using of persons who are, for some reason or other, in a vulnerable or subjugated position.

The securing of a continued supply occurs with simple, but by no means peaceful methods: with bloody violence and brutality. This—the breaking in of victims by subjecting them to all kinds of abuse and torture in order to gain their full submission—has a distinct role later on in the obtainment and retainment of the clientèle.

It is our position that prostitution and human trafficking for the purpose of sexual exploitation:

- o Are primarily about power and only secondarily about sex. They are important instruments in the maintenance of the superior position of men (as individuals and as groups) and the inferior position of women (as individuals and as groups);
- o Contribute to the restriction of the competition that exists for the finite number of available positions in society and on the labor market;
- o Produce and disperse huge economic profit, since the prostitute or victim of trafficking is a cheap, almost free means of production/good/natural resource;
- o Are, for certain limited groups, a quick and, unfortunately, risk-free way to make money;
- o Mean for other, much larger groups downfall and ruin, the impossibility of getting out and healing, and the passing on—through generations—of traumatic exclusion.

Prostitution and trafficking are of incredible harm to society, a huge restraining force and contribute to regression.

Therefore, in this project we developed proposals for a thorough and appropriate revision of the relevant legal–institutional framework, for the development of an institutional system that is able to care for victims, and for the initiation of prevention programs, both on a societal and an individual level, including research, public awareness-raising, education and training programs (the proposals are available in full length in the Hungarian version of this publication).

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On a policy level, we agree with the Swedish model, namely with its gender equality–based conceptual approach, as well as with its practical and effective argument that supply is created and maintained by demand, and therefore change can only be brought about through restricting buyers.

However, within the framework of this project we are looking to obtain practical results and to address the most urgent problems and shortcomings in Hungary. For this reason, in the proposals developed over the course of this project, we are not demanding for all clients to be punished (although the already criminalized act of using persons in prostitution who are under the age of 18 should be effectively prosecuted and the punishment should be significant). It is our goal that there exists as soon as possible a law as a result of which it will be less worthwhile and risk-free to pimp prostitutes, to keep a brothel, to recruit, sell or buy women and children; a law which ensures respect for victims and provides them with assistance, and also guarantees protection for those who assist them. We consider it necessary that a legal framework is developed that does not confuse the rights of women with a right to women: one that protects the right of all women to a life free from prostitution.

The EU has opened up, the Schengen border has closed in around us, and now it can clearly be seen: viewed from here, human trafficking happens just as much internally as does prostitution. The fact that the victim doesn't know the language of the user, and

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sometimes not even that of the pimp, is just a minor component among the aggregate of factors contributing to their vulnerability and subjugation.

The main thing is that she/he is acting out of force as a result of grave conditions, or perhaps others are forcing her/him with hellish means.

The client doesn't care: he won't ask the woman if she's there voluntarily or by force, he wants to use her, and without any consequences at that. From the system's point of view, voluntariness is irrelevant.

In recent years, the number of Hungarian women in the legal prostitution areas within the Schengen borders has greatly increased, so much so that the police in Amsterdam and Zurich have to employ a Hungarian-speaking official.

In February of 2010, a Dutch social worker visited Hungary. She works in Amsterdam and has for the past 15 years been providing social care to the so-called "window prostitutes" in the Red Light District there. She came to Hungary to have a look around, led by the questions: "What kind of a country do these women come from, anyway? What is the situation of women in Hungary, how oppressed are they? Because it's astonishing what all can be done with them." It seems that, compared to the Czech, Slovak, Polish, Ukrainian and Albanian women, who have up until now been in the lead, Hungary has in recent years been able to produce—in large numbers and at low cost—women who are even more subjugated, and therefore even more ready for (more forced into) anything.

The situation is not looking good.

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## „Development of interdisciplinary cooperation in Hungary to support the fight against human trafficking and prostitution”

### Project aims, activities and achievements

Andrea Matolcsi

#### Overview

Not least in response to the shortcomings discovered during the above-mentioned research completed by MONA in 2007, that same year the organization submitted a proposal to the NGO Fund of the EEA/Norwegian Financial Mechanism (Norvég Civil Támogatási Alap, i.e. NCTA) for a project which sought to remedy the identified problems and deficiencies. The proposal was successful, and in October, 2008, with the support of the NCTA, under the supervision of Hungarian implementation organizations—namely the Hungarian Environmental Partnership Foundation (Ökotárs Alapítvány) and the Foundation for Development of Democratic Rights (DemNet Alapítvány)—and in cooperation with experts from local partner organizations NANE Women’s Rights Association, PATENT Association and the Association of Street Social Helpers (USZSE, based in the city of Tatabánya), MONA began an 18-month project entitled “Development of interdisciplinary cooperation in Hungary to support the fight against human trafficking and prostitution”.

The project’s budget was 80,596 EUR, of which 72,116 EUR was provided by the NCTA and the remaining 8,480 EUR co-financed by MONA via internal and additional external sources (among others, the Norwegian Embassy in Budapest and the Embassy of the United States of America in Budapest contributed to the project with material and other types of support).

The project, which had a human rights and gender-based approach, had the following **main aims**:

- o To develop the foundations of a nation-wide assistance system based on interdisciplinary cooperation, created for the purpose of combating human trafficking and prostitution and supporting victims;
- o To establish cooperation with and among the relevant governmental authorities, NGOs and experts working in the field in order to achieve a more adequate legal policy;
- o To strengthen the advocacy and interest protection skills and capacity of NGOs working in the relevant fields (namely trafficking, prostitution and women’s rights).

The project’s **long term, indirect goals** included:

- o For the cooperation between relevant agencies and actors to become institutionalized and regulated;
- o For psychological and social expertise to become part of the training of police and other professionals who deal with victims of trafficking and persons in prostitution;
- o For the state to put more effort into crime prevention and victim protection, and for the leaders of governmental and public bodies to understand what prostitution and human trafficking really mean and how these concepts are related to each other;
- o For the situation of victims to improve and for the number of crimes to decrease.

The project’s **participants/target** groups were: directly, decision-makers in government and politics, judges, members of the police forces and experts from NGOs and institutions, and indirectly, victims of trafficking and persons in prostitution.

## **Main activities, “outputs”**

In seeking to achieve the above objectives, several activities were carried out and “outputs” developed over the course of the project, namely:

- o Research,
- o Professional forums organized for and with the target groups for the purpose of developing interdisciplinary cooperation,
- o Proposals for the modification and development of national legislation as regards human trafficking, prostitution and victim assistance,
- o Proposals for the foundations of the structural organization, main tasks and operational principles and guidelines of a future nation-wide network of victim assistance and shelters;
- o The development and implementation of pilot trainings for members of the Hungarian police forces.

Among these, the assistance network plan—developed by Anna Betlen (MONA) and Kriszta Hoffmann (USZSE)—and legislation amendment proposals—drafted by Judit Wirth (NANE Association) and Júlia Spronz (PATENT Association), the project’s legal experts—can be found in full length in the Hungarian version of this publication. The following section presents the other main elements of the project, as well as some of its achievements.

## **Research**

During the first six months of the project, the project’s staff members carried out thorough research. They sought to find out what “good examples” regarding trafficking and prostitution can be found in other countries as well as in materials published by international organizations, specifically as regards legislation, victim protection and services, and interdisciplinary cooperation.

It is based on the materials collected over the course of the research phase of the project<sup>4</sup>, the project experts’ previous research, work and experiences, as well as the information gathered during the project’s professional forums—in other words, taking into consideration the suggestions of experts working in this field—that the project’s institutional and legislative proposals were developed.

## **Professional forums**

Interdisciplinary cooperation was indispensable for the successful implementation of the project. To this end, a total of three professional forums were organized in April, May and November of 2009. During these forums, the project’s staff and the participants<sup>5</sup> together assessed Hungary’s national legislation and the opportunities for and experiences hitherto with measures and actions. MONA’s earlier research regarding prostitution and trafficking was presented, and the participants examined and discussed possibilities for cooperation. The participants—professionals dealing either on a theoretical or a practical level with the issue and/or the target groups—presented their own experiences, and they provided their opinions on and debated the emerging draft concepts being developed within the framework of the project.

Participants included, among others, professionals from justice and law-enforcement, representatives of the Ministry of Social Affairs and Labor, health experts, researchers dealing

4- For examples, please see Annexes I-4.

5- A full list of the organizations and institutions who participated in forums in April, May and November, 2009 can be found in Annex 5.

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with the issue, as well as—and this was very important—representatives of NGOs carrying out street social work with persons in prostitution and NGOs working with migrants.

The participants greatly contributed to the project by sharing their experiences and commenting on the draft concepts. In turn, based on their feedback, it can be concluded that these events also provided them with a good opportunity for exchanging experiences and networking. It should be noted that, in Hungary, in this issue area, such opportunities are rare.

Below are a few quotes from the questionnaires filled out by participants after the forums to evaluate the latter's effectiveness and impact:

- o "I learned what others think. I gained new professional knowledge. I was able to contribute to the program."
- o "The participants work in different fields, which ensures a wider overview of the topic. This is absolutely useful."
- o "Our foundation acquired professional contacts that I consider important, and my previous conceptions regarding the topic were clarified and refined."
- o "Working together in groups went very well. I gained a lot of experience and many contacts that I can later utilize."
- o "We were able to become acquainted with the concrete mechanisms of assisting victims, as well as with the actual work being carried out by assistance organizations."
- o "I was able to meet representatives from other organizations that are involved with the issue, and I was able to learn about their experiences and problems, which I can keep in mind when carrying out my own work."
- o "We were able to 'take a peek' into the professional work of the participants, to learn about the problems that arise in the various fields that our colleagues struggle with in the course of their work, and we were able to learn that, although the areas of work might be different, the professional goal is the same: to reduce and eliminate the violence."

A detailed summary of the first two forums can be found on MONA's website (in Hungarian).

### **Pilot trainings for police officers**

As regards the project's 'products', in addition to the institutional and legislative proposals, the third main component of the project was a pilot training developed and held for members of the Hungarian police forces. The training materials were developed and the trainings implemented by Györgyi Tóth (NANE Association) and Kriszta Hoffmann (USZSE).

The **aim** of the trainings was to test the training materials developed within the framework of the project, which in turn sought to equip participants to more effectively combat trafficking for the purpose of sexual exploitation, as well as prostitution—especially child prostitution—and to internalize related law-enforcement tasks.

#### **The training's objectives were the following:**

- o For participants to acquire practical knowledge on effective police work with victims of organized sexual exploitation;
- o For them to develop human rights-based attitudes in relation to victims of sexual violence;
- o For participants to discover the human rights aspects of adult prostitution, human trafficking for the purpose of sexual exploitation and child prostitution, as well as their connections to each other;

- o For them to understand the legal framework behind these issues;
- o For all those involved to collect information from the participants on the conditions necessary to effectively combat prostitution and trafficking for the purpose of sexual exploitation, with an emphasis on cooperation with other organizations.

### **The trainings' target groups:**

#### General:

- o Members of the Hungarian police forces who, in the course of their daily work, do or may come into contact with women and children in prostitution and/or with their environment.

#### Specifically:

- o Local officers,
- o Patrol officers,
- o Victim protection officers.

The trainings were realized thanks to pre-existing, long-term cooperative partnerships with **partners within the police**. A representative from the Anti-Trafficking Department of the National Bureau of Investigation, within the National Police Headquarters, delivered presentations at two of the trainings conveying a large amount of practical information. The police's dedication and willingness to cooperate and assist with the implementation of the trainings was a very positive experience for the organizers.

### **Methodology:**

- o Use of cooperative methods,
- o Conscious team building,
- o Team of trainers providing support throughout the process,
- o Utilizing the experience and knowledge of the participants,
- o Joint processing of information, mutual learning (learning from each other),
- o Involving presenters from their own field (National Police Headquarters, National Bureau of Investigation Anti-Trafficking Department),
- o Balance between providing information, skills development and attitude forming.

### **Results in numbers:**

- o 3 x 2 days of trainings (two at the Budapest Police Headquarters and one for police officers under the Veszprém County Police Headquarters),
- o 35 participants,
- o 1 set of training materials developed for police regarding human trafficking and sexual exploitation.

### **Results in words:**

The project's staff feel that the pilot trainings were a success, mainly in terms of the participants' level of activeness, the amount of information conveyed and received, and not least, the successful change in attitude and increased empathy and sensitivity that was visible among many participants. The organizers saw that, thanks to the trainings, the participants were able to view the phenomena as well as those affected from a new perspective, one that they had not necessarily used before, and one which is based on a human rights approach that also takes into consideration gender-related issues.

### **Feedback from the participants:**

"It is important to understand the psychological background of victims, and to approach them during the police interview in such a way that they are then able to cooperate."

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“I have found new connections between already-known facts.”

“We behaved more informally with each other than we do in the bustle of everyday life.”

“Beneath the seemingly superficial issue of prostitution lie deeper and more dense roots than I had imagined.”

“This information should be provided to as many police units as possible.”

“Such and similar trainings should be held more regularly.”

“This training should be implemented already in the vocational school for police (in this format).”

“It is possible to develop good relationships with NGOs, not all of them see the police as an enemy.”

“Cooperating with NGOs is indispensable and necessary.”

“Thank you for these two days; they truly contained information that revived hope in me.”

## Visibility

The project, not least because of its topic, sparked a lively public debate in Hungary. The media on several occasions dealt with the project in particular and/or the issues of trafficking and prostitution in general, and allowed room for the expression of (often opposing) opinions. Therefore, opportunities opened up for newspaper articles, televised debates, public debates and discussions, participation in radio and news shows, etc., among others in the following media: the national newspaper *Népszabadság*, the journal *Élet és Irodalom*, the TV channel ATV, the radio stations *Tilos Rádió*, *InfoRádió*, *Civil Rádió*, *MRI Kossuth Rádió* and *Diósgyőr Rádió*, and the online portals *Női Lapozó* (online women’s magazine), *Jogi Fórum* (“Legal Forum”) and *Tűsarok.org* (“high heel stilettos”, a feminist online magazine). In addition to this, the project’s staff informed over 50 Hungarian and foreign organizations and institutions about the project in various ways (e.g. during formal meetings or informal discussions, at conferences or in writing).

## Sziget Festival<sup>6</sup>

Regarding visibility, although it was not officially part of the project, it is worthwhile to mention the participation of MONA and its project partners at the 2009 Sziget Festival in Budapest (made possible by the Ministry of Foreign Affairs). The project’s staff were given the opportunity to set up a stand at the festival, to discuss prostitution and trafficking with interested passers-by and to hand out information materials<sup>7</sup>, and the participants also had the chance to fill out a quiz<sup>8</sup> about the subject. Participating in the Sziget Festival provided an excellent opportunity for awareness raising and information dissemination, and the organizers were pleasantly surprised at how civilized, sensitive and open the—primarily, but not only—young (local and international) participants were. This was unexpected because the majority of society does not usually display such attitudes when it comes to this issue.

6- An annual cultural, music and youth festival in Budapest, held on an island ('sziget' in Hungarian) on the Danube river.

7- Please see Annex 6.

8- Please see Annex 7. Further materials, as well as pictures from the event can be found on MONA's website.

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## International Conference:

### „Legal and institutional conditions for combating prostitution and trafficking for the purpose of sexual exploitation—Hungarian and international experiences”

An international conference was held within the framework of the project on March 9th, 2010, at the Council of Europe’s European Youth Centre in Budapest, with the participation of more than 130 guests.<sup>9</sup>

The conference had two main goals: firstly, to introduce the project to a wider audience, and through this to, on the one hand, receive feedback from the participants on the proposals developed within the framework of the project, and on the other hand, to get to know the experiences and opinions of the participating professionals, who deal with the issues on a theoretical and/or practical level. In this respect, the organizers welcomed the fact that the conference drew such a large number of representatives from the relevant law-enforcement, victim assistance, justice, education and healthcare institutions and organizations, as well as—not least—NGO representatives and social workers, all of whom greatly contributed to the quality and results of the conference with their observations and suggestions. The organizers especially welcomed the attendance of several police officers who had taken part in the project’s pilot trainings.

In addition to the above, the other main goal of the conference was for the international—namely Swedish, Norwegian and U.S.—guest experts to present developments in the situation and the role of trafficking and prostitution in their countries, as well as what procedures and methods they utilize in terms of legislation and law implementation, interdisciplinary cooperation and assistance and services provided to the target groups. Through the guest speakers’ presentations, the audience was able to compare the situation and practice in Hungary with that of a few other countries, and to thereby to draw some immediate conclusions.

The conference was opened by MONA’s Chair of the Board, **Violetta Zentai**, who greeted the guests, briefly introduced MONA and presented the background and objectives of the conference. Subsequently, Her Excellency **Siri Ellen Sletner**, Norwegian Ambassador to Hungary, delivered a speech in which she discussed the importance of the topic and MONA’s project, as well as Norway’s international funding practices and priorities (including as they affect Hungary), the partnership between Norway and Hungary, the importance of civil society and NGOs in the formation and development of a democratic society, and human trafficking as a global problem and as a crime which results in serious violations of victims’ human rights. The Ambassador also spoke about the Norwegian state’s approach and efforts in the field of combating trafficking and sexual exploitation, as well as about Norway’s role in international anti- and counter-trafficking efforts and initiatives aimed at more adequate assistance and protection for victims.

This was followed by the conference’s first section, which dealt with the situation in Hungary and the project, and which was moderated by Violetta Zentai. As the first presenter, **Anna Betlen**, MONA staff member and lead expert of the project, outlined what is currently known about prostitution and trafficking as they concern Hungary. She discussed how, due to a lack of information collection and sharing, we have very little knowledge about the phenomena that is supported by professionally collected, reliable data. However, from various sources—primarily through Hungarian and international professional contacts, public police reports and the media—, it can be established that trafficking for the purpose

9- Please find the list of participating organizations and institutions in Annex 8.

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of sexual exploitation is occurring within Hungary, from Hungary to other countries, to a lesser extent from other countries into Hungary, and to a large extent through Hungary. It is also known that efforts to combat the phenomena as well as victim protection are currently inadequate in Hungary, not least as a result of the shortcomings that exist in terms of legislation, interdisciplinary cooperation and political will.

**Andrea Matolcsi**, MONA staff member and coordinator of the project, presented the goals, activities and results of the project—which sought to redress the previously described problems—, after which **Anna Betlen** gave her second presentation of the conference, in which she introduced a proposal for the establishment of a nation-wide assistance network based on interdisciplinary cooperation, which she developed within the framework of the project together with **Kriszta Hoffmann** (USZSE). The document presents a proposed plan for a complex, multi-layered assistance system which ranges from prevention to long-term assistance, and which would more effectively assist victims of trafficking and sexual exploitation than the current system, and at the same time also enable more effective prevention. Comprising part of the nation-wide assistance network plan is a cooperation protocol outlining the tasks and responsibilities of professionals and institutions coming into contact with victims.

Subsequently, **Júlia Spronz** (PATENT Association) and **Judit Wirth** (NANE Association), the project's legal experts, presented the draft legislation amendment developed within the framework of the project, describing in detail the proposal's contents, its conceptual background and approach, as well as the explanations and justifications for its main components. The legal experts emphasized that, according to international statistics, it is estimated that 2% of persons in prostitution carry out this activity completely free of any type of coercion and fully voluntarily, while the remaining 98% are in prostitution due to some sort of coercion, violence or threat. The aim of the proposed legislation amendments—just as is the case with the above-mentioned assistance network plan—is to respond to the reality and needs of the overwhelming majority.

The proposals can be found in full-length in the Hungarian version of this publication.

In the last presentation of the first part of the conference, **Györgyi Tóth** (NANE Association) presented the pilot police trainings developed and implemented together with Kriszta Hoffmann within the framework of the project, and which conveyed to the participants knowledge about prostitution and trafficking, understanding towards victims, and sensitivity regarding the issues (the trainings and the participants' feedback were discussed earlier in this section).

The second part of the conference, moderated by **Lídia Balogh** (MONA), dealt with international experiences, more specifically, the experiences of three countries as regards trafficking and prostitution, with a focus on legislation, interdisciplinary cooperation and services provided to the target groups.

**Lars Bäck**, an expert from the Swedish NGO Baltic Fem ([www.balticfem.se](http://www.balticfem.se)), began by reading a statement prepared for the conference by the Swedish Ministry of Justice regarding the official position of the Swedish government and Ministry of Justice on prostitution and trafficking. According to this, the Swedish state rejects prostitution and the purchase of sexual services, which it expressed most clearly when, in 1999, it became the world's first country to pass a law that prohibits and punishes with a fine and/or imprisonment the purchase of sexual services, or the use of purchased sexual services, in all circumstances. The Swedish government's statement emphasized that, according to the law, the prostitute—

i.e. the person offering sexual services—is not punishable in any way or form. Instead, the government seeks to provide persons in prostitution with adequate assistance and support, insofar as the individual wants this. According to the statement, the results thus far in terms of the scaling down of prostitution and trafficking have been positive (at the time of the conference, a comprehensive review of the impact and effects of the law was being carried out, results were expected in the near future). Finally, the statement highlighted the connection between prostitution and trafficking, as well as both phenomena's connections with various forms of organized crime.

Subsequently, Lars Bäck began his own presentation. He started with an overview of the historical background of prostitution and trafficking, reminding the audience that the phenomena have been around for a very long time and that we can draw parallels between the situation of today and that of the time around the 1900s. At that time, the prostitutes on Western Europe's prostitution markets were mainly Jewish—i.e. belonging to the group which was, at that time, the most socially excluded—, and were arriving from Eastern Europe. Bäck went on to talk about the clear and undeniable connections between local (national) prostitution markets and human trafficking, as well as about the contents of, events leading up to and process of acceptance of the previously mentioned 1999 Swedish law that criminalizes the purchase of sexual services and their use. He described how, according to the official Swedish position, prostitution is harmful for those who are directly participating in it (first and foremost the prostitutes, due to the violence, exploitation, the emotional and physical harms and the illnesses that are inevitably present in the phenomenon), but also for society in general, not least due to its connections with organized crime, as well as to its role in the maintenance of inequality between women and men. In the 1990s, the Swedish government—as a result of several decades of lobbying and pressure from women's rights NGOs—recognized that if they wanted to do something against trafficking and sexual exploitation, then they had to take action against the demand that generates them; in other words, they had (and still have) to focus on those using purchased sexual services, i.e. the sex-buyers. Finally, Bäck presented the positive effects of the law in terms of reducing prostitution and trafficking that had been experienced already in the first ten years of its having been in effect. The audience was presented with data which showed a positive change in attitudes among the general public—not least among Swedish men—regarding the use of purchased sexual services, as well as society's stable level of support for the law. He mentioned that, in his opinion, although Norway passed a law aimed at reducing the demand for prostitution ten years after Sweden (in 2009), today Norway is ahead of Sweden in this field.

**Birgitte Ellefsen**, Head of the Coordination Unit for Victims of Trafficking (KOM), which is under the auspices of the National Police Directorate of Norway, began her presentation with an introduction into the anti-trafficking efforts of the Norwegian government. She mentioned that, in addition to the other main relevant international agreements, Norway has also ratified the Council of Europe Convention on Action against Trafficking in Human Beings, and she emphasized the importance of this for Hungary as well (note from the editor: Hungary has signed the Convention, but as of March, 2010 still had not ratified it). Ellefsen stated that, similarly to Sweden, in early 2009 Norway passed its own law prohibiting the purchase of sexual acts or their use. She went on to discuss the (positive) effects of the law thus far in terms of reducing prostitution and human trafficking. She mentioned that the Norwegian government had introduced a similar regulation already in 2002, but it was limited to government employees.<sup>10</sup> Ellefsen went on to discuss the establishment of

10- Ethical Guidelines for Government Employees Prohibiting the Purchase and Acceptance of Sexual Services, [http://www.regjeringen.no/nb/dep/jd/dok/Veiledninger\\_brosjyrer/2002/ethical-guidelines-.html?id=87912](http://www.regjeringen.no/nb/dep/jd/dok/Veiledninger_brosjyrer/2002/ethical-guidelines-.html?id=87912)

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the KOM and why this was necessary, namely because before the creation of this central coordinating body, interdisciplinary cooperation in the field was lacking, which negatively impacted the effectiveness of anti- and counter-trafficking efforts in Norway. She went on to describe in detail the KOM's functioning, tasks and activities, and noted a significant increase in the effectiveness of anti- and counter-trafficking efforts since its creation, both in terms of bringing perpetrators to justice as well as in assisting and protecting victims. Ellefsen described the current situation in Norway as regards trafficking, citing the KOM's 2009 statistics, according to which the overwhelming majority of identified victims are women who are trafficked for the purpose of sexual exploitation, but there is also a significant number of cases of trafficking for labor exploitation, and, to a smaller extent, male victims as well. The victims who have been identified arrive to Norway from all over the world, but the overwhelming majority of them are from Nigeria. She listed several challenges that remain for Norway in the area of combating trafficking, including the need to develop services tailored to the needs of male victims and victims of trafficking for labor exploitation, the need to increase the amount of attention being paid to victims who are minors and/or are of Roma descent, and the need to develop more suitable long-term accommodation for victims of trafficking.

Representing the Embassy of the United States of America in Budapest, **Christina J. Hernandez** discussed in her presentation how human trafficking (also termed “modern-day slavery”) is a global problem. She confirmed that the main types of trafficking are for the purpose of sexual exploitation, forced labor and bodily organs. She affirmed that the fight against trafficking is a priority for the U.S., which recently reviewed and reauthorized its anti-trafficking law that was passed in 2000. The current, modified version, which provides the state with more effective tools for victim assistance and prosecution of perpetrators, was passed in 2005. This law rests on four pillars: prevention, prosecution, protection and partnership. As regards the last, most recent component of partnership, the U.S. State Department has for the past 9 years been publishing its annual “Trafficking in Persons Report”, a comprehensive assessment of the anti-trafficking efforts of most of the world's governments. The main aim of the report is not to criticize, but rather to collect experiences and draw conclusions from them, and through this, to improve government efforts in the individual countries. Hernandez emphasized that, for effective prevention, prosecution and protection, it is necessary to have cooperation and partnership at the international level (an example of which is the U.S.'s international funding mechanism for anti-trafficking programs), but also at the national level, within the individual countries (for example between law-enforcement agencies and NGOs, and generally within a framework of interdisciplinary cooperation). In her concluding remarks, Hernandez mentioned that, in the name of cooperation and transparency, the U.S. Department of Justice released its own report last year—around the time of the publication of the annual Trafficking in Persons Report—which dealt with the trafficking situation within the U.S., and which evaluated the role of the state and also put forth suggestions on how to increase the effectiveness of its anti- and counter-trafficking efforts.

The fourth international presenter brought the focus back to Norway. **Elise Skarsaune**, of the REFORM Resource Center ([www.reform.no](http://www.reform.no)), began her presentation with an introduction into the work of her organization. REFORM is an NGO whose target group consists of men and boys. REFORM provides them with information as well as direct services, and at the same time also collects information from and about them, primarily for the purpose of promoting male perspectives. Their aim is to improve the quality of life of men and boys through promoting and advancing gender equality. According to REFORM's

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position, prostitution is a structural hindrance in the attainment of gender equality, and at the same time, it also perpetuates stereotypes about women and men that both sexes would be better off without. Skarsaune went on to describe how the focus on clients developed in Norway over the years—mainly beginning in the 1980s —, and what state and NGO programs and initiatives there have been in this field. Furthermore, she spoke about the characteristics of Norwegian users of prostitution (i.e. those who pay for or use paid-for sexual services). For example, according to REFORM’s statistics, the majority of these men (sex-buyers) purchased sexual services away from their home environments (80% of them only abroad). She also discussed a study that found that there are many diverse reasons for using sexual services. Furthermore, she introduced the [www.sexhandel.no](http://www.sexhandel.no) website, which is supported by the Norwegian government and run by REFORM, and which offers information about prostitution and trafficking and also offers counseling services to actual or potential sex-buyers. The website’s target group is men, and among others, one of its main aims is to raise awareness among its visitors about the connections between prostitution and trafficking, and to, through this, reduce the demand for sexual services—and therefore at the same time also for trafficking.

The presentations were followed by a lively discussion.

One audience member asked the project’s staff whether they were concerned that their firm position, which views prostitution and trafficking as being essentially the same phenomenon, and their considering those affected generally to be victims of sexual exploitation, might draw criticism from the so-called pro sex-work feminists and lobby. He asked whether they aren’t afraid that this might generate a backlash and therefore possibly backfire and make their work more difficult.

The project’s staff reaffirmed what they had stated during their presentations, namely that they are aware of this debate, and having taken it into consideration note that the project serves, in the first place, to protect and support victims and vulnerable persons, and those who are not victims of any violence or abuse—according to international statistics, altogether 2% of those in the sex industry—are not even in need of the services for the development of which this project was initiated.

The same audience member also suggested that the project’s implementers allocate more attention to the issue of demand, as it is demand which creates, perpetuates and sustains prostitution and all forms of trafficking. The project’s staff confirmed that there is certainly a need for much more such research on this, including in Hungary, and they would certainly like to take part in international research analyzing the demand for sexual exploitation. Furthermore, although the demand issue is a priority for the project’s staff also in terms of policy work, this project focused on the needs that are currently the most urgent in Hungary in terms of improving institutional and legislative conditions.

Another audience member asked about the fate of the project’s results, i.e. how MONA and the three partner organizations plan to get the developed proposals to decision-makers and obtain their support. The project’s staff answered that, first of all, they are counting on the media’s help and support in this, and secondly, they are confident that the professionals working in the field—be it in the area of victim protection, child protection, justice or health care—can be persuaded and will get on board, and that a significant number of them will support the project’s proposals. All of this can eventually bring about the desired results.

A further member of the audience stated that, according to his knowledge, the law punishing sex-buyers that was introduced in Sweden in 1999 has not led to a significant decrease in

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prostitution, and statistical research shows that, after a temporary decrease, today there is just as much illegal profit being made from prostitution as before the law. What did change, he claimed, has been the activity itself, as it has been pushed from the streets onto the internet and into clubs, thereby worsening the visibility and therefore the safety of prostitutes.

The Swedish expert, Lars Bäck, explained that prostitution was not a visible market even when it was not illegal to purchase sexual services. While the women themselves may have been more visible when more of them were on the street, those operating the prostitution industry were not open about what they were doing even before the law. In any case, a thorough and comprehensive analysis of the effects of the law would certainly be very useful, and as he mentioned in his presentation, the Swedish government was expected to publish such an assessment in the near future.

As regards Norway, Birgitte Ellefsen stated that the new law there prohibiting the purchase of sexual acts has actually made the Norwegian police's work much easier, as they are better able to monitor the prostitution market now than before the law, when it was mainly on the street. This is because when it is on the street, agreements take place orally, whereas now most of the business (arrangement of meetings, advertising) has to be conducted over cell phones and the internet, which are much easier to monitor. As for concerns and arguments that laws punishing sex-buyers result in prostitutes being more exposed to violence, Ellefsen mentioned that there are several reports and studies that show that violence was already very much present in Norway's prostitution industry even before the law; it is not yet known whether this will actually change for the worse as a direct result of the 2009 law.

Bäck added that one thing that has changed in Sweden in the past decade or so is the composition of prostitutes and the forms of prostitution, following the habits and demands of buyers of sexual services. For example, the institution of the so-called "mail order bride" has become more widespread and frequent. These women, brought over by Swedish men from less economically developed countries (e.g. the Philippines, Thailand) are often thrown out onto the street after the "customer" becomes bored of them (often after having abused them), and many of these women then end up in prostitution (while the buyer, on the other hand, goes online and orders himself another "wife").

Finally, in reaction to the Swedish and Norwegian experts' presentations, an audience member asked whether in Sweden and Norway, the government does, in fact, provide significant support to NGOs. The Scandinavian experts confirmed this. Ellefsen added that, in Norway, most NGOs are state funded, this is the norm. Furthermore, not only are they allowed to monitor and criticize the government, but they are expected to do so.

Over 130 guests participated in the project's final conference, including—in addition to the invited guest speakers, the donors' representatives and the project's staff—experts from both state and non-governmental social, child protection, law-enforcement, justice and health care organizations and institutions from almost every region in Hungary. When taking into consideration the number and diverse composition of the participants, their contributions and the lively discussions, as well as the feedback received by the organizers after the conference, the event can be considered to have been very successful.

Last but not least, it is important to mention that volunteers working on behalf of MONA contributed to a great degree to the successful organization and implementation of the conference.

The organizers would hereby like to express their gratitude to the conference's interpreters, who carried out the interpretation for the entire conference on a volunteer basis. These

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current and former students of the Eötvös Loránd University's Department of Translation and Interpreting were: Dóra Keresztiné Kövér, Balázs Géczy, Dávid Koronczay and Károly András Németh. Additionally, the following volunteers assisted with the implementation of the conference: Zsuzsanna Lestál (Salva Vita Foundation), as well as Cristinel Buzatu and Margaret Farmer (students of Central European University, Budapest).

The presentations held at the conference, as well as additional background materials, can be found on MONA's website ([www.mona-hungary.hu](http://www.mona-hungary.hu)).

### **Next steps**

The project was completed in March 2010, but MONA and its partners would like to continue the work begun within its framework, further developing and putting to use the materials that were created. To this end, as a first step, MONA shared the full versions of the institutional and legislative proposals presented at the above-mentioned conference on its website, with the aim of allowing professionals from the relevant fields to provide their feedback and suggestions, so that these could be taken into consideration during the finalization of the materials.

Depending on the obtainment of necessary funds, the project's staff will continue to contribute to the establishment and development of the proposed assistance network and to work towards the acceptance of the legislation change proposals. They also plan to continue the already successful pilot trainings, with an expanded target group.

Altogether, the project's implementers are of the opinion that, thanks to the activities carried out within the framework of the project, significant progress has been made towards the establishment of a nation-wide, comprehensive and effective system of interdisciplinary cooperation in Hungary, the improvement of the situation of victims, and the creation of a more adequate legal framework.

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**Annex I:**

## **The European Model Protocol of cooperation between law enforcement and civil society organizations in cases of sexual exploitation<sup>11</sup>**

- o Preamble
- o Chapter I General Provisions
- o Chapter II Description of responsibilities
- o Chapter III Exchange of data and Protection of personal data
- o Chapter III Other forms of cooperation
- o Chapter IV Final Provisions

### **PREAMBLE**

[name of the civil society organisation] represented by [name of the legal representative of the organisation]

**and**

[name of the law enforcement unit] represented by [name of the legal representative of law enforcement]

Hereinafter referred to as 'the Parties'

Aware of the increasing number of cases of sexual exploitation of children,

Aware of the need for an efficient cooperation between them in order to enhance the fight against sexual exploitation of children,

Deeming it useful to be able to share their expertise and experience in the field of sexual exploitation of children,

Considering the Resolution on the contribution of civil society in finding missing or sexually exploited children, 09/10/2001,

Bearing in mind the provisions of the UN Convention on the Rights of the Child

The mission(s) of [name of the civil society organisation] being [description of missions]

### **HAVE AGREED AS FOLLOWS:**

**Note:** these provisions are suggested as guidelines and may be changed substantially to the wishes of the Parties concerned.

11 - In G. Vermeulen and H. De Pauw (2003), Cooperation between civil society organisations and law enforcement services in the area of missing and sexually exploited children. Possibilities and limits from a European legal perspective, Antwerp-Apeldoorn, Maklu, available at [www.childscope.net/2006/httpdocs/documents/Model%20Protocol.pdf](http://www.childscope.net/2006/httpdocs/documents/Model%20Protocol.pdf)

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## Chapter I—General provisions

### Article 1

The Parties hereby establish an agreement of cooperation in cases of sexual exploitation of children.

**Note:** one or more types of sexual exploitation depending on the activities of each Party may replace the term sexual exploitation.

### Article 2

In general, the Parties shall respect human rights and the rights of the child in particular. According to article 3 of the UN Convention on the Rights of the Child the Parties shall act exclusively in the best interest of the child.

### Article 3

For the purpose of this agreement “sexual exploitation of children” includes cases of:

- o Sexual assault
- o Child prostitution
- o Child pornography
- o Sex tourism
- o Child trafficking in view of sexual exploitation

Note: The Parties may add the definition of each type of sexual exploitation according to the national legislation.

### Article 4

1. *[name of the civil society organisation]* shall ensure that all members of their staff working with victims have the required qualifications and licenses.

2. *[name of the civil society organisation]* shall take all possible steps to prevent persons convicted of sexual exploitation of children working in their organisation.

### Article 5

To achieve these goals, privileged contacts will be established between both Parties, which will be based on mutual respect between the Parties and their members.

### Article 6

1. Efficient cooperation requires knowledge and respect for the different purposes of the Parties. A clear distinction must be made between the investigative tasks of law enforcement and the preventative and social aims of civil society organisations. The respective tasks and responsibilities in cases of sexual exploitation of children must be transparent and clear for each Party.

2. Criminal investigations shall exclusively be governed by law enforcement authorities under the applicable national provisions of the Code of Criminal Procedure and the legislation regulating police actions. *[specify national law]*

3. *[name of the civil society organisation]* shall not conduct any law enforcement analysis of the stored data, only on specific request of law enforcement.

### Article 7

Each Party shall take note of and respect the codes of conduct and the rules of confidentiality of the other Party.

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## Article 8

1. Both Parties shall give equal attention to each case of sexual exploitation taking into consideration the very vulnerable position of the child victim and his family. Each Party shall undertake immediate action following a request for help by the other Party.

2. Both Parties shall use their best endeavours to ensure that the activities and services offered by them are not contrary to domestic law.

## Article 9

In order to prevent uncoordinated activities, which might harm the common aim each Party shall consult the other Party before taking action.

**Note:** these provisions are suggested as guidelines and may be changed according to the wishes of each Party and according to the national legislation.

## Chapter II—Description of responsibilities

### Article 10

Taking into account article 6.1 of this agreement, [*name of the civil society organisation*] shall [*description of specific responsibilities and tasks of the organisation in cases of sexual exploitation*]

### Article 11

Taking into account article 6.1 of this agreement, [*name of law enforcement unit*] shall [*description of specific responsibilities and tasks of law enforcement in cases of sexual exploitation*]

## Chapter III—Information-related cooperation

### Article 12

The Parties shall respect the data protection principles and in particular the provisions of the Recommendation No R (87) 15 of the Council of Europe regulating the use of personal data in the police sector and the European Convention for the protection of individuals with regard to automatic processing of personal data.

### Article 13

[*name of the civil society organisation*] shall take any steps needed to ensure an adequate level of data protection.

### Article 14

[*name of the civil society organisation*] expresses its willingness to [*description of each way of cooperation with [name of law enforcement unit] in concrete cases of sexual exploitation of children aimed at*]

**Note:** the content of this article 14 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

### Article 15

[*name of law enforcement unit*] expresses its willingness to [*description of each way of cooperation with [name of civil society organisation] in concrete cases of sexual exploitation of children aimed at*]

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Note: the content of this article 15 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

## Chapter IV—Operational cooperation

### Article 16

The Parties shall respect the privacy of the persons concerned in accordance with the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms.

### Article 17

*[name of the civil society organisation]* expresses its willingness to *[description of each way of cooperation with [name of law enforcement unit] in concrete cases of sexual exploitation of children aimed at]*

**Note:** the content of this article 17 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

### Article 18

*[name of law enforcement unit]* expresses its willingness to *[description of each way of cooperation with [name of civil society organisation] in concrete cases of sexual exploitation of children aimed at]*

**Note:** the content of this article 18 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

## Chapter V—Final Provisions

### Article 19

The present Protocol of cooperation shall enter into force upon signature by the duly authorised representatives of the Parties.

### Article 20

The present Protocol may only be amended with mutual consent expressed in written agreement of both Parties.

### Article 21

Any disputes or disagreements between the Parties with respect to the interpretation or implementation of this Protocol shall be resolved by good faith negotiations between the Parties.

### Article 22

The Parties are prepared to evaluate the implementation of this Protocol 1 year after the entry into force and from that moment on every 2 years.

### Article 23

Either Party may terminate this Protocol by delivering a written request for termination to the other Party. The termination shall be effective 6 weeks after the delivery to the receiving Party.

## Annex 2:

# OSCE/ODIHR: National Referral Mechanisms—Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook (excerpts)<sup>12</sup>

## 2. Basic Principles of Co-operation Agreements

Co-operation agreements between state and non-state structures help harmonize criminal prosecution with protecting the human rights of victims. In practice, co-operation agreements often come into being as a result of a directive under which presumed trafficked persons are transferred from police custody to support and protection services operated by NGOs, or through formal memoranda of understanding. Such directives or agreements are a basic component of every NRM.

Experience shows that co-operation agreements between state and non-state actors raise the rate of successful prosecutions of human traffickers. This is attributed to the victim's increased readiness to co-operate and testify because of conditions resulting from the agreement.<sup>13</sup>

Due to potentially complex legal situations, it is advisable that the referral of presumed trafficked persons be regulated by a written agreement among the key actors.<sup>14</sup>

### 2.1 Models of Formalized Co-operation

Co-operation agreements usually result either from a process of negotiation or by means of internal directives from the relevant ministries (in most cases, this will be the Ministry of Interior or the Ministry of Justice). In either case, the role of the police department referring the presumed trafficked person, and the NGO that is to receive the presumed trafficked person, must be defined.

#### Directive

An internal directive can be issued by the competent ministry instructing the responsible police that presumed trafficked persons—regardless of their legal status—are to be transferred to a non-governmental support and protection institution.<sup>15</sup>

In general, an internal directive may allow for substantial flexibility in the handling of the referral. The police may be able to choose from many possible NGO partners, since there is no binding agreement with any particular NGO. In some Western European countries, a system is in place of accredited NGOs to which law enforcement can refer presumed trafficked persons. By the same token, under these circumstances, NGOs are not formally bound by a fixed contract, giving them a greater degree of autonomy. The flexibility inherent in a directive can have positive effects. It enables the authorities to have a choice of different NGOs, allowing them to take account of the financial situation of individual institutions and the high fluctuation among them.

12- OSCE/ODIHR, National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook (Warsaw, 2004), available at: [http://www.osce.org/publications/odihr/2004/05/12351\\_131\\_en.pdf](http://www.osce.org/publications/odihr/2004/05/12351_131_en.pdf)

13- Barbara Limanowska, Trafficking in Human Beings in Southeastern Europe: Current Situation and Responses to Trafficking in Human Beings in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Federal Republic of Yugoslavia, the Former Yugoslav Republic of Macedonia, Moldova, Romania (ODIHR/UNICEF/UNOHCHR, Belgrade, 2002), p. 3. <http://www.osce.org/odihr/documents/trafficking/trafficking-see.pdf>, p. 3.

14- See the recommendations of the European Conference on Prevention and Combating Trafficking in Human Beings – Global Challenges for the 21st Century, 18-20 September 2002, Brussels Declaration on Preventing and Combating Trafficking in Human Beings: “Protocols of minimum standards should be drawn up between law enforcement services and IOs and NGOs on the immediate treatment of trafficked victims”, Article 13.

A directive may contain the following aspects:<sup>16</sup>

- o Prevention of the expulsion of a presumed trafficked person;
- o Issuance of a “reflection delay” or temporary residency permit for the presumed trafficked person;
- o Referral of the presumed trafficked person to a non-governmental counselling agency;
- o Co-ordination of police protection measures or witness protection with the services provided by NGOs in cases where the presumed trafficked person wishes to testify;
- o Provisions of counselling and accommodation by the NGO.

## **Memorandum of understanding**

The most common form of co-operation agreement is a memorandum of understanding (MoU) between the competent institutions. The advantage of an MoU is that both parties are clear about the detailed sequence of events and their mutual rights and duties.<sup>17</sup>

The (following is) an example of good practice in a memorandum of understanding.<sup>18</sup>

## **Components of a Memorandum of Understanding**

### **Partners**

Partners to the MoU should be identified. Future co-operation will be easier if the MoU identifies a precise unit within the police, such as a special unit for combating human trafficking, and the specific NGOs that are to provide various services.

### **Defining purpose**

The basic principles and purpose of the co-operation should be stipulated.

### **Principles of co-operation**

A key principle is agreement on a co-operative approach to combating human trafficking.

This includes protection and support of victims as well as the successful prosecution of perpetrators.

### **Target group**

Listing the precise target group to benefit from the MoU will contribute to successful referral of presumed trafficked persons. Criteria and means of identification can be based on the UN Trafficking Protocol.

### **Detailed definition of different responsibilities**

The definition of the different mandates and responsibilities of all partners goes hand in hand with transparent co-operation between non-governmental and governmental institutions. These mandates and responsibilities should be clear to the partners and to the target group.

### **The details of the co-operation procedure between the partners**

The procedure the partners are to follow should be detailed in the MoU.

15- For example, this situation exists in North-Rhine Westphalia and Lower Saxony in Germany, as well as in the Netherlands.

16- These elements are extracted from the document “Regulation of Co-operation between Police and Counselling Agencies for the Protection of Victim-Witnesses in Cases of Human Trafficking”, joint circular directive from 10 October 2001 of the Ministry of the Interior, the Ministry for Labour and Social Questions, and the Ministry of Justice in Lower Saxony, Federal Republic of Germany.

17- Memoranda of understanding between police and victim-protection institutions are in effect in numerous countries, including Germany and the Czech Republic.

18- The components are drawn from the draft memorandum of understanding developed by the OSCE Mission to Serbia and Montenegro in 2002.

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With respect to actions to be taken by the **police**, as many of the following points as possible should be incorporated:

- o A presumption that a person is a victim of trafficking if circumstances suggest that he or she may have been trafficked;
- o Informing (orally and in writing) the presumed trafficked person of the opportunity to be transferred to a support and service institution;
- o Contacting the NGO co-operation partner immediately after the first questioning of the presumed trafficked person, whether or not the presumed trafficked person is willing to testify in a criminal case;
- o Issuing a “reflection delay”;
- o Consultation with the NGO co-operation partner on whether the presumed trafficked person faces danger from traffickers.

With respect to actions to be taken by the **NGO support and service institutions**, as many of the following points as possible should be incorporated:

- o The presumed trafficked person should be fully informed immediately about the institution and its mandate and should receive any available information on the likely future course of legal proceedings (both orally and in writing);
- o The institution should make accommodation and the necessary services for physical and psychological rehabilitation available;
- o The institution should establish contact with the police in the event that the presumed trafficked person takes the informed decision to co-operate with the criminal prosecution authorities;
- o In the case that the presumed trafficked person makes an informed decision to return to his/her country of origin, the applicable social agencies should be contacted and the details of the return organized;
- o In case the presumed trafficked person is involved in legal proceedings, she/he should be supported by arranging legal representation and accompanying her/him during and after court proceedings.

### **Mutual communication of information**

Both co-operation partners should undertake to treat the presumed trafficked person’s personal data in a responsible fashion and as confidential.

In order to facilitate the efficient communication of information, both co-operation partners should designate “contact people” who are to be available at pre-arranged times.<sup>19</sup>

Co-operation partners should exchange information concerning the security situation and any special dangers that may be faced by the presumed trafficked persons and NGO workers.

### **Duration of support**

The duration of the social support provided to the presumed trafficked person depends on their status in the destination country, internal regulations, and the material resources available to the institutions.

### **Funding of the NGO co-operation partner**

Funding of the NGO co-operation partner should be secured for the duration of the cooperation agreement. International or national financing sources should be identified.

19- Many law-enforcement bodies that investigate human trafficking work on the basis of rotation of responsible officers in order to avoid prolonged proximity to organized crime. This should be taken into account when contact persons are designated.

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### **Time when the MoU comes into effect**

The MoU comes into effect upon signature by all relevant parties.

### **Amendment and expansion of the MoU**

On the basis of mutual consultation.

## **2.2 Conclusions**

Co-operation between governmental and non-governmental sectors should rest on two central pillars: clear delineation of responsibilities and transparency. The NGO co-operation partner should establish a facility for receiving transferred presumed trafficked persons that provides capacity for first counselling, as well as facilities for emergency accommodation.

In cases where multiple NGOs offering services for presumed trafficked persons are available, an alliance of NGOs can be constituted, which might then sign the MoU as one of the partners.<sup>20</sup> Alternatively, a system of accreditation for NGOs can be established, and each accredited NGO can sign a separate MoU with the authorities.

Presumed trafficked persons should be provided with full information on available services. Presumed trafficked persons should be able to make informed decisions as to what they consider to be in their best interest.<sup>21</sup>

#### **Note on data exchange:**

„Data on a victim of trafficking should not be forwarded by the criminal-prosecution authorities to counselling agencies without the victim’s informed consent. In the same way, counselling agencies should not be pressured to divulge the identity of their clients, or other information relating to them, to the criminal-prosecution authorities without permission from their client. As described in earlier chapters, the clear divisions of responsibilities and mandates between law enforcement and counselling centres are crucial for NRMs in order to secure transparency and protection for the victim.”<sup>22</sup>

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20- In Serbia, a team formed from representatives of social-security offices and NGOs has set up a gateway authority for support and protection institutions. The team carries out an initial interview with the presumed trafficked persons and then refers them to the appropriate institution. See *Anti-Trafficking Activities of the Yugoslav Team to Combat Trafficking in Human Beings 2001/2002* (Belgrade, 2001).

21- OSCE/ODIHR: *National Referral Mechanisms*, pp. 65-69.

22- *Ibid.*, p. 94.

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## Annex 3:

# UK: Home Office's Crime Reduction Toolkit: Trafficking in People<sup>23</sup>

It is important that each of the key agencies involved in fighting trafficking in people understands both their own roles and responsibilities and those of the other key agencies. This section looks at what these responsibilities might include, as well as those of other agencies that may become involved, the multi-agency management group and the general public. Given the different issues relating to adults and children, these are addressed separately for each key agency.

It is clear that local situations will determine what can be done and who is best positioned to do it. This section should not be seen as prescribing who should do what, but instead presents a checklist of some of the contributions that different agencies and groups may be able to make. These lists of possible responsibilities need to be considered, reviewed and appropriate elements agreed by each local group. Decisions on who actually does what locally will be determined by the scale and nature of the local problem, the resources available and the skills in place.

The multi-agency management group who are responsible for taking forward the local initiatives need to ensure that the specific roles and responsibilities of the different agencies are agreed and understood by all involved. Equally the issues of leadership and accountability need to be addressed from the outset.

Again, the approach to child victims and to adult victims is likely to differ. ACPCs, for example, have specific responsibilities for child protection. There is also specific guidance for the protection of adults. It is also likely that different individuals within agencies will be involved depending on whether or not the victim is a child.

## Police

### Police have generic responsibilities relating to:

- o Identification of victims;
- o Protection of victims and support workers;
- o Protection of life;
- o Investigation, intelligence gathering and surveillance, including liaison with national and international enforcement agencies;
- o Gathering all evidence, both scientific and material, to ensure there is a fair trial (this includes the disclosure to the defence of any evidence that may assist the accused);
- o Recording of crime (this includes rape and assault, abduction etc)
- o Identification and support of vulnerable or intimidated witnesses.

### Children:

With regard to child victims of trafficking, police responsibilities may include:

- o Identification of children at risk, (e.g. following raids on off-street sites, responding to referrals from other agencies or members of the public, following up reports of children missing from care);
- o Contributing to the development of victim profiling with other agencies;

23- Excerpt from Section 5: "Who does what?" Available at <http://www.crimereduction.homeoffice.gov.uk/toolkits/tp00.htm>

- o Undertaking joint interviews with social workers (according to guidelines in “Achieving Best Evidence”<sup>24</sup>) of children identified as victims or potential victims to assess risk and assist in the development of protection plans;
- o Carry out checks on sponsors and ‘uncles’ and ‘aunts’ who claim to be the relatives of children already identified as being at risk of trafficking;
- o Receiving and seeking intelligence, undertaking investigations, with immigration officials and any other appropriate parties;
- o Use and contribution to the development of investigation toolkits for trafficking work;
- o Participating in local child protection networks with related organisations (immigration, social services, NGOs, health, education) to develop joint approaches to the issue at local level and contribute to wider forums as appropriate;
- o Responding to media enquiries and utilising publicity as appropriate to raise awareness and hence improve the quality of intelligence and investigations;
- o Log intelligence material as specified and ensure links with other forces and national/international policing organisations;
- o If children disappear, initiate missing persons procedures, investigate circumstances and circulate information/undertake investigations, linking with other agencies as required.

### **Adults**

With regard to adult victims of trafficking, police responsibilities may include:

- o Contributing to the development of victim and offender profiles on an inter-agency basis;
- o Identification of adults at risk (e.g. following raids on off-street sites, responding to referrals from other agencies, members of the public, etc.);
- o Informing victims/potential victims of their rights (e.g. to claim asylum or humanitarian protection, to obtain legal advice);
- o Identifying support services and referring victims/potential victims to specialist NGO’s and safe accommodation, where these are available, and arranging safe transport;
- o Undertaking interviews, receiving and seeking intelligence, undertaking investigations, with immigration officials and any other appropriate parties, logging intelligence material and ensuring links are made with other forces and national/international policing organisations;
- o Providing protection to victims and staff supporting them, if appropriate involving witness protection schemes;
- o Making referral to the Witness Service for witness preparation and court familiarisation;
- o Language support;
- o If adults who have been identified as victims/potential victims disappear, initiate missing persons procedures, investigating circumstances and circulating information/undertake investigations, linking with other agencies as required.

### **Collaboration**

- o Police should work closely with the Immigration Service, with Social Services, with the local authority under Crime and Disorder Partnerships and with any NGOs involved in service delivery to provide protection to the children;
- o Police need to utilise existing liaison structures with authorities in the countries of origin;

24- HO, LCD, CPS, DoH and NAW (2001), Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, Including Children.

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- o Currently, there are no organisations with the sole remit of protecting and providing support to trafficked victims.
  - o Although this may reasonably be considered to be the role of an NGO, police may need to provide some specific services, including protection to a trafficked victim during their court case, and after, if the victim decides to stay in the UK.
  - o Police should work with immigration to help identify victims leaving the country with their traffickers.
  - o Police need to provide front-line intelligence via local Force Intelligence Bureaux (FIBs) for onward transmission to NCIS.
  - o Police should work with other agencies trying to ensure that those who are removed or who choose to return are not re-trafficked; this should include a risk assessment of the danger to returning victims.

### **Immigration Service**

The Immigration Service is one of the primary contacts in cases of trafficking. It has generic responsibilities that principally cover establishing immigration status and considering any applications for leave to enter.

By virtue of their role, they are well positioned to assist with:

- o Identification of victims and traffickers;
- o Facilitating returns to their home country;
- o Provision of initial support for victims and potential victims and contacting relevant referral agencies.

### **Children**

With regard to child victims of trafficking, Immigration Service responsibilities may include:

- o Contribute to joint inter-agency profiling of victims/potential victims;
- o Identification of inappropriate 'relatives' or sponsors;
- o Identify victims/potential victims, according to an agreed inter-agency profile;
- o Make referral to the responsible local authority's Social Services Department, share information and contribute to the assessment of risk undertaken by the social workers;
- o Advise the responsible police authority and supply any intelligence information available;
- o Undertake interviews, receive and seek intelligence, undertake investigations, log intelligence material and ensure links made to colleague immigration officers nationally and internationally;
- o Participate where required in local inter-agency child protection networks to develop joint approaches and contribute to wider fora as appropriate;
- o Ensure that children are cared for prior to social services collecting them.

### **Adults**

With regard to adult victims of trafficking, Immigration Service responsibilities may include:

- o Contribute to joint inter-agency profiling of victims/potential victims;
- o Identify victims/potential victims according to an agreed inter-agency profile;
- o Advise victims/potential victims of their rights, e.g. to seek legal advice;
- o Refer victim/potential victims to specialist NGO and safe accommodation and arrange transport;
- o Advise the responsible police authority and supply any intelligence information available, including intelligence on individuals' movements;

- o Undertake interviews, receive and seek intelligence, undertake investigations, log intelligence material and ensure links made to colleague immigration officers national and internationally;
- o Develop and participate in local inter-agency networks, to agree joint approaches and contribute to wider fora as appropriate.

### **Collaboration**

It is important that immigration officers, who may be the first contact point for victims (especially child victims claiming asylum), provide full details on the victim along with any relevant intelligence information to social services and police so that the victims can receive adequate protection.

Immigration Service can work with other agencies trying to ensure that those who are removed or who choose to return are not re-trafficked; this should include a risk assessment of the danger to returning victims.

### **Social Services**

Social services have a statutory responsibility to provide support for cases involving children. The provision of services for children in need is dealt with in s.17 of the Children Act 1989 and the provision of accommodation for children in s.20. The Local Authority's duty to make enquiries where there are child protection concerns is dealt with in s.47.

Trafficked children must always be dealt with within mainstream child care policies and procedures, including child protection where necessary but in addition they may require specialist accommodation and casework by skilled specialist staff.

### **Children**

The responsibilities of social services regarding child victims of trafficking may include:

- o Providing victims/potential victims with a safe place to stay;
- o Provision of support services (e.g. counselling, legal advice, schooling);
- o Identifying victims/potential victims according to agreed profiles or receiving referrals from other agencies who have identified them;
- o Contributing to joint inter-agency profiling of victims/potential victims;
- o Undertaking initial interviews, including joint interviews with the local police, to assess risk, harm and agree child protection plans;
- o Provide advice about who to contact concerning their immigration status;
- o Assist in the identification of possible traffickers masquerading as "relatives";
- o Ensure contact with police and provision of information to the police;
- o Finding of relatives in country of origin, and verification of what would be in the best interests of the child, and whether they should be able to remain in the UK or if it is safe to return home;
- o Ensure that NGO or other support is available if they are returned to their country of origin;
- o Monitoring of children in social services for signs that they are meeting the traffickers including monitoring their phone calls;
- o Providing support and building up a relationship to encourage the child not to leave with the trafficker.

One approach that has been successfully employed in some areas has been to appoint a designated lead officer with responsibility within their child protection procedures for the trafficking of children and young people.

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The National Missing Persons Helpline has a Department of Health funded project “Missing from Care”. This project receives, from a number of Social Services departments, all details of young people who are missing from care. This includes children and young people who have been victims of trafficking<sup>25</sup>.

### **Adults**

There is Department of Health guidance for protecting adults. Social services departments do not have any statutory responsibility for adults who may be victims of trafficking, unless they have additional needs, such as mental health problems or physical disabilities. A victim with such needs would be entitled to a Community Care assessment or a Mental Health assessment and to access services accordingly, where resources allow.

### **Collaboration**

- o Pass any intelligence information obtained to police and immigration in a timely and accurate fashion.
- o Contribute to local inter-agency networks to develop joint approaches and contribute to wider forums.
- o Contribute to development of ACPC protocols.
- o Contribute where appropriate to media enquiries and publicity as a means of raising awareness and eliciting useful intelligence information.

It is particularly important that the response to initial notifications is co-ordinated with the Immigration Service and is sufficiently rapid. Unfortunately, there have been cases of children being left on the concourse overnight.

### **Crown Prosecution Service**

The CPS is a national service delivered locally through 42 CPS areas. There are already guidelines in place that deal with situations in which areas must refer issues to Casework Directorate at CPS HQ.

Prosecutors are encouraged to contact Eurojust and the UK Liaison Magistrates (based in Paris, Rome, Madrid and Washington), directly in relation to specific cases. The issue of direct transmission between prosecutors from different jurisdictions is also very much encouraged by CPS in the area of Mutual Legal Assistance. There is an ongoing review in relation to this particular issue.

The CPS are the pivotal players where a prosecution is concerned. This is particularly relevant in view of the fact that the Police Reform Act 2002, which came into effect on 1 October 2002, now allows for the setting up of international teams to investigate EU transnational crime. These Joint Investigation Teams (JITs) can be established by the competent authorities of two or more member states. It is anticipated that Eurojust will be playing an increasingly important co-ordinating role in the formation of these joint investigation teams and matters of mutual legal assistance generally.

The European & International Division of the CPS is at present running a training course for a Specialist Cadre of Prosecutors—two prosecutors and two caseworkers from each CPS area.

### **The aim of the training is:**

- (a) To enhance and develop the ability for prosecution teams within the CPS to meet the new domestic, European & International crime challenges,

25- National Missing Persons Helpline: [www.missingpersons.org](http://www.missingpersons.org)

- (b) To provide practical “know-how” to lawyers and caseworkers to enable them to tackle such cases as and when the need arises, and
- (c) To impart sufficient understanding of the law and procedure to ensure that once trained, delegates will be in a position to advise colleagues on serious and cross border crime issues where appropriate.

These specially trained prosecutors and caseworkers will be ideally placed to contribute on a multi-agency basis to local initiatives.

CPS has a role in providing police with pre-charge advice. Charging pilots are taking place at the moment, with a view to the CPS prosecutors providing such pre-charge advice to the police.

CPS are responsible for making application for special measures for vulnerable or intimidated witnesses, as per the Youth Justice and Criminal Evidence Act 1999.

Clearly it is important that there should be general training for all prosecutors, particularly in the area of Public Interest Immunity and Disclosure issues generally. This is an ongoing commitment by CPS to training.

**For more on Eurojust see:**

[www.europa.eu.int/comm/justice\\_home/news/laecken\\_council/en/eurojust\\_en.htm](http://www.europa.eu.int/comm/justice_home/news/laecken_council/en/eurojust_en.htm)

CPS website: [www.cps.gov.uk](http://www.cps.gov.uk)

## **NGOs**

There is a wide range of NGOs, (for example those concerned with women’s rights, health issues, asylum seekers and refugees and legal advice) who are potentially in contact with children or women at risk of trafficking. At present, however, there is no single specialist NGO who can act as a focal point in the very large potential network of statutory, voluntary and private organisations who may be involved in this issue. In the absence of such an organisation it will be necessary for the local multi-agency groups to take on these responsibilities.

These responsibilities may include:

- o Acting as a focal point for information about the development of independent safe houses run by a variety of NGOs (e.g. Eaves Housing, Refugee Arrivals Project, Womens Aid);
- o Providing links with campaigning organisations (Anti-Slavery International, ECPAT) and community organisations (e.g. AFRUCA);
- o Research and advocacy (e.g. CHANGE);
- o Being a repository of information about training activities, and a point of linkage with organisations abroad seeking to link with NGOs in the UK, or local agencies needing to contact NGOs abroad (e.g. CHANGE, IOM).
- o Reporting offences and/or offenders to the police. Reporting offences is the only way the authorities can understand the scale of the problem and react accordingly.

**Specific local NGOs:**

- o May be able to provide support after accepting referrals from police forces and statutory service providers;
- o Can provide pointers to victims as to the various statutory and advisory services that are available to them (including accommodation, counselling, legal advice, health services, education/ training);

- o They may be the first point of call for victims of trafficking, in which case they have a duty to inform police should they have suspicions of illegal activity of any kind;
- o Are in the right position to be able to build up trust with victims, possibly provide English lessons and collect any information that would help prosecutions;
- o Are therefore well positioned to act as advocates for the victims;
- o May provide support and information at court;
- o Should be able to help provide contact with families abroad;
- o May be involved in raising awareness amongst the general public and organisations.

They need to find appropriate ways of sharing information and intelligence with police and immigration.

### **Others, incl. Health and local authorities**

- o Health agencies will be involved with the provision of appropriate medical support to victims.
- o In addition, hospitals and clinics, especially those concerned with obstetrics, gynaecology or sexual health, and A&E, may encounter victims of sexual exploitation. Their wider responsibilities could therefore include advising victims on how to seek help, and contributing to inter-agency networks seeking to address the issue.
- o Organisations concerned with advocacy for women and girls on health issues, including those of HIV and AIDS may be well placed to advocate for victims and potential victims of this type of exploitation.
- o Refugee organisations may come in contact with suspected trafficking victims but not know how to help them. They need to be informed of appropriate contacts and should take responsibility for referring victims on to these contacts.
- o Local authorities will be involved in the provision of services relating to housing and safe accommodation. They may also be best placed to help with interpreters. In some areas local authorities have responsibility for granting “special treatment licences” (in effect licensing off-street prostitution) and should be involved with the monitoring of the businesses involved.
- o Local authorities will also be involved at a strategic level through their crime reduction initiatives. This should provide a local priority to the issue.
- o Accommodation providers who provide bed and breakfast accommodation on behalf of local authorities for unaccompanied children and young people seeking asylum, or children separated from their parents, may identify children at risk of exploitation or those already victimised.
- o Specialist housing providers may be able to identify and advocate for victims, e.g. shelters for women escaping abusive and violent relationships.
- o Local Trade Unions may be able to assist by identifying labour law infringements and possibly trafficked workers, as well as providing guidance to their members on relevant employment law and codes of practice<sup>26</sup>.
- o The road haulage industry, nationally and internationally, have been helpful in the past in helping law enforcement agencies to identify trafficked people.

### **Referrals to national group**

It would seem sensible for local agencies to contact national agencies and for them in turn to contact international agencies as this will ensure that information gaps do not develop and should help to strengthen working relations between national and international agencies.

26- See for example National Farmers Union (2000): Casual and seasonal workers: code of practice for employment, NFU: London.

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## Local multi-agency groups

Multi-agency groups are essentially responsible for ensuring that a holistic approach to the problem is taken—covering the needs of the victims as well as supporting enforcement measures. Local groups need to ensure that they fit in with existing national initiatives including Reflex.

Their responsibilities should include:

- o Education and awareness raising activity;
- o Ensuring that all relevant agencies and parties are informed and involved in decision making and planning;
- o Joint training initiatives;
- o Developing appropriate working practice protocols;
- o Ensuring information exchange between statutory and non-governmental organisations;
- o Monitoring incidence rates and the impact of any local initiatives;
- o Developing local strategies and action plans.

As mentioned above, if there is not a local specialist NGO then the group will need to take on the co-ordinating activity of bringing the various NGO service providers together.

In the case of children, local Area Child Protection Committees have a role in co-ordinating multi-agency initiatives on trafficking, but this must fit with local strategic planning arrangements for all children.

In the case of adults, it may be appropriate for Crime and Disorder Partnerships to take a co-ordinating role, or for one of the key agencies to take the lead. If there is an existing ‘violence against women multi-agency group’ it may be appropriate for this to take on responsibility for issues relating to trafficking in women.

## General public

Members of the public have a right to be informed of the issues in broad terms through awareness-raising. They also have a responsibility to report activity they suspect may be connected with trafficking – reporting to police, social services, local authorities and Crimestoppers<sup>27</sup>. Appropriate contact points and advice on what to look out for should therefore be provided to them.

Liaison with ethnic communities can be useful in helping them to understand the problems of victims trafficked from their home countries to the UK. Their support can be useful in making it harder for trafficked victims to “disappear”.

Similarly, liaison with community and employer groups (including farmers’ groups and other groups who may find themselves associated with labour exploitation) may be beneficial.

27- Crimestoppers tel. 0800 111 555

## Annex 4

### Legislation related to the fight against trafficking and prostitution in the Nordic Baltic Region<sup>24</sup>

LEGISLATION AND POLICY	Denmark	Estonia	Finland	Iceland	Latvia	Lithuania	Norway	Sweden
<b>Az Európa Tanács Council of Europe Convention on Action against Trafficking in Human Beings</b>	Ratified 2008	-	Signed 2006	Signed 2005	Ratified 2008	Signed 2008	Ratified 2008	Signed 2005
<b>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</b>	Ratified 2003	Ratified 2004	Ratified 2006	Signed 2000	Ratified 2004	Ratified 2003	Ratified 2003	Ratified 2004
<b>Existence of national program/plan to combat trafficking</b>	Yes	Yes	Yes	No	Yes	Yes	Yes	No
<b>National legislation against trafficking</b>	Yes	No specific legislation	Yes	Yes	Yes	Yes	Yes	Yes
<b>Penalty</b>	Maximum prison term of 8 years		Maximum prison term of 7 years	Maximum prison term of 8 years	Maximum prison term of 15 years	Prison term of 2-10 years, if aggravating circumstances 4-12 years	Prison term up to 5 years, if aggravating circumstances up to 10 years	Prison term of 2-10 years

28- European Women's Lobby/Nordic Baltic Network, Assistance to women victims of trafficking for sexual exploitation in the Nordic and Baltic countries. A comparison of legislation, 2008, [http://www.nordicbaltic-assistwomen.net/IMG/pdf/Final\\_Chart\\_Comparison\\_legislation.pdf](http://www.nordicbaltic-assistwomen.net/IMG/pdf/Final_Chart_Comparison_legislation.pdf) (Adapted and updated by MONA Foundation for the Women of Hungary, most recently in March 2010.)

LEGISLATION AND POLICY	Denmark	Estonia	Finland	Iceland	Latvia	Lithuania	Norway	Sweden
<b>Examples of other laws of relevance</b>	Sexual procurement law	Prohibition of enslavement, abduction, providing opportunity to engage in unlawful activities, pimping, aiding prostitution, making and disseminating child pornography.	Laws against organized prostitution, dissemination of child pornography, coordination of illegal entry into the country, and marketing of sexual services.				Laws against rape, sexual abuse against children, slavery and kidnapping.	
<b>Reflection period<sup>29</sup></b>	30–100 days	30–60 days	30 days—6 months	-	30 days	6 months	6 months	30 days
<b>Conditions for reflection period</b>	Cooperation on planned return				Third country national, official identification as a victim of trafficking			

29- Reflection period means the period that the VOT can legally stay in the country, after being identified a victim, and have the time to reflect on whether she will press charges/help the police/prosecutor in actions against her traffickers. The Council of Europe Convention states that victims of trafficking have the right to a 30-day reflection period. The purpose of the reflection period is for the VOT to recover and escape the influence of traffickers and decide whether or not she will cooperate with the law-enforcement authorities in a prosecution of the traffickers.

LEGISLATION AND POLICY	Denmark	Estonia	Finland	Iceland	Latvia	Lithuania	Norway	Sweden
<b>Residence permit</b>	Temporary residence permit if holding the status of asylum seeker on humanitarian grounds	Temporary residence permit possible for up to 1 year	Temporary residence permit possible for 6 months	One residence permit granted, not because of trafficking, but for humanitarian reasons.	Temporary residence permit for at least 6 months.	Temporary residence permit for 6 months provided during the reflection period.	Possible	Temporary residence permit possible for 6 months
<b>Conditions for residence permit</b>		Cooperation with authorities	Cooperation in criminal proceedings		Cooperation with authorities and provision of information that could help in disclosing or preventing a possible case of trafficking	After the reflection period, cooperation in criminal proceedings	Prolongation after 6 months requires cooperation with the police	Cooperation with the police and other authorities, and breaking connections to the trafficker
<b>Right to employment for victims of trafficking</b>	Only for EU citizens	Yes, also for studies	Yes, also for studies	No	Yes	Yes, also for studies, social benefits, etc.	Working permit is linked to the reflection period	Yes

LEGISLATION AND POLICY	Denmark	Estonia	Finland	Iceland	Latvia	Lithuania	Norway	Sweden
<b>Conditions for employment</b>	Registration	Residence permit	Temporary residence permit					Temporary / permanent residence permit
<b>Right to compensation</b>	Yes	Yes	Yes	No	-	Yes	Yes	-
<b>Prostitution-related legislation<sup>30</sup></b>	Pimping and running of brothels are illegal, but prostitution activities are often tolerated. Women (and men) in prostitution are not criminalized and in theory not subject to regulatory measures.	Pimping and running of brothels are illegal, but prostitution activities are often tolerated. Women (and men) in prostitution are not criminalized and in theory not subject to regulatory measures.	Pimping and running of brothels are illegal, but prostitution activities are often tolerated.	Pimping and running of brothels is illegal. The purchase of sexual services is illegal since 2009, and punishable with up to 1 year in prison; if the prostitute is under 18 years of age, the prison term can be increased to maximum 2 years.	Pimping and running of brothels are tolerated / regulated certain zones or venues. Women (and men) in prostitution are not criminalized, but there are regulatory / repressive measures towards them (health controls, obligations to register, obligation to have health cards, etc).	Pimping and running of brothels is illegal. There are administrative and criminal penalties for earning a profit from the prostitution of another person, for organizing and managing prostitution.	Pimping and running of brothels is criminalized. The purchase of sexual services is criminalized since January 2009. This applies to every Norwegian citizen, also outside of Norway.	Pimping and running of brothels is criminalized. The purchase of sexual services is criminalized. Women (and men) in prostitution are not criminalized and in theory not subject to regulatory measures.

30- The cells pertaining to Iceland and Norway were updated by MONA Foundation for the Women of Hungary, taking into consideration the legislative changes in 2009-2010. For more information on these, please see: [http://www.stopvaw.org/Iceland\\_Bans\\_Stripping\\_and\\_Prostitution](http://www.stopvaw.org/Iceland_Bans_Stripping_and_Prostitution). Compiled by StopWAV (4/21/2009), available at <http://www.nikk.uio.no/?module=Articles;action=Article.publicShow;ID=89>

LEGISLATION AND POLICY	Denmark	Estonia	Finland	Iceland	Latvia	Lithuania	Norway	Sweden
<b>Prostitution-related legislation</b>	Buying of sexual services is not criminalized; buyers are not subject to regulatory / repressive measures.	Buying of sexual services is not criminalized; buyers are not subject to regulatory / repressive measures.	Women (and men) in prostitution are not criminalized and in theory not subject to regulatory measures except that disturbing selling and buying of sex is forbidden in administrative law. The purchase of sexual services from a victim of trafficking, or procuring is criminalized.	It is forbidden to run striptease clubs of any kind, and in any way to sell the nudity of staff, and all types of so-called private dancing are forbidden.	Buying of sexual services is not criminalized; buyers are not subject to regulatory / repressive measures. There is a fine for purchasing sexual services outside of the designated areas: first in administrative ways such as fines, the closing down of salons, and the second time criminally.	There are administrative and criminal penalties for engaging another person in prostitution. There is administrative responsibility for the sale and purchase of sexual services. There are exceptions from liability, such as having engaged in prostitution because of trafficking, coercion or deceit.	Women (and men) in prostitution are not criminalized and in theory not subject to regulatory measures.	



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## Annex 5

### Organizations and institutions that participated in the professional forums held in April, May and November, 2009

Association of Street Social Helpers (USZSE), Tatabánya  
Blue Point Drug Counselling Outpatient Centre Foundation  
Budapest Police Headquarters  
Central European University  
European Roma Rights Centre (ERRC)  
Hungarian Association of Women Judges  
Hungarian Baptist Aid  
Hungarian Civil Liberties Union, Sex Workers' Advocacy Network (SWAN)  
Hungarian National Police Headquarters, Crime Prevention Department  
Hungarian National Police Headquarters, National Bureau of Investigation, Anti-Trafficking Department  
Hungarian Women's Interests' Union  
INDIT Public Foundation (Integrated Institute for Drug Addiction Treatment), Baranya County  
International Organization for Migration (IOM)—Central and South-Eastern Europe Regional Office in Budapest  
Menedék—Hungarian Association for Migrants  
Ministry of Foreign Affairs  
Ministry of Justice and Law Enforcement  
Ministry of Social Affairs and Labour, Gender Equality Department  
NANE Women's Rights Association  
International Narcotic and Antiterrorist Enforcement Officers Association (NATEA)  
National Crisis Telephone Information Service (OKIT)  
National Institute of Criminology  
PATENT Association  
Semmelweis University  
Stop Male Violence Project  
Way Out With You Association (Kiút Veled Egyesület)



## Flyer disseminated during the 2009 Sziget Festival's NGO program

### MYTHS AND MISCONCEPTIONS ABOUT PROSTITUTION

#### PROSTITUTION IS SURROUNDED BY OLD AND NEW MYTHS TO JUSTIFY IT. THESE INCLUDE:

1. **“It’s the oldest profession”**—it is not a profession but oppression, and agriculture was around first.
2. **“It is a victimless crime”**—women, children and men in prostitution experience constant violations of their human rights, including the right to dignity and the right to physical, mental, emotional and sexual safety, health and integrity. A US study found that the mortality rate of individuals in prostitution is 40 times that of the national average. Prostitution creates an atmosphere in which perpetual violence against women, children and men is commercialized and accepted.
3. **“Anti-prostitution feminists are against women in prostitution”**—one of the accusations coming from the pro-prostitution lobby is that feminists who define prostitution as ‘abuse’ are against the women (and men) in prostitution themselves. This is completely untrue. Anti-prostitution activists are against the institution of prostitution, and advocate the decriminalization of prostituted women (and men).
4. **“Disabled men, who might not be able to find a sexual partner, have a right to the services of prostituted women”**—no one has the ‘right’ to buy sex. Why are disabled women not calling for similar services?
5. **“Prostitution prevents the rape of ‘other’ women”**—most women in the sex industry are raped—so are millions of non-prostituted women. Also, this point of view perpetuates the myth that men cannot control their instincts and must satisfy their sexual ‘needs’ (see next point). Rape is not about sexual desire; it is about violence and power.
6. **“Men need sex”**—no man has ever died from lack of sex. Men are no more at the mercy of their hormones than women. Men are not innocent victims of sexual desires and women and children do not exist to service them.
7. **“Women are exploiting the men, not the other way around”**—because money changes hands, women are said to be the ones in control in the prostitution industry. However, the reality is that women in prostitution rarely keep the majority (in many cases, any) of this money, as it is taken by the pimps, brothel owners, etc.
8. **“Women choose prostitution”**—it is a choice out of no choice. A significant number of women involved in prostitution entered as children, suffered abuse as children or adults, and/or feel they cannot find “real” work and thus have no other choice than prostitution. Various studies carried out in the US, Hungary and other countries have found that of those women in prostitution who were interviewed, almost all would leave prostitution if they could, and they would not want their children to enter prostitution.

9. **“Women enjoy it”**—Buyers often delude themselves that prostituted women enjoy the sex of prostitution, and this is a commonly held myth among the general public as well.

**Read the statements below from prostituted women:**

“I would need to artificially lubricate my vagina because it was dry and painful. Some men would get aggressive, especially if they were drunk. Somehow I threatened their maleness.”

“The sex was always horrible—the worst thing was having to pretend I was enjoying it—the best was that, on average, it took them about two and a half minutes!”

**Now compare these words with those of customers:**

“Those girls get more out of it than I do! They’re paid, and they get a bloody good seeing to into the bargain.”

“Do I think they enjoy it? Of course they do, well they wouldn’t be doing it if they didn’t get something from it.”

- o **“It can be made safe”**—the pimps and customers are dangerous and often are violent with the women. Safety is not simply a matter of condoms and protection from STDs.
- o **“If the sex industry was legalised, the women would be safer, and the buyers less dangerous”**—this is one of the most prevailing myths of all. Contrary to this assertion, there is no evidence that legalisation makes women (and men) in prostitution safer or reduces demand. However, there is evidence that legalisation is ineffective, and results in an expansion and normalisation of the sex industry, which leads to increased demand for the number and variety of women, children and men, which leads to increased trafficking and recruitment in order to meet this demand.

We know that other sexual violence in addition to the actual sex of prostitution, which many women describe as ‘akin to rape,’ is a common, if not everyday experience of women in prostitution. *Women in prostitution are violated and abused in much of the same way as trafficked women.*

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Adapted by MONA Foundation for the Women of Hungary from:

- **Bindel, Julie, Press for Change.** A guide for journalists reporting on the prostitution and trafficking of women, available at <http://action.web.ca/home/catw/attach/PRESSPACKgeneric12-06.pdf>, pp. 12-13.
- AlterMedia, Unsprezece mituri despre prostitutie, available at [http://ro.altermedia.info/familiesocietate/unsprezece-mituri-despre-prostitutie\\_7010.html](http://ro.altermedia.info/familiesocietate/unsprezece-mituri-despre-prostitutie_7010.html). Hungarian version: <http://ahet.ro/noi/noi-szakasz/11-tevhit-a-prostitutiorol-1962-44.html>

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## Annex 7

# Quiz and corresponding solutions prepared for the 2009 Sziget Festival NGO program

## TEST YOUR KNOWLEDGE ABOUT SEX TRAFFICKING AND SEXUAL EXPLOITATION!

1. For an act to qualify as trafficking, an international border must be crossed.

true

false

**False.**

Trafficking in persons occurs within countries as well, and with the local population, too. For example, a pimp driving a prostitute from one part of the country to another within Hungary in order to sell her to another pimp is just as much trafficking as when victims are transported from Ukraine to the Red Light District in Amsterdam and sold to a brothel there.

2. The majority of victims of sexual exploitation (including prostitution) and trafficking for sexual exploitation are:

**A.** Women and children

**B.** Men

**C.** Men, women and children are represented equally among victims

**A.**

Women and children are the majority of victims of sexual exploitation (including prostitution) and trafficking for the purpose of sexual exploitation. This is due to various reasons, the main ones being that the demand for sexual services is posed overwhelmingly by men who are looking to exploit, „use” and abuse women and children, and also because women and children are more vulnerable to fall victim to trafficking and sexual exploitation due to lower economic and social status and lack of opportunities in society.

3. Are there any countries that criminalize the purchase of sexual services (e.g. paying to have sex with a prostitute)?

yes

no

**Yes.**

Recognizing that, in order to more effectively combat trafficking in persons and commercial sexual exploitation, the demand side needs to be addressed as well (since, if there was no demand, there wouldn't need to be a supply), Sweden was the first country to criminalize the purchase of sexual services in all circumstances in 1999. This means that an individual can be fined or imprisoned for paying, or attempting to pay—either money or another good or favor—for sexual acts with another person, or for taking advantage of casual sexual relations paid for by another person. Since then, street prostitution in Sweden and sex trafficking to Sweden have decreased dramatically. Norway and Iceland introduced similar legislation in 2009. In some other countries, purchasing sexual services is criminalized in specific

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circumstances, for example, if it can be proven that the person has been trafficked, is a victim of „forced” prostitution, is a minor (under 18 years of age), or if purchasing or offering sexual services is legal elsewhere in the country, city or district, but not in that specific location. It is important to note that in most of the countries which have introduced some sort of punishment for purchasing sexual services, the selling or offering of sexual services is not criminalized because, according to these countries’ laws, the person in prostitution is considered a victim and not a criminal.

4. The men who pay for prostitutes are usually lonely, single, and incapable of finding a partner or obtaining sex otherwise.

true

false

**False.**

Men who purchase sexual services come from all walks of life and socio-economic backgrounds, including wealthy businessmen and politicians. Several studies have shown that 50% or more of men who purchase sexual services have a partner, be it a girlfriend or wife, and in many cases also children.

5. Individuals completely freely and consciously choose to become prostitutes

true

false

We leave this one up to you to decide. Whether or not someone engages in prostitution completely voluntarily is the subject of much debate among policy makers and—especially feminist—NGOs and activists. Those who take the „sex-worker” approach argue that people can choose, without any physical, emotional or economic force, pressure or abuse at any point in their lives, to engage in prostitution. Others—including the distributors of this leaflet—are of the opinion that prostitution is something that an individual ends up in for various reasons: as a result of physical, sexual or emotional violence—often suffered already as children, which can result in low self-esteem, lack of self worth, and an unhealthy view of sexuality and their body; by being brought into prostitution at an early age, when we cannot in any sense speak of a conscious decision; economic necessity (they need money and think prostitution is a fast way to earn lots of it); and/or the perception of a lack of alternatives (they feel they have no other choice due to their education level and training, the lack of jobs in their area, etc.) In our opinion, with these factors at play, one cannot talk about a completely free and conscious choice. And even if there are such cases, we feel that these are the exception, and not the overwhelming majority of cases.

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## Annex 8

### **Organizations and institutions that participated in the project's international conference held on March 9, 2010**

Association of Roma Women in Public Life  
Association of Street Social Helpers (USZSE), Tatabánya  
BalticFem (Sweden)  
Blue Point Drug Counselling Outpatient Centre Foundation  
Budapest City Council, Head Mayor's Office, Children and Youth Protection Department  
Budapest City Council's Kornis Klára Children's Home and Vocational School  
Budapest City Council's Templom Street Children's Home  
Budapest House of Opportunities  
Budapest Municipal Court  
Budapest Police Headquarters  
Central European University  
College of Modern Business Studies  
ELLE Magazine  
Embassy of Estonia in Budapest  
Embassy of the Kingdom of the Netherlands in Budapest  
Embassy of Norway in Budapest  
Embassy of Sweden in Budapest  
Embassy of the United States of America in Budapest  
Eötvös Loránd University  
European Roma Rights Centre (ERRC)  
Foundation for the Development of Democratic Rights (DemNet)  
Glasgow Caledonian University  
Hetek weekly  
Hungarian Academy of Sciences, Institute for Legal Studies  
Hungarian Baptist Aid  
Hungarian Helsinki Committee  
Hungarian Interfaith Church  
Hungarian National Police Headquarters,  
Hungarian National Police Headquarters, National Bureau of Investigation, Anti-Trafficking Department

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Hungarian Parliamentary Commissioner's Office (Ombudsman's Office)  
Hungarian Parliamentary Committee on Narcotics  
Hungarian Parliamentary Committee on Human Rights  
Hungarian Women's Lobby  
INDIT Public Foundation (Integrated Institute for Drug Addiction Treatment), Baranya County  
International Organization for Migration (IOM)—Central and South-Eastern Europe Regional Office in Budapest  
Kiskunhalas City Prosecutor's Office  
Kispest Child Welfare Office  
Magyar Nemzet newspaper  
Menedék—Hungarian Association for Migrants  
Ministry of Foreign Affairs, Department of International Organizations and Human Rights  
Ministry of Justice and Law Enforcement—Crime Prevention Department,  
Central Office of Justice, Victim Support Service—Budapest  
Central Office of Justice, Victim Support Service—Bács-Kiskun County  
Central Office of Justice, Victim Support Service—Fejér County  
Central Office of Justice, Victim Support Service—Győr-Moson-Sopron County  
Central Office of Justice, Victim Support Service—Hajdú-Bihar County  
Central Office of Justice, Victim Support Service—Jász-Nagykun-Szolnok County  
Central Office of Justice, Victim Support Service—Komárom-Esztergom County  
Central Office of Justice, Victim Support Service—Somogy County  
Central Office of Justice, Victim Support Service—Szabolcs-Szatmár-Bereg County  
Central Office of Justice, Victim Support Service—Veszprém County,  
Codification Department  
Ministry of Social Affairs and Labour, Gender Equality Department  
MTV—Hungarian Television  
NANE Women's Rights Association  
National Crisis Telephone Information Service (OKIT)  
Nyíregyháza Child Welfare Services and Methodology Center  
Norway National Police Directorate, Coordination Unit for Victims of Trafficking (KOM)  
Office of the Prosecutor General  
PATENT Association  
REFORM—Resource Centre for Men, Norway  
Regina Foundation

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Semmelweis University, Obstetrics & Gynecology Clinic No. I

Sex Workers' Interest Protection Association

Stop Male Violence Project

Veszprém County Police Headquarters, Investigation Department

Veszprém County Police Headquarters, Balatonfüred Headquarters

Veszprém County Police Headquarters, Pápa Headquarters

Veszprém County Police Headquarters, Tapolca Headquarters

Veszprém County Police Headquarters, Várpalota Headquarters

Way Out With You Association (Kiút Veled Egyesület)

## Annex 9

# Budapest visit of a Dutch social worker who works with prostitutes

Summary written by Borbála Juhász, 27 February 2010

Yesterday, accompanied by an employee of the Hungarian Baptist Aid, I met a Dutch Christian social worker who has been working with prostitutes in Amsterdam for 15 years with the organization Scharlaken Koord (Scarlet band, [www.scharlakenkoord.nl](http://www.scharlakenkoord.nl)).

She told us some astonishing things. Amsterdam has been flooded by Hungarian prostitutes. Following the legalization of prostitution, the 'girls', if they hold a valid EU passport, can work in a self-employed status in window brothels. Prostitutes can be divided into two groups: the Dutch girls, who are "managed" by pimps (so-called 'loverboys') who use emotional blackmailing (the majority of loverboys are Dutch-Moroccan or Dutch-Turkish); and the Eastern European prostitutes (from Bulgaria, Romania and Hungary). The prostitutes from Eastern Europe also have pimps, they usually arrive in Holland with a relative, and they are kept in check through various debt traps (among other methods). They are on average between 18 and 21 years old, some are older, even in their 40's. The majority, but not all, of them are Roma (approximately 80%). 90% of them come from Nyíregyháza. As opposed to Dutch prostitutes, who charge separately for each and every detail of what they call "going Dutch" (this much for full intercourse, that much for touching the breasts, that much extra for kissing, etc.), the Eastern European prostitutes, who do not speak any foreign languages, are pushing down the prices because they do all the above for the same basic fee. As a result, a lot of clients have appeared on the scene who make sadistic, perverted and hard-core demands. The number of Dutch-Turkish and Dutch-Moroccan clients that prefer cheapness has increased dramatically. The Hungarian girls are forced to work until exhaustion; it is not uncommon that they have to stand in the windows for 24 hours. As a result, their health deteriorates quickly, then they do not bring in as much money, and very soon they are replaced by new girls. It has become fashionable to put pregnant (not a little, but VERY pregnant) women in the windows; they do not use any protection, they do not (or cannot) use condoms because that way they can charge more money; the number of abortions among them is very high.

Although "everything is controlled" and the women only have to press an alarm button if they are assaulted, last year a young Hungarian girl, Betty, was stabbed to death—her murderer has not yet been found since then. Betty's death was reported with a single line in Hungary, whereas in the Dutch press it was front page news, they even went to see her mother in Nyíregyháza and reported on the shocking story with a lot of photographs.

Betty got to Amsterdam when she was 18. "One day a big car stopped in front of our house and took her away", said Betty's mother, who had raised her on her own. She became pregnant right away, and she had been working in the window for 7 and a half months when the Dutch child protection services forbade her to work any more, and after the birth the baby was given up for adoption. Soon Betti was in the window again, and one night she was stabbed to death. Nobody from Hungary was able to attend her cremation funeral.

Maybe this story was already too much for the Dutch, who already unequivocally associate Hungary with prostitutes. The whole issue has received a lot of publicity in the Dutch press, there is Hungarian staff member at the police force in Amsterdam precisely because of this, and they have already had several operations targeting traffickers, one of them having had the code name ABLAK (which means 'window' in Hungarian). They cannot even imagine what kind of hellish place Nyíregyháza must be where so many people come (are hauled away) from.

The Hungarian prostitutes do not trust the police in Amsterdam, and it is very difficult to uncover the mafia. Usually, the prostitutes are trafficked all across Europe: to Switzerland, Holland (cities like Amsterdam, Haarlem and Alkmaar) and Belgium. Although legalization has done away with street prostitution, the plan to place the control from the hands of crime syndicates into the framework of taxed, legal work has failed: prostitution has never been so much under the control of the mafia as now, the Dutch social worker says. There are some plans to raise the minimum age limit to 21 or 23 years and to demand some kind of a language exam, but these are still only the plans of some politicians.

The Dutch social worker carried out research among Hungarian prostitutes for several weeks (with a Hungarian assistant) and, as she formulated it, this was too much for her; she had never seen such defenseless and exploited girls before—not in 15 years of active service. She feels that in Holland they cannot provide enough help any more, and has decided to come to Hungary to see what kind of country it is that these women come from, and what sort of situations they arrive from.

When we met, she had been in Hungary for 3 hours and she asked right away: What is the situation of Hungarian women like, how do they perceive themselves, how much are they oppressed—because it is horrifying what kinds of things can be done to them.

(...)

How many of us know that for the Dutch, the word "Hungarian" no longer evokes the Rubik's cube, "weird" Nobel-prize winners or goulash, but prostitutes? ...

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## Appeal of the Dutch police (Szabolcs-Szatmár-Bereg County Police)

21 October 2009, Wed 13:50

### Reward

The Public Prosecutor of the Amsterdam District Prosecutor's Office has announced a reward of

€ 15.000,-

Fifteen thousand Euros

to anyone who can provide precise information about the murder of the then 19-year-old

**BERNADETT SZABÓ (BETTY),**

the identity of the perpetrator of the pre-mediated murder, and/or concrete information regarding the perpetrator, on the basis of which the perpetrator(s) can be identified directly, and a reasonable suspicion of their culpability can be established.



On Thursday, 19 February 2009, at 1:00 a.m., Betty **SZABÓ** was found dead in her brothel working room in Oudezijds Achterburgwal street in Amsterdam. The death of the Hungarian-born Betty, who was also known by the nickname "Penguin", was probably caused by knife stabs that she had suffered after 18:00 the previous evening. If you have significant information about the crime, please report it to the Crime Investigation Office of the Szabolcs-Szatmár-Bereg County Police in person, or via the following telephone number: +36/42-524-600 or at 112, the free assistance number, or send an e-mail to the following address:

[WALLEN2009@amsterdam.politie.nl](mailto:WALLEN2009@amsterdam.politie.nl)

The information shared and the identity of the informer will be treated confidentially by the police.

In case several persons claim the set reward, it will be shared among them according to the value of the information they have provided.

Amsterdam, 1 August 2009.

Mr. H.J. Bolhaar, Public Prosecutor

(13/2009)

## Forums, 2009



Csaba Kiripovszky, National Bureau of Investigation



Dr. Lenke Fehér and Dr. Judit Forrai



Péter Szil is speaking



Emma Csapó (Way out Together With You Association)



Dr. Ágnes Galajda, President of the Hungarian Women Judges' Association, speaks



INDIT Public Foundation:  
Katalin Fehér,  
Zsolt Máté,  
Tímea Nagy

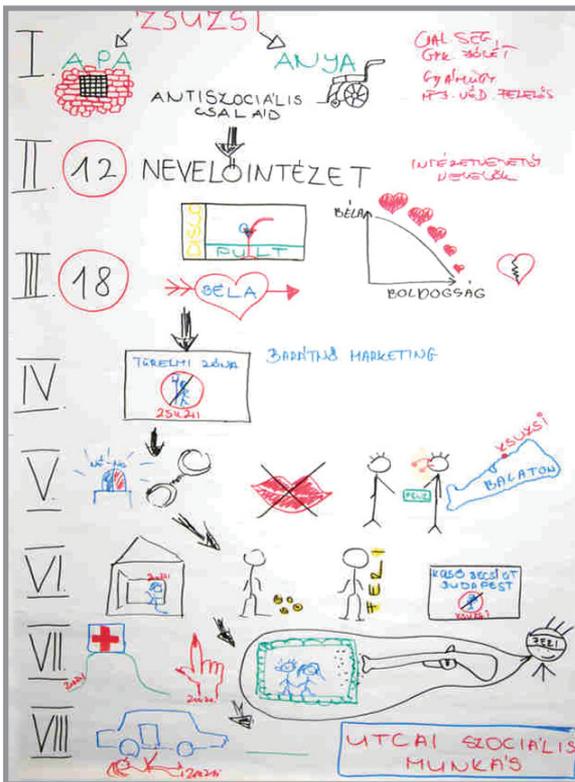
# Training for Police Officers, 2010



Budapest, February 2010



Budapest, February 2010



Police training – descriptive poster



Veszprém, March 2010



Veszprém, March 2010



Budapest, March 2010



Budapest, March 2010

## Final Conference, March 9, 2010



Her Excellency Siri Ellen Sletner,  
Norwegian Ambassador to  
Hungary



Lars Bäck (Baltic Fem), Christina J. Hernandez (U.S.  
Embassy in Hungary)



Andrea Matolcsi (MONA), Anna Betlen (MONA), Violetta Zentai (MONA),  
Júlia Spronz (PATENT), Judit Wirth (NANE), Kriszta Hoffmann (USZSE)



Comment from the audience



Györgyi Tóth (NANE)



Lars Bäck, Christina J. Hernandez, Violetta Zentai, Birgitte Ellefsen (speaking), Elise Skarsaune

## Final Conference, March 9, 2010



Andrea Matolcsi, MONA  
Anna Betlen, MONA  
Violetta Zentai, MONA



The audience

## MONA at the Sziget Festival, 2009



Quiz



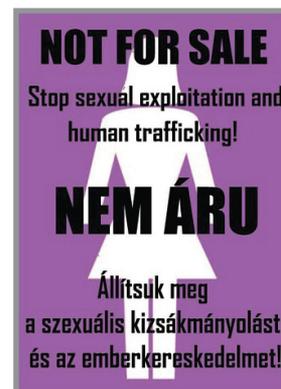
Quiz and scones



Main prize, with "I am responsible"  
written on the fly



Refrigerator magnet:  
prize for those who  
filled out the quiz  
correctly



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