

MACEDONIA (TIER 2)

Macedonia is a source, transit, and, to a lesser extent, destination country for women and children trafficked for the purpose of sexual exploitation. Some Macedonian victims are trafficked internally within the country. Victims also originated from Moldova, Albania, and to a lesser extent Romania and Bulgaria. Traffickers moved victims through the country en route to Serbia and Montenegro and Kosovo, Albania, and Western Europe.

The Government of Macedonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing progress in its anti-trafficking efforts in 2005. In March 2006, the government formally adopted a National Action Plan and Strategy to combat trafficking in persons and adopted important witness protection legislation. While the government took some steps to provide legal safeguards for victims and witnesses, it must fully implement the law on witness protection to reduce threats and acts of intimidation made to victims in courtroom settings. The government should increase funding and logistical support to NGOs providing protection and assistance to trafficking victims throughout the country, and ensure that traffickers receive sentences that are consistent with the heinous nature of the offense and sufficiently strong to serve as a deterrent to future crimes.

Prosecution

While the government did not vigorously enforce its anti-trafficking laws in all cases in 2005, it showed improvement in its overall prosecution record. Although the government and NGOs reported a downward trend in trafficking in 2005, the government significantly increased the number of cases prosecuted. In 2005, the courts prosecuted 35 cases involving 80 defendants, compared to 22 cases in 2004. The government secured the convictions of 22 traffickers, with sentences ranging from three to nine years; eight prosecutions ended in acquittals, although the government appealed the acquittals in several of these cases. Notably, in 2005, the government removed the presiding judge in the case of convicted trafficker Dilaver Bojku-Leku, for failing to impose a sentence. A new judge sentenced Bojku to one year and two months for "mediation in prostitution." This, along with his original three year and eight month sentence from another case, increased his total sentence to four years and 10 months. Some trafficking suspects continued to be acquitted, despite overwhelming evidence of their involvement in trafficking. Serious concerns over instances of judicial corruption continued in 2005.

In 2005, the government imposed sanctions on some officials for trafficking-related complicity. A Macedonian court sentenced a police officer in Gostivar, previously discharged from the Ministry of Interior in 2003 after allegations of involvement in trafficking, to two months in prison for misuse of official position and "mediation in prostitution." In addition, during the reporting period, the government arrested a police chief in Gevgelija for complicity in smuggling illegal migrants, including suspected trafficking victims. In 2005, the government created a Special Prosecutor's Office (SPO) in the Office of Organized Crime in the Ministry of Justice to improve its overall trafficking enforcement. The SPO actively assisted law enforcement counterparts to prosecute a case in Ukraine during the reporting period.

Protection

The Government of Macedonia improved protections for victims of trafficking during the reporting period. In May 2005, the government passed important witness protection legislation to provide resources and improve safeguards for victims who agree to serve as government witnesses. While it did not provide funding to NGOs providing assistance to victims, the government continued to support its shelter transit center run by IOM. A second shelter run by a local NGO also is operational and provides services to victims of Macedonian origin. Police continued to provide 24-hour protection to the IOM-run trafficking shelter; the other shelter uses private security services. Victims who did not meet IOM criteria for placement in the IOM-run transit shelter were given alternate shelter arrangements in the second shelter. The two shelters provided protection and assistance to 12 trafficking victims during 2005. The Interior Ministry provided support and protection to 15 victims who returned to Macedonia to testify in trafficking cases in 2005. The government created a centralized national referral system for trafficking victims in 2005 to coordinate the identification and assistance for victims and to create a national referral network throughout Macedonia.

Under Macedonian law, trafficking victims may be granted refugee or asylum status. The government identified eight victims in 2005, a significant decrease from the previous year. The Border Police cooperated with the government's anti-trafficking unit on trafficking cases identified at the border, informally referring victims. However, according to a 2005 report by IOM, foreign victims generally did not cross at legal border crossings, but instead crossed undetected into Macedonia. The new centralized referral system may improve identification and protection of foreign victims, but they remain vulnerable to deportation.

Prevention

While the National Commission for Combating Trafficking, established in 2001, did not provide strong leadership for the government's anti-trafficking efforts in 2005, adoption of a National Action Plan and Strategy in early 2006 provided a concrete road map to fight trafficking and demonstrated commitment to improve prevention and

awareness activities. The government continued to rely on NGOs to carry out most prevention and awareness programs, providing only minimal, non financial support. Throughout 2005, the government conducted or supported specialized training programs for judges, prosecutors, police, and social workers, many of them focusing on prevention of trafficking and identification of actual or potential victims. The Ministry of Labor and Social Policy organized a series of training sessions for social workers from all 27 social centers in the country. To date, the Ministry has trained 58 professionals.