

MACEDONIA (Tier 2)

Macedonia is a source, transit, and, to a lesser extent, destination country for women and children trafficked for the purpose of commercial sexual exploitation. Macedonian women and girls are trafficked within the country, from eastern rural areas to western Macedonia for sexual exploitation. Victims originated from Moldova, Albania, and to a lesser extent other Eastern European countries. Victims transited Macedonia en route to Serbia, Montenegro, 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 2006, particularly through joint law enforcement cooperation with neighboring countries. The government should increase efforts to educate law enforcement on the difference between trafficking and smuggling, take steps to ensure that traffickers receive sentences consistent with the heinous nature of the offense, and make greater efforts to prosecute and convict public officials who profit from, or are involved in, trafficking.

Prosecution

The Government of Macedonia's anti-trafficking law enforcement efforts showed positive results in the last year. The Government of Macedonia prohibits sex and labor trafficking through its 2004 criminal code article 418 on trafficking in persons, article 418c on organizing a group for trafficking, and article 191 covering forced prostitution. Article 418b is included in the anti-trafficking legislation and includes criminal sanctions for smuggling. Penalties prescribed for trafficking for commercial sexual exploitation are commensurate with those for rape. The laws prescribe penalties that are sufficiently stringent. Occasionally, however, relatively light sentences were imposed on convicted offenders. The government in 2006 prosecuted 48 cases related to trafficking, a significant increase from the 35 cases prosecuted in the previous reporting period.

Using special investigative measures, and in cooperation with the Albanian and Greek governments, the Government of Macedonia prosecuted and obtained convictions and jail sentences in three major trafficking cases. Those three cases involved 7, 26, and 21 defendants, respectively. Sentences ranged from 8 months to 13 years' imprisonment, and included provisions for victim restitution and confiscation of property. Despite these relative successes, the judiciary remained the weakest link in the fight against trafficking in persons, with significant instances of procedural errors and delays extending the duration of proceedings. Conviction rates for trafficking prosecutions remained low. Concerns over instances of judicial corruption continued in 2006. Two police officers were found guilty of trafficking-related crimes and received sentences of 18 months in one case, and two years in the other.

Protection

The Government of Macedonia made significant efforts to improve its protection of trafficking victims. The government encourages victims to participate in investigations and trials. Victims can institute civil proceedings against their traffickers to claim damages and compensation. Trafficking victims may be granted refugee or asylum status if they fear hardship or retribution upon return to their country of origin. Victims of trafficking usually were not penalized by authorities for unlawful acts committed as a direct result of their being trafficked. The Ministry of Interior, with support from IOM, operates a shelter transit center that provides safe housing for victims at the pre-trial, trial, and post-trial stages until repatriation. During the reporting period, 17 trafficking victims were assisted at the shelter transit center. Four Ministry of Interior (MOI) officers are assigned to the shelter to provide protection. The Ministry of Labor and Social Policy (MLSP) opened an office that improved coordination of assistance and protection services provided by state and civil society through a victim referral system established in 2005. In February 2007, the MOI and the MLSP signed a long-awaited Memorandum of Understanding (MOU) that establishes special provisions for the protection of child trafficking victims and provides for the presence of social workers during police raids. The Ministry of Interior also signed an MOU for improved cooperation with an NGO that operates a shelter for internally trafficked victims.

Prevention

The Government of Macedonia made significant trafficking prevention efforts over the last year. Posters with the hotline telephone number were prominently displayed at the Skopje airport and other locations associated with travel. The border police worked in association with a local NGO to distribute trafficking awareness materials at all border crossings. The Ministry of Interior launched a joint information campaign with IOM that targeted the public in rural and urban areas and distributed over 4,500 scratch cards with anti-trafficking messages. The anti-trafficking song and video "Open Your Eyes," performed by seven of Macedonia's top pop stars and translated into Macedonian and Albanian, was the highlight of the project. The Ministry of Foreign Affairs requires its consular officers to receive training on recognizing potential victims of trafficking.