

PRESENT SITUATION AND RESPONSE TO HUMAN TRAFFICKING IN SOUTHEASTERN EUROPE

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Abstract: *Every year thousands of people - most of them women and children from the poorer countries are being exploited, tricked and forced to do things against their will. These people are being mistreated as commodities by the transnational criminal traffic industry. Such criminal groups are growing more and more, earning billions of euros, working with impunity. After drugs business and illegal weapons, human trafficking has become the third most profitable business worldwide. It is mainly due to both the changes which happened in Europe in 1989 and the opening of European borders, which gave many people a chance for a new, peaceful and grateful life. Human trafficking cannot be seen only from a national security point of view, nor as a war against illegal migration. Human trafficking, is most important of all, desecration of human rights.*

Keywords: *human trafficking, human rights, illegal migration.*

НАСТОЯЩА СИТУАЦИЯ И ОТГОВОР НА ТРАФИКА НА ХОРА В ЮГОИЗТОЧНА ЕВРОПА

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Резюме: *Всяка година хиляди хора – повечето от тях жени и деца от по-бедните страни – се експлоатират, подвеждат и принуждават да вършат нещо против волята си. Тези хора са малтретирани като стоки от транснационалната престъпна транспортна индустрия. Такива престъпни групи нарастват все повече и повече, като печелят милиарди евро и работят безнаказано. След бизнеса с наркотици и незаконно оръжие трафикът на хора се превърна в третия най-печелив бизнес в света. Това се дължи главно както на промените, които се случиха в Европа през 1989 г., така и на отварянето на европейските граници, което даде възможност на много хора за нов, мирен и щастлив живот. Трафикът на хора не може да се разглежда само от гледна точка на националната сигурност, нито като война срещу незаконната миграция. Трафикът на хора е най-вече оскверняване на правата на човека.*

Ключови думи: *трафик на хора, права на човека, нелегална миграция.*

Human Trafficking is the modern form of slavery! 'Human Trafficking is one of the most serious forms of reprisal of the basic human rights!' Human trafficking is recruitment, transportation, transfer, and concealment or the admission of people, regardless of their will, by using coercion, abduction, unlawful deprivation of liberty, fraud, misuse of power, abuse of a situation of dependence or by giving, receiving or promising benefits in order to obtain the consent of a person exercising control over another person when performed for the purpose of exploitation. Every year thousands of people - most of them women and children from the poorer countries are being exploited, sold and forced to do things against their will. These people are being mistreated as commodities by the transnational criminal traffic industry. Such criminal groups are growing more and more, earning billions of euros, working with impunity. After drugs business and illegal weapons, human trafficking has become the third most profitable business worldwide. Human trafficking has become one of the most rewarding illegal enterprises, which has its private long established lawless industry connected with linked activities such as drug trafficking and sale, money laundering, document forgery, smuggling, children-beggars, etc. Most of these are due to the changes which happened in Europe in 1989, and to the opening of the borders, which gave many people a chance for a new peaceful and grateful life. There are many reasons for developing that kind of lucrative business, they can be socio-cultural - illiteracy, degradation of moral values, racism and ethnic discrimination, media and internet influence; economic – poverty, undeveloped economy, unemployment; psychological – drug dependence, psychological and sexual harassment, etc. Human trafficking cannot be seen only from a national security point of view, nor as a war against illegal migration. Human trafficking is, most important of all, desecration of human rights.

Definition of Human Trafficking: by UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, signed by all the countries in Southeastern Europe in December 2000 at a conference in Italy: Trafficking in Persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; The consent of the victim of trafficking in persons to the intended exploitation set forth in the subparagraph of this article shall be irrelevant

where any of the means set forth in subparagraph have been used; The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph of this article; “Child” shall mean any person under 18 years of age.

Most countries in the south-eastern Europe have undergone severe economic and social decline. Poverty, inflation, unemployment, income differentials have increased. As a result of wars, conflicts, politics and economic changes, conditions of life have all weakened and worsened. The difficult economic situation and lack of law have allowed the black market to develop. This new situation has a serious impact on women. The migration of young women has increased because of poverty, poor labour market, unemployment, discrimination against women, lower salaries and wages, lack of skills, etc. Another aspect of women looking for a job abroad is that more and more mothers are raising their children alone. The reason again is the men`s unemployment and the stagnant labour market.

Economic needs and the dominant out-dated, but traditional position of women in society and family are among the main reasons behind young women`s need to look for a better living abroad through migration. As yet, no policies or strategies have been developed to ensure the presence of women in the economic, political and social changes. Women are confined to the isolated family circle and largely eliminated from public and social life. At the same time, more connections and information from Western countries, have improved wakefulness amid the young generation of women, promising alternate life. This consciousness, however, is mostly created by movies, radio and advertisements in the mass media, which promise a paradise in the west of not only liberty and personal achievement but also of wealth. This delusion forms false outlooks to lure young women.

The issues stimulating migration are a worsening economic situation and a lack of opportunities in the state of origin, the opinion that work abroad is the only chance of survival or financial independence, and awareness about present options and patterns of migration. Illegal migration happens when there are difficulties with the legal one. These usually can be financial or passport/visa issues, the need for help in arranging or buying these documents, organising transport and securing a job and a place to stay.

Women are a significant part of migrants from South-Eastern Europe and their migration has consequences recognisable by both society and women themselves. With the rising tendency of migration, there are enough optimistic models within a local society or a family for an increasing number of women to decide to take their risk in order to support economically their families, to achieve an independent position or to have a bigger chance in the local labour market when they return or to make enough money in order to

start their own business. In addition to the financial concerns, there are also social benefits such as bringing back the information and experience gained abroad and introducing new models of family life, including a denial to accept family violence.

Trafficking of women and girls for the sex industry is a major part of trafficking in human beings. In the Balkan countries, because of the difficult economic situation and high level of unemployment, the sex industry is the only known area of work for women and teenage girls smuggled from other states. Women who gain their money in this sphere in their home country are much more likely to be trafficked. Many of the women who are working as prostitutes decide on their own and voluntarily migrate and work abroad, but the majority are trafficked. The sex markets in Bulgaria, Moldova and Romania have a similar form; local prostitution is controlled almost completely by pimps and is based on a system of inner trafficking. Prostitution is situated in big cities, in seaside resorts during the summer, in ski resorts during the winter and in border areas. Most of the women working in the prostitution industry in these areas come from the poorest and smallest parts of their countries. They work for pimps, sometimes they are relocated from one place to another, they are often sold to other pimps or kidnapped by them. During this process, some are trafficked abroad. The growing sex industry market is one of the side effects of the progression from conflict to post-conflict and transition in all South-Eastern European countries.

There is no trustworthy data or information on children trafficking. Though the scale of the trafficking in children is not exact, information from across the area implies that a number of children under 18, especially teenage girls, are being trafficked for sexual abuse and forced labour.

- **Bulgaria**

Together with all the countries of the area, Bulgaria experienced a hard process of political and economic changes during the 1990s. The economy began steadying in 1997 making the country one of the positive models of free market economy renovations. A good sign for this was the removal of visas for Bulgarian citizens to enter the countries of Western Europe, but still, the high level of unemployment has an influence on women.

In the last 3 years nearly 2,500 Bulgarian women who had been trafficked, complained to the police offices or took part in investigations and testified against traffickers. In the last 2-3 years, there has been a general reduction in the number of Bulgarian women trafficked abroad. Although prostitution is not illegal, it is stigmatised in Bulgaria. According to a local NGO La Strada/Animus, approximately 48 per cent of girls and women who are working in the sex industry are Bulgarians and about 40 per cent are from the Roma minority (gypsies).

- **Moldova**

Because of Moldova's geographical location and present economic situation, the country has appeared to be a major area of origin for trafficking in women and children. It is also a border-transit country for trafficking from Ukraine and other countries of the former Soviet Union. During the period of changes in the 1990s, the standard of living in Moldova deteriorated. Unemployment rose as a result of the postponed payment of wages and salaries, pensions and social benefits fell dramatically, so that 65 per cent of the people were living under the absolute poverty line. At the beginning of the period of changes, there has been a decrease in women's participation in administrative bodies and in economic life. Sixty-nine per cent of the jobless are women, despite having an identical level of training or education as men. And when women are paid, they are only paid 70-80 per cent of what a man would receive for the same job. At least 700,000 Moldavians out of a total population of 4.3 million live abroad. In recent years, payments from migrant workers became a very extensive part of the country's income.

- **Romania**

Romania is a country of origin, transit and to some extent a destination for trafficked women and children. The government of the country defines Romania as both a state of origin and transit and is ready to take action against traffickers. As in most East European countries, the changeover to democracy was a very hard period for the Romanian people in terms of income and social security. The breakdown of the economy in the 80s brought rising inflation rates and high levels of unemployment. During the 1990s the new leadership took actions to start the transition to a new market economy. But the result was an extreme reduction in the number of jobs. As in the other countries of the Balkan region, women were the first to be hit by the rising unemployment. Their party-political participation started to decrease, while violence against women and their economic dependence increased.

The biggest reason that women and girls migrate to big cities or try to go abroad is their hard-economic situation and lack of opportunities at home. Women are often tricked by promises to arrange either a lawful job or one in the sex industry. To women who are already working in the sex industry in Romania, traffickers offer better working conditions abroad. Some of the women and girls are kidnapped, forced to go abroad or bought from pimps.

- **Bosnia and Herzegovina**

In 1998 emerged the first reports of trafficking in Bosnia and Herzegovina.

These cases were from NGOs and from IPTF who were beginning to come across isolated incidents. IOM organizes issues discussions for women in order to return to their country of origin each month. The statistics from December 2001 show that a total of about 500 women and girls had been assisted by IOM since 1999, and 400 had been repatriated to their country. The UN formation identified 270 nightclubs in the country, which they assumed were involved in prostitution. But local NGOs estimated the number to be as high as 950, with between 5 and 25 women in each nightclub.

- **Serbia**

The geographical location of Serbia makes it a main transit point for the trafficking of women and girls into BiH, Kosovo, FYR Macedonia and Western Europe from Ukraine, Moldova, Russia, Romania, and Bulgaria. Women and girls from Serbia are trafficked mostly to Italy, Germany, Greece. Belgrade is a main transit point. Women are transported from Eastern and Central Europe and kept in isolated houses before they are trafficked to other places.

- **Republic of Montenegro**

Montenegro seems to be mainly a transit zone for the trafficking of women and girls to Western Europe. The sex business in Montenegro is run by clubs, bars and motels, and is focussed in the parts of Rozaje, Podgorica, Berane, Bar (the main port in Montenegro), Budva, Ulcinj; the last two places are some of the best tourist resorts destinations on the Adriatic coast. Having in mind the difficult economic situation in Montenegro and the high rate of unemployment, it is likely that women and young girls, especially, will follow promises of jobs and a better life abroad.

- **Kosovo**

The situation in Kosovo is almost unique. Kosovo has been recognised mainly as a destination and to some extent a transit zone for trafficking of women and girls. During the period February-March 2000 to July-August 2001, IOM in Priština gathered information from 300 foreign women and girls who were helped to return to their home countries, which gives light into the models and methods of trafficking. According to this data, women and girls were mainly trafficked from the Republic of Moldova (60 per cent), Romania (19.5 per cent), Ukraine (10 per cent) and Bulgaria (7 per cent), followed by singular cases from Albania and Russia. Fifteen per cent of victims were under 18 years of age. Sixty-nine per cent of women had been in Kosovo for less than three months. The patterns of employment are the same as described elsewhere in the nearby countries. Eighty per cent of

women and girls were tricked by false job promises, and nine per cent were kidnapped. Less than 25 per cent were aware of the possibility of being involved in sex industry.

- **Macedonia**

Macedonia is known as a transit and destination country for trafficking of women and girls for forced prostitution. As elsewhere in the district, it is stated by most sources that many of the trafficked women were tricked and deceived by promises of work and then lured and forced into the sex industry. Most women or girls are trafficked by organised crime networks. These groups are invariably involved in weapons and drugs trafficking too.

- **Croatia**

Like the other countries of the former Yugoslavia, Croatia has been experiencing social, economic, and political changes. The war of 1992-1995 and the post-conflict political and financial situations, along with the policy of corrupt privatisation, have their result in an intense falling-off in industry, employment and poverty. Nevertheless, with the post-conflict difficulties, Croatia is doing comparatively well in contrast to other countries in South-Eastern Europe. The data available suggests that Croatia is a transit country, and only to a very limited extent, a destination country for foreign women and girls trafficked for sexual exploitation.

- **Albania**

Over the last 15 years, with the fall of the communist regime and the problems surrounding the consequent changes, Albania is a main participant in the trafficking of women, girls and children. Prostitution in Albania is illegal, hidden, but usually run by motels, private agencies, bars and hotels. Protectors and pimps, who are usually part of a larger network, manage the women and girls. Trafficking in children for the purposes of begging and drug dealing is a chief problem. Some of these children are sold on for the purposes of prostitution, but there is not much information regarding this issue.

Bulgaria, together with Romania, Moldova and the other countries of South-Eastern Europe are among the countries with the highest relative share of victims of trafficking in human beings compared to the total population in a given country, and this share is extremely high especially among women. 13 women per 100 000 people are trafficked, which is more than 5 times the average for the European Union. About 80% of the trafficked are women and about 70% of all registered victims are trafficked for sexual exploitation.

Ninety-five per cent of foreign migrant sex workers in the Balkan countries are victims of trafficking. In general, human trafficking is viewed as an issue of migration or national security and not as a human rights violation. Considering all this information the governments have developed National Plans of Action, which allow an organised, widespread approach to the problem, and the support and involvement of international agencies and NGOs, as well as co-operation at a regional level.

References

1. Доц. д-р Николай Марин, Assoc. Prof. Nikolay Marin, PhD, Доц. д-р Диана Ковачева, Assoc. Prof. Diana Kovatcheva, PhD, Балкански форум, кж. 1, 2018г., Издателство: Югозападен университет „Неофит Рилски“, Правни проблеми и решения при сътрудничеството между националните омбудсмани в Югоизточна Европа.
2. Mariana Pramatarova, Домашното насилие, ИК „Новата цивилизация“ ЕООД, pp. 15-24.
3. Assist. Professor Ved pal Singh, Faculty of Law, M.D. University, Rohtak, Protection of women`s rights: a step ahead towards human rights, pp. 42-44.
4. Situation Report, Trafficking in human beings in the EU, Europol Public Information, The Hague, 02.2016, Documentary Ref. No. 765175.
5. The EU strategy towards the eradication of trafficking in human beings, 2012-2016, European Commission.
6. Stanojoska Angelina, MSc in Criminology and Criminalistics, Ristov Ivan, MA in Criminology, Trafficking in human beings and violence: Balkan Peninsula and the violent entrepreneur model.
7. Human Trafficking in the Western Balkans - IOM Publications.
8. Gabriela Belova, South-West University “Neofit Rilski”, Nikolay Marin, South-West University “Neofit Rilski”, Some issues related to the irregular or undocumented migrants, (pp. 561-562), Kutafin University Law Review (Vol.4, Issue 2, 2017).
9. Nikolay Marin, South-West University “Neofit Rilski”, Blagoevgrad, Problems of systematic character in the execution of the mutual assistance clause under art. 42, para. 7 of the treaty on European Union (pp.46-55), (Vol. 3, No 2, 2016) Papers of BAS, Humanities and Social Sciences.
10. Белова-Ганева, Габриела (2013). Актуални тенденции в защитата на правата на човека (pp. 15-58).