

UDK:314.7:176.5](478.9)

314.7:343.55](478.9)

339.1-054.2-055.2(478.9)

Stručni rad

Primljeno: 09. 01. 2003.

Prihvaćeno: 10. 06. 2003.

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## **Counteraction towards the Trafficking of “Human Beings”: The Experience of The Republic of Moldova**

### SUMMARY

The paper analyses the attempts made by the Republic of Moldova to take measures against the traffic of human beings. Sexual migration as a mass social phenomenon began in Moldova in the mid 1990s. According to the estimates of experts, today 20,000 to 30,000 people are caught up in it. The reasons forcing people into sexual migration are the socio-economic crisis and the low standard of living of the population. The main destinations of sexual migration from Moldova are Italy, Cyprus, Turkey, Germany, Russia and the Balkan countries. The main route of the traffic in live merchandise goes over the Balkans. The paper identifies four main social groups that voluntarily or by coercion are most often drawn into sexual migration. On the basis of social research, the social portrait of victims of this traffic is presented, and its socio-demographic, economic and organisational traits are described. The authors of the text show that opposition to trafficking in live merchandise has a complex character, which involves integration into the international mechanisms that combat it, using the experience and aid of the international community, and co-ordination of the actions of legislative bodies, of international structures and non-government organisations, both on a national and international level. The authors single-out three main directions of countering the traffic in live merchandise: 1) Prevention of the traffic by providing information to the population on its consequences. Analysis of the press made by the Moldovan non-government organisation for public information showed that the problem of trafficking of women was already an public opinion issue in Moldova. 2) Penalties for persons that organise, recruit and forward “live merchandise”. The article describes the development of legislation in Moldova and the introduction of stricter measures. At the same time, the authors conclude that these measures are so far not sufficiently efficient. 3) Rehabilitation of the victims of trafficking and their reintegration into Moldovan society. Generalising the experience of the Rehabilitation Centre for victims of trafficking, the authors present the results of its activities and note that the process of reintegration will remain inefficient, if adequate socio-economic conditions for a normal human existence are not created.

KEY WORDS: traffic of human beings, sexual migration, the Republic of Moldova

### **The main directions and volumes of sexual migration**

One of the main acute problems of modern Moldova is the issue of labor migration. According to the results of sociological polls, every third able-bodied citizen of the Republic of Moldova is involved in international labor migration, that is more than 600

thousand people.<sup>1</sup> Labor migration is generated by the social-economic situation in the country, by the economic crisis and poverty of the population. It includes all ethnic, sexual and age groups of the population and exists in different forms.

One of the forms of modern labor migration is sexual migration. According to the specialist's evaluation, in Moldova it became to spread in 1994–1995. Sexual migration in Moldova is represented in both forms: *voluntary* and *involuntary* sexual migration, which received the name “trafficking of living good”. With this, it is necessary to point out that there is a certain connection between these two forms. What is more, involuntary migration often appears as one of the methods of introducing young women and girls into voluntary sexual migration. Today it is a massive social phenomenon, requiring serious analysis, the development and realization of scaled state policy and scheduled collaboration between state and civil society in the counteraction of trafficking of human beings.

It is difficult to say categorically how many Moldovan citizens are included in voluntary and involuntary sexual migration abroad. The information is of an incomplete, fragmental character. In the opinion of A. Mindicanu,<sup>2</sup> the number of Moldovan citizens participating in prostitution is no less than 10 thousand people.<sup>3</sup> L. Revenco, who collaborated with representatives of the International Organization for Migration in Moldova, quoting the data of sociological surveys, affirms that 23% of women questioned personally know somebody who was the victim of trafficking.<sup>4</sup> It is apparent, therefore, that the number of people involved in sexual labor migration is increasing and considerably exceeds 10,000 people. According to our estimations, the number of Moldovan citizens occupied in the sphere of sexual migration is about 20–30 thousand people.<sup>5</sup>

Information about the deportation of Moldovan citizens from foreign countries characterizes the indirect amounts and directions of sexual migrants. It is often directly underlined in such information that these women were involved in prostitution. According to the data of the International Organization for Migration relating to the number of women violently brought to Italy, Moldova occupies 3<sup>rd</sup> place after Albania and Romania (Paduraru, 2001). In the Russian capital alone there are about 3000 prostitutes from the Republic of Moldova. Here also, our country occupies 3<sup>rd</sup> place after the Ukraine and Byelorussia (not including Russian citizens who are represented in much larger numbers in Moscow).<sup>6</sup> In 1998, Russian Interpol deported more than 2000 Moldovan pro-

<sup>1</sup> The results of social survey researches in 1998–2000 are presented in Мошняга (1999) and Мошняга [et al.] (2000).

<sup>2</sup> A. Mindicanu, a politician of Moldova, was selected as the deputy of the Parliament and president of the Christian-Democratic League of Women – a political formation with feministic direction. Nowadays, she is one of the leaders of the Social Liberal Party of Moldova.

<sup>3</sup> *Moldovan Registers*, 27 September 2000.

<sup>4</sup> A special national sociological survey was made by the order of IOM in July 2000 by the Center “CIVIS”. During the survey 1000 women from 48 settlements of the country were interviewed on the issue of trafficking of people and on migration strategies.

<sup>5</sup> According to our opinion, sex migrants make up 8–10% of the total number of Moldovan population involved in labor migration

<sup>6</sup> *Комсомольская правда в Молдове*, 12 января 2001.

stitutes.<sup>7</sup> According to the data provided by Russian law and order authorities, around half the prostitutes working in Russian cities are citizens of that country, and the other half consists of immigrants from other countries of the Eastern European Region and Central Asia (mainly from the Ukraine and Moldova, as well as Central Asia and Caucasian).<sup>8</sup> Data provided by Turkish Interpol show: 670 Moldovan prostitutes were deported, along with 5 from Italy and 2 from both Greece and Germany.<sup>9</sup> In January 2000 in Albania, in the Supreme Commissariat of UN for Refugees, 40 women from Moldova who were previously involved in prostitution in Italy, but became the victims of violence from their clients or procurers, were awaiting repatriation (Пасар, 2000).

Very often the information is non-specific, merely indicating the general deportation of young women and girls. According to N. Dobos, the chief of Department for illegal trafficking of human beings of the Ministry of Internal Affairs of the Republic of Moldova, about 2500 citizens of Moldova, the majority of whom being women occupied in prostitution, are deported from Turkey every year. So in the year 2000, 6630 Moldovan citizens were deported from Turkey, 60% of whom were young women and girls (*Migration Trends...*, 2002: 113).

Among countries in which Moldovan citizens are occupied in sexual services are: Albania, Bosnia-Herzegovina, Germany, Italy, Cyprus, Macedonia, Russia, Turkey, the Czech Republic, Yugoslavia and others. It is important to mention that the main flow of human goods runs through the Balkan Region.

The main reason for this is the economic and political chaos in these former Yugoslavian countries, which during the last decade of 20<sup>th</sup> century have gone through a series of devastating wars and consequently there are many military contingents (national, international and peace-making) using sexual services. Another reason, which is connected with that mentioned above, is the existence of a widely spread and deeply-rooted network of organized crime, overcoming which has to date proved impossible for the authorities of new Balkan countries.

According to the data of Moldovan, Romanian and Balkan authorities and NGOs there are three main routes used in the transfer of human goods in which Moldova is involved.

The main route is Moldova (southern towns) – Romania (Timisoara – the main market of traffic) – and then onwards in a great number of directions: Greece, Turkey, Italy, Cyprus, Yugoslavia, Bosnia-Herzegovina, Albania.

The second route is Moldova (southern towns) – Romania – Bulgaria and again continuing in a number of directions: Greece, Turkey, Italy, Cyprus, Yugoslavia, Bosnia-Herzegovina, Albania.

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<sup>7</sup> *Деловая газета*, 7 апреля 2000.

<sup>8</sup> According to the data of the Transnational Center of Crime and Corruption, 44% of 68 thousand women, arrested for prostitution in Saint-Petersburg in 1999, were the citizens of Ukraine and Moldova (see *Tendencies...*, 2002: 35).

<sup>9</sup> “Because of the poverty the Moldovans are sold at the black market in the West” (*FLUX*, 3 December 1999).

The final main route is Moldova (southern towns) – Romania – Hungary and then onwards in the same directions as stated above.<sup>10</sup>

Operational information from the Internal Affairs Department, Moldovan NGOs and sociological surveys uncover the main methods of recruitment of victims of trafficking and ways of crossing state borders. Among the methods of recruitment are (*Traficul de femei...*, 2002; Делеу, 2000с, Deleu, 2000b): recruitment by physical persons (known and unknown to the potential victim of trafficking); recruitment by firms occupied in providing labor abroad; by tourist companies; and by advertisements in newspapers.<sup>11</sup> Crossing of the border is performed in several ways: with legal visas and passports; with false passports and visas, by means of bribery of frontier-guards; and by means of illegal crossing of the frontier (*Traficul de femei...*, 2002; *Ce spun...*, 2001). It is important to mention that women are attracted by proposals to work as models, housewives, waitresses and dancers, the true nature of what lies ahead being hidden.<sup>12</sup>

The trafficking of human beings, as the practice shows, is a very profitable business. As UN representative F. Viviano stated: “For organized crime the traffic is similar to a high-risk investment. If things are going well, then such investments give immediate dividends. Over time, the trafficking of human beings is becoming an investment in duties: money is received annually, and the risks are minimal.”<sup>13</sup> In accordance with local standards, recruitment of “human goods” in Moldova costs about US \$150–200.

In the destination points (Yugoslavia, Bosnia-Herzegovina) the cost increases up to US \$500 (Меньшиков, 2001).

### **Social portrait of a sex-migrant**

The National Center of Research and Information of Women (Republic of Moldova), after analyzing the social portrait of Moldovan young women who are going abroad searching for work, has distinguished the following social groups, who are mostly involved in voluntary and involuntary sexual migration:

- young women and girls, who go abroad as prostitutes. They realize this and use the accumulated connections to gain employment, and believe that it is a very profitable kind of labor;
- young women and girls, naive, generally from rural areas. Having heard tales of “experienced people” about huge salaries abroad, they dream of earning money for their wedding, education, to be independent from parents, etc. They are seeking the dream partner, a good marriage with a foreigner. More often than not, they are not only the

<sup>10</sup> Trafficking of women and children with the goal of exploitation through the Balkan region. The Republic of Moldova. – Chisinau: IOM, 2001

<sup>11</sup> The announcements in newspapers on the perspectives of labor activity for young women abroad are very attractive, which justifies high professionalism and unscrupulousness of callers, who skillfully use the methods of propaganda and manipulation of public opinion (see announcements in the newspaper *Makler*, which hide “sexual service”, *FLUX*, 11 aprilie 2000).

<sup>12</sup> About the methods of recruiting see more in: *Ce spun...*(2001); Тюрюканова, Малышева (2002).

<sup>13</sup> *The San Francisco Chronicle*, 7 January 2001.

potential victims of trafficking, but real victims, because they do not know where and why they are going;

– young women and girls, desperate in life, suffering from unemployment, poverty, lack of finance, very often with higher education and a blameless moral reputation. They are willing to work in any capacity just to survive and support the family left at home. They are aware of trafficking of human beings, voluntary and involuntary sexual migration, but believe that this is the negative experience of the others, and it will not happen to them. Compared with others, this is the most numerous social group;

– young women and girls with decent financial conditions. They have heard much about attractive living conditions abroad and want to see and experience this by themselves. They are inspired by the processes of global migration and expect a high salary. Relatively, this is the smallest social group (*Buletin informativ*, 2000).<sup>14</sup>

A more concrete portrait of the victims of human trafficking and victims of involuntary sexual migration can be made on the basis of the generalized social characteristic of 805 Moldovan citizens, whom the IOM assisted in returning home in the period of 2000–2002 (*Traficul de...*, 2002).

*Table: True cases of traffic of Moldovan women (by country)*

Country	2000	2001	2002*	Including children
Macedonia	67	150	39	1
Yugoslavia (Kosovo)	72	73	16	
Bosnia-Herzegovina	92	7	30	1
Albania	67	27	5	
Yugoslavia	-	17	16	
Italy	10	12	3	
Bulgaria	-	4	-	
Israel	-	3	-	
Moldova**	-	3	19	
Great Britain	-	2	-	
Romania	-	1	-	
Turkey	-	1	-	
Pakistan	-	-	2	
Russian	-	-	1	
Greece	-	-	3	1
<b>Total</b>	<b>308</b>	<b>363</b>	<b>134</b>	<b>3</b>

\* The table contains data for the first 4 months of 2002.

\*\* Information about Moldova characterizes the amount of evident victims of local and international trafficking of human beings.

<sup>14</sup> Case studies can be found in Мошняга [et al.] (2000).

More than half of the women (58.82%) are between the ages of 18 and 24. Every fourth (26.47%) is between the age of 25 and 30. Every 10<sup>th</sup> (10.3%) is aged 15–17 years and 4.41% are over 30. By education, the victims of traffic are distributed as follows: primary school – 47.79%, secondary school – 25.74%, secondary professional education – 17.12%. By the place of residence: more than half are from rural areas – 52.94%, from small towns – 33.82%, from Chisinau – 11.76%.

By marital status: single – 56.62%, divorced – 16.18, living apart, but legally not divorced – 11.03%, married – 9.56%, widows – 2.94%, have permanent sexual partner – 1.47%. Non-respondents – 2.21%.

Those living with family were 85.29%, living apart – 5.88, with relatives – 20.21%, with friend – 3.45%, “other” – 11.49%. Non-respondents – 5.15%.

The social group most prevalent were single women with no children who accounted for 48.53% while single women with children represented 8.09% of the total. Among divorced women, 13.97% have children while 2.21% are childless. Among married victims of traffic women with children were again dominant (8.82%), compared with 0.74% who have no children. Among single but not divorced victims of traffic, the same group was again most numerous: 9.56% as opposed to 1.47% without children. The same situation occurs among widows without children – 0.74%. Also represented are women who have a permanent sexual partner and children.

The economic situation of the families of those involved in involuntary sexual migration is very bad. About half (55.15%) classify themselves as “poor”, “average” – 15.44%, “very poor” – 14.71%, “beggar” – 0.74%, with 13.97% refusing to answer the question.

As a *reason for going abroad* the majority mentioned “work” – 85.56%, “visiting relatives, friends” – 3.68%, “forcefully taken” – 2.21%, “tourism” – 0.74%, other – 0.74%, no answer – 8.09%.

The *methods of recruitment* stated were as follows: “false promise of work” – 64.71%, “false promise of travel” – 16.18%, “kidnapping” – 5.15%, “false invitation” – 0.74%, “other” – 4.71%; “non-applicable” – 0.74%. Refused to answer – 8.09%. Clearly then, the majority of women were deceived by the promise of employment abroad.<sup>15</sup>

On top of this, more than half the women (52.94%) mentioned that they had no prior contact with the recruiter. Every fourth (25.74%) named him as “familiar”, “friend” – 11.03%, “relative” – 0.74%, with 9.56% of women giving no response.

The majority of women who became the victims of traffic were unaware that their activity abroad would be connected with providing sexual services (79.41%). Every ninth women did know (8.09%), while 2.94% of those questioned had some idea. 9.56% did not respond to this question.

<sup>15</sup> According to the previously mentioned sociological surveys, each 10<sup>th</sup> questioned woman (10%) is ready to trust any stranger on the street for the employment abroad. Very often, women looking for a better life abroad don't care about the legality of the firms, they trust not only their money, but lives as well. So, out of 6% of women, who addressed private companies in the matter of employment, only half of them know if the companies have the permission for job placement (“Cine-i responsabil...”, 2001).

*The possession of legal crossing documents.* Two out of five victims of traffic (40.44%) did not want to respond to this question. Almost every third person (28.68%) stated that their documents had been taken from them, 22.79% claimed to have never had any, 4.41% stated that they had lost their documents with 2.21% claiming to have lost them on purpose. 1.47% of women did not know where their documents were.

*The practice of traffic.* Being involved in traffic women were forced to provide sexual services – 70.59%, be involved in dancing and consummation – 9.59%, waitress – 7.35%, other activities 4.42%, refused to answer – 8.09%.

Among women who are the victims of traffic those who have prior experience accounted for 13.24% (almost every seventh woman) those using the recruiter for the first time – 74.26%, while 12.50% refused to answer. These numbers, from our point of view, reveal that every fourth woman has experience of trafficking, so the risks and dangers involved no longer frighten them, or at least bother them less than the poverty they experience at home.

During transportation, women were seriously restricted in their ability to travel. “No freedom of travel” – 38.24%; “Travelling only under supervision” – 36.76%. Every eleventh women, 8.82%, mentioned that she was “totally free”. “Other” answered 5.15% of women questioned, while every ninth woman, 11.03%, refused to answer this question.

The majority of women were exposed to sexual compulsion from the trafficant and his friends. Every third woman indicated this fact – 32.35%. Two out of five women questioned stated that they were exposed to sexual compulsion from the trafficant or his friend, and 27.21% refused to answer this question.

*Access to the medical assistance.* 27.94% of women questioned answered that they “were refused medical assistance”, 17.65% – “only when necessary”, 14.71% – “only on occasion”, 2.21% – “only in emergencies”, 13.97 – “other”, “as before” – 8.09% of respondents. Refused to answer – 15.44%.

*Post-repatriation plans.* Practically every second woman – 47.06% want to find an ordinary job. Every fifth responded that she “doesn’t know what to do” – 19.85, 13.97% “plan to return to school”; “I will return to the same activity” – 2.94%; “I will exceed my education” – 2.21%, “I will go abroad” – 1.47%, “other” – 3.68%; every eleventh refused to answer – 8.82%.<sup>16</sup>

## **Counteraction of the traffic of human beings**

The problem of traffic of human beings became actual in the 1980s and has attracted the attention of international rights protection organizations. At the same time, the Dutch government created a Fund for the counteraction of the women’s traffic, stressing the need for prevention and rehabilitation of victims of traffic. In 1995 this fund initiated the program “La Strada” program, starting in the Czech Republic and Poland.

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<sup>16</sup> The survey shows that 3% of questioned women are ready to work in the distraction industry: bars, night clubs. (“Cine-i responsabil...”, 2001). So, taking into consideration migration purposes, the potential of sexual migration is very high.

In 1997 this program began in the Ukraine and from 1998 in Bulgaria. In 2000, on the basis of leading research, a decision was taken to expand the zone of realization of this program, and the following year the program was initiated in Byelorussia, Bosnia-Herzegovina, Macedonia and Moldova.

The combat of trafficking of women is an EU priority. In the Program of Action for Regional Collaboration (including Moldova) for the year 2000, the following four divisions were included:

- 1) Prevention of trafficking, including an advanced system of obtaining data and increasing public awareness by involving the Mass-Media in this process,
- 2) Perfection of national legislation and its adjustment to international standards on the issue of counteraction to women's trafficking,
- 3) An examination of the criminal-process examination and the use of legislative norms by legal bodies involved in combatting the trafficking of human beings,
- 4) Protection and assistance to victims of traffic, including help in return and reintegration into the country of origin (*Sub-comitetul UE*, 2001).

Combatting the traffic of human beings is a multiple and complicated issue, which requires common coordinated actions with collaboration necessary between state and non-governmental structures on both international and national levels. In accordance with the recommendations of international organizations and taking into consideration the situation on the ground, a special decision of the government of Moldova was taken (1136-878 from 26 May 2000), assuring the creation of a National Working Group on combatting the traffic of human beings. This group is the national partner in the realization of the IOM project on the traffic of human beings in the Republic of Moldova.

The main goals of the National Working Group on combatting the traffic of human beings are the following:

- estimation of the extent of the problem, the volume of trafficking of human beings;
- determination of the causes of socially-unprotected social groups most affected by trafficking;
- a public information campaign on the dangers involved in the traffic of human beings;
- assuring protection to the victims of trafficking;
- harmonization of national legislation according to international standards on the issue of counteraction to trafficking of human beings;
- training employers in the application of the new legislative instruments.

At the same time, the Plan of Actions on the combat of traffic of human beings was elaborated, which highlights the need for collaboration and common actions between state structures and civil society. The partners of realization of the Plan are UNISEF, IOM, OSCE, EC, EU and national non-governmental organizations involved in combatting the traffic of human beings.

In May 2000, a permanent Working Group was created which included representatives of interested Ministries, deputies of Parliament and representatives of NGOs. This working organ is dedicated to coordinate measures on counteraction, and to keep

the government updated about the situation in this domain. On 30 May 2000, the Ministry of Internal Affairs created a special structure – Division on combatting the illegal traffic of human beings and crime committed by foreign citizens.

Despite all this, the fight against the traffic of human beings and rehabilitation of its victims has yet to become one of the priorities of the Government of Moldova.<sup>17</sup>

In order to win the war against the traffic of human beings, it is necessary to take action in three main directions:

*First:* Prevention of the trafficking by informing the population as to its consequences. This is necessary because the majority of the victims of traffic are ignorant about the dangers and risks involved, about illegal migration, or legal procedures; many simply know nothing about the possibilities of a legal working trip abroad. The issue of prevention of trafficking does not feature in the educational programs, in the process of youth education. The State is largely uninvolved in the prevention process and leaves this field of activity to the non-governmental organizations.

The analysis of Moldovan newspapers for the period of 1997–2002, when the phenomenon of voluntary and involuntary sexual migration became massive, showed that there has been a change in the attitude of the Mass-media: instead of a mere listing of the facts, there is a demonstration of the negative consequences of this process; instead of a rare fixation on this problem in the Moldovan press, there is a constant, enriched process of information about sexual migration. As a result, the problem of woman trafficking and voluntary and involuntary sexual migration was actualized in the mass consciousness and public opinion of the Republic of Moldova.

In Moldova today a great many bodies are involved in this process, one of most active being “La Strada”. During only the first two months of the activity of the program 35 seminars were held, during which about 1000 people from the risk-groups (school, lyceums, college graduates, orphanages, representatives of local administration, pedagogies, psychologists, non-governmental youth organizations) were informed about the risks of traffic of human beings. Seminars were generally held in rural areas throughout the country, in Transnistria.

“La Strada” is actively collaborating with state structures. The Ministry of Education recommended to the regional structures of education to support the initiative of the non-governmental organizations, to assist in realization of the given goals to enlighten the youth about the danger of traffic of human beings. In July 2001, with the initiative of “La Strada”, the Hot line started to function, which gives assistance on informing and prevention of the trafficking. This non-governmental organization provides help to the victims of traffic, using its international connections with more than 100 international partners (Palancean, 2001).

A practical seminar devoted to the problem of informing the population about the trafficking of human beings was organized by the Ministry of Labor and Social

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<sup>17</sup> As it is mentioned in the OSCE report, not only for the Republic of Moldova, but for many governments of the origin of victims of trafficking, the combating with this social phenomenon is the “second plan priority” (*Trafficking...*, 1999).

Protection in collaboration with EC, taking place in November 2000. During the seminar, matters relating to trafficking of people for sexual exploitation were discussed. On 12–13 April 2002, the Scientific-Practical Conference “Ways of solving the problem of illegal migration according to the principles of international law” was held. (Organizers: Parliament of the Republic of Moldova, and NGO “Adjuta-Civis”). On October 11, 2002 another seminar “Trafficking of women: the ways of prevention” was held. (Organizers: Friedrich Ebert Fund from Germany and State Migration Service from Moldova). Similarly, a number of seminars and training sessions have been organized by other non-governmental organizations (“Initiativa Civica”, “Compasiune”, “Milena SM”, etc.).

*Second:* The punishment of traffickers, who organize, recruit and transmit “human goods”. Following the lead of other international rights bodies, the Moldovan government takes the view that human trafficking is a crime, in which participate not only national, but international criminal networks and organized crime structures, and that frontier control alone cannot assure the counteraction of this kind of crime.

The Republic of Moldova has signed the majority of international agreements on human rights and counteraction of trafficking of human beings. It has also signed the UN Convention on Combatting Organized Crime, which was adopted by UN General Assembly on 15 November 2000 (Deleu, 2000c). In October 2002, the Parliament of Moldova ratified the Agreement on Collaboration between the Government of Moldova and IOM. The Republic of Moldova drafts its legislation according to international standards, regulating the different aspects of combatting the trafficking of human beings. In 1998, the special article “Ponce” (art. 105) was introduced to the Penal Code which criminalized acts connected with compulsion to prostitution (*Penal Code...*, 2000). However, the unclear character of mechanisms of realization of this article and the general lack of legal articles and case law in this field, rendered the legislation ineffective. For example, in 2000, 14 criminal cases were brought on the basis of this article, but most of them were sentenced very lightly, including one conditional conviction (*Traficul de femei...*, 2002; Меньшиков, 20001).

According to the State program on Combatting Crime, Corruption and Protectionism for the year 1999–2002, which was adopted by government of RM (decision #1017 on 22 April 1999) the changes were included in Criminal Code and Criminal-Process Code (Law #450–XV from 30 July 2001) concerning the trafficking of human beings (“Decretul...”, 2001, art. 802). In Criminal Code and Criminal-Process Code article 113-2 was introduced which deals with “Illegal trafficking of human beings”. The article declares that: “Illegal trafficking of human beings, with or without their agreement, committed for the goals of profit – is punishable by deprivation of freedom for a period of 5–10 years with confiscation of earnings.

Illegal trafficking of human beings, with or without their agreement, committed by a person:

- 1) for the purpose of compulsion to labor activity or maintenance in slavery conditions;
- 2) for the purpose of use in military conflicts;
- 3) for the purpose of sexual exploitation of different kinds or use in the porno-industry;
- 4) for the purpose of involvement in criminal activity;

- 5) for the purpose of other indecent activities;
- 6) as a result of prior agreement by a group of people is punishable by deprivation of freedom for a period of 10–15 years with confiscation of earnings.

Activities, listed in points 1 and 2 of this article, committed:

- 1) Repeatedly;
- 2) To two or more persons;
- 3) To a minority;
- 4) By kidnap, with use of violence, with use of service position, deception, fraud;
- 5) With use of violence, endangering the life and health of the person or leading to the death of the victim, or committed to a pregnant woman, or committed for purpose of profit enabled by the helpless condition of the person;
- 6) For the purpose of extraction and transplantation of human organs;
- 7) Criminal community is punishable by deprivation of freedom for a period of 15–25 years with confiscation of earnings” (“Decretul...”, 2001, art. 803).

However, this legislation alone is not broad enough in scope to counter the complexity of the problem. For example, it does not contain any articles on prevention of trafficking of human beings, the set of services to be provided to victims of traffic to assure their reintegration into the society, the mechanisms of collaboration between state structures and non-governmental organizations, etc.

Nevertheless, the new legislation had a very positive influence on the practice of counteraction to the trafficking of human beings. According to data from the Department of Combatting the illegal traffic of people, today in Moldova 248 firms have received a license for tourist activity. In the same year, 45 firms were deprived of licenses for various violations. Department employees brought 382 criminal cases connected with the trafficking of human beings: 21 on art. 113 (illegal trafficking of human beings), 42 on art. 105 (prostitution), 274 on the 122 p. 1–3 (fraud), 31 on art. 123 (grand theft). Besides that, criminal cases on the falsification of documents, bribery, etc were brought to court (Синявская, 2000).

*Third:* Rehabilitation of the victims of trafficking and their reintegration to Moldovan society.

The main, but not the sole organization<sup>18</sup> working on the issue of rehabilitation of the victims of trafficking in Moldova is the International Organization for Migration. In autumn 2001 in Chisinau, the IOM opened the Center of Rehabilitation for Victims of Trafficking, which provides medical assistance (treatment), psychological consultation, professional orientation and education of the victims of trafficking. During the

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<sup>18</sup> Besides IOM, seriously working on the issue of social reintegration of the victims of trafficking are NGOs – “Salvati Copii” and “Initiativa Civica”. From January 2000 with the assistance of the international NGO “Salvati copii” and IOM 263 victims of trafficking were repatriated to Moldova, 25 of whom were members of minorities. It is known that 30 women returned to the countries they were repatriated from. The destiny of other young women is unknown. However, based on the results of individual interviews, made by the experts of “Salvati Copii”, we can suppose that the proportion (returned to trafficking and reintegrated to Moldovan society) is 1vs3 remained in Moldova (see *Traficul de femei...*, 2002).

period of its activity, about 800 victims of trafficking have received rehabilitation. The results of the reintegration program are as follows (*Traficul de femei...*, 2002):<sup>19</sup>

- completed psychiatric treatment (30%);
- completed treatment (40%);
- psychological consultation (45%);
- introduction into the program of professional orientation (45%);
- diagnosis for HIV/AIDS, venereal diseases (58%);
- restoration of relations with parents and family (69%);
- in constant contact with the representation of IOM in Chisinau (80%).

Taking into consideration the experience accumulated since the inception of the program, the representation of IOM in Moldova introduced a number of changes into the reintegration program for the year 2002. In particular, the priority of direct action has been achieved, along with improvements in infrastructures of reintegration assistance.

*The Program 2002 includes:*

- First-night stay for the inhabitants of villages, which can start to receive first aid the very next day or return on a voluntary basis at a determined date;
- A gynecological examination and examination for venereal diseases;
- Treatment of venereal diseases;
- Psychological diagnosis;
- Social and psychological consultation;
- Group therapy;
- Psychiatric assistance;
- Other medical services;
- Catering and accommodation during the whole period of stay;
- Professional orientation;
- Help in job placement (*Traficul de femei...*, 2002).<sup>20</sup>

Finally, it is necessary to concede that the above measures on the prevention of involuntary sexual migration, combatting trafficking of human beings, rehabilitation and reintegration of the victims of trafficking is insufficient. This fact was reaffirmed by the US State Department in its report for 2001, which stated that Moldova “doesn’t entirely correspond with the standards connected with the liquidation of the trafficking of people”, but is, nevertheless, determined to stand with the second group of the countries who admit the existence of the problem and try to fight against this phenomenon.<sup>21</sup>

However, there is a great amount of work to be done in this field. And success is possible only on the basis of collaboration between state structures and non-governmental organizations, a common regional, national and international effort, and the introduction of complex political, social-economic, communicative and social-physiologic measures.

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<sup>19</sup> Results of 500 victims of trafficking, repatriated in 2001–2002.

<sup>20</sup> Results of 500 victims of trafficking, repatriated in 2001–2002.

<sup>21</sup> *Комсомольская правда в Молдове*, 21 июня 2002.

Therefore, solving the issue of trafficking consists of not only prevention of trafficking by information of the population, punishment of traffickers and rehabilitation of victims, but in overcoming the social-economic crisis, developing the economy, attraction of investment, creation of acceptable standards of living and employment in Moldova.<sup>22</sup>

We can only concur with the Chief of the Frontier Service at Cahul, Colonel A. Goritse, who captured the crux of the problem: “Our girls are running. Everyone is running. And not for a better life, but escaping from a difficult one”.

We believe that in the nearest future, the process of combating human trafficking in the Republic of Moldova will lead to a reduction in the volume of involuntary migration.

## REFERENCES

- BOTNARU, Gh. (2001). “Traficul de femei în contextul Republicii Moldova – problema ce necesită o rezolvare imediată”, in: *Traficul de femei: fenomen și crimă*. Chișinău: “Inițiativa civică”, pp. 13–23.
- Buletin informativ al Centrului național de studii și informare pentru problemele femeii*, Chișinău, 2000.
- Ce spun 24 de femei traficate* (2001). Chișinău.
- “Cine-i responsabil de traficul de femei din Republica Moldova?” (2001), *Democrația*, 18 decembrie 2001.
- COSTACHI, J. (2002). “Traficul de femei și fete în scopul exploatații sexuale”, in: *Participarea în pactul de stabilitate ca accelerator al reformelor social-economice în regiune*. Chișinău: Institutul Politici Publice, pp. 91–98.
- CUPREAȘCHINA, S. (2001). “Este oare Europa orientată împotriva traficului de femei?”, in: *Traficul de femei: fenomen și crimă*. Chișinău: “Inițiativa civică”, pp. 45–57.
- “Decretul pentru promulgarea Legii privind completarea Codului penal și Codului de procedură penală” (2001), *Monitorul Oficial al Republicii Moldova*, no. 97–99, art. 802–803.
- DELEU, D. (2000a). “Cadrul normativ și legislativ internațional și traficul de femei”, in: *MOLDOSCOPIE: (Probleme de analiză politică)*. Partea XV. Chișinău: USM, pp. 31–45.
- DELEU, D. (2000b). “Migrația de muncă: fenomenul traficului de femei în Republica Moldova”, in: V. Moșneaga (ed.). *Moldova, România, Ucraina: integrarea europeană și migrațiunea forței de muncă*. Chișinău: CAPTES, pp. 35–44.
- ДЕЛЕУ, Д. (2000с). “Проблема контрабанды людей или торговля женщинами”, in: *Население Молдовы и трудовая миграция: состояние и современные формы*. Кишинэу: CAPTES, pp. 28–45.
- DELEU, D. (2000d). “Traficul de femei”, in: *MOLDOSCOPIE: (Probleme de analiză politică)*. Partea XIV. Chișinău: USM, pp. 21–32.
- GORBUNOVA, O. (2001). “Legile țărilor europene cu privire la migranți”, in: *Traficul de femei: fenomen și crimă*. Chișinău: “Inițiativa civică”, pp. 57–86.

<sup>22</sup> Our researches in 1998 and 1999–2000 showed, that people would like to stay and work in Moldova, if they had a decent payment, enough for living and supporting their family.

- MARTÎNIUC, I. (2001). “Rolul ONG în prevenirea traficului de femei în Republica Moldova”, in: *Traficul de femei: fenomen și crimă*. Chișinău: “Inițiativa civică”, pp. 5–13.
- МЕНЬШИКОВ, А. (2001). “Девиц за 5 тысяч ‘баксов’ сдавали в бордели”, *Комсомольская правда в Молдове*, 21 августа 2001.
- Migration Trends in Eastern Europe and Central Asia. 2001–2002 Review* (2002). Geneva: IOM.
- “Milena”: *Buletin al Asociației Femeilor “Milena SM”* (2000). Chișinău.
- Moldova, România, Ucraina: integrarea europeană și migrațiunea forței de muncă* (ed. V. Moşneaga) (2000). Chișinău: CAPTES.
- МОШНЯГА, В. (1999). *Независимая Молдова и миграция*. Кишинэу: Perspectiva.
- МОШНЯГА, В., ЕВДОКИМОВА, Л., КОМАН, А., КРАУЗЕ, А., РУСНАК, Г. (2000). *Трудовая миграция в лицах: люди и судьбы*. Кишинэу: CAPTES.
- Население Молдовы и трудовая миграция: состояние и современные формы* (ed. В. Мошняга) (2000). Кишинэу: CAPTES.
- PADURARU, P. (2001). “Tablou sinistru cu femei vândute și moldoveni înhumați în pământ străin”, *Vosea popurului*, 21 august 2001.
- PALANCEAN, A. (2001). “La Strada – program de prevenire a traficului de femei și de reabilitare a victimilor acestui fenomen”, *InterAcțiunea*, no. 5, octombrie – noiembrie, p. 8.
- Penal Code of RM/Cartier* (2000). Chisinau.
- ПАСАТ, В. (2000). “Исход”, *Независимая Молдова*, 22 февраля 2000.
- СИНЯВСКАЯ, Н. (2000). “На работу в Италию – через парламент в Страбурге”, *Комсомольская правда в Молдове*, 18 сентября 2000.
- Sub-comitetul UE, Moldova (2001). “Vama, cooperarea transfrontalieră, spălarea banilor, combaterea drogurilor, migrarea ilegală”. Protocol comun. Chișinău, 26 septembrie 2000, *Buletin informativ “Acordul de Partenerat și Colaborare între Uniunea Europeană și Republica Moldova”*, TACIS, martie.
- Tendencies in the migration sphere in the countries of Eastern Europe and Central Asia. Outlook for 2001–2002* (2002). Geneva: IOM.
- Trafficking of human beings: implications of OSCE*. Report, September 1999.
- Traficul de femei: fenomen și crimă* (2001). Chișinău: “Inițiativa civică”.
- “Traficul de oameni și prostituția: creșterea exploatării femeilor emigrate din Țările Europei Centrale și de Est” (2001), in: *Traficul de femei: fenomen și crimă*. Chișinău: “Inițiativa civică”.
- Traficul de femei și copii în scopul exploatării lor sexuale în, prin și din regiunea balcanică. Republica Moldova* (2002). Chișinău: IOM / Counter Trafficking UNIT.
- ТЮРЮКАНОВА, Е., МАЛЫШЕВА, М. (2002). *Миграция. Женщина. Государство*. Москва: Academia.
- ЗАВТУР, К., ТУРКО, Т. (2000). “Трудовая миграция и конфликт”, in: В. Мошняга (ed.). *Население Молдовы и трудовая миграция: состояние и современные формы*. Кишинэу: CAPTES, pp. 83–96.
- “Zece plus”: *Buletin al Clubului ziaristilor din Moldova “10+”* (2000). Chișinău.

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## SUPROTSTAVLJANJE PROMETU LJUDSKIM BIĆIMA: ISKUSTVO REPUBLIKE MOLDOVE

### SAŽETAK

U članku se analizira pokušaj Republike Moldove da se suprotstavi prometu ljudskim bićima. Seksualna migracija kao masovna društvena pojava započela je u Moldovi sredinom devedesetih godina 20. stoljeća. Prema ocjenama stručnjaka, danas je njome zahvaćeno od 20.000 do 30.000 ljudi. Razlozi koji prisiljavaju ljude na seksualnu migraciju su društveno-gospodarska kriza i nizak životni standard stanovništva. Glavna odredišta seksualne migracije iz Moldove su Italija, Cipar, Turska, Njemačka, Rusija i balkanske zemlje. Osnovni smjer prometa ljudskim bićima ide preko balkanskih zemalja. Članak izdvaja četiri osnovne socijalne skupine koje su najčešće, dobrovoljno ili prisilno, uvučene u seksualnu migraciju. Na osnovi društvenih istraživanja predstavljen je socijalni portret žrtve takve migracije i opisana su njezina sociodemografska, gospodarska i organizacijska obilježja. Autori pokazuju da suprotstavljanje prometu živim bićima ima složen karakter, koji uključuje integraciju u međunarodne mehanizme borbe, korištenje iskustva i pomoći svjetske zajednice te koordiniranje djelatnosti pravosudnih tijela, međunarodnih struktura, nevladinih organizacija na nacionalnoj i međunarodnoj razini. Izdvajaju tri glavna smjera suprotstavljanja prometu ljudskim bićima: 1) Prevencija prometa s pomoću informiranja stanovništva o njezinim posljedicama. Analiza tiskovnih djelatnosti koju su provele moldavske nevladine organizacije za javno informiranje pokazala je da je problem trgovine ženama bio aktualan u javnom mnijenju u Moldovi. 2) Kazne za osobe koje organiziraju, vrbuju i prosljeđuju »živu robu«. U članku je prikazan razvitak moldavskog zakonodavstva i uvođenje strožih mjera. Istodobno autori zaključuju da te mjere suzbijanja još nisu dovoljno učinkovite. 3) Rehabilitacija žrtava prometa i njihova reintegracija u moldavsko društvo. Uopćavajući iskustvo Centra za rehabilitaciju žrtava prometa, autori prikazuju rezultate djelatnosti te iznose mišljenje da će proces reintegracije biti slabo učinkovit ako se ne stvore odgovarajući društveno-gospodarski uvjeti za normalan ljudski život.

KLJUČNE RIJEČI: promet ljudskim bićima, seksualna migracija, Moldova

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## ПРОТИВОДЕЙСТВИЕ ТРАФИКУ ЖИВЫХ СУЩЕСТВ: ОПЫТ РЕСПУБЛИКИ МОЛДОВА

### РЕЗЮМЕ

Сексуальная миграция как массовое общественное явление берет начало в Молдове в середине 90-х годов XX столетия. Сегодня в ней задействовано по оценкам экспертов от 20 до 30 тысяч человек. Причиной, толкающей людей в секс-миграцию, является социально-экономический кризис, низкий прожиточный уровень населения. Основными направлениями сексуальной миграции из Молдовы являются Италия, Кипр, Турция, Германия, Россия, балканские страны. В балканские страны идет основной поток трафика живого товара. В работе выделяются четыре основные социальные группы, которые чаще всего оказываются вовлеченными в добровольную и недобровольную сексуальную миграцию. На основе социологических исследований дается социальный портрет жертв трафика, выявляются его социально-демографические, экономические и организационно-технические характеристики. Авторы статьи показывают, что противодействие трафику живого товара носит комплексный характер, включает в себя интеграцию в международные механизмы борьбы, использование опыта и помощи мирового сообщества, координацию действий правоохранительных органов, международных структур, неправительственных организаций на национальном и международном уровнях. Авторы выделяют три основных направления противодействия трафику живого товара: 1. Предупреждение трафика посредством информированности населения о его последствиях. Анализ деятельности молдавских неправительственных организаций по информированию населения, периодической печати показал, что проблема женского трафика была актуализирована в общественном мнении Молдовы. 2. Наказание тех, кто организует, вербует и переправляет «живой товар». В статье показана эволюция и ужесточение молдавского законодательства. В то же время делается вывод, что пока меры противодействия недостаточно эффективны. 3. Реабилитация жертв трафика и их реинтеграция в молдавское общество. Обобщая опыт Центра реабилитации жертв трафика, авторы показывают результаты деятельности, отмечают, что без создания соответствующих социально-экономических условий для нормального существования людей процесс реинтеграции будет малоэффективным.

**КЛЮЧЕВЫЕ СЛОВА:** трафик живых существ, сексуальная миграция, Молдова