

***DELEGATION  
OF THE RUSSIAN FEDERATION***

***Country Report on Trafficking in Human Beings***

Trafficking in human beings has become a relatively new phenomenon for the Russian Federation. Only several years ago non-governmental organizations started to accumulate information on trafficking and elaborate measures for its prevention and protection of its victims. Today we can confirm that the Russian Federation has officially recognized trafficking in human beings as one of modern forms of slavery and abhorrent human rights violation. And we fully acknowledge the significance of international co-operation in combating this form of a trans-border organized crime spreading within the OSCE area and beyond.

***Legislation***

The Criminal Code of the Russian Federation contains a provision "Trafficking in Minors" (Art.152) raising the responsibility for such crimes up to 3-10 years of custody. Other provisions in the Chapter "Crimes against the individual" provide responsibility for combined actions related to illegal trafficking of women and imposing forced prostitution. Art. 240 imposes responsibility for inducing into prostitution, and Art. 241 – for holding brothels. Unfortunately, it cannot be assessed as sufficient for addressing the contemporary situation and globalization of trafficking.

In 2001 the Commission on status of women acting under the Government of the Russian Federation held a special meeting on measures to address trafficking in persons. The Commission recommended governmental bodies to draft necessary amendments to the legislation. As a first step forward a draft law introducing relevant amendments to the Criminal Code and Criminal Procedure Code of the Russian Federation has been elaborated by the Ministry of Justice and the Federal Migration Service of the Ministry of Interior (these amendments are

related to the illegal transportation of a person over a national border with the aim of exploitation).

Other governmental and parliamentary bodies, following the instructions of the President of the Russian Federation to eliminate collisions in the legislation in order to enhance prevention and efficiently combat trafficking in human beings, also started to draft amendments which would introduce the definition of trafficking in human beings, clarify the difference between trafficking and smuggling of migrants, tighten control over commercial agencies, potentially involved into relevant illegal activities. As it was confirmed at a briefing held by the Ministry of Interior on 27<sup>th</sup> of August, 2002, one of the most important goals of future amendments would be to exclude the prosecution of victims for their illegal entry into the country and/or residence due to consequences of trafficking. As well new provisions should define measures aimed at protection of victims.

Besides the above mentioned amendments to the existing legislation, legal experts of the two Committees of the State Duma – Committee on Legislation and Committee on Issues Related to Women, Family and Youth, with the assistance of experts from the US Ministry of Justice - have started to draft a separate law on trafficking in human beings.

We have to underline that international obligations of the Russian Federation are recognized in our country as having a priority over national legislation. Accordingly we may say that as early as in 1954, after its ratification, the UN Convention for the Suppression of Trafficking in Persons and of the Exploitation of the Prostitution of Others became part and parcel of the Russian legal system. Two years ago, 12 December, 2000, Russia signed the Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. At present we have started the process for its ratification, as well as for the ratification of the Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women (the protocol was signed by the Russian

Federation May 8, 2001). In January 2002 the UN Committee on the Elimination of Discrimination against Women studied the 5-th periodical report of the Russian Federation related to the implementation of this Convention and made recommendations to activate measures with regard to the prevention of trafficking. Definitely, we will take them into account.

### ***Measures taken by State authorities***

In 2001 the Commission on the status of women also recommended to launch awareness raising campaigns, enhance control over the activities of travel agencies, marriage agencies and firms offering job opportunities abroad. The Commission advised law enforcement bodies to analyze activities of companies potentially involved in trafficking in human beings. For example, after these instructions the Department of Tourism in the Ministry of Economics started to regularly check licenses of existing travel agencies. The Ministry of Interior has begun collecting statistics coming from different sources of information, including NGOs.

In April, 2002, by an order issued by the Minister of Interior, a special Working Group was established at the Ministry, with the participation of the Interpol, for drafting recommendations on addressing domestic violence, combating trafficking in human beings and child pornography and prostitution.

A similar group started its work in the office of the Ombudsman of the Russian Federation.

The Commission on Human Rights working under the President of the Russian Federation recently declared its strong intention to enhance efforts in combating trafficking and to protect its victims.

### ***National Plan of Action***

The National Plan of Actions to improve the status of women and to raise their role in the society for 2001-2005, adopted at the State level, though it does

not specifically address trafficking in human beings, remains a valuable instrument for eliminating root causes of trafficking – feminization of poverty, domestic violence, lack of opportunities for women, gender inequality, etc.

### ***Research***

The main body conducting studies on socio-economic causes of trafficking and the problem of “demand” is the Institute of Social-Economic Population research, the Academy of Sciences. Similar activities are held in the Scientific Research Institute of the Ministry of Interior.

### ***Measures taken by non-governmental organizations***

Since mid-90s, many NGOs, which emerged on the basis of crisis centers, created to render assistance to victims of violence, approached the other related criminal issue - trafficking. Those were the centers in Moscow, Saint Petersburg, Cheljabinsk, Perm, Irkutsk and other cities, by now most efficient and experienced in combating trafficking and offering assistance and advice to its victims. Among them - "Sisters", "Angel", "Alexandra", "Anna" and others. For instance, "Angel" is a coalition of 43 organizations.

Their input in preventing trafficking and addressing its root causes cannot be overestimated. Many of them, while capable to work efficiently on their own, have established fruitful co-operation with international institutions and other NGOs. For instance, with the assistance of the well known organization, Winrock International, 28 NGOs in 12 cities of Russian Far East and Siberia provided economic empowerment training in an effort to prevent trafficking to almost 900 women in June and July 2002. These NGOs are participants in the Winrock International Trafficking Prevention Program. In May 2002, in the course of similar training, 19 trainers were trained to conduct Professional Skills Building and 19 trainers - to conduct Business/Enterprise Development for women and girls at risk of being trafficked. The goal of this Program is to enhance the competence and capacity of NGOs to provide high-quality job skills training and

entrepreneurship development programs that decrease the economic factors behind trafficking. Such training sessions are held in Khabarovsk and in other cities for hundreds of women and include research and technical assistance encouraging the development of economic opportunities for young women and girls as well as educating them on the potential risks involved in seeking work abroad.

Many Russian NGOs are active partners for the International Organization for Migrations in implementing “harm reduction” programs for groups at risk. They fully participate, or initiate themselves, in publications, radio and TV-programs, printing books and guidance, making research and conducting interviews. Together with the American Bar Association and other foreign partners Russian NGOs successfully assist former or potential victims of trafficking by consulting on legal issues, etc.

### *Awareness-raising*

Paying due tribute to the role of awareness raising campaigns, two main Russian TV channels (ORT and RTR) started these campaigns in forms of documentary movies and shop-talks on trafficking issues. These channels transmits its’ programs through the whole territory of the Russian Federation and abroad.

One of such programs, a popular one, is called "Independent investigation"- it is the investigation held by journalists and devoted to the most urgent issues in the criminal sphere, usually with the participation of representatives from governmental bodies, NGOs and the society as a whole. For example, in April 2002 the audience discussed all aspects of this grave crime. Its participants were victims, who had voluntarily addressed the Media. Their names were changed, they had wigs and a make-up, changing their appearance, but they were brave enough to tell their stories from the very beginning to the end.

There were representatives of state institutions - the Ministry of interior and its Federal Migration Service, which had been established to address not only

illegal migration and smuggling of migrants, but trafficking as well, the Ministry of Justice, which has elaborated a joint project with the Interior. These officials gave their telephone numbers, names of contact persons. There was a representative of the International Organization for Migration branch stationed in Moscow who gave the list of telephone numbers in Germany, the Netherlands, Italy and Macedonia - these numbers were for immediate assistance and protection of victims. The IOM official also informed the audience on peculiarities of legal aspects- for instance, types of visas, clauses of contracts, legal status of migrant workers in the country of destination, etc.

Russian journalists presented filmed evidence of a travel agency in Moscow and its owner hiring young women for a job in Cyprus and giving fake information on salaries and other job descriptions. The TV showed traffickers-mediators (one of them was a legal advisor serving in some legal consultative institution and a good friend of a future victim) promising a fairy-tale future. The journalists presented a recorded conversation with an owner of a strip-bar in Cyprus - journalists pretended to speak as potential clients trying to make an order in advance. The whole situation was monitored from the very first step.

This program was a real example of awareness raising campaign which could destroy illusions of groups at risk and mobilize the public opinion. It contained important information, it highlighted the role of the individual in decision-making, his or her personal responsibility, it demonstrated that the state bodies started to address the issue though the situation was far from satisfactory.

We have to admit that the role of the Media in the prevention of trafficking by awareness raising campaigns still has to be increased not only in countries of origin and transit, but in countries of destination as well aimed at introducing a strong human rights approach to the protection of victims and at enhancing zero public tolerance to any forms of exploitation of others – be it in sex industry, servitude, or other spheres.

### ***Statistics***

The accurate statistics does not exist and is difficult to be obtained. On one hand, victims are afraid to start a criminal procedure due to a potential threat from the perpetrators. On the other, institutions of social protection have no right to publicize the information about persons seeking their assistance due to the existing regulations. So the State agencies can count only by the data obtained from the Federal Border Service and NGOs. The figures that we have say that within 2 years approximately 5 thousand women were stopped at the border checking points due to the lack of documents or papers being in disorder. 30 women tried to leave the country illegally, through the so called green border. Their destination countries were Turkey, Italy, Germany, Bulgaria, Finland and China. On the other hand, tens of thousand of women leave the country quite legally - being “married” to a foreigner, as a tourist, with a work permit, etc.

Figures which we have from our consulate divisions show that only a very small number of victims seek assistance. In 2000 we had 102 cases of Russian women had approached our embassies requesting to help in repatriation (70 - in Germany, 20 in China, 5 in Czech Republic, 4 in Bosnia, 3 in Hungary). There were several other cases when our embassies assisted in the return of victims from Portugal, Turkey, and other countries.

As it was mentioned above, data collection has been acknowledged by the Ministry of Interior as a significant factor of combating trafficking and due attention is paid to the implementation of this task.

### ***International co-operation***

We believe that co-operation among participating States and international organizations, besides measures taken at the national level, is the answer we can propose to address and combat organized transnational crime, to assist its victims and to prosecute its perpetrators. The Russian Federation and its law enforcement bodies coordinate activities in this field at a bilateral, as well as multilateral levels

– in the UN, OSCE, Council of Europe, Council of Baltic Sea States, the Interpol, the IOM, UNHCR. Recent examples of such co-operation have given positive results in the USA, France, Portugal, and other countries. In 2002 the Department on Combating Organized Crime together with the French law enforcement institutions has succeeded in breaking the channel of transportation of Russian young women to France. Several perpetrators of trafficking, citizens of the USA and the Russian Federation, recently were arrested in the United States of America. Other measures are being taken to prevent trafficking of women and girls to European and Asian countries and to prosecute those responsible for modern slavery.