

Trafficking for Labour Exploitation Focusing on the Agricultural Sector

Republic of Serbia



Vienna, Hofburg, Neuer Saal,
27 and 28 April 2009

REPUBLIC OF SERBIA



Measures at the National level for suppressing human trafficking

- **The Coordinator for combating human trafficking** (2001)
- **Republic (National) Team for combating Human Trafficking** (2002)
- **Criminal legislation** (criminal act of Human Trafficking - April 2003)
- **Advisory Board of the Republic Team for combating Human Trafficking** (2004)
- **The Council for Combating Human Trafficking** (2004)

Measures at the National level for suppressing human trafficking (2)

- **The Agency for Co-ordination of Protection of victims of trafficking in human beings** (2004)
- **Constitution of the Republic of Serbia** (2006) -Article 26
- **New Criminal code** (Jan 2006)
- **Strategy to combat Trafficking in Human Beings in the Republic of Serbia** (2006)
- **Action Plan for implementation of the Strategy for the period 2009-2011 – draft** (2009)
- **The Council of Europe Convention on Action against Trafficking in Human Beings** (part of the National legislation from 18.03.2009.)

Trafficking in Persons (Jan 2006)

Article 388.

- (1) Those who *by means of the threat or use of force, by deceiving or keeping in deception, by abusing power, trust, dependency relationship, someone's position of vulnerability, by seizing their identification documents, by giving or receiving payments or benefits,*
recruit, transport, transfer, deliver, sell, buy, mediate in sale, hide or keep other person
for the purpose of exploiting their work, forced labour or other forms of sexual exploitation, begging, using them in pornography, establishing the relationship of slavery or practices similar to slavery, removing the organs or body parts or using them in the armed conflicts,
shall be punished by the imprisonment in the duration from two to ten years.
- (2) For any act described in the Paragraph 1 of this Article committed against a minor person, the perpetrator shall be punished by the punishment prescribed for that act even when he/she does not use force, threat or any other form of perpetration described above.
- (3) If any act from the Paragraph 1 of this Article has been committed against a minor person, the perpetrator shall be punished by the imprisonment in the minimum duration of three years.
- (4) If the consequence of any act described in the Paragraphs 1 and 3 of this Article is a grievous bodily harm of a person, the perpetrator *shall be punished by the imprisonment in the duration from three to fifteen years.*
- (5) If the consequence of any act described in the Paragraphs 1 and 3 of this Article is death of one or more persons, the perpetrator *shall be punished by the imprisonment in minimum duration of ten years.*
- (6) For those who are involved in committing a criminal act from the Paragraphs 1 and 3 of this Article or if such a criminal act is committed by an organized criminal group, the punishment *shall be the imprisonment of five years minimum.*

POLICE STATISTICS ABOUT THB CASES

- From 2003, **166 CASES** - criminal charges against **385** traffickers, **307** identified victims
- Intensive ***internal trafficking continued*** – trafficking victims originated from Serbia, exploited in Serbia and abroad
- In the last 3 years 90% of the victims and 95% of the traffickers were Serbian citizens
- In 2007 **34** criminal charges have been brought due to committed criminal act of THB against **74** traffickers.
- In 2008, **32** criminal charges against **81** traffickers (78 serbian citizens and 3 from BiH)
- 55 victims, 48 the citizens of the Republic of Serbia and 7 foreigners. The majority of victims (46) were female, while 22 of the total number were children.
- 36 victims were sexually exploited, 11 for begging, 3 for labour exploitation (2 in the agricultural sector), etc.
- In the first 3 months of 2009 **15** criminal charges against **20** traffickers from Serbia, **23** victims (mostly from Serbia)

The Agency for Co-ordination of Protection of victims of trafficking in human beings

- Since 1st March 2004 totally integrated in the system of social protection. Joint project of the Ministry of Labor and Social affairs and OSCE mission in Serbia
- Main role: human trafficking victims rights protection, their identification and assistance, coordination of activities (including both – governmental and non-gov. sector)
- (298 victims)
- Have single authorization to submit request for temporary residence (for human reason) in the name of the victim



SUPPRESSION OF TRAFFICKING IN HUMAN BEINGS IN THE REPUBLIC OF SERBIA

- ***Comprehensive*** and ***Proactive approach***
- Investigation and Prosecution "*second or third step*"
- **Specialization** and **Education of Law enforcement**
- **Suppression of corruption**
- From 2001 many education and training for the Police, Prosecutors, Criminal judges and Magistrate court judges
- Also education provided for social workers, medical stuff, in schools
- **Separation of THB and Smuggling of persons** in Criminal code (2006)
- **SOS telephone – 24/7** and **E-mail** for THB reporting (Border Police Directorate)

SUPPRESSION OF TRAFFICKING IN HUMAN BEINGS IN THE REPUBLIC OF SERBIA

- **New Laws** (tools for suppression of THB)
 - Law on Foreigners – has being implemented since 1 April 2009
 - Law on Seizure and Confiscation of the Proceeds from Crime - since March 2009
- **Other sub-law documents**
 - Strategy of Confronting Illegal Migrations (2009)**
 - Mandatory instruction on smuggled persons treatment (2009)**
- **New National Coordinator for combating THB –**
Nov`08 (Head of the Department for suppression of crossborder crime and criminal intelligence affairs, Border Police Directoarte)

PREVENTIVE MEASURES

- **October 2007** was declared the "***Month Dedicated to Combating Human Trafficking***".
- The whole set of activities undertaken was aimed at raising the citizen`s awareness – LAUNCHED PUBLIC AWARENESS CAMPAIGNS!
- The Ministry of Interior and the National Employment Agency - Serial of articles and stories about THB, particularly for the "labour exploitation" in the newsletter "**JOBS**" / plus posters!
- **Example of good practice** - seminar about human trafficking for the representatives of national employment services and employment agencies, tourist inspectors, labor inspectors and the police from Montenegro, Serbia and BiH was held in Petrovac, Montenegro (April 2007)
- **October 2009** was declared the "***Month Dedicated to Combating Human Trafficking***".

Newsletter "JOBS"

(National Employment Agency)

– October 2007

PUBLISHED POSTERS

РЕПУБЛИКА СРБИЈА
МИНИСТАРСТВО УНУТРАШЊИХ ПОСЛОВА



ОКТОБАР 2007.
МЕСЕЦ БОРБЕ ПРОТИВ ТРГОВИНЕ ЉУДИМА



Зауставимо трговину људима!
Зауставимо модерно ропство!

МОЛИМО ВАС ПРОВЕРИТЕ ПОСЛОВНЕ ПОНУДЕ,
ПОСЕБНО ОНЕ ГДЕ СЕ НЕ ЗНА КО ЈЕ ПОСЛОДАВАЦ,
МОЖДА СЕ ИЗ ТАКВИХ ОГЛАСА КРИЈУ ТРГОВЦИ ЉУДИМА!

***STOP LABOUR
EXPLOITATION***

ОКТОБАР 2007
МЕСЕЦ БОРБЕ ПРОТИВ ТРГОВИНЕ ЉУДИМА

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РЕПУБЛИКА СРБИЈА
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STOP THB

**STOP MODERN
SLAVERY**

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CASE STUDIES OF AGRICULTURAL TRAFFICKING

Case example 1: “***BROTHERS IN CHAINS***” Two boys from Serbia exploited in FYR Macedonia

Case example 2: “***COSTEA CASE***” Romanian worker on slaughterhouse in Veliko Gradiste, East Serbia

Case example 1: "***BROTHERS IN CHAINS***"

Two boys from Serbia exploited in FYR Macedonia

- Sold several times in Macedonia
- Isolation, threats of violence, beatings, false promises, poor living and working conditions
- Abuse of power and a position of vulnerability
- "multiple dependency" (work, housing, food, transportation, education, and medical care)
- Identified as a THB victims by the Agency
- Medical care, psychological support, legal advice, financial assistance provided by Social services and the Agency
- Lot of MEDIA attention for the case

Case example 2: "**COSTEA CASE**" Romanian worker on slaughterhouse in Veliko Gradiste, East Serbia

False promises, confiscation of passport, poor living and working conditions, restriction of movement, long hours, fear of arrest and deportation

- Police officer under investigation for corruption (July 2007)
- Information about Romanian who is working for police officer`s friend (trafficker) in slaughter-house
- Costea have been rescued and identified as THB victims from the Agency
- Costea received short-term residency as victims of trafficking (3 + extra 6 months)
- He found a new job in local restaurant

" COSTEA CASE"

- One person (age 32) was charged for committed criminal act of human trafficking - article 388.
- Two police officers (age 34 and 47) have been charged for committed corruptive criminal acts – Failure to Report a Criminal Offence or Offender, Article 332 and Abuse of Office, Article 359
- The case is on the District court in the city of Požarevac
- Costea voluntarily leave to Romania 5 months after the case have been discovered (19.01.2008.)

Questions and contacts



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