

Needs Assessment:

Human Trafficking in the Western Balkans



IOM Development Fund
DEVELOPING CAPACITIES IN MIGRATION MANAGEMENT



International Organization for Migration (IOM)

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*Ministero degli Affari Esteri
e della Cooperazione Internazionale*

Needs Assessment:
**Human Trafficking in
the Western Balkans**

Produced for the
International Organization for Migration
by the **Research Communication Group**

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Acronyms and abbreviations

BIH	Bosnia and Herzegovina
CIS	Commonwealth of Independent States
COE	Council of Europe
ECHR	European Convention of Human Rights
EU	European Union
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
ICMPD	International Centre for Migration Policy Development
IGO	Inter-governmental Organization
ILO	International Labour Organization
IO	International Organization
IOM	International Organization for Migration
MoU	Memorandum of Understanding
NGO	Non-governmental Organization
NRM	National Referral Mechanism
OSCE	Organization for Security and Cooperation in Europe
PCC SE	Police Cooperation Convention for Southeast Europe
SDC	Swiss Development Cooperation
SEE	South East Europe
SELEC	Southeast European Law Enforcement Centre
SOP	Standard Operating Procedures
TIP	Trafficking in Persons
THB	Trafficking in Human Beings
TRM	Transnational Referral Mechanism
USAID	United States Assistance and International Development
UN	United Nations
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
VoT	Victim of Trafficking
WB	Western Balkans

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Needs Assessment:
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Western Balkans

EXECUTIVE SUMMARY

In September 2013, the International Organization for Migration (IOM) commissioned a six-month needs assessment on the human trafficking situation in the Western Balkans (Albania, Bosnia and Herzegovina [BiH], UNSC resolution 1244-administered Kosovo¹, the former Yugoslav Republic of Macedonia, Montenegro and Serbia).²

The purpose of the needs assessment was to collect and summarize stakeholder views of the current landscape of mechanisms and resources available to combat trafficking in persons (TIP) in the region. The assessment sought to identify stakeholders' perspectives on key gaps related to the identification, referral, assistance and support for trafficked persons. Stakeholders were also asked for their recommendations on how to strengthen existing responses, correct inappropriate processes, and rectify fundamental gaps in regional counter-trafficking resources.³

The primary focus on the prompt and accurate identification of cases of trafficking and their appropriate treatment suggests how fundamental these steps are to any effective response to TIP. Without proper identification of cases, it is not possible to identify, apprehend and prosecute trafficking networks, nor to generate the data required to inform prevention activities and improve policy responses. Without appropriate referral and support for all persons who experience trafficking and exploitation, it is not possible to have a comprehensive response to trafficking. As such, the needs assessment focused on these two key components of trafficking responses in the region.

The needs assessment involved six primary steps: (1) a desk review consisting of collection, coding and analysis of documents identified and requested by IOM and supplemented by the research team; (2) development of two tools for identification of stakeholders and their roles to include in the needs assessment; (3) interviews with 37 identified stakeholders in-person and by telephone;

1 UNSC resolution 1244-administered Kosovo. Henceforth, abbreviated as Kosovo.

2 The Western Balkans region traditionally includes Croatia, but recent European Union accession reorients its position as a country of origin, transit and destination for human trafficking, as well as the resources available to readdress it.

3 As is appropriate to a needs assessment, the findings and recommendations in this report reflect stakeholder views and perspectives, rather than some objective, empirical estimation of the TIP landscape in the region. It is the positioning of stakeholder views as the empirical evidence for the study that drove (1) the study's approach to analysis of stakeholder views as the basis for developing study findings and recommendations, and (2) the choice and development of the methodology, including data collection modes, instruments and analytical methods.

(4) an online survey of regional, sub-regional and extra-regional IOM staff and other stakeholders (yielding 99 out of 135 completions for a response rate of 73%); (5) analysis and triangulation of all data sources using a structured coding scheme to develop findings and initial recommendations; and (6) presentation and correction/validation of study findings and recommendations at a stakeholders workshop.

The needs assessment methodology had a number of important limitations, the first three of which were identified at the outset of the assessment. These limitations included the following:

1. The use of stakeholders' views and responses as the primary data source means that the study data is based on the stakeholders' subjective knowledge of the TIP situation, personal views of the gaps in resources and responses and individual senses of what is needed to address these gaps at the time of the needs assessment. Although the study design sought to mitigate this by conducting a high-level review of third party research on the topic, the research should not be viewed as an objective scan and analysis of the TIP landscape in the region.
2. Convenience sampling for the survey and interviews precludes the generalization of findings to the larger populations from which the samples were drawn. The team cannot assume that the perspectives of IOM-identified donor, partner, governmental, NGO, IGO and other staff included in the study represent the perspectives of all staff in each institution, sub-region or in the region as a whole.
3. The availability of data for the desk review across the region and sub-regions was uneven, as was the availability of informants for the in-depth interviews.
4. The findings and recommendations offered to stakeholders in the workshop were based on independent research and the assessment of multiple views and sources. They are thus not guaranteed to reflect the views of any one stakeholder. As such, a stakeholder validation workshop does not ensure buy-in and support for all study findings and recommendations.

In addition, although the team initially planned to distinguish stakeholder recommendations in terms of immediate next steps to take, interim goals and longer-term goals to build, more than 90 per cent of stakeholders interviewed chose not to make such a distinction. As a result, the recommendations are not separated in this manner.

Despite these limitations, the mixed methods approach drawing on qualitative and quantitative data and triangulated findings was able to yield multiple, robust findings concerning counter-trafficking resources, gaps and needs in the region.

Needs Assessment Findings

The needs assessment identified a total of 20 primary findings. The findings do not cover each question asked or topic raised during data collection. Instead, they focus on the issues (1) most frequently cited by informants, respondents and in documents; (2) to which informants, respondents and documents devoted the most time or space discussing; and (3) that were most often identified as salient across respondent types and sub-regional/regional documents. The research team grouped the findings under the following five key areas: (1) emerging trends in TIP; (2) identification and referral; (3) support available to people who have experienced trafficking; (4) cooperation among counter-TIP actors; and (5) gaps in identification, referral and protection programmes.

Emerging trends in TIP

The assessment identified a number of emerging trends in the type and form of TIP in the region, as follows:

- Trafficking in persons in the Western Balkans involves multiple patterns, multiple forms of exploitation and multiple forms of coercion/vulnerability;
- Irregular migration is increasing within the Western Balkan region;
- Informants across the region report an increase in internal trafficking, providing differing explanations for this rise;
- Cases of trafficking for multiple forms of labour exploitation appear to be on the rise in the Western Balkans;
- New forms of child exploitation have emerged in the region;
- NGOs and government officials differ in their perception of the scope and the adequacy of responses to TIP in the region.

Available data did not, however, provide information on the extent to which these trends represent new trafficking patterns or instead reflect increased recognition of existing patterns. For example, data diverged on the degree to which trafficking for organized child begging was a new phenomenon or a longer-standing phenomenon that has only recently been recognized as a form of TIP.

Identification and referral of cases of TIP

In relation to existing frameworks for the identification and referral of (potential) cases of human trafficking, the needs assessment found that:

- The region hosts several different and sometimes inconsistent systems for identifying TIP cases;

- Identification mechanisms display several weaknesses, including an overreliance on the police, definitional inconsistencies and institutional limitations;
- The non-involvement of labour inspectors from identification processes and the exclusion of labour exploitation from TIP definitions are significant barriers to identifying cases and providing comprehensive responses to TIP.

Available support

Findings related to protection and assistance for trafficking persons focused on crosscutting issues throughout the region, including the following:

- Available assistance is predominantly shelter-based and run by NGOs. No site hosts a dedicated shelter for children or men who have experienced trafficking;
- Reflection periods and temporary residency permits are available, but often only when cooperating with authorities;
- Few cases have received compensation, either from traffickers or the state, apparently due to complex or non-functioning procedures, lack of legal support and in some cases, active discouragement by authorities;
- The region hosts a number of supports and services for trafficked persons. The quality and range of these services tend to vary with the type of trafficking experienced – domestic, international and labour sector.

Cooperation among counter-trafficking actors

Findings on partnerships, networks and collaboration addressed issues pertaining to formal and informal cooperation within and across borders in responding to TIP, including national and transnational referral mechanisms. They also highlight differences between processes as defined on paper and responses to trafficking as operationalized and implemented in practice, specifically that:

- Despite multiple cooperation processes in place, stakeholders do not view implementation of these mechanisms as complete or fully functional;
- While a numerous regional and bilateral counter-trafficking agreements exist, many are not operational, leaving the relevant actors to rely on informal networks to coordinate cross-border responses to trafficking.

Gaps in identification, referral and assistance

Findings related to identification and referral mechanisms and to protection and assistance programmes uncovered several key gaps that intersected a range of issues including the availability and functionality of identification mechanisms, the enforcement of laws intended to protect trafficked persons, support and reintegration services and the cooperation between counter-TIP actors:

- The region lacks effective mechanisms for the prompt and accurate identification of trafficked persons. This gap results in the under-identification of several types of cases of trafficking. Specific issues include:
 - Problems with the underlying legal framework;
 - Lack of proactive identification in places where cases are likely to be found;
 - Not all necessary sectors are involved in identification;
 - Lack of capacity among key actors involved in identification;
 - An underlying lack of political will in some instances;
- Longer-term reintegration services remain a challenge across the region;
- Laws designed to protect people who have experienced trafficking are inconsistently operationalized and enforced in the region;
- Many cases remain underserved by available supports and services;
- Few systems are in place to ensure the assistance provided to people who have experienced trafficking (1) meets minimum standards and (2) is regarded as appropriate by the victims themselves.

Needs Assessment Recommendations

Recommendations following from stakeholder views and these findings seek to address the primary gaps and priorities identified at the regional level. The primary recommendations reflect the suggestions made by interviewed informants and survey respondents, as well as discussed and validated at the stakeholder workshop. As such, not all recommendations will be equally relevant to each site. Additionally, country-level recommendations and priorities for action are included in the recommendations section of the report (Section 5). There are 15 consecutively numbered recommendations ordered by topic; the order in which the recommendations appear does not reflect their importance.

The identification of trafficked persons

Recommendation 1: Consider involving a wider range of actors in the proactive identification of cases of trafficking. These actors should include: labour inspectors, health practitioners, social workers and teachers.

Recommendation 2: Work to build the skills and capacity of police — and other actors brought into the process – to identify cases of trafficking, including to screen, interview and refer cases appropriately.

Recommendation 3: Strengthen the capacity and motivation of all actors responsible for identifying cases of trafficking.

Recommendation 4: Pursue a proactive approach to the identification of trafficking cases by:

- a. Encouraging labour inspections in sectors most at risk (e.g. agriculture, hotels and entertainment, construction, small scale factories, fishing)
- b. Developing outreach systems to those involved in high risk activities such as begging, domestic work and sex work
- c. Implementing screening procedures among irregular migrants, asylum-seekers and deportees
- d. Designing new methods to facilitate the self-identification of cases.

Support and reintegration services for trafficked persons

Recommendation 5: Provide more services to all cases, not just those who have experienced sexual exploitation.

Recommendation 6: Provide more community-based/non-shelter alternatives for those people who do not wish, or would not benefit from, placement in shelters.

Recommendation 7: Develop and implement dedicated support services for child victims of trafficking, tailored to their specific needs. This includes creating specialized programmes for integration of children, provision of adequate support to foster families as appropriate and improving the capacities of employees at child-care institutions.

Recommendation 8: Improve the quality of services by (1) developing standards and certification for organizations providing victim support, including in shelters, (2) monitoring new and existing standards, and (3) collecting and using appropriate victim feedback mechanisms based on international standards.

Recommendation 9: Deliver long-term, sustainable reintegration support for all cases, including access to local and national social protection systems and support.

Cooperation at the national and international levels

Recommendation 10: Increase cooperation and coordination among national actors responding to trafficking in persons.

Recommendation 11: Strengthen international cooperation through improved implementation and institutionalization of the regional TRM; strengthen cross-border cooperation and joint investigations.

Criminal justice processes

Recommendation 12: Strengthen the capacity of criminal justice actors to protect those who have experienced trafficking and prosecute traffickers to the full extent of the law.

Recommendation 13: Strengthen the support available during the criminal justice process, providing victims with a full reflection period, support during legal proceedings and assistance in seeking compensation.

Government commitment and resource allocation

Recommendation 14: Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked persons.

Attitudes that hinder the response to trafficking in persons

Recommendation 15: Incorporate activities to address attitudes that hinder the response to trafficking into specialised trainings for all actors involved in identification, prosecution, assistance and protection to persons experience exploitation, awareness raising campaigns and skills building workshops.

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1. INTRODUCTION AND BACKGROUND

In September 2013, the International Organization for Migration (IOM) commissioned a six-month needs assessment on the human trafficking situation in the Western Balkans (Albania, Bosnia and Herzegovina (BiH), UNSC resolution 1244-administered Kosovo⁴, the former Yugoslav Republic of Macedonia, Montenegro and Serbia).⁵

The purpose of the needs assessment was to collect stakeholder views about, and assess, the current landscape of mechanisms and resources available to combat trafficking in persons (TIP) in the region. The assessment sought to identify key gaps related to the identification, referral, assistance and support for trafficked persons. These findings were then used to inform a set of recommendations based on stakeholders' views regarding how to strengthen existing responses, correct inappropriate processes, and rectify fundamental gaps in regional counter-trafficking resources.⁶

The primary focus on the prompt and accurate identification of trafficking cases and their appropriate treatment suggests how fundamental these steps are to any effective response to TIP. Without identifying cases, it is not possible to identify, apprehend and prosecute trafficking networks, nor to generate the data required to inform prevention activities and improve policy responses. Without appropriate referral and support for all persons who experience trafficking and exploitation, it is not possible to have a comprehensive response to trafficking. As such, the needs assessment, and this report, focuses on these two key components of trafficking responses in the region.

⁴ UNSC resolution 1244-administered Kosovo. Henceforth, abbreviated as Kosovo.

⁵ The Western Balkans region traditionally includes Croatia, but recent European Union accession reorients its position as a country of origin, transit and destination for human trafficking, as well as the resources available to readdress it.

⁶ As is appropriate to a needs assessment, the findings and recommendations in this report reflect stakeholder views and perspectives, rather than some objective, empirical estimation of the TIP landscape in the region. It is the positioning of stakeholder views as the empirical evidence for the study that drove (1) the study's approach to analysis of stakeholder views as the basis for developing study findings and recommendations, and (2) the choice and development of the methodology, including data collection modes, instruments and analytical methods.

This section of the report provides a brief overview of the current TIP situation in the Western Balkans. Section 2 details the methodology used in the assessment, presents the framework and key research questions for the assessment and highlights limitations to the research. Section 3 reports the primary findings of the assessment. We have categorized findings by the assessment's research questions including (1) emerging trends; (2) identification and referral; (3) support and services; (4) cooperation among counter-TIP actors; and (5) gaps in identification, referral and protection programmes. Each research topic appears numbered and in bold font. Each is followed by the findings that address the question, set off with a bullet point and in italics to distinguish their status as a finding. Each bullet point is followed by a discussion of the data supporting it, including illustrative quotations collected during the desk review, telephone interviews, field visits, and the online survey. The number of findings and amount of supporting discussion differ by thematic area and finding. This variation reflects the depth and detail of responses provided during data collection and identified in analysis. Section 4 summarizes the outcomes of the regional validation workshop (May 2014). The report concludes with Section 5, which offers a set of recommendations from stakeholders followed by summative conclusions and consolidated recommendations based on the study findings. This report also includes the following six appendixes: Appendix A: Terms of Reference, Appendix B: Framework Tools for Identifying Needs Assessment Stakeholders, Appendix C: List of Desk Review Documents, Appendix D: Master Interview Guide, Appendix E: Survey Instrument, Appendix F: Analytical Code Book, Appendix G: Stakeholder Workshop Participants and Appendix H: Stakeholder Workshop Presentation.

1.1 Background and Context

The Western Balkans faces both long-standing and emerging challenges in responding to the problem of TIP. During the past two decades, socioeconomic and political turbulence in the region has engendered a major increase in irregular migration from and through the Western Balkans to the European Union (EU). This upheaval and the flows of human beings that follow from it have also contributed to a rise in the visibility of TIP from, within, and through the region.

Although currently enjoying a period of relative political stability, TIP remains a persistent and complex challenge in the region. This is especially the case among socially marginalized groups including Roma communities and street children, as well as unemployed and underemployed young people. These groups often face livelihoods struggles with very limited opportunities for legitimate work and means of supporting themselves and their families in their sites of origin. Confronted with unemployment and few alternative possibilities, they may decide to accept unscrupulous offers of informal work in especially the regions most geographically and historically proximate to the Western Balkans – the EU, Caucasus, Central Asia and Russian Federation. Far from the protective

mechanisms of government regulators, labour unions, and legal protections for workers, irregular labourers, especially migrant ones, face increased vulnerability to being trafficking. Both EU expansion to Romania and Bulgaria and border tightening through southern Europe have further complicated the regional TIP situation. They have reoriented and intensified irregular migration flows from South Asia, North Africa and the Middle East through the Western Balkans and to the EU. New migration flows can be particularly susceptible to trafficking as individuals and communities take time to evolve ways of identifying, mitigating and overcoming risks associated with migration.

Although many official statistics suggest a drop in trafficking numbers in recent years, multiple stakeholders continue to express concern about the TIP situation in the Western Balkans. Those actively working in the field suggest that official statistics do not reflect the scale of the problem, due to identification mechanisms that do not align with key trends in trafficking as well as an overarching lack of adequate mechanisms to identify trafficked persons and refer them to essential services. This then inhibits public and governmental understanding of the magnitude and complexity of the problem. Without a strong understanding of the issue, governments may not (1) afford sufficient priority to combating trafficking; (2) develop a nuanced understanding of changing modalities of trafficking and specific trafficking networks; or (3) work with non-governmental organizations (NGO) and research sectors to develop a strong evidence base on which to build counter-trafficking capacities, protection and assistance services, and trafficking prevention activities. In short, shortcomings in identification can lead to an underestimation of the problem, which can preclude efforts to develop effective, regional responses to TIP.

Alongside these and other potential shortcomings in the current response to TIP, the Western Balkans faces the requirement to harmonize their legislative frameworks with those of the EU. Although actors in the region have begun this process, more assistance is needed. Against this backdrop of new challenges and new responsibilities, and the need to ensure that limited resources are allocated to the areas of potentially greatest impact, IOM decided to conduct an assessment of existing resources, primary gaps, and prioritized needs for responding to TIP in the region.

To guide the study, IOM recruited a small research team, which developed a needs assessment framework including data collection and analysis activities (Table 1). The body of the framework includes a set of research questions based on the purpose driving the study, as established in the Terms of Reference (Appendix A). The research team used the research questions to organize the needs assessment framework and develop data collection questions or measures. The team assembled the measures into the appropriate data collection and analysis instruments, including an analytic coding structure to guide the desk review (and later, analyse the other qualitative data), a web-based stakeholders' survey, a master interview protocol to guide the field interviews, and a PowerPoint presentation to guide a stakeholders' workshop.

Table 1: IOM Western Balkans Counter-Trafficking Needs Assessment Framework

Research Question	Sub-Questions	
Current Human Trafficking Landscape		
1. What new trends, forces, factors, or modalities of TIP are emergent in the Western Balkan region?	<ul style="list-style-type: none"> ● What trafficking routes exist? <ul style="list-style-type: none"> ○ What are key source, transit and destination sites? ○ What are key forms of exploitation? ○ What are emergent or evolving routes in and through these sites? ○ What new methods are in use among trafficking networks? 	
	<ul style="list-style-type: none"> ● What new patterns of exploitation are emerging? <ul style="list-style-type: none"> ○ What key industries are involved? ○ Where do traffickers come from? ○ How do they identify and involve their victims? ○ Who are their victims (age, sex, origin)? 	
Counter-Trafficking Resource Mapping		
2. What is the legal and policy framework for identification and referral of (potential) victims of human trafficking?	<ul style="list-style-type: none"> ● Which organizations have the authority to official designate a person as a victim of trafficking? 	
	<ul style="list-style-type: none"> ● What criteria are used to identify victims? Are screening checklists used? Who has access to these checklists (social workers, health-care providers, school teachers, etc.)? Are they shared with all potential actors involved? 	
	<ul style="list-style-type: none"> ● What avenues exist for victims to “self-identify” (e.g. hotlines)? What proportion of victims is being identified through these avenues? 	
	<ul style="list-style-type: none"> ● What relevant national and regional cooperation agreements exist in relation to identification, referral and support? 	
	<ul style="list-style-type: none"> ● How operational are the identification and referral mechanisms? To what extent does government data represent the estimated numbers of trafficking victims (identified and non-identified) 	
	<ul style="list-style-type: none"> ● To what extent is the profile of identified victims representative of all cases of trafficking in the region? 	
	<ul style="list-style-type: none"> ● What are primary obstacles and barriers to systematic identification of and provision of assistance to VoT? 	
3. What institutions currently provide protection and assistance to VoT in the region and/or by sub-region?	<ul style="list-style-type: none"> ● What protections and services do they provide? 	
	<ul style="list-style-type: none"> ● What are their funding sources (government, donor, private)? 	
	<ul style="list-style-type: none"> ● What mechanisms exist to assist persons not officially designated as trafficked? 	
	<ul style="list-style-type: none"> ● Are the resources and supports available to VoT adequate to meet their needs? Are the resources at odds with their needs in some way? 	
	<ul style="list-style-type: none"> ● What systems are in place to ensure the assistance provided by these programmes is appropriate (e.g. standards, victim feedback mechanisms, external programme evaluation)? 	
4. What kinds of partnerships, networks and collaborations among counter-trafficking actors exist in the region and/or by sub-region?	<ul style="list-style-type: none"> ● How operational are these partnerships? Are these partnership institutionalized (e.g. MOU, protocol, etc.)? Is there one institution in charge of maintaining and promoting the partnership? 	
	<ul style="list-style-type: none"> ● Is their work sustainable? 	

	Data Sources				
	IOM Staff Interviews	Stakeholder Interviews	Stakeholder Survey	Document Review	Stakeholder Workshop
	X	X	X	X	
	X	X	X	X	
	X	X		X	
	X	X		X	
	X	X		X	
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	
	X	X		X	
	X	X		X	

Research Question	Sub-Questions	
Description of Gaps in Resources		
5. What are the gaps in identification mechanisms, referral mechanisms, protection and assistance programmes?	● At what level do these gaps exist – local, national and/or regional?	
	● To what extent are the services provided to victims affected by/contingent on their nationality, the means through which they are identified and/or the organization that identifies them?	
	● What differences exist between the services provided to victims of trafficking for the purposes of sexual exploitation, victims of trafficking for the purposes of labour exploitation and victims of trafficking for other purposes? What differences exist between victims of internal and external trafficking?	
	● What differences exist between the services provided to victims of child trafficking and adult victims of trafficking?	
Prioritized Needs		
6. What do stakeholders prioritize in terms of building, expanding or strengthening existing identification, referral and support mechanisms?	<ul style="list-style-type: none"> ● Describe any on-going or planned local, national or regional processes used to develop counter-trafficking priorities for the region (or by sub-region). <ul style="list-style-type: none"> ○ Who are the main actors in this process (government, local/international NGOs, multilateral organizations, private sector)? ● What are the priorities for building, expanding or strengthening existing identification mechanisms at local and regional levels? ● What are the priorities for building, expanding or strengthening existing referral and support at local and regional levels? 	
Priority Recommendations		
7. What do stakeholders recommend as (i) immediate next steps to take, (ii) interim goals, and (iii) longer-term goals to build, expand or strengthen existing mechanisms and resources to combat TIP and assist its victims in the Western Balkans?		

	Data Sources				
	IOM Staff Interviews	Stakeholder Interviews	Stakeholder Survey	Document Review	Stakeholder Workshop
	X	X	X	X	X
	X	X	X	X	X
	X	X	X	X	
	X	X	X	X	
	X	X	X	X	X
	X	X	X	X	X

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2. NEEDS ASSESSMENT METHODOLOGY

In this section, we describe the methodology used in this assessment, present the framework and key research questions and highlight limitations to the research. The needs assessment involved six primary steps: (1) a desk review consisting of the collection, coding and analysis of documents identified and requested by IOM and supplemented by the research team, (2) development of a tool for the identification of stakeholders to include in the needs assessment, (3) interviews with identified stakeholders by telephone and in-person, (4) an online survey of regional, sub-regional and extra-regional IOM staff and other stakeholders, (5) analysis and triangulation of all data sources using a structured coding scheme to develop findings and initial recommendations, and (6) presentation and correction/validation of study findings and recommendations at a stakeholders workshop.

Desk Review

The desk review included key institutional documents and research on TIP in the Western Balkans at the regional and sub-regional level. Staff from IOM offices in the region identified a set of documents and regional reports to consider for inclusion in the desk review. In total, 59 documents were identified. Of these, the team reviewed, supplemented and ultimately included 43 key study documents in the desk review (Appendix C: List of Desk Review Documents). The team then developed an analytical coding scheme based on study research questions and coded the documents using Dedoose⁷ qualitative content analysis software (Appendix E: Analytical Code Book). As discussed further below, the team triangulated the desk review data with other data sources to identify, explore, elaborate and validate findings as well as inform recommendations.

Stakeholder Identification

A key component of a needs assessment is stakeholder engagement. Stakeholders are those individuals or organizations who have some type of investment in, experience with, or knowledge about an issue, problem or institution (adapted from CDC 2012). Examples of stakeholders include programme staff working

⁷ Dedoose - a web based cross platform application for analysing qualitative and mixed methods research. http://www.dedoose.com/?gclid=CKb4u43f_bOCFabLtAodpOYASQ

directly on an issue or with a specific population, administrative and supervisory staff, staff from partner institutions working with the same or attendant groups or issues, donors and financial backers of programmes and institutions, researchers and evaluators, and independent experts with specific content knowledge of an issue or problem. The stakeholders in any programme, initiative, or issue will depend upon who is working most directly on or with the programme or issue and who is best positioned to affect it in some way. As those involved in addressing a programme or problem, they are also the people or institutions best positioned to use the outcomes of an issue or problem assessment in a meaningful way. Identifying the right stakeholders to engage and involving them in the process is fundamental to conducting any type of meaningful assessment.

The purpose of engaging stakeholders in an assessment is to increase the relevance of outcomes or findings and build strong ownership of them. Because of their privileged position as experts and those working most directly on an issue in some way, stakeholder input into the design, conduct or content of an assessment can help increase the specificity and appropriateness of the findings. It is also more likely to help ensure that the findings have real world applicability and can be rapidly operationalized to improve programmes or more effectively address problems. Further, it can also help ensure that these findings reflect the needs and values of the stakeholders themselves. When stakeholders have been included in an assessment, they are more likely to regard findings as a result of their own work. They are also more likely to see them as resonating with their own views on an issue or problem. Ultimately, stakeholder involvement helps produce findings that are more “useful, relevant, and credible” (Preskill and Jones, 2009).

The research team developed two Framework Tools for Identifying Needs Assessment Stakeholders (Appendix B) to support IOM in identifying and engaging stakeholders in the needs assessment. The first tool sought to help IOM identify a robust, relevant set of stakeholders to involve in the needs assessment. The second tool was designed to help IOM determine appropriate roles for stakeholders in the needs assessment.

In-Depth Stakeholder Interviews

The views and perspectives of stakeholders, including donors working to combat trafficking in the Western Balkans constituted the pivotal component of the needs assessment. In order to gain detailed and nuanced insight into the current situation and needs, the research team conducted telephone and in-person interviews with a range of key stakeholders. The list of informants and respondents was developed by IOM staff and covered the entire region.⁸ As detailed in Table 2, the team conducted a total of 37 interviews.

8 This report refers to interview participants as “informants” and survey participants as “respondents.”

Using the study research questions, the research team developed a set of questions to use as a basis for developing a semi-structured interview guide, following the needs assessment framework (Table 2). The guide was then tailored to informants' different roles and relationships to combating human trafficking (e.g., as donors, officials, service providers, etc.), while still maintaining sufficient consistency across the versions to ensure data comparability.

Table 2: Numbers of Interviews by Sub-region

		Number of Interviews per Area					
		Albania	Bosnia and Herzegovina	Kosovo	Former Yugoslav Republic of Macedonia	Montenegro	Serbia
Law enforcement	Government official in criminal justice/law enforcement area	2	1	1	1	1	1
	Police		1	1	1	1	
	Border Guard				1		
Government official	Government official in trafficking victim support area	1			1		1
	Government official in social protection and/or healthcare area (not trafficking specific)		1				
	Government official - other	1					
NGO	NGO worker from victim support agency	1	2	1	1	1	1
	NGO worker – other				2		
Judge/prosecutor		1		1			
IGO/Development staff	Staff of UN or other multilateral organization (IGO)*	1	1	2			
	Staff of international development agency (IDA)	1		2			1
Other	Counter-trafficking consultant/independent expert						
	Other	1			1		
Total		9	6	7	8	3	4

*No IOM staff was interviewed as part of the needs assessment.

Online survey

In order to gain insight into the views of a much wider range of stakeholders than those targeted with interviews, the study included a web-based survey to 135 potential respondents, all of whom were identified by IOM. The survey consisted of five thematic areas, with 55 close-ended sub-questions, using multiple choice or Likert-like scaled responses, as well as four open-ended questions. This format allowed stakeholders to provide their views, as well as further comment on key needs assessment issues in a confidential format (Appendix E: Survey Instrument). The survey was fielded online and in English, with IOM staff translating the questions to help ensure all stakeholders understood the content. The research team worked closely with IOM to follow up with stakeholders who had not initially responded. Using this method, we were able to achieve a response rate of 73.3 per cent (N = 99).

Table 3: Survey Respondents by Role and Area in Percentages

ROLE	Albania	BiH	Kosovo	Former Yugoslav Republic of Macedonia	Montenegro	Serbia	Regional	Global
Law Enforcement	2.0	2.0	2.0	6.1	0.0	2.0	1.0	0.0
Government Official	10.2	2.0	0.0	4.1	1.0	3.1	0.0	0.0
NGO	6.1	3.1	0.0	10.2	1.0	2.0	1.0	1.0
Judge/Prosecutor	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0
IOM	2.0	1.0	0.0	2.0	1.0	1.0	0.0	0.0
IGO/IDA	3.1	2.0	2.0	9.2	0.0	1.0	1.0	0.0
Other	4.1	4.1	0.0	4.1	1.0	0.0	0.0	0.0

Source: Stakeholder Survey (IOM WB Needs Assessment 2014).

Notes: Missing data is excluded from percentage calculations.

Data Analysis

The research team analysed qualitative study data (documents and interviews) first by developing project-specific codes based on study research questions (Appendix F: Analytical Code Book) and coding the qualitative data (documents and interviews). For the survey, the team analysed the data by producing descriptive statistics to assess a broader array of inputs and perspectives on current counter-trafficking needs in the region. The research team then

triangulated the three data types to determine (1) the frequency and character of emergent themes and patterns, (2) assess their validity in relation to one another, and (3) identify contradictions within and between data types.

This process allowed the team to (1) identify key patterns, findings, and themes in the data (2) develop a set of concrete findings aimed at addressing each research question, and (3) aggregate across findings to develop a set of recommendations on how best to address regional needs.

Regional Validation Workshop

A step toward the conclusion of this brief needs assessment was a convening of key stakeholders to discuss and refine preliminary study findings and recommendations. IOM identified a group of stakeholders from throughout the region, as well as representatives of extra-regional donors and international organizations and invited them to a regional validation workshop (May 2014) (see Appendix G for numbers, organizations, and countries of workshop participants). The workshop included three key activities as follows: (1) presentation of preliminary study findings and recommendations (Appendix H), (2) country-focused prioritization of study recommendations in small groups, and (3) refinement and prioritization of study recommendations at the regional level. The purpose was to produce a final set of recommendations that reflects stakeholders' priorities for next steps toward developing a more coherent and effective response to TIP in the region (Tables 4.1 and 4.2 present the outcomes of these workshop activities).

2.1 Limitations to the Needs Assessment

The needs assessment methodology had a number of important limitations, the first three of which were identified at the outset of the assessment. These limitations included the following:

1. The use of stakeholders' views and responses as primary data source means that the study data is based on their subjective knowledge of the TIP situation, personal views of the gaps in resources and responses, and individual sense of what is needed to address these gaps at the time of the needs assessment. The study design sought to mitigate this by conducting a high-level review of third party research on the topic. At the same time, however, stakeholder responses constitute the bulk of the evidence upon which the needs assessment was based and the desk review does not constitute a comprehensive literature review. As is appropriate to a stakeholder needs assessment, the research should not be viewed as an objective scan and analysis of the TIP landscape in the region.

2. Convenience sampling for the survey and interviews precludes generalization of findings to the larger populations from which the samples were drawn. The team cannot assume that the perspectives of IOM, donor, partner, government, NGO and other staff included in the study represent the perspectives of all staff in each institution, sub-region or in the region as a whole.
3. All study findings and recommendations are based on the individual views of the needs assessment stakeholders. Though the research team triangulated among and between diverse informants and respondents using multiple methods, the study data represents the entirely subjective views of these stakeholders. The level of familiarity with current TIP issues varied considerably among interviewed stakeholders. This is mainly due to lack of actual involvement or partial involvement in narrow segment of the wider sector. Further, as IOM identified all stakeholders to be included in the needs assessment, these stakeholders reflect the views and norms of IOM on the topic of counter-trafficking, rather than a diverse and complete set of views in the field.
4. The availability of data for the desk review across the region and sub-regions was uneven, as was the availability of informants for the in-depth interviews. In Montenegro, for example, there was only one dedicated report while the team was only able to interview two government officials and one NGO representative. By comparison, in Albania seven national reports/documents in addition to five regional reports covering Albania were reviewed and nine people were interviewed (five government officials, two NGOs, one IO representative and two US government officials).
5. Although the team initially planned to distinguish stakeholder recommendations in terms of immediate next steps to take, interim goals and longer-term goals to build, more than 90 per cent of stakeholders interviewed chose not to make such a distinction. As a result, the recommendations are not separated in this manner.
6. A stakeholder validation workshop does not ensure buy-in and support for all study findings and recommendations. The findings and recommendations offered to stakeholders in the workshop will be based on independent research and assessment of multiple views and sources. They are thus not guaranteed to reflect the views of any one stakeholder and thus not guaranteed to be validated and supported by him or her.

A further challenge, for any research in which informants and respondents participate voluntarily, is self-selection bias. It is possible that persons who chose to participate in the needs assessment differ in important ways from those who did not. For example, those who agreed to participate may have had stronger positive or negative feelings about IOM than those who did not. Finally, any research that includes self-reported data has the potential challenge of a social

desirability bias – the tendency for participants to respond in a way that they believe will be pleasing to others.

Despite these limitations, the mixed methods approach drawing on qualitative and quantitative data and triangulated findings was able to yield multiple, robust findings concerning counter-trafficking resources, gaps and needs in the region.

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3. NEEDS ASSESSMENT RESULTS AND FINDINGS

In this section, we describe the primary findings of the IOM-requested needs assessment of responses to TIP in the Western Balkans. The findings discuss – and are organized by – the following headings: (1) emerging trends; (2) identification and referral; (3) support and services; (4) cooperation among counter-TIP actors; and (5) gaps in identification, referral and protection programmes. These headings align with the key assessment research questions 1-5 (Table 1). Recommendations follow from stakeholder priorities as discussed in the findings and reported in Section 5.

The findings do not cover each question asked or topic raised during data collection. Instead, they focus on the issues (1) most frequently cited by informants and respondents and most cited in documents reviewed, (2) to which informants, respondents and documents devoted the most time or space discussing, and (3) that were most often identified as salient across respondent types and sub-regional/regional documents. Where informants, respondents and documents differed in their views on the substance or characteristics of an issue, we describe each differing point of view offered.⁹ As indicated, the study findings are set off by a bullet point and appear in bold, blue font to denote their status as a finding. The section concludes with a table summarizing all study findings by research topic and data source. The number of findings and amount of supporting discussion differ by thematic area and finding. This variation reflects the depth and detail of responses provided during data collection and identified in analysis.

3.1 Emerging trends in TIP

This section describes the current trafficking landscape in the Western Balkans region. It begins with an overview of the current situation including key source, transit and destination areas, and stakeholder feedback on the characteristics of victims and traffickers. It then discusses in more detail emerging TIP-related

⁹ Throughout this discussion, we do not quantify qualitative data or always provide the number of respondents giving a particular response. With qualitative data collected using nonstandard response categories and that are non-representative or non-universal, we sometimes provide the number of respondents, but more often use such terms as some, a few, many, most, and even all to indicate the relative frequency of the response. We use these terms consistently, relative to the number of times an issue is raised by each respondent and across respondents. The methodological appendix further explains data sources and context for this type of descriptive summary of the data findings.

patterns and trends reported during the assessment. These are increasing irregular migration, internal trafficking, trafficking for labour exploitation, child begging and forced marriage.

Although described as emerging trends, it is not clear from available data the extent to which these trends represent new trafficking patterns or instead reflect increased recognition of existing patterns. For example, while trafficking for organized child begging was identified as a new phenomenon in reports and some interviews, other informants and respondents reported that child begging is not new in the region, but rather only recently understood as a potential form of trafficking.

Trafficking in persons in the Western Balkans involves multiple patterns, multiple forms of exploitation, and multiple forms of coercion/vulnerability.

As is true globally, there are no widely accepted estimates of the numbers of persons trafficked from, to and through the Western Balkans. Further, national data concerning identified cases are limited.¹⁰ Further and for reasons discussed below, *identified* cases cannot be considered representative of *all* cases of TIP. Based on the data available and informant interviews, women make up the majority of identified and assisted cases throughout the region; most have been trafficked for sexual exploitation. However, informants strongly stressed that there are many more cases of trafficking than those detected through official channels, and that many of these cases relate to other forms of trafficking, including forced labour, domestic servitude and begging.

Data suggest that there was a change in TIP patterns from mid-2000 in terms of routes, destinations and forms. Until 2004 most of the cases identified in BiH, the former Yugoslav Republic of Macedonia, Kosovo and Serbia, for example, were foreign citizens. The conclusion conflicts in the region, accession of Bulgaria and Romania to the EU and the visa liberalization regime, routes of movement within the region shifted. Migrants – including cases of trafficking – originating from for example, Republic of Moldova, Ukraine and Belarus shifted away from the Western Balkan region and towards Western Europe as a primary destination. However, recent conflicts in Central Asia and Africa triggered movement of migrants towards the Western Balkans as transit to the Schengen area of the EU. At the time of the assessment, stakeholders view the region as primarily a transit region for irregular migrants, a region of origin, and, to a lesser extent, destination area for TIP.

¹⁰ ICMPD implemented the 'Programme for enhancement of Anti-Trafficking Responses in SEE: Data collection and information management' in 2008. The project sought to establish national databases on prosecution, criminal justice response and assistance and enhance regional cooperation on these specific areas. The experiences of the areas included in the project were moderately positive but the databases are no longer operational. Each area collects and manages data according to their own practices. http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/FINAL_Assesment_report_pres.Bucharest.pdf

According to study data, Albania is predominately a point of origin for cases. Destinations include Italy, Belgium, Greece, the United Kingdom, Germany and also Kosovo. Albania is also a transit point for irregular migrants from North Africa principally seeking to enter the Schengen area of the EU, as well as a small number of Filipino cases of domestic servitude who have been identified in Albania. Multiple sources reported that the former Yugoslav Republic of Macedonia is today a source point and destination for TIP, as well as a transit point for irregular migration. Authorities also reported an increase in the volume of undocumented foreign migrants in the former Yugoslav Republic of Macedonia, a group often highly vulnerable to trafficking. Amongst them are particularly noticeable cases of unaccompanied minors, a group considered extremely vulnerable and high risk for TIP, by the authorities and NGOs alike.

According to study informants, BiH and Kosovo have also both become points of origin for cases destined to Western European countries and other parts of the region and both identify cases of internal trafficking. BiH also acts as a transit point for trafficking routes from the Middle East towards the EU. Montenegro is primarily a transit site for trafficked persons, and to a lesser extent a source or destination for sexual and labour exploitation. The laws and policies of BiH, Serbia, Kosovo and the former Yugoslav Republic of Macedonia consider child begging and arranged child marriages as a growing concern, but not necessarily as TIP. Serbia is a source, transit, and destination point for trafficking. Informants noted in particular that Serbian women appear to be at risk of trafficking for sexual exploitation in a number of EU countries. Serbia was also reported as a source point for labour trafficking with the most common destinations of Russian Federation and the CIS.¹¹

Internal trafficking is found across the region. The main form of trafficking consistently reported, internally as well as internationally, remains sexual exploitation. Exploitation premises include hotels, motels, and rented houses. One informant from Serbia stated that human trafficking is “moving” from diners and bars to private apartments and membership-only clubs, a practice also noted in Albania and BiH. As discussed further below, study documents, informants from BiH, Serbia, the former Yugoslav Republic of Macedonia, Kosovo and survey respondents highlighted the existence of various forms of labour exploitation such as child begging, and forced labour in the agriculture and construction sectors.

As suggested, the majority of identified cases in the region are young women trafficked for sexual exploitation. A distinct aspect is that female cases are younger in age and are often minors. Most identified cases come from rural areas and poor regions, urban and rural. Common characteristics applicable to the Western Balkans appear to include a history of domestic violence and physical, psychological, emotional abuse, parental neglect and extreme poverty. In the former Yugoslav Republic of Macedonia and Kosovo, informants reported

11 Commonwealth of Independent States (CIS).

that most of the cases have not completed an elementary education. Of course, without comparative data, it is not clear whether this is a distinguishing feature between those who are trafficked and those with otherwise similar socioeconomic profiles who are not.

Informants also commented on their understandings of who is engaging in human trafficking. They emphasized that traffickers are primarily individuals, people close to the family of victims (often people whom they know and trust) or members of small groups. As one informant elaborated:

Some trafficking is highly organized, some is small groups, some appears opportunistic such as when two brothers took a woman to Italy and attempted to sell her to other criminal organizations. Other small groups are well organized with clear roles: recruiters, transporters, and controller. They have been doing this for years. We should not forget that traffickers are also evolving (Study Informant, February, 2014).

They also cited cases of the involvement of organized criminal networks, often in relation to other crimes. Interlocutors, in Kosovo and the former Yugoslav Republic of Macedonia in particular, specified that traffickers are often part of a criminal milieu, but do not necessarily qualify as part of an organized crime network. A recent report (Dostic; Gocic, 2013) describes the current relation between traffickers and organized crime through type of prosecution charges. The report concludes that it is wrong to equate TIP with organized crime in Serbia, and elsewhere in the region. Recent statistics report that the Centre for Combating Organized Crime (SBPOK) in Serbia, in the period 2010-2012, filed a total of five prosecution cases, with six criminal charges qualified as human trafficking cases. This is a small percentage (4.34%) of all human trafficking cases prosecuted in Serbia. This suggests the large majority of traffickers are not linked to organized crime, but act as individuals or smaller groups involved in criminal activity not involving large organized criminal networks.

Informants identified multiple formats and methods of recruitment of persons who become subject to exploitation in trafficking. Most often, recruitment occurs in-person, but that advertisements, the Internet and private employment agencies also serve as channels for recruiting people into what end up being situations of trafficking and exploitation. Methods used by recruiters include the promise of a good job, promise of marriage (particularly among the ethnic Roma population), and the offer of rescue from difficult or crisis situations at home (for example, divorce, domestic violence, broken homes, or a vulnerable economic situation). These kinds of unscrupulous recruitment methods, informants explained, involve a much lower level of violence than observed earlier in the Western Balkans, elaborating how in some cases “there is often an agreement between the perpetrator and the victim. We even have cases of migration for sex work where the woman has agreed a 50/50 income split with the recruiter (for a

period of time), but then when they try to leave, they cannot.” Another informant noted that many traffickers have changed the way they seek to control those whom they traffic and exploit. Instead of strict control of movement and physical violence, they tend to use threats and blackmail, often involving immediate family members. Because court cases require that the prosecution establish that coercion occurred to determine that a case of TIP occurred, these non-physical forms of coercion complicate the prosecution process. This data suggests that recruitment continues in forms already well-established in the counter-trafficking research; known persons, small groups, and private employment agencies, as much as, if not more than, large criminal networks, recruit and exploit people seeking to escape difficult situations at home and in pursuit of new employment and life opportunities.

Trafficking patterns and trends thus continue to evolve in the region, in terms of routes, forms of recruitment, and persons involved. Such changes present on-going challenges to counter-TIP practitioners and highlight the need for a constant evolution of TIP responses, particularly in understanding routes, recruitment, exploitation and its victims.

Irregular migration is increasing within the Western Balkan region.

According to multiple documents and informants, the Western Balkan region has seen rapid and significant changes in irregular migration trends following the introduction of visa-free regime within EU Schengen Area. Detection of irregular border-crossings, both between border control points and at border control points, is rising in most of the region (increases of 33% and 68% respectively in 2012 compared to 2011) (FRONTEX, 2013). The FRONTEX (2013) assessment shows that for the second year in a row, Western Balkan regional border security is affected by the flow of migrants en route from Greece towards other Member States. This growth is largely linked to non-European migrants seeking to travel from North Africa through Greece to other EU Member States, and also from a range of destinations in Asia, most frequently Afghanistan and Pakistan.

Based on detection figures by national authorities and reported by FRONTEX (2013), Serbia is the site most affected by increases in irregular migration, accounting for four out of ten irregular border-crossing detections in 2011. According to FRONTEX (2013), the border between Serbia and the former Yugoslav Republic of Macedonia is a site of significant irregular crossing, with movement between Greece and Serbia transiting through this area. FRONTEX (2013) has also identified a new route of irregular movement (which can opportunities for traffickers) emerging through Kosovo which then moves through Montenegro, BiH, and Croatia.

Informants highlighted two aspects of the relationship between irregular migration and trafficking in persons: an increase in irregular migration and its

corresponding effects on addressing TIP, as well as the lack of identification of cases among these groups of migrants. First, as one informant explained, “illegal migration and people smuggling is today a greater problem for the region of the Western Balkans than human trafficking”, which has deemphasized investments in responding to human trafficking. In 2012, for example, there were 14,000 irregular migrants registered in Serbia compared to 43 identified cases of trafficking (EU Progress Report, 2013). For example, the Law on Migration Management in Serbia, adopted in November 2012, identifies the Commissariat for Refugees and Migration as a central focal point for developing migration policies and practices. However, this body is entirely separate from those institutions traditionally responding to TIP in Serbia and the government has yet to establish effective coordination and support for the other relevant institutions addressing migration, in particular the newly established local migration councils (EU Progress Report, 2013 page 49). Overall, informants expressed concern that the new and existing institutions responding to migration are not collaborating effectively with one another, nor addressing TIP sufficiently.

Informants also highlighted the exploitative nature of much of this irregular migration and the potential for this cohort to include a substantial number of cases of trafficking. Both study informants and FRONTEX identified a new trend related to migration and trafficking, where criminal groups force irregular migrants with monetary debts to act as guides for other migrants from Afghanistan and Pakistan moving through the region (FRONTEX, 2013). These ‘guides’, stay in transit areas, acting as facilitators/controllers for other transiting migrants. As migrants pay their debts to traffickers, the ‘guides’ move on to sites closer to the final destination. Such arrangements, while ‘in transit’ can last for several years, until the debt is paid off. These cases illustrate an entirely new form of exploitation and trafficking to which responses need to be developed. Those responding require appropriate resources to address these migrants’ needs, including linguistic and cultural capacities to gain their trust and provide support.

Informants identified a fundamental lack of mechanisms for identifying cases of trafficking among groups of irregular migrants. Among the terms most often used to describe the identification mechanisms in the region, informants often chose “insufficient” “non-existent” (see also Table 4: Identification Policies and Practices). One informant suggested that among the 14,000 irregular migrants noted above, only two were identified as cases of trafficking, stating that, “it has become evident that among this category of irregular migrants, women, youth and children are in a particularly vulnerable position and there is great risk of various forms of exploitation. However, despite a moderate effort, the authorities are unable to identify cases of trafficking among these illegal migrants.” In 2012, authorities in the former Yugoslav Republic of Macedonia identified 682 irregular migrants, with the highest numbers detected at the border with Serbia (EU Progress Report, 2013). The report further stresses that the area lacks sufficient strategic capacity to respond to the increasing numbers of migrants transiting

the area. Some informants emphasized that existing border procedures are not effective in detecting irregular migration from Greece and onward transit towards Serbia. According to government officials in the former Yugoslav Republic of Macedonia, authorities have not identified any cases of trafficking among irregular migrant populations in recent years. However, data from other sources indicate that irregular migrants are among the groups most vulnerable to trafficking, suggesting the insufficiency of current identification mechanisms in the region (IOM, 2013 page 233).

Thus, the growth in irregular migration presents a dual challenge to trafficking in persons in terms of potentially diverting attention and resources from the problem, while creating an expanding space in which criminal networks have the opportunity to exploit highly vulnerable migrants through trafficking and other forms of abuse.

Informants across the region report an increase in internal trafficking, providing differing explanations for this rise.

Informants from Albania, BiH, Kosovo Serbia and the former Yugoslav Republic of Macedonia identified internal trafficking as the current predominant form of trafficking detected. In all sites most identified cases as young females, often minors. In the former Yugoslav Republic of Macedonia, for example, one shelter accommodated 88 cases between 2005 and 2012. Apart from one boy, all were female former Yugoslav Republic of Macedonian citizens who had experienced internal trafficking. In Serbia in 2013, 92 cases have been identified, of which 70 per cent were trafficked internally. Only four foreign nationals identified were identified as cases of trafficking in the same year (Serbia Annual Report, 2013). In BiH, the State Coordinator's report of 2012, noted "there appears to be a trend of a continuing increase in number of domestic victims being internally trafficked, along with a stagnating number of foreign trafficking victims identified." As these examples suggest, most of region has shifted toward responding to a rise in the detection of cases of internal trafficking.

Informants offered differing explanations for the increased proportion of internal trafficking cases. As one report noted, this change in emphasis in identification efforts was a function of the historical definition and cases of trafficking:

Internal trafficking in persons was invisible for a longer period of time. The police, in the downpour of female foreign citizens, was overly focused on the obvious indicators for identifying the victims of trafficking in persons, such as: confiscated travel documents, illegal residence, visible traces of physical violence, restricted freedom of movement and unfamiliarity with the Macedonian language. These indicators are not typical for Macedonian or domestic victims and for the internal trafficking (Balkan Act Now, 2013 page 145).

As this quotation suggests, officials lacked the experience and training necessary to identify cases of internal trafficking. As this phenomenon has been well documented in the region, official recognition of the problem might account for the current rise in their identification (Limanowska, 2004, page 62)

Other study data indicated that the regional rise is the result of traffickers' exploiting previous regional and sub-regional focus on foreign cases:

The traffickers in persons, faced with the new situation in the region, turned towards the local market and the internal trafficking in persons, using the deficiencies in the national strategies and the legislation that covers trafficking in persons, which, at that period, were primarily focused towards the suppression of the transnational trafficking in persons (Balkan Act Now, 2013 page 145.)

Other informants faulted eroding economic conditions for increased incidences of internal trafficking. For example, they cited increased poverty, high levels of unemployment and overall poor socioeconomic conditions as contributing to the rise. Unemployment rates in the region are very high (for example, above 30% in the former Yugoslav Republic of Macedonia and around 40% in BiH), with long-term unemployment widespread among youth, rural populations, national minorities (especially ethnic minority women) and those with less education. In the former Yugoslav Republic of Macedonia, one in ten children is not enrolled in primary education, and every fifth child is not enrolled in a secondary education institution, even though it is compulsory.¹² It is just this kind of situation that informants felt contributed to the rise in domestic trafficking.

Cases of trafficking for multiple forms of labour exploitation appear to be on the rise in the Western Balkans.

Multiple documents and informants cited trafficking for labour exploitation as increasing in all across the region. National trafficking reports and informants from BiH, Serbia, Albania, Montenegro and the former Yugoslav Republic of Macedonia highlighted the existence of labour exploitation in the agricultural and construction sectors, primarily involving men. A 2011 labour sector assessment found a preponderance of labour exploitation in the former Yugoslav Republic of Macedonia textile, tourism and catering sectors (Balkan Act Now, 2013 page 115). National legal frameworks and strategies recognize labour exploitation as an emerging concern and address it in national strategic documents. The former Yugoslav Republic of Macedonian National Strategy for Combating Human Trafficking and Illegal Migration, 2013-2016, for example, acknowledges that while having primarily focused on trafficking for sexual exploitation, trafficking involves many other forms of labour exploitation in response to which they need to develop "a wider range of activities" (National Strategy, 2013). However, in practice, the region lacks mechanisms and services to respond to multiple forms

12 State Statistical Office, Women and Men in Macedonia, 2012.

of labour exploitation. As one informant explained, to date, “labour inspectors have never reported any cases nor do they presently have the legal or formal capacity to report that” (Study Informant, March 2014). Indeed, as several study documents suggest, over the past four or five years, stakeholders across the region have begun to recognize that they need effective responses to multiple forms of labour exploitation.

Study data also cited a significant number of cases of outward trafficking for labour exploitation in Albania, BiH and Serbia. These involve mainly nationals of Albania, BiH and Serbia being exploited abroad. A 2010 study of trafficking of adult men in Europe reports that cases are subject to long working hours, injuries and health issues, denial of medical care, poor living conditions, limited and poor quality food, low or no pay, detention and confinement and psychological, physical and sexual abuse (USAID, 2010). In Albania, several informants noted that there is significant labour exploitation of Albanian workers in Greece, with mass deportations immediately prior to payday as a common form of deception. Other data suggest that there are also an increasing number of Serbian cases of labour exploitation abroad. For example, in 2013 Serbia identified 22 labour exploitation cases, 19 of which were identified in Belarus (Annual Report, 2013). In practice, informants were concerned that these cases are not recognized as instances of trafficking by officials in the destination countries. This has left people who have experienced trafficking to “return home at their own expense or are deported at the request of the companies that had exploited them.” They further believe that Serbia has shifted from being a destination site to “primarily a country of source for labour exploitation and source and destination for labour in connection with sexual exploitation” (Study Informant, March 2014). Study data indicate that effective acknowledgement of, and responses to, this shift have lagged.

Multiple informants agree that labour inspectors have a role in detecting and referring potential cases of trafficking for labour exploitation. However, there are still limitations in the way labour inspectorates are able to operate. For example, as one report highlighted, “in Serbia, labour inspectors have the right to inspect only officially registered businesses.” Further, the labour inspectorate has only limited capacity “(250 labour inspectors for some 324,500 registered businesses)” to oversee sites where exploitation might occur (GRETA, 2013 Serbia). The government has acknowledged this gap and in the process of amending the rules to give labour inspectors the authority to oversee entities that employ irregular migrants “proactively” so as to identify and response to cases of labour exploitation more effectively.

Indeed, multiple data sources highlighted that most labour exploitation remains largely undetected and unreported but, as one informant noted, is “present and growing.” What emerges as the main concern is the lack of adequate institutional response to labour exploitation of men in construction, agriculture and tourism as predominant sectors of labour exploitation.

New forms of child exploitation have emerged in the Western Balkan.

Multiple data sources discuss an increase in cases of the trafficking of children in the region, especially for the purpose of begging. They cited, in particular, a rise in the number of children begging in the streets in BiH, Kosovo the former Yugoslav Republic of Macedonia and Albania. Informants in BiH, citing personal experience and data from an NGO drop-in centre for children, noted that while begging in the past was mainly done by children from Roma and other ethnic minorities' communities, child beggars now have a more heterogeneous background, and that their begging activities are organized by exploitative criminals. Reports from Albania, BiH and Kosovo highlight the exploitation of children in begging in urban centres especially at traffic lights, main promenades, and sidewalks of main streets. During the tourist season, the activity extends to tourist locations and border crossing points. "The predominant form of labour exploitation is child begging. In the past, the problem of children living and working on the street had not been classified as human trafficking" (BiH, 2010). As the quotation suggests, authorities have begun recognizing the problem of child begging in connection with trafficking for the purpose of labour exploitation. Nevertheless, study data suggest an inadequate response to the multiple reports of "children working all day on the streets", without "the competent institutions" providing "serious interventions" or services (OSCE, 2011).

Other forms of child exploitation in the region, which often go undetected by officials, include sexual exploitation. In BiH, for example, research has documented an upward trend in child trafficking for labour or sexual exploitation (child begging, arranged marriages) (Save the Children, 2013). However, the relevant actors often disregard this form of human trafficking in the system. As one informant in BiH explained:

Due to the lack of knowledge about the problem and forms of human trafficking, other than sexual exploitation, perpetuated by the lack of will to undertake necessary counter-trafficking measures or due to discrimination, the system fails to react properly to prevent or punish child trafficking (Study Informant, February 2014).

Recent reports indicate an increase in the incidence of forced marriages of children leading to exploitation, with Roma children particularly vulnerable to this form of exploitation (GRETA, 2013 BiH).

Serbia and the former Yugoslav Republic of Macedonia have also documented the trafficking of children into forced marriage. In the former Yugoslav Republic of Macedonia, the National Strategy 2013-2016 identified this as a new trend, stating that the victims are exclusively minors aged 14-17 years of Roma ethnicity (National Strategy, 2013). The document explains:

Traffickers or orderers of brides are most frequently from Serbia or from the Republic of Macedonia temporarily working in the EU. After the arrival of the victim to the country of destination she is subjected to rape, torture and physical punishment by the members of the husband's family, and is later subjected to sexual and labour exploitation (National Strategy, 2013).

While it is not entirely clear if this description represents a dominant trend, it is the case that study data identified the trafficking and exploitation of children in the region as an area of dominant concern and in need of additional research and response.

NGOs and government officials differ in their perception of the scope of and the adequacy of responses to TIP in the region.

Study data indicate clear differences between NGO and government perspectives on TIP across the region. They differed in their views on the scope of the TIP problem and the level of the government response to it. Multiple NGO informants across the region emphasized the significance of the TIP problem and expressed concern that governments were not affording the issue sufficient attention. Corroborating this view, one report explains, “the *perception* that human trafficking is diminishing as a problem” has led to a reallocation of “external funds previously available for training activities . . . to other priorities” (GRETA, 2013 BiH). One informant attributed international pressure from the US TIP Report to the previous prioritization of responding to TIP, but added that “there are no political points for trafficking today”, suggesting that without foreign political pressure, the governments in the region are unlikely to prioritize addressing this issue.

In contrast, government officials across the region were more likely to express the view that the problem itself had diminished, citing in particular a fall in the number of identified cases. Typical of a number of governmental informants, one suggested, “TIP is no longer a significant problem ... most cases which the police investigate as TIP cases are borderline cases and end up being prosecuted under other criminal charges. In most cases, the investigation discloses that cases of sexual exploitation are cases on consensual prostitution.”

Multiple types of informants also noted that other regional challenges had eclipsed TIP as a priority. Regional actors have to respond to high levels of unemployment and a general lack of opportunities; poverty; gender inequality; gender-based violence; and the lack of social protection policies and institutions. They also have to address rising forms of irregular migration, especially in Kosovo, the former Yugoslav Republic of Macedonia and Serbia. Irregular migration, of course, often includes cases of TIP. But informants felt overall that the need to devote resources to these overarching societal challenges were preventing governmental actors from focusing on, and developing specific responses to TIP.

3.2 Identification and referral

In this section, we address the existing framework for the identification and referral of (potential) cases of human trafficking. The section is largely descriptive and provides the background for a detailed discussion of gaps and priorities in identification and referral processes later in the paper. It is also the case that informants focused almost entirely on identification during data collection. Section 3.4 includes further discussion of referral in relation to inter-institutional cooperation.

The region hosts several different and sometimes inconsistent systems for identifying cases of TIP.

Study data indicate that governments and institutions throughout the Western Balkans host different levels of operationalized mechanisms for identifying cases of human trafficking. While nearly 60 per cent of respondents reported a fully operational official definition of TIP in their country or region, only around 30 per cent cited hotlines and TRMs to support identification as fully operational. In many instances, respondents noted mechanisms key for identification – formal policy, NRMs, national standards – as only partially operational (38%, 37%, and 41% respectively). These data suggest some gaps and potentially inadequate ways and means of determining and supporting people who have experienced human trafficking.

Table 4: Identification Policies and Practices

	Fully operational	Partly operational	Not operational	Not established	Don't know
Formal policy on who can designate VoTs	54.6	38.1	3.1	1.0	3.1
Official definition of TIP	58.8	29.9	5.2	4.1	2.1
Screening guidelines	45.7	35.1	7.4	8.5	3.2
Hotlines	31.2	18.6	6.8	19.4	24.1
NRMs	51.0	36.5	6.3	2.1	4.2
TRMs	31.6	40.8	11.2	6.1	10.2
National standards for treatment of VoTs	47.9	40.6	2.1	4.2	5.2
Collect feedback from VoTs	27.4	25.3	5.3	23.2	18.9

Source: Stakeholder Survey (IOM WB Needs Assessment 2014).

Notes: Table shows percentages by row; the sum of each row is 100 per cent. Missing data is excluded from percentage calculations.

Study interviews also revealed some inconsistencies and gaps in means of identifying and defining cases of human trafficking. Several stakeholders made a distinction between a presumed case of trafficking, who is able to access initial assistance pending a full determination of status, and an official case of trafficking, who is eligible for longer-term assistance. They also applied this distinction in different ways: In Albania, for example, there are detailed *Standard Operating Procedures (SOPs) for the Identification and Referral of Victims of Trafficking or Potential Victims* that cover all forms of exploitation and internal or international trafficking. SOPs were developed in 2011 by the Anti-Trafficking Unit - Office of the National Coordinator on Combating Trafficking in Persons. SOPs include indicators for initial identification, which is followed by formal identification through a 'Formal Interview Form' (appended to the agreement on the National Referral Mechanism). This questionnaire is to be used to formally identify cases of trafficking. The NRM agreement requires that all actors involved in formal identification to use this form (SOP, 2011). Aiming to raise capacities of other actors combating TIP, the Ministry of Health, with the support of the Anti-trafficking Unit and IOM, added guidance to health professionals on how to identify cases of TIP to the SOP. Despite these efforts, the health sector has yet to identify and refer any possible cases of trafficking to date (GRETA, 2011).

In BiH, the authorities apply different identification criteria, depending on whether the potential case is foreign or domestic. The main authority performing the initial identification of foreign cases is the State Service for Foreigners Affairs and the State Ministry of Security¹³. For domestic cases, the Rules on Protection of Victims and Victim-Witnesses of Trafficking in Human Beings Who Are Citizens of BiH requires that any institution, NGO, physical or legal person who *suspects* that a person is a potential case of trafficking immediately inform the State Information and Protection Agency (SIPA) and the State Prosecutor's Office.¹⁴ According to the same rulebook, it is the State Prosecutor's Office, State Information and Protection Agency or courts that are charged with making a formal identification of a case of domestic trafficking based on information gathered by the authorities police and prosecution and a "voluntary interview" with the possible case of trafficking. The State Prosecutor's Office, State Information and Protection Agency or courts initiate the process of formal identification of a trafficking case only when they believe there is sufficient evidence to initiate a criminal case.

For cases of foreign TIP, *The Rulebook on Foreign Victims* for BiH includes defined indicators of trafficking comprising, for example, place and conditions where the person was discovered, psycho-physical condition of the person, possession of travel or identity documents, among others).¹⁵ A responsible officer of the

13 Rulebook on protection of foreign victims of trafficking, ("Službeni glasnik BiH", br. 32/02 i 102/09), Ministarstvo sigurnosti, Sarajevo 2004.

14 The rules on protection of victims and victim-witnesses of trafficking in human beings who are citizens of BiH, the Council of Ministers of BiH, 2007.

15 Rulebook on protection of foreign victims of trafficking - Pravilnik o zaštiti stranaca žrtava trgovine ljudima, ("Službeni glasnik BiH", br. 32/02 i 102/09), Ministarstvo sigurnosti, Sarajevo 2004.

Service for Foreigners Affairs conducts an interview with the possible case to verify the presence of these indicators. Study data suggest, however, that that the relevant actors do not apply the rules and guidelines on identification procedures consistently and that identification is correspondingly somewhat arbitrary. Indeed, some informants were not aware on any specific rule, checklist or standard procedure pertaining to the identification of cases. This has led to a situation in which possible cases of trafficking may be interviewed multiple times by different bodies (GRETA, 2013 BiH).

In Kosovo, the current SOP (2008) allows for multiple means of identifying cases of trafficking, including private citizens, law enforcement personnel, immigration services, the victim her/himself, other trafficked persons, family or acquaintances, labour inspectors, non-governmental or international organizations (local or international), health-care staff, embassy or consular officials, transportation personnel and so on. As defined by the Law on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking¹⁶, the “police units, prosecution, victim’s advocate and centres for social work in line with the SOPs developed by the respective authorities” are then charged with formally designating a case. In practice, however, informants indicated the police as the predominant authority identifying cases of trafficking. The current National Strategy, Action Plan against Trafficking in Human Beings 2011-2014 (2011), and the SOP (2008) allow the labour inspectorate, border guards and consular sections to identify and report cases of trafficking. However, as one informant explained, “specific administrative instructions to enact these procedures as to become operational still need to be formulated and adopted” – here again, the conclusion of written rules has not been translated into operational mechanisms.

According to the SOPs (2008) of the former Yugoslav Republic of Macedonia, the Ministry of the Interior Unit for combating trafficking in persons and smuggling of migrants and/or the Centres for Social Work (CSW) are responsible for identifying cases of trafficking. The SOP charges the border officials with informing the Unit when they suspect a case of trafficking. As noted above, CSWs are also authorized to identify cases of trafficking, especially among the children with whom they are working. When an NGO identifies a potential case, staff is authorized only to refer the person to the Ministry of the Interior Unit; only governmental staff is authorized to initiate the formal identification process.

Montenegro possesses yet another variation on the identification process. Here, the Police Directorate is charged with identification of potential cases of trafficking. However, according to one study informant, the criteria the police use to identify a potential case are not transparently shared with other stakeholders. In addition, indicators for early identification have been developed in cooperation with the OSCE, including special indicators for the health workers. These indicators have been produced in the form of a ‘pocket card’, which is

16 Law No. 04/L-218 on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking http://www.mpb-ks.org/repository/docs/Ligji_kunder_trafikimit-_Anglisht.pdf

available to all institutions taking part in the implementation of the Cooperation Agreement, including border police officers' (GRETA, 2012). Upon detecting a potential case of human trafficking, officers notify the Department for Combating Organised Crime and Corruption, which takes over the case. The potential case has the status of an "injured party" by virtue of the Code of Criminal Procedure and is considered to be a potential case of trafficking. Only once a court finds the accused traffickers guilty of a TIP offence is the potential case officially designated as a case.

In 2012 the Serbian Government set up the Centre for the Protection of Victims of Trafficking in Human Beings with the purpose of performing the identification and referral of cases (GRETA, 2013 Serbia). The Centre comprises the Office for Co-ordination of the Protection of Victims of Trafficking, the competences of which partly correspond to those of the former Agency. The Centre is an independent institution under the jurisdiction of the Ministry of Labour, Employment and Social Policy and therefore identification is based on a social protection approach. The identification of cases of trafficking is initiated by the police, centres for social work, NGOs, shelters for victims of domestic violence, centres for children without parental care or other relevant structures. The body or person who comes across a possible case of trafficking sends the initial information to the Centre for the Protection of Victims of Trafficking. According to the Centre, some 80 per cent of the possible trafficking cases are reported by the police. This is confirmed by national statistics (73% of identification is performed by the police and 23% by Centres for Social Work) (Serbia Annual Report, 2013).

Serbia does not, however, have an official protocol for determining cases of trafficking and, according to multiple informants, "the procedure is unclear, while too many people from institutions are not familiar with the work of the Agency for Coordination of Protection of Trafficking Victims and its competences." According to reports (GRETA, 2013 Serbia) and informants, a Rulebook on Protection of Victims of Trafficking in the Social Protection System was drafted in May 2012, but it is not yet in force at the time of this assessment. Due to lack of formally adopted guidelines on identification, key informants stated that there are some internal criteria, but these have not been formally agreed upon or adopted. These rules are currently under review through a project supported by IOM/SDC and guidelines reflecting contextual requirements are expected to be formally adopted very soon.

Some areas also rely on hotlines as a means of identifying cases of trafficking. While varying in format across the region, informants did not feel that these hotlines were particularly effective in identifying cases. However, no specific data were available on the proportion of cases across the region that self-report via hotlines, although the numbers appear low in all areas. Albania is among the sub-regional sites with a hotline, called the SOS Hotline for cases of human trafficking, which is available 24/7, free of charge. In BiH, one informant commented,

“hotlines for victims of trafficking were set up at the very early stage of the emergence on trafficking by different NGOs. However, these were dependent on external funding and were closed when funding ran out. The government never established a national hotline.” One informant did note that an NGO has an SOS Helpline for victims of all crimes, which is available 24/7 and free of charge, while another NGO and the Ministry of Security run a hotline where citizens can report suspicious activities or crimes anonymously. The former Yugoslav Republic of Macedonia has two NGO-operated help-lines: a fixed number for calls from abroad and a toll-free number for domestic calls. Both are operational only from 8:00 to 20:00. In Serbia, there is an NGO-run hotline assisting persons in danger of TIP. Informants noted that this hotline “recorded only two cases of trafficking victims who managed to call our hotline directly from the situation of acute violence” over the past eight years. The Centre for Protection and Assistance of Victims of Trafficking established a 24-hour telephone line for persons in need of assistance on TIP. Although initially intended, this phone line is not free of charge. Other informants suggest that trafficking victims in less immediate danger have been identified through this hotline. In Montenegro, an NGO operates a 24-hour SOS hotline intended for persons in danger of being trafficked. In Kosovo, the OSCE helped launch a free helpline that serves as a point of contact for victims of human trafficking and domestic violence.

Though varying widely, study data suggest that all sites have some means of identifying cases of trafficking in place. Informants felt that most existing identification procedures and processes miss key indicators of trafficking, rendering them incomplete, and in some cases, ineffective. Those criteria in place also tend to suffer from two additional factors: (1) the identification mechanisms and criteria are inconsistent, likely making it difficult to collaborate across borders to identify cases, and (2) the identification criteria themselves tend not to “keep pace with trafficker’s behaviours” and the traffickers’ ability to adapt rapidly “in response to new laws and policies, adaptations which move faster than the measures of anti-trafficking actors,” according to one informant (discussed further below in Section 3.5) (Brunovskis, 2007).

Identification mechanisms display several weaknesses, including overreliance on the police, definitional inconsistencies, and institutional limitations.

Across the region, the police are key actors in the identification of cases of trafficking. Although some actors allow other sectors to participate in identification, this often does not happen in practice. In particular, informants across the region highlighted the lack of attention paid by labour inspectors to the trafficking issue (see subsequent finding).

In addition to a lack of involvement of labour inspectors, informants noted several institutional limitations to identifying cases of TIP. Multiple sources expressed

the view that distinguishing violations of labour laws, situations of irregular labour, fraud and deception from cases of labour exploitation, and trafficking for forced labour poses practical challenges to prosecutors, police officers and labour inspectors across the region. Differing interpretations of the meaning further hinder transnational cooperation: for example, what is considered trafficking in one site is a “mere” violation of labour law in another. As one report observes (ICMPD, 2013), international law provides limited guidance in this area. For example, the definition of labour trafficking contained in the Palermo protocol, which many sites have translated into their national legislation without further explanation, still leaves room for interpretation. The same applies to the definition of forced labour as defined in the ILO Forced Labour Convention, 1930 (No. 29).¹⁷

Another major issue identified by stakeholders is the effect of turnover of staff, particularly on the identification of cases. A key informant from BiH, for example, noted that all agencies and institutions that respond to trafficking have received guidelines for identifying cases of trafficking, been trained on their use and application and should now be using them. Frequent restructuring within agencies and staff turnover have led to inconsistent application and training on the guidelines. Similarly, study data (informants and documents) indicated that high turnover and lack of training of new staff constitute a major barrier to consistent case identification in Albania (NCATS, 2011).

The non-involvement of labour inspectors from identification processes and the exclusion of labour exploitation from TIP definitions are key barriers to identifying cases and providing comprehensive responses to TIP.

Across the region, the police are the primary actors charged with and identifying cases of trafficking. Although some sites provide for identification by other sectors, in practice, few others participate. Study data indicated that this is a particular problem among labour inspectors, who are not trained and tend not to pay attention to identifying people who may have experienced trafficking.

At the same time, informants recognized that labour inspectors have an important role to play in identifying cases of trafficking. Labour inspectors have the most regular and easiest access to workplaces largely because “irregularities in the employment contracts of migrants represent the greatest number of inspection visits and sanctions in the annual reports of most inspectorates” (OSCE, 2011). In practice, however, informants across the region noted both the marked absence of labour inspectors from identification procedures and a lack of training and capacity among labour inspectorates for identifying cases of trafficking.

¹⁷ Convention (No. 29) Concerning Forced Labour, Adopted on 28 June 1930 by the General Conference of the International Labour Organisation at its fourteenth session entry into force 1 May 1932, in accordance with article 28.

The definitional relationship between trafficking in persons and trafficking for labour exploitation has presented another barrier to responding to trafficking in the region. While there is no functional difference between the two terms, the Palermo protocol, which many sites have translated into their national legislation, fails to provide clear guidance on how to understand either the difference or similarity of the two terms (ICMPD, 2013). Multiple sources expressed the view that distinguishing violations of labour laws, situations of irregular labour, fraud and deception from cases of labour exploitation, and trafficking for forced labour poses practical challenges to prosecutors, police officers and labour inspectors throughout the region. The aforementioned different operational definitions hinder cooperation and collaboration. In response, informants did not call for a unified definition per se, but rather noted the importance of including labour inspectors in identification processes, building their capacity for recognizing exploitation, and offering clear guidance on how to respond to cases of trafficking and exploitation when they encounter them.

3.3 Support and services

In this section, we provide findings related to the protection and assistance of cases of trafficking. The findings focus on crosscutting issues arising across the region and diverse and differently situated data sources. We focus first on the general provision of assistance to cases, followed by discussions on four specific issues: the availability of a reflection period; access to compensation; and differences in service availability and quality for different groups.

Victim assistance is predominantly shelter-based and run by NGOs. No site hosts a dedicated shelter for children or men who have experienced trafficking.

Across the region, victim support shares several key characteristics – NGO provided, shelter based, externally supported, and only available to women and children. NGOs, rather than government, provide access or referral to almost all services available to victims of trafficking. Some shelters are dedicated to victims of trafficking, while others provide support to broader target groups. Primarily funded by external donors with a few key notable exceptions, the shelters vary in the types of services they provide, ranging from accommodation to assistance and protection to services and reintegration. Bosnia hosts the largest number of shelters – seven – while Albania provides the broadest range of services. The region lacks, however, any type of shelter dedicated to the provision of assistance to male victims of trafficking.

Informants across the region reported the availability of support and services to victims of trafficking through NGO-run shelters. According to the 2013 BiH GRETA report, since 2010 the government of BiH has funded two NGOs to run shelters for people who have experienced trafficking and two additional

NGOs to provide out-of-shelter assistance. In Albania, assistance to victims is mainly provided through four dedicated shelters for victims of trafficking, one state-run shelter and three NGO shelters. All these facilities are part of the National Referral Mechanism. Assistance is provided free of charge and includes accommodation, medical assistance, counselling and personalized reintegration programmes, which may include vocational training, help with finding jobs and a micro-credit scheme enabling victims to start-up businesses. Victims are offered the choice of shelter, although those with safety concerns are encouraged to enter the state-run National Reception Centre (NRC), which has a higher level of security. Serbian NGOs provide shelter, accommodation, access to personal documents, medical and psychosocial assistance and some legal aid, depending on fund availability (Balkan Act Now 2013). Two shelters in the former Yugoslav Republic of Macedonia offer accommodation and NGO-provided services to victims of trafficking – foreign and domestic victims (Balkan Act Now 2013). Montenegro hosts one specialized shelter for victims of trafficking, which provides food, clothing, personal hygiene items and medication (GRETA, 2012). These shelters are predominantly supported by external donors, with the exception of Albania, Montenegro, and the former Yugoslav Republic of Macedonia, which have shelters funded at least in part by the government. In the former Yugoslav Republic of Macedonia, the state also provides small, competitive annual grants to five NGOs to partially support their shelter activities.

Reflection periods and temporary residency permits are available to victims, but often only when cooperating with authorities.

In at least half the participating sites, foreign victims of trafficking are granted a reflection period and a temporary residency permit, during which they can consider filing charges against their traffickers. In many cases, governments compel victims to cooperate with authorities in the investigation and prosecution of their traffickers before they can gain access to services. Albania, for example, grants a temporary residency permit for all potential cases of trafficking for three months to a year, with the possibility of renewal. The permit is granted regardless of their willingness to cooperate with the authorities. The law also stipulates that a foreigner must not be removed from the territory before the police or a prosecutor, examined by a pre-screening team, given access to social services and granted the possibility of requesting a temporary stay, can interview them. In Montenegro, the Law on Foreigners grants a temporary residence permit on humanitarian grounds to a foreign national who has experienced trafficking. The residence permit is granted for a period of three months to one year. The law does not require that persons cooperate with the investigation and prosecution of their traffickers in order to receive a residence permit (GRETA, 2012). In BiH, foreign cases of trafficking receive a 30-day reflection period before having to return (OSCE, 2012). If designated a victim of trafficking *and* if a criminal case has been filed, they are entitled to temporary residence on humanitarian grounds for up to six months for the purposes of protection, recovery and return

to the site of origin. Other study data indicated, however, that “[i]n practice, a temporary residence permit is granted only to those victims of trafficking who are identified as such within the meaning of the criminal law definition” (GRETA, 2013 BiH). In other words, granting a temporary residence permit depends on the initiation of a criminal case for the offence of human trafficking.

In the former Yugoslav Republic of Macedonia, Serbia, and Kosovo, authorities apply a more restrictive practice compelling victims to participate in the investigation and prosecution of their traffickers before receiving a reflection period and residency permit. In the former Yugoslav Republic of Macedonia, for example, the provision of a temporary residence permit is conditional and subject to the cooperation of victims with authorities (the permit allows for a reflection period of up to 60 days for foreign cases and 30 days for domestic cases, after which the victim can be issued a temporary residence permit for six months; this can be extended in cases of on-going court proceedings) (Balkan Act Now, 2013). In Serbia, foreign victims are granted a three-month residence permit without officially being obligated to cooperate with law enforcement. In practice, however, the reflection and recovery period is rarely respected and “on more than one occasion, trafficking victims have been exposed to direct or indirect pressure to testify in court” (Balkan Act Now, 2013). Indeed, some Serbian informants noted that those who have experienced trafficking are not allowed to refuse to cooperate with law enforcement and testify in court proceedings. According to Kosovo’s SOPs (2008), persons who have experienced trafficking should be offered a reflection period to give them time to recover and to stabilize before having to determine what they would like to do next. The reflection period should be granted to any person who is suspected to be a victim of trafficking regardless of their willingness to cooperate as a witness and regardless of whether or not the perpetrators are prosecuted. The granting of a temporary residence permit should follow the reflection period. In practice, however, only those willing to testify have been granted a temporary residence permit; if unwilling, they are deported.

Thus, while provision for a reflection and recovery period and temporary residence exist across the region, many sites compel people to cooperate with authorities to gain access to them. This kind of compulsion does not align with recognized standards and conventions to which the Western Balkan are signatories.¹⁸

Few cases have received compensation, either from traffickers or the state, apparently due to complex or non-functioning procedures, lack of legal support and in some cases, active discouragement by authorities.

Across the region, there were few documented cases in which victims of trafficking actually received compensation from either their traffickers or the state (as distinct from being awarded compensation). Although all jurisdictions codify victim compensation as a legal practice, study data identified major

18 Council of Europe Convention on Action against Trafficking in Human Beings, 2005, Article 13-14

barriers to its provision. In particular, many sites appeared to have dysfunctional and overly complex procedures for seeking compensation, no legal support for victims to seek compensation and, in some cases, authorities appear to be actively discouraging victims from pursuing compensation.

Study data revealed specific challenges with victim compensation procedures and supports in Albania, Bosnia and Serbia. Albania currently has several legal provisions that codify the right of victims of trafficking to compensation. These laws require, however, that victims pursue compensation separately from any criminal proceedings against traffickers; neither the state nor NGOs provide support to victims to gain compensation. Further, and perhaps surprisingly, study data suggest that victims are required to finance the civil suit themselves and must then pay one per cent of any compensation to the state. In one recent case, a court awarded a trafficking victim Euro 40,000 in moral damages, but she was unable to access this money because she could not pay the required up-front court fees.

BiH and Serbia have also created significant barriers to pursuing civil compensation for trafficking. BiH grants victims of human trafficking, the right to claim compensation from traffickers during criminal proceedings. Reports indicate that 'such claims are discouraged in practice, as their examination would delay the delivery of the judgment on the human trafficking case. As a consequence, victims are reportedly advised to claim compensation through civil proceedings. However, in practice, very few victims do so because of the length of the civil proceedings and the fact that the burden of proving the damages sustained rests on the victim. According to representatives of the judiciary, the current legislation does not provide sufficient possibilities to decide on compensation of victims by the offenders in criminal proceedings. In Serbia, the first ever judgment awarding compensation to a victim of trafficking occurred only very recently (February 2014). In order to obtain compensation, the victim was compelled to testify against her traffickers, who had sexually exploited her for a number of years, in a criminal trial that lasted four years. The entire process took more than seven years, placing an extremely high burden on the victim in terms of trauma and time.¹⁹

As these examples suggest, current compensation mechanisms have failed to support of victims' rights to seek and obtain compensation for their exploitation. These ineffective processes appear to have discouraged victims from pursuing their rights and potential means of redressing their exploitation.

The region hosts a number of supports and services for trafficked persons. The quality and range of these services tend to vary with the type of trafficking experienced – domestic, international, and labour sector.

19 Source: Netherlands Helsinki Committee: http://www.nhc.nl/en/news/First_Judgment_Awarding_Compensation_for_A_Victim_of_Trafficking_in_Serbia_Issued_and_Executed.html?id=225

In the survey, stakeholders identified key types of supports and services available to people who have experienced trafficking in the region. These most prominently include fully or somewhat adequate risk assessments (70%), medical care (73%) and psychosocial services (76%) (Table 5).

Table 5: Support Services Available in the Region (in row percentages)

	Fully adequate	Somewhat adequate	Adequate for some groups only	Inadequate	Totally inadequate	Don't know
Short-term shelter	34.7	24.5	20.4	4.1	2.0	14.3
Longer term shelter or housing	30.6	22.8	19.2	6.2	2.1	19.2
Medical care	31.6	41.8	12.2	9.2	0.0	5.1
Psychosocial services	41.8	34.7	15.3	3.1	0.0	5.1
Risk assessments	33.0	37.1	14.4	10.3	1.0	4.1
Legal support (civil or criminal)	27.3	34.0	13.4	12.9	5.7	6.7
Employment support	10.8	32.6	24.0	14.9	2.4	15.3
Return and/or reintegration	28.0	34.2	14.0	6.7	2.6	14.5
Relocation or integration	18.5	20.5	13.8	15.4	4.1	27.7

Source: Stakeholder Survey (IOM WB Needs Assessment 2014).

Notes: Table shows percentages by row; each row sums to 100 per cent. Missing data is excluded from percentage calculations.

It is notable that on most types of support, especially short- and long-term shelter and employment support, one fifth to one quarter of the respondents found these services adequate for some groups only. Stakeholders most frequently identified legal support (19%), employment support (17%), and relocation or integration as inadequate or totally inadequate (20%).

Importantly and less discussed in the interview data and documents is the issue of the relationship between the services available and its effect on self-identification. Some 38 per cent of respondents reported that the type and quality of assistance deters some people from coming forward (Table 6).

*Table 6: Range and Quality of Available VoT Support Services
(in percentages)*

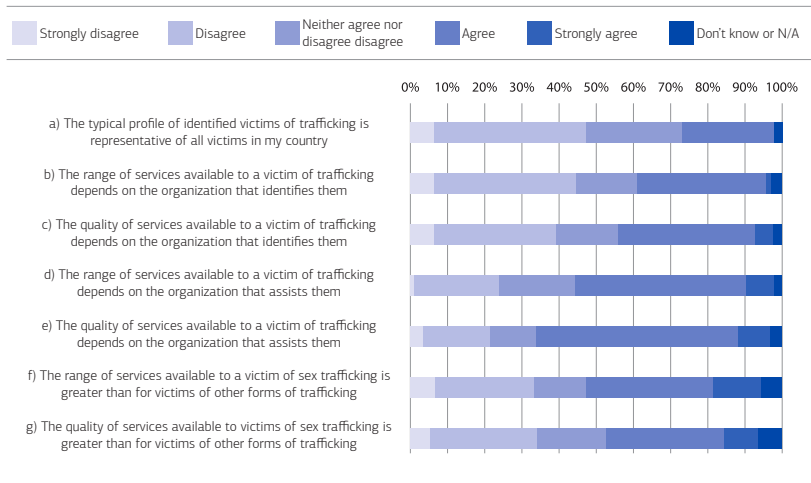
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know/ NA
Smaller range of services available to foreign VoTs than domestic VoTs	14.3	44.9	15.3	17.3	1.0	7.1
Lesser quality of services available to foreign VoTs than domestic VoTs	18.6	50.5	15.5	6.2	1.0	8.2
Support services tailored to child VoTs	6.2	18.6	21.6	42.3	8.2	3.1
Type or quality of assistance deters some VoTs from coming forward	6.3	17.9	20.0	35.8	2.1	17.9
Support services tailored to the needs of both male and female VoTs	6.3	26.0	18.8	38.5	2.1	8.3

Source: Stakeholder Survey (IOM WB Needs Assessment 2014).

Notes: Table shows percentages by row; each row sums to 100 per cent. Missing data is excluded from percentage calculations.

The needs assessment also identified examples across the region of differential treatment for victims of trafficking. Most often, and as discussed, there is a lack of support for victims of labour trafficking, male victims in particular. Survey data, however, indicated that most stakeholders agree or strongly agree that there are support services available for both men and women (41%). This is an important contradiction to note when determining next steps.

Table 7: Range and quality of services available to trafficking cases



Source: Stakeholder Survey (IOM WB Needs Assessment 2014)

Table 7 provides an overview of stakeholder views of the range and quality of services available. Respondents noted that this varied by the organization providing the services, as well as by the type of case identified – children, women, and men, internal or external cases. When asked about the quality of services available, for example, over 60 per cent agreed or strongly agreed that quality varies with the organization providing services to the case. Over 50 per cent noted that there is a greater range, and over 40 per cent greater quality, of services available to those exploited in the sex industry than those other labour sectors. These data suggest an uneven availability in the range and quality of services, with variation dependent upon the organization identifying the case, providing the services, and/or the type of exploitation experienced.

Interview data further corroborated variations in the range and quality of services available to citizens versus foreign nationals, and the type of agency identifying the trafficking case. When asked about the range and quality of supports and services, respondents disagreed that the range and quality of services available to foreign cases was smaller than for domestic (Table 7). The qualitative data suggest that domestic cases have access to more supports than foreign cases do, while in others, the reverse is true. In BiH, for example, foreign cases do not automatically receive access to social welfare or the right to work, which domestic cases already enjoy. As a result, foreign cases must rely on shelters and often limited shelter-based services for any support they may need. Further, BiH subjects victims to the same regulations required of all

foreigners, leaving them without the opportunity for “an easy transition from temporary status to permanent residency making their reintegration even more difficult”. This tends to encourage victims to return home, where they often face the same conditions that led to their initial trafficking and a risk of re-trafficking or leaves them vulnerable to expulsion once the temporary residence permit expires (OSCE, 2009). In Serbia, foreign cases cannot access assistance until they receive a residence permit, which one informant described as “lengthy and difficult and ... can also be costly.” In Kosovo, assistance to domestic cases differs by municipality, as there are not standardized procedures or rules for supporting them.

Although in BiH foreign cases do not automatically receive access to some services that are granted to domestic cases, some informants still felt that they have access to more assistance than do domestic cases. As one informant explained, “domestic victims of trafficking are not taken very seriously”, while many more types of support are available to foreign cases of trafficking for sexual exploitation, for whom the original victim support services in BiH were predominantly established. At the same time, however, the informant also noted “victims of trafficking for labour exploitation or begging do not receive any assistance at all.” Thus, in addition to differences in services available to domestic versus foreign victims, variation in services extends to the type of trafficking experienced.

Study data suggest that access to services varies not only by type of trafficking and site, but in some cases, the institution that identifies the case. As one report explained, available services “tend to operate according to organizational links and networks, which generally means that victims are not always offered the full range of services” (ICMPD, 2007). In Montenegro, “everything is done on the basis of personal contacts” – that is, victims can only access those services that NGOs can access through personal ties to social workers or doctors (GRETA, 2012).

Taken together, study data suggest the presence of a number of key services and supports, but an uneven or inadequate broader landscape available to victims of trafficking in the region. Section 3.5 explores informant views of the specific gaps, while Section 4 reports stakeholder priorities with regard to how to address these gaps.

3.4 Cooperation among counter-trafficking actors

In this section, we address findings focused on partnerships, networks and collaboration among counter-trafficking actors in the region. These findings address issues pertaining to formal and informal cooperation within and across borders in combating trafficking in persons, including national and transnational referral mechanisms. They also highlight differences between processes as defined on paper and responses to trafficking as operationalized and implemented in practice.

Despite multiple cooperation processes in place, stakeholders do not view implementation of these mechanisms as complete or fully functional.

Actors across the region have established mechanisms – NRMs – to guide cooperation among governmental and nongovernmental actors responding to trafficking. As highlighted in Table 4, nearly 87 per cent of respondents regard their NRM as partially or fully operational. In practice, however, these mechanisms appear to focus almost exclusively on action and responses to TIP for sexual exploitation. As with available services discussed above, gaps in cooperation appear concentrated around trafficking for other forms of labour exploitation, especially visible in their absence between labour officials and police.

Study data also suggest that only Albania has a highly operational NRM. Most of the other areas reported having established, but not implemented, strong, well-functioning NRMs. In Albania, the Responsible Authority for the Protection of and Assistance to the Victims of Trafficking is composed of representatives from the Border and Anti-trafficking Sectors, Consular Directorate and Social Service Directorate. The Responsible Authority coordinates the referral process for initial assistance and protection and long-term rehabilitation of all victims of trafficking. According to study reports and informants, in some areas, for example, BiH and Serbia (GRETA, 2013 BiH and Serbia), representatives of responsible institutions also form part of a wider NRM active at the community level, which also includes regional committees and local networks set up to improve the identification, protection, assistance and rehabilitation of victims of trafficking]. Multiple informants described Albania's NRMs as "working well and is a good example. There is good communication with the social services, between governments and NGOs." At the same time, one informant noted that while the NRM represents "a very good document," some key actors are not currently involved in identifying and assisting trafficking cases, for example, labour inspectors and child protection staff.

In BiH, Kosovo, Montenegro and the former Yugoslav Republic of Macedonia, informants noted the presence of NRMs, but expressed concern over the lack of cooperation and coordination among key actors whom they felt should be involved in addressing TIP. In BiH, for example, the State Action Plan on trafficking

included a framework to design and coordinate anti-trafficking policy and action. BiH has established a composite institutional framework to design and coordinate anti-trafficking policy and action, which includes a State Coordinator, a State inter-ministerial group, as well as a Strike Force and Regional Monitoring Teams. According to study documents, the State Coordinator acts on a strategic level of implementation of anti-trafficking measures, Strike Force has dominantly operative role while investigating specific cases and Regional Monitoring Teams (made up of state and local prosecutors' offices, law enforcement agencies and NGOs), active on anti-trafficking activities at the local level (OSCE, 2012). The GRETA (2013 BiH) report highlights deficiencies in the current NRM due to law enforcement bodies creating obstacles to the identification of cases and access to assistance. Further, the resources and powers of the State Coordinator are limited to facilitating cooperation and information sharing among key actors. One informant described inter-agency cooperation between NGOs and government agencies as a 'network of informal contacts' between actors that have been involved in trafficking for many years, rather than a fully functional system of collaboration and cooperation.

Kosovo's NRM include SOPs that define the roles and responsibilities of all counter-trafficking actors, including charging the office of the National Coordinator with coordination of all stakeholders. Multiple types of informants indicated, however, that they believe that there should be better coordination among key stakeholders on identification and referral, especially at the local level.

Montenegro has an NRM structure in place that supports the cooperation of a number of key actors, but, according to several informants, its implementation has been "erratic." The National Coordinator for the Fight against Trafficking leads national efforts against TIP. The Office operates within the General Secretariat of the Government of Montenegro (government directive issued on 18.04.2013) and is responsible for coordinating the activities of competent state bodies, international institutions and NGOs in the implementation of the National Strategy and Action Plans. The Office oversees a "Cooperation Agreement", which acts as the national referral mechanism involving representatives from the Supreme Court, State Prosecution and relevant government Ministries (Interior, Health, Education, Labour and Social Protection) (National Strategy, 2012). The Office of the National Coordinator has established cooperation agreements with NGOs to providing services to people who have experienced trafficking (National Strategy, 2012). Both government and non-government informants suggested that there are gaps in the NRM's functioning, like in Kosovo, especially at municipal level. Informants similarly identified clear NRMs in the former Yugoslav Republic of Macedonia that have a number of "operational shortcomings", such as a lack of understanding of indicators of trafficking used to identify cases and, like Kosovo and Montenegro, a lack of NRM implementation at the local, community level.

The recent implementation of Serbia's NRMs through the Agency for Coordination of Protection of Human Trafficking Victims has shown some promise for realizing a higher level of operationalization. The Agency oversees the identification of cases of trafficking, confirms cases of police identification of trafficking, assesses victims' needs and coordinates assistance to them. In 2012, the Agency became the Centre for Protection of Human Trafficking Victims as part of an on-going reform of the Serbian social protection system, and plans to incorporate an emergency shelter into the NRM function. As a new NRM structure, it is still developing procedures, protocols and standards of work, but "some improvements are already visible. For example, the entire work of the Centre is transparent and visible on its websites, from monthly information on the number of persons finally identified as victims, number of persons who were not identified as trafficking victims (potential victims who were preliminary identified, but did not fulfil criteria for final identification) and their demographic" (GRETA, 2013 BiH). The means of coordinating actors responding to trafficking thus show promise in Serbia.

While Serbia's new structure suggests the potential for effective NRMs, most informants described important gaps in coordinating the actors and agencies responding to trafficking in each site. Survey data suggest a higher level of operationalization, with many of the key stakeholders involved in identifying cases of trafficking and providing needed support. In their implementation, however, it appears that the NRMs and other mechanisms are not coordinating all actors and at all levels effectively; thus, suggesting key gaps in ensuring a fully functional and comprehensive response to trafficking (see Section 3.5).

While a number of regional and bilateral counter-trafficking agreements exist, many are not operational leaving the relevant actors to rely on informal networks to coordinate cross-border responses to trafficking.

In the Western Balkans, governments and other stakeholders have established several structures to coordinate and ensure effective cross-border cooperation in responding to trafficking. These include a Transnational Referral Mechanism (TRM), as well as several law enforcement agreements, notably the Police Cooperation Convention for Southeast Europe of 2008 and the Southeast European Law Enforcement Centre (SELEC) (ICMPD, 2012). A broader regional cooperation platform relevant to TIP is the EU Strategy for Integrated Border Management, which includes cooperation in the fields of visa, asylum and migration.²⁰

A number of international and regional actors developed a TRM for the Western Balkans in 2009. The purpose of this mechanism was to support appropriate cross-border identification of cases of trafficking, as well as ensure the provision of proper protection and assistance. Parties to the TRM included ten

20 Guidelines for Integrated Border Management in the Western Balkans, http://www.eulex-kosovo.eu/training/police/PoliceTraining/BORDER_BOUNDARY/DOCUMENTS/6.pdf?page=agreements

governments, which participated in the initiative and implemented the provisions of the ICMPD led project (ICMPD, 2012). As discussed above, survey data indicate that respondents believe the TRMs to be fully or partially operational. However, extensive qualitative data across sites and informant types indicate that those parties to the regional TRM do not regard it as operational. Informants noted that high turnover in staff involved in TRM development and implementation have prevented implementation. As one informant suggested, “it seems that often people retire or move without notice and so contact points that have been established are no longer working.” As this suggests, while key parties have agreed to participate in the TRMs, these processes lack the institutionalization necessary to ensure smooth operation and transition beyond individual staff. Without institutionalization, the TRMs cannot function nor ensure a robust response to cases of trafficking in the region.

Against this background of an existing, but underused formal agreement, key actors, especially NGOs, have had to develop informal networks of cooperation to ensure appropriate responses to cases of trafficking. Informants emphasized that they have had to rely on their own personal contacts and known partners to develop support for cases of trafficking, especially for cases that require repatriation and reintegration support. At the regional level, multiple informants mentioned the existence of informal networks of cooperation, particularly among NGOs. These informal networks appeared to be most important for cases of repatriation and support for reintegration. Additionally, they exchange information and data on other issues furthering knowledge and research capacity. One informant explained that “NGOs cooperation works much better at regional level than it does at national level.” Another informant explained that “NGOs working on TIP have good relations in the Balkans – King Baudouin Foundation has supported strengthening of victim support and there opportunities to meet, discuss emerging issues and exchange regional practices.” Several informants confirmed that NGOs from the region meet regularly and have developed cooperative relationships at a regional level that have allowed them to develop the kinds of informal networks necessary to assist people who have experienced trafficking. Regional cooperation of NGOs involved in TIP has also been financially supported through EU projects in 2011-2013. This suggests that these informal networks and more complete responses happen outside of governmental channels. It appears that the cross-border gaps may be more acute both between governments and between different kinds of actors (governmental versus non-governmental).

At the governmental level, many sites have established bilateral law enforcement cooperation agreements. However, the existence of these agreements has not ensured their implementation. For example, multiple informants explained that despite existing bilateral agreements, information on trafficking cases originating from the Western Balkans is difficult to obtain through official channels. In practice, this suggests that the existence of such agreements does not automatically ensure operational level cooperation.

There are also several bilateral agreements focusing on legal aspects of police cooperation signed between Albania, Bulgaria, Croatia, and Bosnia and Herzegovina with Serbia in 2010 (Scarabelli, 2014). The Police Cooperation Convention for Southeast Europe (PCC SE) has advanced bilateral cooperation through the signing of a number of bilateral agreements with other PCC SE members.²¹ Law enforcement bilateral agreements include arrangements with the European Union, Turkey, Egypt, the Russian Federation, and Switzerland.²² There are also a number of specific agreements on TIP. Some of the most functional agreements include the Migration Dialogue Partnership with Switzerland. Switzerland has now signed memoranda of understanding on the implementation of migration partnerships with BiH, Serbia and Kosovo.²³

Informants felt that the implementation of these agreements has been inconsistent and often, are not fully operational. Examples included the failure to identify Albanian child victims of trafficking in both Kosovo and Greece, despite the existence of bilateral agreements.²⁴ Informants in Serbia and the former Yugoslav Republic of Macedonia confirmed that bilateral agreements do not necessarily ensure operational cooperation on field level. They noted that the difficulty of accessing information on cases of trafficking and lengthy and cumbersome administrative processes before being able to access assistance for them. They cited incidents in which persons who had experienced trafficking in the EU had been repatriated without ever being identified in destination countries (for example, Belgium and France) as cases of TIP. As with the NRM, it appears that while governments and NGOs have worked to develop TRMs and bilateral agreements, they are not fully functional in the region. The non- or under-operationalization of formal information sharing mechanisms constitutes a key gap in ensuring comprehensive identification, protection and assistance to cases of trafficking in and through the region.

3.5 Gaps in identification, referral and assistance

In this section, we address findings in relation to gaps identified in identification mechanisms, referral mechanisms, protection and assistance programmes, in the Western Balkans region. The findings focus on cross-cutting issues, evident in multiple sites and documents and from diverse and differently situated informants. These findings highlight gaps relating to identification mechanisms, enforcement of laws intended to protect trafficked persons, support and reintegration services and cooperation between counter-TIP actors.

21 PCC SE Implementation agreements, https://www.mvr.bg/en/pcc_see/implementation_agreements.htm

22 EC and Republic of Albania signed the Readmission, Agreement between Albania and the EC in April 20053 aiming at reducing irregular migration to neighbouring areas.

23 Migration Partnership Dialogue, http://www.sdc.admin.ch/en/Home/Themes/Migration/Migration_dialogue_in_Switzerland

24 Agreement on protection and assistance for child victims of trafficking, signed in 2006 between the Albanian Government and the Greek Government entered into force after ratification by Greece in 2008

The region lacks effective mechanisms for identifying victims of trafficking accurately and in a timely manner. This gap results in under-identification of several types and cases of trafficking.

Across the region, and across all data sources, the major gaps in the response to trafficking in persons highlighted related to the timely and accurate identification of cases of trafficking. The reasons for this problem are numerous and can be summarized to include problems with the underlying legal framework; lack of proactive identification in places where victims were likely to be found; lack of involvement of all necessary sectors; lack of capacity among key actors, often exacerbated by high turnover; and in some sites underlying lack of political commitment.

Female victims trafficked for sexual exploitation remain overwhelming the largest group of identified cases despite universal acknowledgement among stakeholders as to the existence of other forms of trafficking. Reports, respondents and survey data all highlight that, “victims of other forms of human trafficking are frequently not properly identified” and that these include male victims; victims of labour trafficking; children exploited for, in particular, begging and forced marriage; and domestic victims of trafficking.

Existing reports from organizations specifically charted with developing a nuanced understanding of NRMs and TRMs note that identification mechanisms for cases of trafficking were initially developed to respond to the stereotype of a young, adult woman trafficked through use of strong force, threats or coercion for sexual exploitation (OSCE, 2007). Interview responses across the region suggested that, although there is now recognition that trafficking involves a much broader range of end purposes, this has yet to be fully reflected in either the processes involved in identifying and supporting cases of trafficking or in the understating of this phenomenon by the full range of key actors. As a result, and despite this having been identified as a problem as early as 2005, many actors responding to trafficking have not sought to identify alternative forms of trafficking and/or different profiles of victims proactively (Surtees 2005a: 497, 513).

Problems with the underlying legal framework.

There remain major differences in the way the concept of trafficking is understood across all stakeholders, a problem exacerbated by inconsistencies in the legal definition of TIP across the region. This is clearest in BiH where trafficking in persons is defined differently across four criminal jurisdictions. In Serbia, the government has not adopted a comprehensive act aimed at combating trafficking in human beings, which would include measures to ensure social assistance to trafficking victims and resources for their recovery (ASTRA, 2010). In Albania, according to informants, the Supreme Court has stated that TIP does not include domestic trafficking.

Even in sites described as having a solid legal framework in place (such as the former Yugoslav Republic of Macedonia, Montenegro), informants noted a range of procedural issues that prevented the appropriate application of the laws, including a general lack of understanding of TIP throughout the criminal justice system and lack of knowledge about appropriate processes ranging from lack of “knowledge about which documents can be used during the investigations and punishment of these offences” (ASTRA, 2011) to a lack of knowledge/understanding of victim rights. Kosovo’s National Strategy and Action Plan 2011 - 2014, notes that “difficulties consist in different views, first of all making it distinguished between the law on trafficking of human beings and secondly in imposing punishments on the transgressors which often are minimal and thirdly lack of legislation and mechanism in protection of witness and victims.”

Lack of proactive identification in places where cases are likely to be found.

Responses across all data sources and sites noted that government officials do not “undertake any proactive measures to discover cases of trafficking in human beings in the country,” which leads to the under-identification and reporting of cases of TIP, as well as a failure to provide social support to persons who have experienced trafficking. For example, according to multiple informants in Serbia and the former Yugoslav Republic of Macedonia, “there is no person responsible in the asylum procedure for identifying victims of trafficking, police station, reception centre for asylum-seekers, section for asylum.” Informants also suggested that the authorities are failing to identify cases of trafficking among deported and other irregular migrants; child beggars; people working in red-light areas; and certain labour sectors including construction and textiles.

Not all necessary sectors are involved in identification.

Across the region, the vast majority of case identification relies on the effectiveness of the police. Informants across the region identified labour inspectors as the group most conspicuously absent from identification efforts. In addition, while varying attempts have been made to engage other actors (for example, social workers, teachers and health workers), these groups have “rarely or never reported a case.”

Lack of capacity among key actors involved in identification.

A major issue highlighted across all data sets is the “low capacity of all people who might come into contact with people who have experienced trafficking to identify them”. In particular, as multiple informants in Albania and BiH have said, “different professionals need to be aware on human trafficking and instructed on how to recognize its early signs or the trafficked person”. Specifically, government

officials from the police and social services as well as civil society organizations, do not know and need to be trained on “primary and secondary indicators that are used for identification of potential victims of trafficking.” Across the region, informants highlighted particular confusion in the area of prostitution such as the charging of trafficked victims with crimes relating to sex work. A significant barrier identified to this increase of capacity was high turnover of staff in police and social services.

Capacity-building efforts need to address the interpretation by some key actors of some TIP patterns as grounded in traditional culture practice. For example, key informants from BiH and multiple national and regional reports expressed the view that inaction by authorities is exacerbated by cultural beliefs that attribute begging and arranged marriage to the customary traditions of some minority groups – notably Roma – and thus do not regard these practices as exploitative. In BiH, the GRETA delegation was informed that forced marriages of teenage girls from the Roma Ashkali and Egyptian population are seen as “part of their tradition” and therefore not requiring intervention by the public authorities. Further, trafficking cases involving children forced to beg are often sent back to entity prosecutors on the basis that the parents of these children were the ones forcing them to beg, which is considered as ill-treatment rather than trafficking (GRETA, 2013 BiH).

It is important to highlight the cultural perspectives affect not just those charged with responding to TIP but also victims, as illustrated by the following quote from a report in Serbia:

Serbian adult men are trafficked for labour exploitation, mostly in construction sites in foreign countries. Due to cultural and patriarchal reasons (men are not prone to recognize themselves as victims), the way of exploitation (exploitation in construction industry which often involve an enormous number of victims) and unclear procedures for identification, it often happens that a significantly smaller number of victims is identified compared with the actual number of persons (Balkan Act Now, 2013).

Underlying lack of political will to acknowledge the problem, develop appropriate policy, and respond thoroughly to TIP.

Study data indicate a fundamental lack of political will to acknowledge and respond to trafficking. This lack of political will has created barriers to the development of more effective identification mechanisms. Eight online survey respondents specifically highlighted a “lack of commitment to the work by those responsible for the identification.” Informants pointed out that there are significant disincentives to closer attention by governments to the identification

of victims, which would potentially result in (1) the need for more resources for support in an environment in which donor funding has dried up and governments are faced with a range of competing priorities (2) more work for law enforcement actors and social services (3) an upward assessment of the size of the trafficking problem in the area.

Also linked to political will, a majority of the reports and key informants in the region mentioned corruption – in the form of complicity of local officials and police with traffickers – as a major barrier to combating trafficking:

Corruption is probably the most important factor in explaining human trafficking. Yet, the correlation between the two phenomena, and the actual impact of corruption on trafficking in persons, are generally neglected in the development and implementation of anti-human trafficking policies and measures. This lack of attention may substantially undermine initiatives to combat trafficking in persons and prevent the customization of responses as needed. (Balkan Act Now, 2013)

These factors are clearly inter-related and, taken together, highlight major gaps in the identification of cases across the region, particularly in respect of trafficking for the purpose of labour exploitation.

Longer-term reintegration services remain a challenge across the region.

The lack of longer-term reintegration services to support people who have experienced trafficking after they leave short-term shelter services featured prominently as a major gap across all data sources. Although one informant suggested that “protection and assistance services to people who have experienced trafficking (foreign and domestic) upon exit from the shelters are zero”, and another that “there are no efficient programmes for victims reintegration,” most informants across both the surveys and the interviews highlighted that the major issue impeding effective reintegration for people who have experienced trafficking is lack of employment support. Informants and survey respondents believe there should be “other forms of economic reintegration tailored to fit this population. Limited opportunity to access vocational training is another weakness of current reintegration programmes.”

At the same time it was noted in Albania that even where cases were able to find employment, low incomes jobs often meant that they could not afford to meet their basic living costs. This highlights a crucial point made in one report (Balkan Act Now, 2013). that most victims are returning to the same place facing the same problems that they had before they were trafficked. In particular, lack of economic opportunities motivated many people who get caught in trafficking networks to have migrated in the first place. Their situation has generally not altered upon their return, and may even be exacerbated by costs incurred through

their migration. Thus, long-term reintegration brings challenges for which adequate solutions have generally not been identified and implemented. New thinking may be required in this area, for example the greater engagement of the private sector in providing opportunities within the public sector.

Laws designed to protect people who have experienced trafficking are inconsistently operationalized and enforced in the region.

Throughout the Western Balkan region, informants identified a range of issues that suggest that victims are in general poorly served by under-utilized current legal frameworks. In the first instance, this relates to the way in which trafficking in persons is defined and interpreted but in other cases it is due to poor implementation of existing legal provisions. In BiH, for example, each of the four separate criminal jurisdictions has its own criminal code; trafficking of human beings is regarded as a separate offence in only one of them. The other three cover only trafficking for sexual exploitation. Further, Montenegrin law does not contain a definition of a victim of TIP. The GRETA report (2012) defines a “victim of trafficking” as “any person who is damaged by the acts of perpetrators of criminal offences from the area of human trafficking acts covered by the Criminal Code.” One is determined to be a ‘victim of trafficking’ legally only when ‘proven’ in court pursuant to Articles 444 or 445 of the Criminal Code.

Other countries lack a fully operational definition of trafficking. In Montenegro, for example, there is no law that defines a victim of human trafficking. One receives the legal status of ‘trafficked’ only in cases where a court issues identifies some as guilty of trafficking. In Kosovo, begging is not listed in the definition of trafficking in persons, nor in the term of exploitation. Even where trafficking is adequately defined in the law, there were reports of trafficking cases being treated as prostitution misdemeanours or labour disputes across the region.

As noted above, victims are compelled to testify in both BiH and Serbia. Also in Serbia, one NGO reported cases in which judges disrespectfully address victims by their first name, while simultaneously being respectful in addressing the others – defendants, prosecutors, attorneys, are common. The report further notes that victims are posed inappropriate questions concerning their lifestyle and the reasons for choosing such lifestyle. There have been cases where full names and surnames of victims were used in all the observed proceedings. A legal analysis also showed that the address of victims’ permanent or temporary residence was disclosed in seven trials. In BiH, GRETA was informed of a case where names of victims under special protection were leaked to the press.

In Albania, there appeared to be little legal protection for persons who have experienced trafficking. First, as one informant explained, the “procrastination of judicial processes is one of the factors that has led to the unsuccessful conclusion” of the prosecution of cases. The informants also expressed concern

over “the exposure of victims in courtrooms before criminal elements, without the possibility for secrecy and keeping information.” Other informants raised concerns about the attitude of prosecutors toward persons who have experienced trafficking. As one informant asked, “If a prosecutor who addresses the victim (of sexual exploitation) with the words, “You want to do it,” what kind of attorney is he going to be for her?” This suggests that informants have concerns about the adequacy of legal processes and personnel to protect and serve the interests of those who wish to pursue legal redress for trafficking.

Study data also suggested inadequate enforcement of trafficking laws, that, “we have only on the paper but not on operative, practical way”. Examples from answers also describe situations such as “and that where laws were enforced, they were often done so in a way that did not respect the rights of victims or serve their interests, particularly with respect to compensation.” As this quote highlights, the issue of compensation was noted as a particular gap across the region, and is indicative of the current shortcomings of the criminal justice system within the Western Balkans region in terms of supporting and protection victims of trafficking.

Many people remain underserved by available supports and services.

Multiple reports, and informants to both the interviews and the online survey highlighted that services remained predominantly shelter-based and targeted to people who have experienced trafficking for the purpose of sexual exploitation. Against a consensus view that trafficking for the purposes of labour exploitation was on a continued rise in, within and out of the Western Balkans region, victims of labour exploitation are “totally neglected.” In particular, survey respondents noted a lack of specialized support services for male cases at national and regional level. This was of particular concern, given that they regard other forms of labour exploitation as (1) on the rise, and (2) frequently involving men who are underserved by supports developed to meet the needs of women exploited in the sex industry. As one informant noted, assistance in the region is almost exclusively shelter-based, and since there were no shelters for men, any identified “male victims of trafficking are sent home.”

Multiple data emphasized the lack of supports and services for child victims of trafficking in the region. Informants from Kosovo, Serbia, BiH, Albania and Montenegro all highlighted a lack or, or inadequate specialized support for trafficked children. For example, there are few dedicated shelters available for trafficked children, as a result of which they are being housed in shelters for adult victims or shelters for children in other difficult circumstances, such as children without parental care.

Study data further indicated that children are not being appropriately treated by the criminal justice system. In Serbia, for example, “minors are summoned

to give statements over a long period of time, which is a serious obstacle for their recovery, stopping them from putting trafficking experience behind and moving on' (ASTRA, 2011). In other cases, the requirement for social workers to be assigned to assist trafficked children through legal processes is not being routinely applied.

An additional area of concern is the situation with regard to cases where the parents are complicit in the trafficking of their child. Generally, the parent or legal guardian of a minor must provide written agreement to the child's stay in a shelter and procedures to remove this requirement were noted in both Albania and Serbia as being potentially lengthy.

Lack of support and services were also noted for the Roma population, although collation and analysis of responses across all questions and data sources suggests the need to address issues affecting Roma communities in a holistic way, one that addresses (1) vulnerability factors including a lack of birth registration, which presents an obstacle obtaining proper social and medical assistance; (2) cultural attitudes both toward and within Roma community which acts as barriers to the prevention of TIP, the identification of cases and successful reintegration. One informant highlighted the need for new approaches to these issues, noting that a significant investment of resources have been invested in resolving them to little clear effect.

Few systems are in place to ensure the assistance provided to people who have experienced trafficking (1) meets minimum standards and (2) is regarded as appropriate by the people themselves.

Responses on the issue of what systems are in place to ensure the assistance provided by support programmes meets minimum standards and is regarded as appropriate by the people themselves focused on two issues: the existence and monitoring of minimum standards for assistance and services, and mechanisms for victim feedback.

With regard to the existence of minimum standards, study data highlighted that these are largely missing. In Kosovo, for example, a recent study on shelters found that, while minimum standards of care are being met, the quality of services was assessed as barely acceptable. Licensing and certification of shelters was suggested as a method of improving the overall approach to, and quality of, service provision. This suggestion is also under consideration in BiH, where the government intends to address the current lack of minimal standards for shelters who want to sign a protocol with the government in order to house victims (OSCE, 2009). Concerns over quality of services were expressed in Serbia, focusing on the fact that state services/agencies included in the national referral

mechanism are not transparent in their work and that it is therefore difficult for external actors to monitor the quality of assistance provided to victims and victim assistance process generally.

Mechanisms to solicit feedback from people who have experienced trafficking regarding the quality of services they are receiving have been developed in the former Yugoslav Republic of Macedonia, Serbia and Albania. These appear to be functioning only in Albania, where there are social service standards for victim feedback in all residential shelters, including those for victims of trafficking. Government sources report that each shelter has a logbook for complaints with a column for solutions. There is also an anonymous complaints box in every shelter that is opened every month by a representative of the Social services municipal office, together with a shelter resident. Shelter residents also complete a client satisfaction questionnaire every three months and “we get some extraordinary ideas and feedback.” The National Coalition for Anti-Trafficking Shelters (three NGO and one government shelter) has established indicators for the support and reintegration of victims, drawing on an internationally recognized monitoring manual (Surtees, 2010).

In Serbia, one informant reported that the Center for Protection and Assistance to Victims of Trafficking has developed a case monitoring sheet for each victim's individual rehabilitation plan, which would include victim's feedback, etc. This has however not been implemented yet. In the former Yugoslav Republic of Macedonia, one informant reported that there is a form given to the trafficked person once she leaves the shelter. The informant stated that it is unclear whether this information is further analysed and used in any way.

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4. VALIDATION WORKSHOP

The final component of the needs assessment involved a meeting of stakeholders held in Skopje, the former Yugoslav Republic of Macedonia in May 2014 (see Appendix G for workshop participant numbers and organizations). The purpose of this workshop was to (1) review and discuss the preliminary findings of the needs assessment, and (2) further refine stakeholders' priorities for addressing regional gaps, needs and means by which to develop a more robust response to trafficking in its current and multiple forms. All workshop participants first reviewed and discussed the preliminary findings and recommendations of the needs assessment (see Appendix H for the workshop presentation). They then broke into smaller workgroups to discuss and prioritize the recommendations. After the small group discussion, they came back to the larger group to present and further discuss how to refine and prioritize among the recommendations. Tables 4.1 and 4.2 present the outcomes of these workshop activities.

4.1 Prioritizations from workshop small groups

Stakeholders from each site, joined by representatives of IGOs and donors, formed six work groups by site (Albania, BiH, Kosovo, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia). Each group was asked to prioritize and rank all recommendations in chronological order by area of greatest importance and need to them. They were also asked to discuss and refine the specific focus and wording of 2-3 recommendations assigned to their group, as needed. After completing this exercise, each group reported their priorities and refinements to the entire group. Table 8 summarizes the priority assigned to each recommendation.

Table 8: Small Group Prioritization of Recommendations

Area	Recommendation	Priority assigned
Identification	<p>Consider involving a wider range of actors in the proactive identification of victims of trafficking. These actors should include: labour inspectors, health practitioners, social workers and teachers</p> <p>Revised recommendation: Review existing structures at the local and central level, involve, train, incorporate into existing mandate, institutionalize into a system, a wider range of actors in proactively referring potential victims for identification: labour inspectors, health practitioners, social workers, community leaders and teachers</p>	1
	<p>Build the skills and capacity of police — and other actors brought into the process – to identify cases of trafficking, including to screen, interview and referral cases appropriately</p> <p>Revised recommendation: Build sustainable skills and capacities of police for early detection and identification</p> <p>Comments: Considered a priority number one (1) priority for Albania, Kosovo, Former Yugoslav Republic of Macedonia</p>	1
	<p>Strengthen the capacity and motivation of non-police actors responsible for identifying victims of trafficking</p> <p>Comment: avoid the use of term such as ‘non-police actors’; include strengthening motivation and skills for preliminary (early) identification</p>	2

Area	Recommendation	Priority assigned
	<p>Pursue a proactive approach to the identification of trafficking cases by:</p> <ul style="list-style-type: none"> a. Encouraging labour inspections in sectors most at risk (e.g. agriculture, hotels and entertainment, construction, small scale factories, fishing) b. Developing outreach systems to those involved in high risk activities such as begging, domestic work and sex work c. Implementing screening procedures among irregular migrants, asylum-seekers and deportees d. Develop new methods to facilitate the self-identification of victims <p>Revised Recommendation: Pursue a proactive approach to the identification of trafficking cases by:</p> <ul style="list-style-type: none"> e. <u>Encouraging labour inspections in sectors most at risk (e.g. construction companies, private employments agencies, hotels and entertainment sites, small scale factories.)</u> f. <u>Developing outreach systems to those involved in high risk activities such as begging, domestic work, sex work, agriculture, street children and children involved in petty crime.</u> g. <u>Implementing screening procedures among irregular migrants, asylum-seekers and deportees, returnees under readmission agreement and unaccompanied minors.</u> h. <u>Develop new methods to facilitate the self-identification of victims</u> <p>Comments: Considered a priority for Serbia, BiH, Former Yugoslav Republic of Macedonia</p>	2
Support	<p>Provide more services to all victims, not just those who have experienced sexual exploitation. In particular, consideration should be given to providing more community-based/non-shelter alternatives for those people who do not wish, or would not benefit from, placement in shelters¹</p> <p>Revised Recommendation: No revision</p> <p>Comments: Services include; establishing vocational centres, professional learning and career development centres. Include services enabling job placements (social business). Encourage and develop partnership with business entities.</p>	4
	<p>Develop and implement dedicated support services for child victims of trafficking, tailored to their specific needs</p> <p>Revised recommendation: None</p> <p>Comments: Considered a Regional priority</p>	3

Area	Recommendation	Priority assigned
	<p>Improve the quality of services by (1) implement standards and certification for organizations providing victim support, including in shelters, (2) monitoring new and existing standards, and (3) collecting and using appropriate victim feedback mechanisms based on international standards</p> <p>Revised recommendation: Improve the quality of services by (1) <u>develop</u> and implement standards and certification for organizations providing victim support, including in shelters, (2) monitoring new and existing standards, and (3) collecting and using appropriate victim feedback mechanisms based on international standards</p> <p>Comment: Adherence to the principle of participation in designing and creating services</p>	3
	<p>Deliver long-term, sustainable reintegration support for all victims, including access to local and national social protection systems and supports</p> <p>Revised recommendation: Deliver long-term, sustainable reintegration support for all victims, especially children, including developing capacities and access to local and national social protection systems and supports</p>	4
Cooperation	<p>Increase cooperation and coordination among national actors responding to trafficking</p> <p>Revised recommendation: Increase <u>national and cross border/ regional cooperation and coordination involving various</u> national actors responding to trafficking</p> <p>Comment: Regional cooperation is very important for all representatives of the WB. Considered a priority for Former Yugoslav of Macedonia, BiH and Serbia</p>	1
	<p>Strengthen international cooperation through improved implementation and institutionalization of the regional TRM, strengthened cross-border cooperation and joint investigation teams</p> <p>Revised Recommendation: no revision</p>	8
Criminal Justice	<p>Strengthen the capacity of criminal justice actors to protect victims of trafficking and prosecute traffickers to the full extent of the law</p> <p>Revised recommendation: Strengthen the capacity of criminal justice actors to protect <u>and support</u> victims of trafficking and <u>efficiently</u> prosecute traffickers to the full extent of the law</p>	7

Area	Recommendation	Priority assigned
	<p>Strengthen support for victims within the criminal justice process, including full implementation of the reflection period, support during the legal process, and assistance in seeking compensation</p> <p>Revised recommendation: Strengthen support for victims within the criminal justice process, including full <u>observance</u> of the reflection period <u>and clear incentives for victims to use it</u>, support during the legal process <u>including legal guardians</u>, and assistance in seeking compensation, <u>foresee and implement provisions for freezing and confiscations of traffickers' assets</u></p> <p>Comment: Ensure implementation of specific provisions for children involved in criminal justice process</p>	4
Government	<p>Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked persons</p> <p>Revised recommendation: Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked person, <u>particularly in support of long term integration support</u></p> <p>Comments: Establish permanent financing for reintegration (from lottery or other victim compensation funds), develop monitoring mechanism for long-term reintegration programmes, and establish grant schemes for long-term reintegration programmes. Considered a priority by Former Yugoslav Republic of Macedonia, BiH, Montenegro</p>	4
Attitudes	<p>Incorporate activities to address attitudes that hinder the response to trafficking into relevant trainings, awareness raising campaigns and skills building workshops.</p> <p>Revised Recommendation: Incorporate activities to address attitudes that hinder the response to trafficking into <u>specialised trainings for all actors involved in identification, prosecution, assistance and protection of victims of trafficking in persons and other forms of exploitation</u>, awareness raising campaigns (aimed at the general public) and skills building workshops</p> <p>Comments: Considered a priority for BiH, Former Yugoslav Republic of Macedonia and Montenegro; recommended to include activities of public awareness raising on labour exploitation, awareness raising on issues on child begging and child marriages in accordance with 'common law' practices</p>	10

4.2 Prioritizations and refinements from workshop full group

As suggested, stakeholders from each site, joined by representatives of IGOs and donors, prioritized and ranked the recommendations in chronological order by area of greatest importance and need to them. Table 9 summarizes the priority assigned to each recommendation by the workshop participants and frequency (i.e. number of times each priority has been chosen by the participants) for each priority.

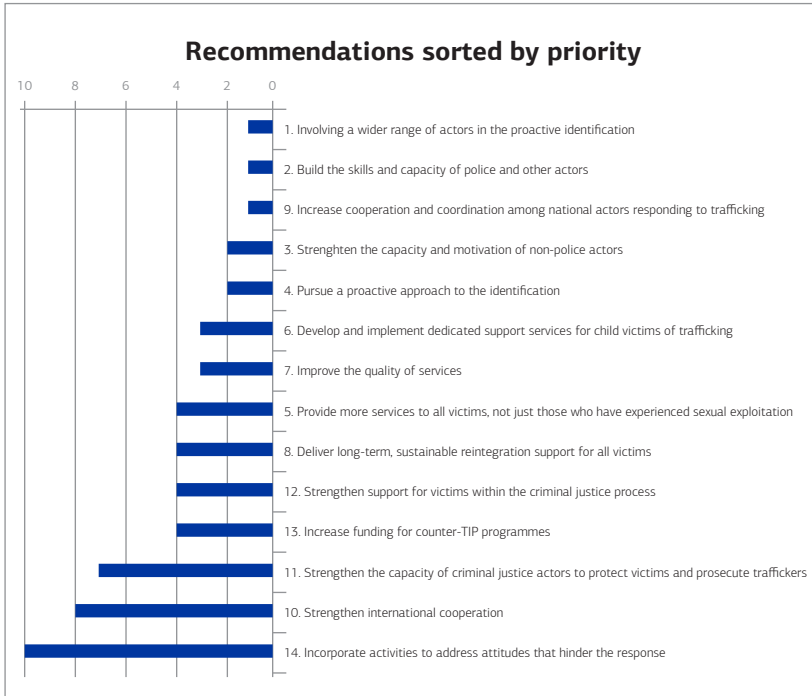
Table 9: Full Group Prioritization (frequency)

Area	Recommendation	Assigned priority	Frequency (Number of choices)
Identification	Consider involving a wider range of actors in the proactive identification of victims of trafficking. These actors should include: labour inspectors, health practitioners, social workers and teachers	2	2
	Build the skills and capacity of police — and other actors brought into the process – to identify cases of trafficking, including to screen, interview and referral cases appropriately	1	1
		2	1
	Strengthen the capacity and motivation of non-police actors responsible for identifying victims of trafficking	2	1
	Pursue a proactive approach to the identification of trafficking cases by: Encouraging labour inspections in sectors most at risk (e.g. agriculture, hotels and entertainment, construction, small scale factories, fishing) Developing outreach systems to those involved in high risk activities such as begging, domestic work and sex work Implementing screening procedures among irregular migrants, asylum-seekers and deportees Designing new methods to facilitate the self-identification of victims	1	1
		1	1

Support	Provide more services to all victims, not just those who have experienced sexual exploitation. In particular, consideration should be given to providing more community-based/non-shelter alternatives for those people who do not wish, or would not benefit from, placement in shelters ²	2	1
		4	1
		6	1
	Develop and implement dedicated support services for child victims of trafficking, tailored to their specific needs	4	1
		5	1
	Improve the quality of services by (1) developing standards and certification for organizations providing victim support, including in shelters, (2) monitoring new and existing standards, and (3) collecting and using appropriate victim feedback mechanisms based on international standards	3	1
	Deliver long-term, sustainable reintegration support for all victims, including access to local and national social protection systems and supports	3	1
		5	1
Cooperation	Increase cooperation and coordination among national actors responding to trafficking	1	1
		5	1
	Strengthen international cooperation through improved implementation and institutionalization of the regional TRM, strengthened cross-border cooperation and joint investigation teams	1	1
		8	2
Criminal Justice	Strengthen the capacity of criminal justice actors to protect victims of trafficking and prosecute traffickers to the full extent of the law	4	1
		7	1
	Strengthen support for victims within the criminal justice process, including full implementation of the reflection period, support during the legal process, and assistance in seeking compensation	4	1
		8	1
Government	Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked persons	1	2
		3	1
Attitudes	Incorporate activities to address attitudes that hinder the response to trafficking into relevant trainings, awareness raising campaigns and skills building workshops.	9	1
		10	1
		14	2

Table 10 reports the recommendations as prioritized by the stakeholder's workshop participants during the full group discussion. The recommendations are ranked according to priority starting with those of the highest priority and ending with the recommendation assigned the lowest priority by the participants.

Table 10: Recommendations sorted by priority



4.3 Workshop participant comments

After the workshop, IOM provided the participants with an opportunity to give additional written feedback on the draft IOM Western Balkans Needs Assessment Report. The purpose of requesting written comments was to ensure that participants could fully (1) review and comment on the preliminary findings of the needs assessment, and (2) refine priorities and recommendations for addressing regional gaps and help build a more robust and effective response to TIP in the region.

Representatives from four of the six participating sites provided written feedback. While these comments did not alter the findings and recommendations drawn from the desk review, interviews and surveys, they did provide refinements and corrections as well as updated information on legal and policy decisions related to TIP. This report reflects these refinements and corrections.

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5. CONCLUSIONS AND RECOMMENDATIONS

This section offers conclusions about areas of need that stakeholders identified as in need of development in pursuit of a comprehensive response to trafficking in the Western Balkans. These conclusions are divided into the following six key subtopics: (I) identification of cases of trafficking; (II) support and reintegration services; (III) cooperation at the national and international level; (IV) the criminal justice process; (V) government commitment and resources; and (VI) responding to norms and attitudes surrounding TIP.

The conclusions are followed by recommendations pertaining to each sub-topic. The recommendations follow from the findings presented in Section 3. In line with the objectives of the needs assessment, the initial recommendations aim to address the primary gaps and priorities identified at the regional level. These recommendations also reflect the recommendations most commonly made by interview informants and survey respondents. As such, not all recommendations will be equally relevant to each site. We also include several additional, site-level recommendations and priorities for action. There are 15 consecutively numbered recommendations ordered by topic; the order in which the recommendations appear does not reflect their importance.

I. Identification of trafficked persons

As highlighted in Section 3.5, the overwhelming priority identified in the needs assessment is the need to improve the identification of cases of trafficking. While, as one informant explained, “ensuring efficient mechanisms for reliable identification of victims is undoubtedly one of the most sensitive components in the overall system of combating this phenomenon,” it clearly constituted the top issue study participants felt needs to be strengthened throughout the region. Currently, respondents view the identification of cases as largely reactive and focused heavily on trafficking for the purpose of sexual exploitation. It tends to be driven by police and border officials, with some occasional but often

insufficient involvement of social workers and NGOs. Other actors, in particular labour inspectors, are reportedly either not formally involved in identification, not active in, or face barriers to fulfilling their responsibilities. Respondents felt, however, that “the inclusion of a greater number of actors for the identification of victims of trafficking provides a greater opportunity to serve them [victims] at the right time.” As this quote reflects, study data indicated a widely held view that the range of actors involved in identification of cases of trafficking needs to be expanded, especially to non-governmental actors. In addition, there was a strongly expressed need to “improve skills of police to implement effectively the SOPs and National Referral Mechanism” and to “further train labour inspectors, health practitioners, law enforcement authorities, teachers, and social service workers to improve victim identifications and understanding of Standard Operating Procedures (SOPs).” Study respondents considered training and capacity-building of both traditional and non-traditional actors an absolute priority and means by which to improve identification processes and procedures.

Along with expanding the range of stakeholders involved in identification and improving their relevant skills, respondents believe there needs to be a more proactive approach to identification. Such an approach should include a range of methodologies, depending on whether the location of those at risk constitute a formal workplace, an informal workplace or home, or another venue such as a border crossing point or immigration detention/reception centre. This work must also be decentralised and disseminated to local communities and rural areas rather than focusing exclusively or predominantly on capital cities. Respondents want to see identification processes developed that involve clear rules, procedures, and tailored victim screening criteria and guidelines. They also advocated for the use of modern technology to address language barriers and potentially other challenges to identification.

Specific recommendations to improve identification include the following:

1. *Consider involving a wider range of actors in the proactive identification of cases of trafficking. These actors should include: labour inspectors, health practitioners, social workers and teachers*

Supporting recommendations at the site level include:

- BiH: Strengthen the involvement of the education and health sector in identification and referral;
- The former Yugoslav Republic of Macedonia: Enhance the role and work of the labour inspectorate in identification;
- The former Yugoslav Republic of Macedonia: Allow organizations working independently from the state to formally identify trafficked persons;
- Serbia: Promote multi-agency involvement in identification by formalizing the role and input of specialised NGOs and involving other relevant actors, such as labour inspectors, social workers and medical staff.

2. *Work to build the skills and capacity of police — and other actors brought into the process – to identify cases of trafficking, including to screen, interview and referral cases appropriately*

Supporting recommendations at the site level include:

- Serbia, Montenegro: Provide frontline staff with operational indicators, guidance and toolkits to be used in the identification process and update them regularly to reflect new modalities of TIP;
- Albania, Kosovo, Montenegro: Enhance border control capacity to detect and identify trafficked persons;
- Albania: Improve the identification capacity of border police with regard to particular categories of cases, such as adult men and cases of internal trafficking;
- The former Yugoslav Republic of Macedonia: All police units should be trained to identify cases, not only specialized units whose coverage is limited and do not necessarily know the situation in local communities.

3. *Strengthen the capacity and motivation of all actors responsible for identifying cases of trafficking*²⁵

Supporting recommendations at the site level include:

- Albania, BiH: Raise the awareness of labour inspectors on the phenomenon of trafficking to enhance their capacity to identify and report possible cases;
- Montenegro: Develop multi-agency training on the identification of trafficked persons for frontline staff, including law enforcement officials, labour inspectors, social workers, medical staff, staff of special institutions for children and NGOs.

4. *Pursue a proactive approach to the identification of trafficking cases by:*

- a. Encouraging labour inspections in sectors most at risk (e.g. agriculture, hotels and entertainment, construction, small scale factories, fishing);***
- b. Developing outreach systems to those involved in high risk activities such as begging, domestic work and sex work;***
- c. Implementing screening procedures among irregular migrants, asylum-seekers and deportees;***
- d. Designing new methods to facilitate the self-identification of cases.***

²⁵ Following in put from the stakeholder workshop, this recommendation was changed from "non-police actors" to "all actors".

Supporting recommendations at the site level include:

- BiH: Develop and implement clear rules and procedures for the identification of trafficked persons, especially domestic cases and children involved in begging;
- Montenegro: Introduce a checklist to identify potential trafficking cases during the visa application system and regularly update the indicators to reflect the changing nature of TIP;
- Montenegro: Ensure that law enforcement officials, social workers, labour inspectors and other relevant actors adopt a more proactive approach to identification and increase their outreach work to do so;
- The former Yugoslav Republic of Macedonia: Enhance the capacity to identify trafficked persons among irregular migrants;
- Serbia: Define indicators for the identification of children and adult victims in all phases of TIP.

II. Support and reintegration services for trafficked persons

The needs assessment identified several concerns with respect to the range of support, and especially reintegration services, available. Several types of study data noted that services remain predominantly shelter-based and targeted to cases of trafficking for the purpose of sexual exploitation. Minimum standards for shelters and other support services for victims were not routinely in place and monitored throughout the region, while only Albania systematically seeks feedback from the people who have experienced trafficking on the relevance and quality of the services provided to them.

Mirroring concerns expressed about identification processes, respondents consider that many types of cases remain underserved, or poorly served, by existing services. Most acutely among them, significant concern was expressed in at least five sites that there is inadequate specialized support for trafficked children. Men are also a key group for whom targeted, and in many cases any, services are not available. While several respondents noted that there are no shelters in the region for men, others saw this problem that reflects the general lack of services for all cases of trafficking.

Respondents placed particular emphasis on gaps in support for longer-term reintegration, especially the sometimes complete lack of services to support employment training and to secure long-term economic independence. Localities also lacked connections between support services and other existing social services within communities. This is tantamount to placing victims in the same situation that made them vulnerable to trafficking in the first place, a key factor in trafficking that appeared often completely absent and respondents wanted to see redressed.

Based on these identified gaps in support for the recovery and reintegration of trafficked person, specific recommendations include the following:

5. *Provide more services to all cases, not just those who have experienced sexual exploitation;*
6. *Provide more community-based/non-shelter alternatives for those people who do not wish, or would not benefit from, placement in shelters;*
7. *Develop and implement dedicated support services for child victims of trafficking, tailored to their specific needs.*

This includes creating specialised programmes for integration of children, provision of adequate support to foster families as appropriate and improving the capacities of employees at child-care institutions.

Supporting recommendations at the site level include:

- Albania: Sensitize donors to the importance of grants and fundraising for reintegration;
- BiH: Clearly include child protection in strategic documents and administrative instructions/ protocols;
- Kosovo: Consider co-sharing costs related to the care, assistance and reintegration of victims among the ministries and governmental agencies with responsibility for responding to trafficking;
- Montenegro, Serbia: Develop or improve specialized programmes for providing assistance to child victims of trafficking from identification through to reintegration;
- Montenegro: Facilitate the reintegration of victims of trafficking into society and avoid re- trafficking by providing them with vocational training and access to the labour market;
- Serbia: Provide training to foster-care families and sensitize employees of child-care institutions on the needs and appropriate treatment of their clients.

8. *Improve the quality of services by (1) developing standards and certification for organizations providing support, including in shelters, (2) monitoring new and existing standards, and (3) collecting and using appropriate feedback mechanisms based on international standards*

Supporting recommendations at the site level include:

- BiH: Develop standardized rules and procedures to assist domestic trafficked persons;
- BiH: Improve and strengthen short-term assistance and protection (quality and quantity);
- BiH, Kosovo: Introduce shelter certification and licensing;
- The former Yugoslav Republic of Macedonia: Improve the overall quality of assistance and ensure that essential services are provided free of charge. "Free means free. Not only free on paper";

- Montenegro: Ensure that conditions provided in shelters for trafficked persons are adequate and adapted to their special needs
- Serbia: Introduce feedback procedures to monitor assistance provided to trafficked persons after their return to of the area of origin.

9. *Deliver long-term, sustainable reintegration support for all cases, including access to local and national social protection systems and support*

Supporting recommendations at the site level include:

- BiH, Kosovo, Serbia: Devise systems and mechanisms to ensure people are assisted in longer-term reintegration and rehabilitation processes;
- Montenegro: Facilitate the reintegration of trafficked persons and avoid re-trafficking by providing them with vocational training and access to the labour market.

III. Cooperation at the national and international level

As detailed in Section 3.4, study data suggest that while across the region have developed some form of national cooperation structure, only Albania has a highly operational NRM and even there, not all signatories are actively engaged. The strengthening of inter-sectorial and inter-institutional cooperation on all counter-trafficking efforts was identified as a priority across the region, with specific emphasis placed on strengthening cooperation between law enforcement officials and other actors.

Respondents noted similar issues with respect to cross-border and international cooperation, highlighting that while mechanisms were largely in place, they were not always fully operational. In particular, several respondents highlighted the need to “exchange of information based on TRMs, with countries of origin and destination.” Specific recommendations related to cooperation and coordination among relevant national actors include:

10. *Increase cooperation and coordination among national actors responding to trafficking in persons*

Supporting recommendations at the site level include:

- BiH, Kosovo: Improve coordination among key stakeholders involved in identification and referral;
- The former Yugoslav Republic of Macedonia: Clarify leadership roles and specific responsibilities of each actor in the NRM;
- Montenegro: Introduce an operational national referral mechanism and identify roles and procedures for all frontline staff likely to come into contact with trafficked persons;
- Serbia: Regulate and formalize the position of the National Coordinator.

11. Strengthen international cooperation through improved implementation and institutionalization of the regional TRM, strengthened cross-border cooperation and joint investigation teams

Supporting recommendations at the site level include:

- BiH, the former Yugoslav Republic of Macedonia, Serbia: Revive current or previous iterations of the TRMs;
- The former Yugoslav Republic of Macedonia: Clarify the SOP on the exchange of information at the transnational level and share existing good practices in this area.

IV. Criminal justice processes

Throughout the Western Balkan region, respondents identified a range of issues related to how underserved people who have experienced trafficking are by current legal frameworks and the way that these are applied in each site. Study data highlighted how (1) enforcement of relevant laws is inconsistent; (2) victims were often not appropriately supported during legal processes and in some cases, treated poorly by criminal justice actors; and (3) legal process have failed to provide compensation to victims. Specific recommendations related to the criminal justice sector include:

12. Strengthen the capacity of criminal justice actors to protect people who have experienced trafficking and prosecute traffickers to the full extent of the law

Supporting recommendations at the site level include:

- BiH, Montenegro: Improve the knowledge and sensitivity of judges, prosecutors, investigators and lawyers about the existence, signs, and rights of victims;
- BiH, Montenegro: Provide training to all professionals responsible for the provision of assistance and protection measures to trafficked persons.

13. Strengthen supports within the criminal justice process, including full implementation of the reflection period, support during the legal process, and assistance in seeking compensation

Supporting recommendations at the site level include:

- Albania, Serbia: Introduce specific articles in the criminal procedures code on victims compensation and establish a special state fund to compensate people who have experienced trafficking;
- Montenegro: Implement additional measures to ensure that trafficked persons are adequately informed, protected and assisted during the investigation, pre-trial period and court proceedings;

- Serbia: Adopt appropriate measures aimed at protecting victims and training members of the Witness Protection Unit on how to work with and support them.

V. Government commitment and resource allocation

Survey and interview data highlighted the need “to increase the political will and commitment of governments”, and specifically to increase funding for NGOs and institutions who support trafficked persons. They noted that the majority of financial assistance for victim support to date has been provided by external funders, even where government’s had made commitments to provide it. They stressed that “what is needed is the strong commitment of the Western Balkan authorities, not conditioned by any other pending bi-/ tri-/ or multilateral commitment, of political or other character” to ending trafficking. Specific recommendations related to governmental commitment include:

14. Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked persons

Supporting recommendations at the site level include:

- Albania: Provide adequate state funds to ensure the quality of the services;
- BiH: Improve access to, and disbursement of funds under the ‘intervention budget’ to cover short-term assistance and protection for cases;
- Kosovo: Identify ways to share costs related to the care, assistance and reintegration of people among the ministries and governmental agencies with related interest/responsibility for combating TIP;
- Kosovo: Increase financial support to NGOs providing shelter and services to victims, using municipal budget allocations or in-kind contributions (land, premises, etc.);
- Kosovo: Introduce the concept of social enterprises to allow NGOs to receive governmental grants for income generating activities targeting employment for marginalized and/or disadvantaged sectors of the community;
- Kosovo: Appoint advocacy counsellor to facilitate the implementation and management of the Tracking Assistance and Reparation Funds to people who have experienced trafficking;
- Montenegro: Ensure that all the signatories of the Memorandum of Co-operation effectively fulfil their responsibilities to provide financial assistance to at risk communities;
- Kosovo: Issue administrative instructions to allow tax deductible in-kind charitable contributions from private businesses for NGOs providing shelter and services to victims;
- Serbia: Demonstrate greater political will to fight TIP by earmarking budget allocations.

VI. Attitudes that hinder the response to trafficking in persons

The needs assessment raised a number of issues related to attitudes that appear to hinder the development and implementation of effective responses to TIP. These attitudes were found with respect to:

- Motivation to identify cases of trafficking, as indicated by the quote, “they have the capacity but they do not care enough”;
- A tendency of some key actors to regard some forms of trafficking as cultural practice, notably child begging and forced marriage;
- Stigma and discrimination in communities against victims of trafficking for sexual exploitation;
- Failure by both key stakeholders and victims of trafficking for labour exploitation to recognise this experience as trafficking;
- A reported failure of governments within the region to allocate sufficient budget to trafficking in persons, even where they have made a commitment to doing so.

Addressing societal attitudes and norms is a highly sensitive area and requires a long-term commitment to developing alternatives, factors that lead to a reluctance of external funders in particular to support programmes that address these issues. It is difficult to see, however, how strong progress can be made without addressing some of these barriers. Specific recommendation includes the following:

- 15. Incorporate activities to address attitudes that hinder the response to trafficking into specialised trainings for all actors involved in identification, prosecution, assistance and protection to persons experiencing exploitation, awareness raising campaigns and skills building workshops²⁶***

The inclusion of activities that draw out and address negative attitudes and stereotypes of people who have experienced trafficking does not require a high level of resources. Significant resources have already been spent on stand-alone awareness raising activities without any proven impact or effects. Informants would like to see resources spent on campaigns that can address the kinds of negative attitudes about victims as irregular migrants or criminals that prevent the full implementation of effective responses to trafficking. Consideration might be given to engaging appropriate communications expertise and redirecting efforts into campaigns that go beyond simply defining trafficking. Campaigns should focus instead on more relevant efforts to build cultural understanding of TIP, redress negative attitudes toward people who may have experienced it, and decrease tolerance for practices that amount to, or contribute to it.

²⁶ This recommendation was revised in response to comments received at, and after, the stakeholders' workshop.

Supporting recommendations at the site level include:

- Albania: Increase the victims' awareness/understanding that they are victims of a crime and are not guilty of what has happened to them;
- Albania, BiH: Address and improve border police, judge, and prosecutor attitudes toward people who have experienced trafficking;
- Montenegro: Include training modules aimed at changing negative attitudes and prejudices with respect to victims of trafficking.

Needs Assessment:
Human Trafficking in the
Western Balkans

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(Footnotes)

1 To increase clarity, this recommendation was divided into two separate recommendations after the stakeholders' workshop. Section 5 includes the two separate recommendations that resulted from this revision.

2 To increase clarity, this recommendation was divided into two separate recommendations after the stakeholders' workshop. Section 5 now includes the two separate recommendations that resulted from this revision.

APPENDIXES



IOM Development Fund

Developing Capacities in Migration Management

Appendix A

Terms of Reference (ToR)

Consultant(s) to carry out the Needs Assessment Research: the Regional Counter Trafficking Situation in the Western Balkans

Vacancy Notice No:	N/A
Duty Station:	Skopje-or home based
Position Title:	Researcher (two positions) ¹
Type of Appointment:	Short-term Consultant(s)
Coverage of the	Albania, Bosnia and Herzegovina,
Research:	UNSC administered Kosovo,
Duration	FYROM, Montenegro and Serbia.
	7 months
Application Deadline:	10 September 2013

1. BACKGROUND INFORMATION

As a result of its geographic location and the region's relative economic situation as compared to its European Union neighbours, the Western Balkan (WB) countries² have a history of being countries of origin, transit and destination for victims of human trafficking (VoTs). As the current borders of the European Union have expanded to include countries in and bordering the WB region, irregular migration flows have also shifted, with many WB countries experiencing an influx of irregular migrants, as well as migrants arriving from new countries of origin. These new migration flows contribute to the vulnerability of certain groups, as well as may present certain security risks. In this regard, concerns have been raised that that VoTs are neither being properly identified nor are being referred to relevant national agencies within the region. As a result, the scale of human trafficking situation may be substantially underrepresented by countries in the region and, consequently, not adequately prioritized by governments and donors. Finally, many of the WB countries have also begun the process of aligning their legislative frameworks to meet the requirements of the European Union and despite the fact that they all are at different levels of progress, external stimulation and support is needed to keep up with the evolving EU standards and requirements. Given its long-time struggle with trafficking in persons (TIP), the influx of regional extra-regional migrants and the implementation of new counter trafficking (CT) legislation, the need for a comprehensive analysis of the TIP situation is critical to assess the region's current needs.

2. OBJECTIVE OF THE RESEARCH

The research's **main objective** is to generate the necessary evidence to improve current legislation and programmes addressing the issue of Trafficking in Persons (TIP) in the Western Balkans. The project consists of a needs-assessment of the existing CT mechanisms in the region and shall evaluate the current TIP situation in particular **on the identification and referral of (potential) victims of human trafficking** in order to determine:

¹ IOM is looking for a research team to conduct the needs assessment. The research team will include two researchers: one lead and one secondary. The secondary researcher will assist and support the lead researcher in the implementation of all of the activities and actively contribute to the achievement of the research objectives.

² For the purpose of this proposal, the Western Balkans region includes: Albania, Bosnia and Herzegovina, UNSC administered Kosovo, FYROM, Montenegro and Serbia. Croatia is not included in this proposal as the country recently joined the European Union.

1. which aspects of CT efforts throughout the region urgently need to be addressed and
2. possibilities for regional cooperation on CT issues.

In order to fully achieve the research team shall work closely with representatives of IOM in the targeted missions, as well as with the office of the EU Anti-Trafficking Coordinator, CoE GRETA, USAID and J/TIP.

3. TASKS

3.1 Lead Researcher (individual or entity)

- a. Develop an appropriate **research methodology** to achieve the objective stated in Part 2 and the outputs set in Part 4;
- b. Carry out a **desk review** of current legislation, official government strategies/action plans, key policies and programmes relevant for CT, and regional cooperation agreements related to CT issues, with a focus on identification and referral of (potential) victims of human trafficking.
- c. Carry out a **comparative analysis** of local/national/governmental statistics relating to identified VoTs with externally-sourced statistics, including those gathered by European Institutions and EU Member States relating to the VoTs identified from, or having transited, the WB region; especially in relation to the referral mechanisms (e.g. Transnational Referral Mechanisms) from EU MS to WB countries.
- d. Develop and carry out **quantitative and qualitative surveys** addressed to specific target groups (e.g. relevant government officials, civil society representatives and beneficiaries of existing programs) will be conducted to identify and benefit VoTs.
- e. Carry out **in-depth interviews** with government officials, representatives of civil society organizations that work with VoTs, and potential and actual VoT beneficiaries identified. Empowerment methods will be included to involve stakeholders in identifying and targeting most crucial and important gaps and challenges to address, as well as strengths and assets acknowledged.
- f. Integration of all aforementioned tasks and development of a **Research Report** (in English) synthesizing all found qualitative and quantitative data and analysis, including recommendations. The Report should be in line with IOM Publications Guidelines.
- g. Presentation of the research findings to relevant stakeholders and policy makers at a **regional validation workshop**.

3.2 Secondary Researcher

- a. Be part of the Research Team and support the implementation of the methodology developed by the Lead Researcher.
- b. Support the Lead Researcher in analysing quantitative and qualitative surveys received.
- c. Support the Lead Researcher in conducting in-depth interviews with government officials, representatives of civil society organizations that work with VoTs, and potential and actual VoT beneficiaries identified, as agreed with the Lead Researcher.
- d. Liaise with IOM field missions and with relevant counterparts in order to support the implementation of the research methodology.
- e. Assist the Lead Researcher in the finalization of the Research Report, especially proofreading and editing.

4. EXPECTED OUTPUTS

The implementation of the tasks set will lead to the following **outputs**:

- a. A **comprehensive Research Report** analysing existing CT mechanisms that each country already has in place and indicating needs and opportunities for regional collaboration to engage in CT activities. The report will also include an overview of recent changes in TIP trends in the region. The focus of the report is on challenges, gaps and suggestions related to improving the identification and referral of (potential) victims of human trafficking.
- b. A **list of recommendations** for policy makers to address the needs of, and gaps in, CT efforts identified by the research, as well as areas in which local and regional capacities may be developed to better engage in CT efforts.

- c. The presentation of a comprehensive final report and the list of recommendations to relevant stakeholders and policy makers at a **regional validation workshop** focused on stakeholders and policy makers' engagement and empowerment in further CT actions.

These project outputs should serve as a basis for future CT projects in the region and reinvigorate funding from donors that were previously invested in the region. The clear identification of ongoing problems and evolving new trends in TIP will serve as a platform from which new projects can be proposed, as well as areas in which IOM can further assist with capacity building.

5. TIMEFRAME OF THE CONSULTANCY

7 months: October 2013 - April 2014

6. TIMETABLE, ROLES AND RESPONSIBILITIES
A detailed work plan showing each activity, the person(s) responsible and the time frame required for completion.

Activity	Party responsible	Time frame						
		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7
Desk Review of current legislation, official government strategies and Action Plans, and other relevant official documents and reports	Lead and Secondary researcher							
Statistical Comparison between local and extra-regionally-sourced data relating to identified VoTs	Lead and Secondary Researcher							
Develop and review Surveys distributed for gov't, civil society, beneficiaries, VoTs	Lead and Secondary Researcher; and IOM							
In-depth interviews of key people identified using the surveys	Lead Researcher; Secondary Researcher; and IOM							
Attendance at and reporting on relevant regional events of government representatives	IOM; Lead Researcher; Secondary Researcher	As relevant- regularly						
Attendance at relevant civil society, NGO coalition and NGO/Gov't coordination events	IOM; Lead Researcher; Secondary Researcher	As relevant- regularly						
Data analysis and compilation of final recommendations	IOM; Lead Researcher and Secondary Researcher							
Write and finalize Final Report and Recommendations	IOM; Lead Researcher and Secondary Researcher							
Organization of a regional validation workshop	IOM and project partners Participation of the Lead Researcher							

7. REQUIRED QUALIFICATIONS

7.1 Lead Researcher (individual or entity)

The Lead Researcher/consultant is expected to have the following competencies and expertise:

7.1.1 Experience

- Minimum of 5 years of relevant research experience, preferably on counter trafficking issues in South-Eastern, Eastern Europe and Central Asia; Previous similar experience in the Western Balkans will be considered as an advantage;
- Excellent drafting ability. Previous publications on migration/human trafficking.
- Extensive analytical and research experience.

7.1.2 Education

- Post-graduate/university degree, preferably in social sciences, specialization in migration or equivalent training will be considered as an asset.

7.1.3 Competencies and skills

- Excellent understanding of the research issue as well as relevant international and regional policies/programmes
- Familiar with the local context surrounding the research issue
- Familiar with the academic and research literature on the subject matter or able to draw on expertise of those who do
- Up to date with the developments in the research issue and existing relevant global and regional counter trafficking processes
- Ability to understand the goals and modalities/methodology of research
- Excellent Interviewing and listening skills
- Fluency in spoken and written English required
- Microsoft Office

7.1.4 Personal qualities and other requirements

- Objective and analytical
- Results-driven
- Strong sense of commitments
- Efficient
- Capable of working under time pressure
- Proven track record of delivering on time
- Good interpersonal skills
- Culturally sensitive. Ability to work effectively and harmoniously within a team and with colleagues from varied cultures and professional backgrounds

7.2 Secondary Researcher

The Secondary Researcher/consultant is expected to have the following competencies and expertise:

7.2.1 Experience

- Minimum of 2 years of relevant research experience, preferably on counter trafficking issues in South-Eastern, Eastern Europe and Central Asia; Previous similar experience in the Western Balkans will be considered as an advantage;
- Excellent drafting ability. Previous publications on migration/human trafficking will be considered as an advantage.

7.2.2 Education

- Post-graduate/university degree, preferably in social sciences, specialization in migration or equivalent training will be considered as an asset.

7.2.3 Competencies and skills

- Excellent understanding of the research issue as well as relevant international and regional policies/programmes
- Familiar with the local context surrounding the research issue
- Familiar with the academic and research literature on the subject matter or able to draw on expertise of those who do
- Up to date with the developments in the research issue and existing relevant global and regional counter trafficking processes
- Ability to understand the goals and modalities/methodology of research
- Excellent interviewing and listening skills
- Fluency in spoken and written English required
- Microsoft Office

7.2.4 Personal qualities and other requirements

- Objective and analytical
- Results-driven
- Strong sense of commitments
- Efficient
- Capable of working under time pressure
- Proven track record of delivering on time
- Good interpersonal skills
- Culturally sensitive. Ability to work effectively and harmoniously within a team and with colleagues from varied cultures and professional backgrounds

8. REPORTING REGULATION

It is essential that Applicant provides IOM regular reports on the progress of the research assignment. In the research proposal drafted by the applicant, scope and timing of progress reports should be clearly outlined.

9. CONFIDENTIALITY ARRANGEMENTS

Individual researcher of the consultancy organization is not permitted to use any of his/her gathered data, reported findings, contributions to the draft and final reports to further his/her personal research.

10. APPLICATION PROCEDURE

Interested candidates are kindly requested to submit a CV and a cover letter by electronic mail with subject **"Western Balkans Counter Trafficking Research"**, to the following e-mail addresses: iomskopje@iom.int, and rovienna@iom.int in copy.

Deadline: September 10, 2011, 17.30 o'clock CET (Central European Time)

Notes:

- IOM encourages applications from qualified female applicants.
- Consultancy is subject to local recruitment.
- Only shortlisted candidates will be contacted by IOM following receipt of their CV and cover letter.

Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans**Appendix B:****IOM Western Balkans Stakeholder Identification and Engagement Tools****I. Introduction**

The purpose of a needs assessment is to determine what gap exists between “what is currently in place and what is needed, now and in the future” (Miller and Osinski 2002). Needs assessment involves employing a systematic set of procedures to help set “needs-based priorities” to inform decision making aimed at improving organizational processes, resource allocation and/or more effectively addressing an issue or problem. A needs assessment can be thought of as “a careful process” for determining (1) current resources that exist to address a specific issue or problem, (2) what resources are needed to produce more effective responses or better outcomes to the issue or problem, and/or (3) how to apply the information learned to identify options and make decisions about what should be done (Watkins et al 2012).

A key component of needs assessment is stakeholder engagement. Stakeholders are those individuals or organizations who have some type of investment in, experience with, or knowledge about an issue, problem or institution (adapted from CDC 2012). Examples of stakeholders include program staff working directly on an issue or with a specific population, administrative and supervisory staff, staff from partner institutions working with the same or attendant groups or issues, donors and financial backers of programs and institutions, researchers and evaluators, and independent experts with specific content knowledge of an issue or problem. The stakeholders in any program, initiative, or issue will depend upon who is working most directly on or with the program or issue and is best positioned to affect it in some way. As those involved in addressing a program or problem, they are also the people or institutions best positioned to use the outcomes of issue or problem assessment in a meaningful way. Identifying the right stakeholders to engage and involving them in the process is fundamental to conducting any type of meaningful assessment.

The purpose of engaging stakeholders in an assessment is to increase the relevance of outcomes or findings and build strong ownership of them. Because of their privileged position as experts and those working most directly on an issue in some way, stakeholder input into the design, conduct or content of an assessment can help increase the specificity and appropriateness of the findings. It is also more likely to help ensure the findings have real world applicability and can be rapidly operationalized to improve programs or more effectively redress problems. Further, it can also help ensure that these findings reflect the needs and values of the stakeholders themselves. When stakeholders have been included in an assessment they are more likely to regard findings as a result of their own work. They are also more likely to see them as resonating with their own views on an issue or problem. Ultimately, stakeholder involvement helps produce findings that are more “useful, relevant, and credible” (Preskill and Jones 2009).

IOM Western Balkans CT Needs Assessment

Stakeholder Engagement Tools

Below are two tools designed to support engagement of stakeholders in the International Organization for Migration's (IOM) Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans. The first tool aims to help IOM identify a robust, relevant set of stakeholders to involve in the needs assessment. The second tool aims to help IOM determine appropriate roles for stakeholders in the needs assessment.

II. Stakeholder Engagement Matrix

As suggested, a crucial component of a needs assessment is the identification of an appropriate set of stakeholders to engage in the process. Appendix A provides IOM with Tool I. Stakeholder Engagement Matrix. It is designed to help IOM identify key stakeholders responding to trafficking the Western Balkans to involve in the needs assessment. The tool will also help IOM plot how to involve stakeholders in the needs assessment and identify the resources stakeholders can bring to the research. It includes space for determining who might support or resist the work and reasons for these positions. Given that not all stakeholders can be involved and that too large a set of stakeholders can stymie and compromise a process, the tool will help IOM prioritize an optimal set of stakeholders to include in the needs assessment (Watkins et al 2012). IOM can use this tool to develop the group of stakeholders they plan to involve in the needs assessment in a systematic and structured (rather than incidental or convenience) way. It can support IOM in developing the group of stakeholders most vital to addressing the research questions guiding the needs assessment.

III. Stakeholder Engagement Plan

Once IOM has identified appropriate stakeholders, it is important to determine how they want to involve stakeholders in the needs assessment. Appendix B. provides IOM with Tool II. Stakeholder Engagement Plan, designed to help IOM develop a planned and structured method of how best to engage stakeholders in the needs assessment. IOM could, for example, brainstorm the roles of each stakeholder and define the specifics of how to involve them in each activity in the needs assessment process. It can also help IOM track stakeholder engagement throughout the process, to ensure that stakeholders are involved and follow up if they find they are not engaged. Its purpose is to prompt IOM to consider stakeholder involvement throughout the needs assessment process to help raise awareness of the issue and the research, as well as encourage use of its findings and outcomes (Watkins et al 2012; Salentine and Johnson 2011).

Prior to project start, the research team discussed with IOM different approaches to and methods for engaging stakeholders. The TOR for the needs assessment suggested involving stakeholders through a survey, interviews and a stakeholders' workshop. For this project we assume stakeholder engagement at (at least) the following four points in time:

1. IOM engagement with stakeholders prior to the start of the needs assessment, as motivation for the needs assessment (prior to involvement of the research team)

IOM Western Balkans CT Needs Assessment**Stakeholder Engagement Tools**

2. Research team engagement with a comprehensive set of stakeholders via the needs assessment survey to identify priorities and perspectives on existing and needed resources for responding to a focused set of key aspects of human trafficking in the region
3. Research team engagement with a sub-set of key stakeholders via telephone and field interviews to collect more nuanced information about their views on existing resources and gaps as well as how best to redress gaps related to key aspects of responses to human trafficking in the region
4. Research team and IOM discussion with stakeholders at a regional workshop to review, revise and prioritize research findings on primary needs to respond more effectively to selected aspects of human trafficking in the region.

We have incorporated the three points of engagement for the research team in the Methodological Memorandum for this needs assessment. While it is not possible to expand the scope of the current needs assessment further, IOM can use Tool II. to help assess whether they have been sufficiently systematic in determining how to engage stakeholders in the needs assessment, as well as how to engage the stakeholders in the application of the outcomes of the needs assessment going forward.

IV. Next Steps

The research team anticipates that IOM will complete Tool I. to identify an optimal, focused set of stakeholders to involve in the stakeholders survey and interviews. We have developed a spreadsheet for IOM to use to provide the research team with the outcomes of this exercise. It includes names, roles, and contact information. Once IOM provides this information in the completed spreadsheet to the research team, we will use it to program the survey and to organize logistics for stakeholder interviews.

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IOM Western Balkans CT Needs Assessment

Stakeholder Engagement Tools

Development Results. Washington DC: International Bank for Reconstruction and Development/International Development Association or The World Bank.

IOM Western Balkans CT Needs Assessment

Stakeholder Engagement Tools

Annex A.

5

TOOL I.

Stakeholder Analysis Matrix¹

Issue: Responding to trafficking in persons (TIP) in the Western Balkans

Activity: Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans

Date: December 2013

Name of stakeholder organization, group, or individual	Stakeholder description (Primary purpose, affiliation, funding, regional/national/local)	Potential role in issue or activity (Vested interest in the activity; potential degree of engagement)	Areas of specialization (Victim support, criminal justice, policy, etc.)	Level of Commitment/ Available resources (Staff, volunteers, funds, influence)	Constraints (Limitations: lack of funds, personnel, will, other barriers)
Donor Sector (bi-lateral governmental aid, foundations, philanthropies)					
1.					
2.					
3.					
4.					
5.					
6.					
Governmental Sector					
1.					
2.					
3.					
4.					
5.					
6.					

¹ Adapted from Silentine, Shannon and Alan Johnston (2011) Tools for Data Demand and Use in the Health Sector: Stakeholder Engagement Tool. Measure Evaluation Manual. Chapel Hill, NC: Carolina Population Center, University of North Carolina.

IOM Western Balkans CT Needs Assessment		Stakeholder Engagement Tools			
Name of stakeholder organization, group, or individual	Stakeholder description (Primary purpose, affiliation, funding, regional/national/local)	Potential role in issue or activity (Vested interest in the activity, potential degree of engagement)	Areas of specialization (Victim support, criminal justice, policy, etc.)	Level of Commitment/ Available resources (Staff, volunteers, funds, influence)	Constraints (Limitations: lack of funds, personnel, will, other barriers)
Civil Society Sector (community-based organization, non-governmental organizations)					
1.					
2.					
3.					
4.					
5.					
6.					
International Organizations/Multilateral Agencies (governmental and non-governmental)					
1.					
2.					
3.					
4.					
5.					
6.					
Private Sector					
1.					
2.					
3.					

Annex B.

TOOL II.

Stakeholder Engagement Plan²

Issue: Responding to trafficking in persons (TIP) in the Western Balkans

Activity: Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans

Date: December 2013

Stakeholder organization, group, or individual	Potential role in the assessment	Engagement strategy Follow-up strategy How will you engage this stakeholder in the assessment?	Follow-up strategy Plans for feedback or continued involvement
1.	Donor Sector (bi-lateral governmental aid, foundations, philanthropies)		
2.			
3.			
4.			
5.			
6.			
	Governmental Sector		
1.			
2.			
3.			
4.			

² Adapted from Salentine, Shannon and Alan Johnston (2011) *Tools for Data Demand and Use in the Health Sector: Stakeholder Engagement Tool*. Measure Evaluation Manual. Chapel Hill, NC: Carolina Population Center, University of North Carolina.

IOM Western Balkans CT Needs Assessment		Stakeholder Engagement Tools		
Stakeholder organization, group, or individual	Potential role in the assessment	Engagement strategy Follow-up strategy How will you engage this stakeholder in the assessment?	Follow-up strategy Plans for feedback or continued involvement	
5.				
6.				
Civil Society Sector (community-based organization, non-governmental organizations)				
1.				
2.				
3.				
4.				
5.				
6.				
International Organizations/Multilateral Agencies (governmental and non-governmental)				
1.				
2.				
3.				
4.				
5.				
6.				
Private Sector				
1.				
2.				

IOM Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans

Appendix C:

List of Reviewed Documents (43 documents)

Albania, Cooperation Agreement

- 2012 Albanian National Referral Mechanism for identification and referral of victims and potential victims of trafficking in persons, Tirana

Albania, Ministry of Interior, Office of the National Coordinator on Combating Trafficking in Persons, Standard Operating Procedures (SOP) for identification and referral of Victims of trafficking, Tirana

- 2011

Albania, National coalition of Anti-trafficking shelters

- 2011 Report on the contribution of the NCATS to the identification and assistance for victims of trafficking October 2009 – September 2010, Tirana

Council of Europe, Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA and Committee of the Parties) Directorate General of Human Rights and Legal Affairs

- 2011 Report concerning the implementation (GRETA) of the Council of Europe Convention Action against Trafficking in Human Beings by Albania, Strasbourg
- 2013 Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bosnia and Herzegovina, Strasbourg
- 2013 Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia, Strasbourg
- 2012 Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Montenegro, Strasbourg

European Commission

- 2013 Albania 2013 Progress Report, Brussels
- 2013 Serbia 2013 Progress Report, Brussels
- 2013 Macedonia 2013 Progress Report, Brussels
- 2013 EUROSTAT, Trafficking in Human Beings 2013 Edition, KS-RA-09-001-EN-C Methodologies and Working papers ISSN 1977-0375

Albania, Ministry of Interior

- 2011 National action plan for the fight against trafficking in human beings, and the national action plan for the fight against trafficking in children and protection of children victims of trafficking 2011-2013, Tirana

Albania, Ministry of Interior Office of the National Coordinator on Combatting Trafficking in Persons

- 2012 Report on the national action plan on combating trafficking in persons January-December 2012, Tirana
- 2011 Standard Operating Procedures for the Identification and Referral of Victims of Trafficking and Potential Victims of Trafficking, Tirana

Albania, National Coalition of Anti-Trafficking Shelters

- 2010 The contribution of NCATS to the identification and assistance of victims of trafficking, Tirana

ODIHR and Council of Europe

- 2009 Review of Legislation Pertaining to Combating Trafficking in Human Beings in Bosnia and Herzegovina Bosnia and Herzegovina, OSCE

Organization for the Security and Cooperation in Europe (OSCE)

- 2009 Trafficking in human beings and responses of the domestic criminal justice system,
2011 Trafficking in human beings for the purposes of labour exploitation, Sarajevo
2012 Report by OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, following her visit to Bosnia and Herzegovina, 12-14 June 2012

Bosnia and Herzegovina, Council of Ministers

- 2013 Strategy to Counter Trafficking in Human Beings in Bosnia and Herzegovina and Action Plan, 2013-2015, Sarajevo
2012 Strategy in the area of migrations and asylum and Action Plan for the period 2012-2015, Sarajevo

Bosnia and Herzegovina, State Coordinator for Combating Trafficking in Human Beings and Illegal Migration in Bosnia and Herzegovina

- 2012 Report on the status of trafficking in human beings in Bosnia and Herzegovina and report on the implementation of the action plan for combating trafficking in human beings in Bosnia and Herzegovina for 2012, Sarajevo

International Organization for Migration

- 2011 Case data on human trafficking: global figures & trends, Geneva
2004 Changing patterns and trends of trafficking in persons in the Balkan region- Assessment carried out in Albania, Bosnia and Herzegovina, the Province of Kosovo, the Former Yugoslav Republic of Macedonia and the Republic of Moldova, ISBN 92-9068-205-1
© 2004 International Organization for Migration (IOM)

US Department of State

- 2013 Global US DoJ TIP Report http://www.state.gov/j/tip/rls/tiprpt/2013/?utm_source=Subscribers&utm_campaign=35f27bd04cTrafficking_Bulletin_Issue_9_July_20137_22_2013&utm_medium=email&utm_term=0_1002a3b355-35f27bd04c-92744149

Croatia, Razbor

- 2012 PROJECT EVALUATION REPORT Enhancing Transnational Cooperation on Trafficking Cases in South-Eastern Europe (TRM-II), Zagreb, Commissioned by: ICMPD
Implemented by: Razbor Ltd., Zagreb, Evaluator: Ivana Novoselec and Andrijana Parić

Kosovo, Kosovo Shelter Coalition

- 2011 Kosovo Shelter Coalition Strategy and Action Plan, Pristina

Kosovo, Ministry of Interior

- 2011 National Strategy and Action Plan against trafficking in human beings 2011-2014, Pristina
- Macedonia, Ministry of Interior
- 2013 National Strategy and Action Plan for combating human trafficking and illegal migration in the Republic of Macedonia 2013-2016, Skopje
- Macedonia, National Commission to Combat trafficking in Human Beings
- 2010 Standard Operating Procedures for treatment of victims of trafficking In Human Beings, Skopje
- Balkan Act Now (EU funded project)
- 2013 Implementation Strategy 2013-2014, regional document
- 2013 Situation Analysis of Human Trafficking, regional document
- International Centre for Migration Policy Development
- 2012 The Way Forward in Establishing an Effective Transnational Referral Mechanisms - A Report Based on Experiences in Cases of Human Trafficking in South-Eastern Europe, Vienna ISBN: 978-3-900411-76-3
- 2007 Listening to the victims, experiences of identification, return and assistance in South eastern Europe, Vienna
- 2013 Capacity Building for Combating Trafficking for Labour Exploitation - Stepping Up the Fight against Trafficking for Labour Exploitation
- UNICEF, Terres Des Hommes
- 2006 Action to prevent child trafficking in South East Europe, a preliminary Assessment (Albania, Moldova and Kosovo)
- Roza Pati, Policing across borders
- 2013 Combating human trafficking through transnational law enforcement cooperation: the case of SEE, page 89-122, Springer New York, Print ISBN 978-1-4419-9544-5
- MARRI Regional Center
- 2012 MARRI Migration Paper, Skopje
- UNODC
- 2012 Global Trafficking Report on Trafficking in Persons, © United Nations, December 2012. All rights reserved worldwide. ISBN: 978-92-1-130309-4, e-ISBN: 978-92-1-055896-9, United Nations publication, Sales No. E.13.IV.1
- FRONTEX, European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
- 2013 Western Balkans Annual Risk Analysis, Risk Analysis Unit, Warsaw
- 2013 FRAN Quarterly, April June 2013, Risk Analysis Unit, Warsaw
- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Regional Programme on Social Protection and Prevention of Human Trafficking
- 2012 Social Dimensions of Human Trafficking in the Western Balkans, Skopje, Macedonia
- Scarabelli, D.

- 2014 Cleaning the Balkan Route: Elements of Police Cooperation in Serbia, Available at: <http://cenaa.org/analysis/cleaning-the-balkan-route-elements-of-police-cooperation-in-serbia/>

Serbia, Government of Serbia

- 2006 National Strategy for Combating Human Trafficking, 05 No: 021-10196/2006 Belgrade, 7th December 2006.
2013 National Strategy for Combating Human Trafficking 2013-2018 (draft proposal)
2013 Draft Action Plan for the Implementation of the National Strategy for Combating Human Trafficking 2013-2014 (draft proposal)

Serbia, Red Cross

- 2011 Lessons learned study, Anti-trafficking programme in Serbia 2009-2011 implemented by the Red Cross of Serbia, A Red Cross partnership between Red Cross of Serbia, Danish Red Cross and Norwegian Red Cross, Belgrade

Serbia, ASTRA – Anti Trafficking Action

- 2011 HUMAN TRAFFICKING IN THE REPUBLIC OF SERBIA, Report for the period 2000-2010, Belgrade

Serbia, Dr Dostic, S. and Gocic, S.

- 2013 TIP in Serbia as a criminal phenomenon, Bezbednost magazine , Available on <http://prezentacije.mup.gov.rs/upravazaoobrazovanje/aktuelno/Bezbednost%203-2013.pdf>

Montenegro, Office of the National Coordinator for Fight against Trafficking in Human Beings

- 2012 National Strategy for Fight against Trafficking in Human Beings 2012-2018

Limanowska, B

- 2004 Trafficking in Human Beings in South East Europe, Published by: UNICEF, UNOHCHR and OSCE/ODIHR2004

Brunovskis, A. and Surtees, S,

- 2007 Leaving the past behind? When victims decline assistance. NEXUS (Vienna) & Fafo (Oslo)

Surtees, R.

- 2010 Monitoring anti-trafficking re/integration programmes. A manual, The King Baudouin Foundation, Brussels

Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans

Appendix D:

Master Interview Guide

RESPONDENT ORGANIZATION: _____

RESPONDENT NAME: _____

RESPONDENT TITLE: _____

RESEARCH TEAM MEMBER: _____ **DATE:** _____

INTRODUCTION AND INFORMED CONSENT

Thank you for taking the time to talk with us today. As part of our needs assessment for IOM, we are conducting interviews with key regional stakeholders and experts to learn more about the current human trafficking situation and responses to it in the Western Balkan region (Albania, Bosnia and Herzegovina (BiH), UNSC administered Kosovo (Kosovo), The former Yugoslav Republic of Macedonia (Macedonia), Montenegro and Serbia).

The purpose of our conversation today is to learn about your views of the human trafficking situation and responses to it in your country and the region more broadly. We aim to keep this interview no longer than 60 minutes. I will take notes during our conversation so that we can include your perspectives in the needs assessment and can accurately represent the information you provide.

Your responses will be kept private and notes from the discussion will not be shared with anyone outside of the needs assessment team. Any information you provide will be combined with information collected from various other sources and will not be attributed to you in any reporting or communications with IOM.

As a needs assessment, we encourage you to be as candid as possible regarding your views of (1) the current human trafficking situation in the region, (2) operational national and regional responses to it, and (3) prioritized needs to support more effective responses to it. This will allow us include your views and provide highly informed and relevant information to IOM as a result of this project.

I want to emphasize that there are no right or wrong answers to these questions. By voluntarily agreeing to participate in this study, we ask you to answer these questions with responses that are true for you or for your organization.

- Do you understand the parameters of our conversation?
- Do you have any questions at this time?

I. INTRODUCTION

I would like to start by asking you about your background and work related to responding to human trafficking, to help orient our conversation.

1. What is your official title? What are your primary work responsibilities overall?
2. What aspects of your work involve responding to human trafficking?

II. CURRENT HUMAN TRAFFICKING LANDSCAPE

I would now like to ask you about your views of the current human trafficking situation in [COUNTRY] and the Western Balkan region – if you think it is a key issues and if so, what forms it takes in the region.

3. Do you think trafficking and migrant exploitation are significant problems in [COUNTRY] and/or the region?
 - Why or why not?
4. What are some of the primary trafficking routes in the region, including source, transit and destination countries?
5. What modes or patterns of recruitment have you observed? How do people become caught in trafficking?
6. What key industries are involved, i.e., for what kinds of labor exploitation are people being trafficked from, through and/or to the region?
7. What are some of the types of individuals or groups involved in perpetrating human trafficking? That is, who are the traffickers?
8. Has any of these components changed over time – that is, the routes, recruitment, industries, who are the traffickers?
 - If so, how have they changed?
 - In what period have they changed?
 - Over what period of time have they changed?
 - What are some reasons for these changes?

III. Counter-Trafficking Resources

Our next topics focus on the legal and policy framework in [COUNTRY] and any bi-lateral or transnational regional mechanisms in place to identify potential victims of human trafficking and migration labor exploitation and refer them to social assistance and protection services they might need or want.

Identification

9. In [COUNTRY], how do people who may have experienced trafficking or exploitation become known to officials or organizations able to provide them with assistance?

*Interview Guide**IOM Western Balkans CT Needs Assessment*

- What are some common ways that people are identified?
 - For example, by the police, border guards, labor inspectors, consulates, etc?
10. Which organizations have the authority to officially designate a person as a victim of trafficking?
- What criteria are used to identify victims? Are screening checklists used?
 - Does this designation qualify the person to become eligible for social assistance or protection services? Residence permits? Work permits?
 - Are persons so-identified required to return to their place or country of origin?
11. What avenues exist for victims to “self-identify” (e.g. hotlines, posters or other advertisements identifying organizations to contact)?
- Where are these avenues located?
 - For example, in [COUNTRY], dominant countries of origin for immigrants to [COUNTRY], and/or countries to which [COUNTRY] citizens are frequently migrating?
12. What kinds of **national** referral networks for identifying and referring trafficked persons and exploited migrants exist in [COUNTRY]?
- Which governmental institutions are involved?
 - Non-governmental and international institutions?
 - How operational are they, i.e., is there official policy or procedure establishing them? MOUs? Established on paper but not used, etc? How active are they?
 - Is there a regional referral mechanism for identifying and referring trafficked persons and exploited migrants? If not, why not? What preconditions are necessary for establishing such a mechanism?
13. What do you think are some of the primary obstacles and barriers to developing more effective ways to identify and refer people who have experience trafficking or migrant exploitation in [COUNTRY]? In the region?

Protection and Assistance

The next set of questions focus on the institutions and systems providing protection and assistance services to people who have experience trafficking or exploitation in [COUNTRY] and the region.

14. Are you familiar with any of the organizations or institutions that provide protection and/or assistance services to exploited migrants in [COUNTRY]?
- What kinds of protection services do they provide?
 - What kinds of assistance do they provide?

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- Prompt: shelter, medical, psycho-social, job placement, vocational training, occupational therapy, legal support, return, reintegration assistance.

What is the coverage these organizations have, i.e. have VoTs access to services regardless of the area in which they are identified?

15. How do people in need of their services come into contact with these organizations?
 - Are there any specific rules or procedures that determine how people in need can access these services?
 - Are there any limitations or obstacles for persons in need in accessing these services?
16. Are there services available to assist persons who are not officially designated as trafficked?
 - If so, what mechanisms are they?
 - How do people in need access them?
 - Which organizations provide services to persons in need not officially designated as trafficked, if different from the ones mentioned earlier?
17. Do you think that the resources and supports available are adequate to meet the needs of people who have experienced exploitation?
 - If not, what kinds of supports are missing?
 - Do you think that any of these resources are not that relevant to them? That is, are available but not frequently used? Are different than what the people who need assistance request?
18. Are there any systems in place to ensure the assistance provided by these programmes can meet their needs? For example, standards, victim feedback mechanisms, coordinated community response, joint protocols, sharing feedback on work and experiences, etc?
 - Are there elements of these systems that you think may prevent or discourage exploited migrants from coming forward to get assistance?
 - If so, what do you think needs to be done to help encourage people in need from accessing assistance?
 - What needs to be done to develop or provide more appropriate protection and assistance to exploited migrants
 - Are identified VoT, in your view, subject to re-victimization?
 - If so, in what way? What can be done to avoid secondary victimization?

Partnerships

19. Are there any **bi-lateral or transnational** networks or partnerships in the region that cooperate on identification, referral, protection or assistance to trafficked and exploited migrants?
 - If so, which institutions and organizations are involved in them?

Interview Guide

IOM Western Balkans CT Needs Assessment

- How operational are they?
- How active and effective are they?
- How sustainable are they? In what ways are they sustainable or not sustainable?

IV. Gaps in Counter-Trafficking Resources

The next set of questions focuses on the identification of gaps in resources for responding to trafficking in [COUNTRY] and the region.

20. What, in your view, are some missing or needed resources for **identifying** people whom have experienced trafficking and exploitation in (COUNTRY) or the region?
21. What, in your view are the gaps in referral mechanisms, that is, ways of connecting people to any services or assistance they might need?
22. Are there any needs or gaps in and the types of assistance available? If so, what forms of assistance and support are needed?
 - How easy/difficult is it for people to access to available services and supports?
 - Are there any barriers to people accessing needed supports? If so, what are they?
 Probe: Differences between services provided to victims of sexual exploitation, labor exploitation, or other forms of exploitation in migration that do not align with dominant definitions

V. Prioritized needs

The following set of questions focus of identifying priorities and the process for priority setting in [COUNTRY] on national and local level.

23. Among the gaps and needs for resources to combat trafficking you mentioned, which do you think are a priority for [COUNTRY] and the region?
 - That is, which missing identification, referral or service and assistance mechanisms or resources would you like to see developed first (most immediately)?
 - Why do you think the resources you identified should be developed first?

VI. Priority Recommendations

The next set of question will focus on priority recommendation based on identified priorities from the previous section.

24. Do you have any other recommendations for how to address human trafficking and the exploitation of migrants more effectively in [COUNTRY] and the region?

Thank you very much for your time and input. It is very valuable for the assessment.

*Stakeholder Survey**IOM Western Balkans CT Needs Assessment***IOM Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans****Appendix E:****Stakeholder Survey**

Final

February 2014

Survey Instructions

An independent research team is working with the International Organization of Migration (IOM) to conduct a needs assessment of gaps in responses to human trafficking in the Western Balkans region, including, Albania, Bosnia and Herzegovina (BiH), Kosovo,¹ Macedonia, Montenegro and Serbia.

The purpose of this needs assessment is to collect and analyze stakeholder views of the current trafficking situation as well as the mechanisms available to respond to it, with a particular focus on identifying regional gaps and needs with regard to the identification, referral, assistance and support for trafficked persons.

A core component of the assessment is stakeholder engagement. This survey enables the research team to query and include the expert perspectives of key regional stakeholders toward gaining insight into the trafficking situation and key priorities for responding to it. This includes stakeholders who have been interviewed as part of this assessment. Even if you have participated in an interview, we would like to ask you to complete this survey.

We invite you to participate in this web-based survey. Your responses will be kept confidential and will not be shared with IOM, other stakeholders, or anyone outside of the independent research team. Any information you provide will be combined with information collected from other survey responses and will not be attributed to you in any reporting or communications with the IOM or any other stakeholders. We encourage you to be as candid as possible so that we are able to provide information, recommendations and priorities that are as accurate and useful as possible to the IOM.

By clicking the link below or copying it to your Internet browser you will be forwarded to the first page of the online questionnaire.

[insert link]

¹ UN Security Council resolution 1244.

Stakeholder Survey

IOM Western Balkans CT Needs Assessment

Please answer questions to the best of your ability. For some questions, you are offered the option of “Don’t know” and/or “Not Applicable.” If you do not know about a certain issue or the question asks about an issue you do not deal with in your position, please choose the option. You may also skip the question altogether.

The survey should take about 15 to 20 minutes to complete. We would like to ask you to complete this survey now, or as soon as possible. We greatly appreciate your participation.

You will shortly receive a follow-up email from IOM with a translated version of the survey. The online survey itself must, however, be completed in English.

If you have a comment or a question about the survey or would like to qualify an answer in any way, please email us at natconsult6448@gmail.com.

Thank you for your participation!

Stakeholder Survey

IOM Western Balkans CT Needs Assessment

SECTION A: CURRENT WORK

In this section, we would like to learn about you, your current position and work.

A1. How would you describe your position *(Please choose only one)*

- ☐ Government official in criminal justice/law enforcement area
- ☐ Government official in trafficking victim support area
- ☐ Government official in social protection and/or healthcare area (not trafficking specific)
- ☐ Government official - other
- ☐ NGO worker from victim support agency
- ☐ NGO worker – other
- ☐ Judge
- ☐ Prosecutor
- ☐ Police
- ☐ Border Guard
- ☐ IOM staff
- ☐ Staff of UN or other multilateral organization
- ☐ Staff of international development agency
- ☐ Counter-trafficking consultant/independent expert
- ☐ Other (please specify) _____

Stakeholder Survey	IOM Western Balkans CT Needs Assessment		
A2. How long have you been employed by your current organization?			
<input type="radio"/> Less than one year			
<input type="radio"/> 1 to 2.9 years			
<input type="radio"/> 3 to 4.9 years			
<input type="radio"/> More than 5 years			
A3. How long have you been working on counter-trafficking issues?			
<input type="radio"/> Less than one year			
<input type="radio"/> 1 to 2.9 years			
<input type="radio"/> 3 to 4.9 years			
<input type="radio"/> More than 5 years			
SECTION	B:	PERSONAL	CHARACTERISTICS
B1. What is your age?			
<input type="radio"/> 18-34			
<input type="radio"/> 35-49			
<input type="radio"/> 50-64			
<input type="radio"/> 65 years or older			
B2. Are you:			
<input type="radio"/> Male			
<input type="radio"/> Female			

Stakeholder Survey

IOI Western Balkans CT Needs Assessment

B3. In or with what country do you work? (Please choose only one)

- ☐ Albania
- ☐ Bosnia and Herzegovina
- ☐ Kosovo
- ☐ Macedonia
- ☐ Montenegro
- ☐ Serbia
- ☐ Western Balkans region (more than one WB country)
- ☐ Global

SECTION C: VICTIM IDENTIFICATION AND SUPPORT

In this section, we would like to ask you about how victims of human trafficking are identified in your country or within the Western Balkan region with which you are familiar.

C1. Please read the following statements regarding the victim identification mechanisms in your country or within the Western Balkan region. Please click the circle that best reflects your view on the existence and operation of these mechanisms.

	Established and fully operational	Established and partly operational	Established but not operational	Is not established	Don't know
a) Formal policy/guidelines that describe which agencies have the authority to officially designate someone as a victim of trafficking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) An official definition of a victim of trafficking (in law and/or policy/guideline)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Official screening guidelines for identifying victims of trafficking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d) Dedicated anti-trafficking hot line (government)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Stakeholder Survey IOM Western Balkans CT Needs Assessment

	Established and fully operational	Established and partly operational	Established but not operational	Is established	Don't know
e)Dedicated anti-trafficking hotline (non-government)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)Other hotline that can be used to report TIP cases (government)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)Other hotline that can be used to report TIP cases (non-government)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h)Local or national referral mechanisms (NRMs) or other cooperative agreements among different service providers and/or authorities for referring cases of trafficking to the right services or authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i)Transnational (cross-border) referral mechanisms (TRMs) or other cooperative agreements among service providers and/or authorities from different countries for referring cases of trafficking to the right services or authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j)National standards for the treatment of victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k)Formal mechanisms to collect feedback from victims on the adequacy and appropriateness of services available (e.g. written evaluation forms, discussion groups, etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C2. Please read the following statements regarding the adequacy of victim support services (i.e., ability to meet specific needs) in your country or within the Western Balkan region.

- Please click the circle that best describes how much you agree or disagree with each item.

Stakeholder Survey IOM Western Balkans CT Needs Assessment

	Fully adequate	Somewhat adequate	Adequate for some populations only	Inadequate	Totally inadequate	Don't know/ Not applicable
a) Short-term shelters (<30 days)	0	0	0	0	0	0
b) Longer-term shelters (> 30 days)	0	0	0	0	0	0
c) Other forms of longer-term accommodation (such as shared housing, private apartment)	0	0	0	0	0	0
d) Medical care (including physical health, including substance abuse treatment)	0	0	0	0	0	0
e) Psycho-social (psychological) services	0	0	0	0	0	0
f) Risk assessments (determination of danger or threat faced and protection/security needed)	0	0	0	0	0	0
g) Legal support – criminal (during investigation and prosecution)	0	0	0	0	0	0
h) Legal support – civil (civil trials and civil claims for compensation)	0	0	0	0	0	0
i) Occupational/Vocational therapy	0	0	0	0	0	0
j) Job training	0	0	0	0	0	0
k) Job placement	0	0	0	0	0	0
l) Support to return to country of origin	0	0	0	0	0	0

Stakeholder Survey IOM Western Balkans CT Needs Assessment

	Fully adequate	Somewhat adequate	Adequate for some populations only	Inadequate	Totally inadequate	Don't know/ Not applicable
m)Support for relocation in a third country/area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n)Support for reintegration in source area/country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o)Support for integration in destination country/area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C2.a. Please comment on your answers to C2. Are there support services that are completely absent in your country and/or the Western Balkan region? In what ways are those you marked as “inadequate” or “fully inadequate” falling short? If you chose “adequate for some populations only,” which populations are being served? Which are being excluded? Please elaborate in any other ways that might help specify your responses (English only) [500 characters]

C3. Please read the following statements regarding the current counter-trafficking situation and services currently available in your country or within the Western Balkan region.

Stakeholder Survey

IOM Western Balkans CT Needs Assessment

- Please click the box that best describes how much you agree or disagree with each item.
- If you are unfamiliar with the activity, please choose “Don’t know/Not applicable.”

	Strongly Disagree	Disagree	Neither Agree Nor Disagree	Agree	Strongly Agree	Don't know/Not applicable
a) The typical profile of identified victims of trafficking is representative of all victims in my country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) The range of services available to a victim of trafficking depends on the organization that identifies them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) The quality of services available to a victim of trafficking depends on the organization that identifies them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) The range of services available to a victim of trafficking depends on the organization that assists them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) The quality of services available to a victim of trafficking depends on the organization that assists them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) The range of services available to victims of sex trafficking is greater than for victims of other forms of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) The quality of services available to victims of sex trafficking is greater than for victims of other forms of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C4. Please read the additional set of statements regarding counter-trafficking services in your country or within the Western Balkan region.

- Please click the box that best describes how much you agree or disagree with each item.
- If you are unfamiliar with the activity, please choose “Don’t know/Not applicable.”

Stakeholder Survey IOM Western Balkans CT Needs Assessment

a) Foreign victims of trafficking have access to a smaller range of services than national victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Foreign victims of trafficking have access to a services of lesser quality than national victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Support services for victims of trafficking are tailored to the specific needs of children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Some victims are deterred from coming forward due to the type or quality of assistance provided (e.g. mandatory return to country of origin)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Support services for victims of trafficking are tailored to the specific needs of both male and female Vofs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C5. Please describe any barriers to (1) identifying of victims of trafficking, and (2) providing appropriate services you see in your country or within the Western Balkan region. (English only) (500 characters)

Stakeholder Survey

IOM Western Balkans CT Needs Assessment

SECTION D: GAPS IN VICTIM IDENTIFICATION AND SUPPORT

Given your responses in Section C, we would like to ask you about key gaps in activities or resources that are needed to respond more effectively to human trafficking in your country or the Western Balkan region.

D1. Please describe what you think the primary gaps to responding more effectively to human trafficking in your country and/or the Western Balkan region. Please include the reasons why these gaps are the most crucial to address trafficking more effectively in your country or in the region. (English only) (500 characters)

SECTION E: WIDER PRIORITIES FOR ACTION

In this section, we would like to ask you to prioritize next steps you think need to be taken to respond to human trafficking more effectively in your country or in the Western Balkan region.

E1. This section consists of a list of possible responses to human trafficking in the Western Balkans region. Please select what you consider to be the TOP THREE priorities amongst these responses.

Stakeholder Survey		IOM Western Balkans CT Needs Assessment	
			Choose 3
a)	Strengthen the legal framework for apprehending and prosecuting perpetrators of trafficking in persons (e.g. expand or clarify definition of trafficking, strengthen provisions relating to confiscation of assets)		<input type="checkbox"/>
b)	Strengthen the investigation of trafficking cases (e.g. improve skills of police officers, establish or strengthen special unit)		<input type="checkbox"/>
c)	Strengthen the actual prosecution of trafficking cases (e.g. improve cooperation within the judiciary, fast-track trafficking cases, provide greater anonymity to victim-witnesses, gather cross-border information, improve the system of forfeiture the trafficker's illegally obtained assets and of compensation to the victims)		<input type="checkbox"/>
d)	Strengthen and/or fully implement the processes for identifying victims (e.g. developing screening guidelines, expanding list of agencies with power to identify victims, exchanging of information internally or across borders more effectively, establishing/strengthening a hotline, making sure MOUs are fully operational more training of police, labour inspectors, border guards, health workers, and others whom encounter migrant/vulnerable populations, etc)		<input type="checkbox"/>
e)	Expand the range of services available to victims of trafficking (e.g. provide opportunities to get residence permits, support civil claims, provide job placement and training, etc.)		<input type="checkbox"/>
f)	Expand the coverage of existing services for victims of trafficking (e.g. ensure access to services is not contingent on sex of victim, nationality, type of trafficking, or identifying agency)		<input type="checkbox"/>
g)	Expand the coverage of services to allow internal and external migrants who have experienced exploitation to receive services requested, including protection and assistance (even if not formally identified as victims of trafficking)		<input type="checkbox"/>
h)	Strengthen the quality of services for victims of trafficking (e.g., ensure they align with the needs victims themselves identify and request)		<input type="checkbox"/>
i)	Develop new cooperation agreements and/or implementation of existing agreements between anti-trafficking organisations within the country		<input type="checkbox"/>
j)	Develop or improve cross-border cooperation and/or implementation of existing cooperation agreements on trafficking (e.g., agreements with other countries)		<input type="checkbox"/>
k)	Other priority (Please specify) _____		<input type="checkbox"/>

Stakeholder Survey

IOI Western Balkans CT Needs Assessment

E2. Please explain why you chose the top three priorities in your answers to E1. Why are these most important priorities for you? How feasible is it to see them implemented? What resources exist for implementing them? (English only) (500 characters)

If you are satisfied with your responses please click the “Submit” button.
Thank you for your participation.

Submit

Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans

Appendix F:

Analytical Codes and Codebook

Below are several tables that list all codes used to organize, structure and analyze qualitative data (documents and interviews) collected as part of the Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans. The tables also provide the codebook for the codes, that is, the definitions of each code.

The purpose of these codes is to manage, organize and analyze all qualitative data using qualitative data analysis software (QDAS). The purpose of the codebook is to guide and render consistent coding of the qualitative data across research staff, study documents and interview transcripts. The codebook also provides transparency regarding how data were coded and supports a team-based approach to coding, where two or more team members located at dispersed sites code the qualitative data. Using multiple coders allows us to support more reliable and valid coding and constitutes the most efficient means of coding the volume of data included in the needs assessment (MacQueen, et al 2008). The definitions found in the codebook support consistent, systematic application of the codes. Taken together, the codes and the codebook will ensure comprehensive, structured and systematic analysis of the study's qualitative data.

- For internal use only, to guide the first phase of analysis of qualitative data.

I. Current Human Trafficking Landscape (Planned internal memo topic: TRENDS IN TIP)

1. What new trends, forces, factors, or modalities of TIP are emergent in the Western Balkan region?

Code	Definition
Trafficking	Trends or patterns respondents identify as primary routes of trafficking from, in, and/or through the region (who, when, by whom, for what purpose, how, etc.)
Migration	Trends or patterns of migration, irregular migration, internal migration (e.g., who, when, for what purpose, how, by whom, etc)
Industry/Form of exploitation	Trends or patterns of extracting money, labor, or other human capital through coercion, threat, or abuse respondents identify as common in the region (or a country in the region), including industries involved.
TIP definition	Variations in how respondents articulate what they think TIP is, what counts as TIP, and/or under what circumstances people who have migrated and experienced exploitation should be designated as 'trafficked'

II. Counter-Trafficking Resource Mapping (Planned internal memo topic: EXISTING RESOURCES – LEGAL, POLICY, INSTITUTIONAL, PARTNERING)

2. What is the legal and policy framework for identification and referral of persons who may have experienced exploitation and human trafficking?

Analytical Codes and Codebook

IOM Western Balkans CT Needs Assessment

3. What institutions currently provide protection and assistance to those who have experienced trafficking in the region and/or by country?
4. What kinds of partnerships, networks and collaborations among counter-trafficking actors exist in the region and/or by country?

Code	Definition
Laws and policies	Official legislation, legal process, legal rule, written practices or procedures that designate 1) how to identify, determine/designate and/or refer persons who have experienced trafficking or exploitation in migration (either internal or external) and/or (2) who has the authority to do so. Includes screening guidelines
Identify/identification processes	Specific procedures, processes and mechanisms to identify victims of trafficking, including hotlines, screening of e.g. deported migrants, reference structures for health workers, teachers
Refer/referral processes and mechanisms	Formal or informal mechanisms for referring victims between services, such as national referral mechanisms, cross-border agreements
Networks/partnerships/collaboration formal cooperation mechanisms	Formal or informal networks/partnerships involved in assisting TIP victims, both internal and inter-country including MOUs. Activity-based collaboration/cooperation between agencies working in victim identification and support
Governmental institution	Any single government body, ministry or official organization providing protection or assistance services/supports to people who have experienced trafficking or exploitation in migration (both internal and external)
NGO institution	Any NGO, or INGO organization providing protection or assistance services/supports to people who have experienced trafficking or exploitation in migration (both internal and external, adults and children)
IGO institution	Any inter-governmental, bi-lateral, or multi-lateral organization providing services/supports to people who have experienced trafficking or exploitation in migration (both internal and external, adults and children)
Legal and protection assistance	Legal support/assistance during criminal proceedings, legal support/assistance for civil proceedings, including any risk assessments or protection services available to people who have experienced trafficking or exploitation in migration (both internal and external).
Victim support services	Any type of housing/accommodation, medical care, mental health services, reflection period, work/residence permits, vocational training/job search, financial support/social welfare funds
Return and reintegration	Return requirement, travel assistance, reintegration supports

Analytical Codes and Codebook

IOM Western Balkans CT Needs Assessment

Code	Definition
mechanisms	(housing, medical care, employment assistance, protection, etc), and/or monitoring of safety and reintegration available to people who have experienced trafficking or exploitation in migration (both internal and external)
Special services for children	Special services/processes/protectations available to child victims of trafficking
Non-trafficked services	Code separately any and all services and mechanisms available to assist persons not officially designated as trafficked but clearly are exploited migrants (in either external or internal migration)
Feedback mechanisms	Formal or informal processes through which victims can provide feedback on the services they received/did not receive
Funding sources	Governmental, external governmental donor, private, foundation providing funds to Balkan countries or organizations to provide protection or services/supports/assistance to people who have experienced trafficking or exploitation in migration (both internal and external)

III. Description of Gaps in Resources (Planned internal memo topic: PRIMARY GAPS)

5. What are the gaps in identification mechanisms, referral mechanisms, protection and assistance programs?

Code	Definition
Identification gap	Missing or unsuitable mechanism, structure, law/legal provision, policy or procedure in the region (country) related to finding and determining the status of persons who may have been trafficked or exploited and are in need of assistance of some kind
Referral gap	Missing or unsuitable mechanism, structure, law/legal provision, policy or procedure in the region (country) related to identifying and contacting service providers able to assist persons who may have been trafficked or exploited with any kind of need they may have (physical, mental, legal, travel, etc)
Protection gap	Missing or unsuitable mechanism, structure, service or support in the region (country) related to providing protection to persons who may have been trafficked or exploited
Service/support gap	Missing or unsuitable services or supports in the region (country) that persons who may have been trafficked or exploited require
Return and reintegration gap	Missing or unsuitable return or reintegration services in the region (country) that persons who may have been trafficked or exploited require
Other gap	Any other missing or unsuitable mechanism, structure, policy, procedure service or support in the region (country) that persons who may have been trafficked or exploited require

IV. Prioritized Needs (Planned internal memo topic: PRIORITY NEEDS)

6. What do stakeholders prioritize to respond to gaps in existing identification, referral and support mechanisms?

Code	Definition
Identification priority	Those gaps in mechanisms related to finding and determining the status of persons who may have been trafficked or exploited that respondents prioritize as more immediately in need of development or strengthening in the region (or country in the region)
Referral priority (access)	Those gaps in mechanisms related to identifying and contacting service providers to assist persons who may have been trafficked or exploited that respondents prioritize as more immediately in need of development or strengthening in the region (or country in the region)
Protection/legal support priority (access)	Those gaps in mechanisms related to providing protection /legal support to persons who may have been trafficked or exploited that respondents prioritize as more immediately in need of development, strengthening in the region (or country in the region)
Service/support priority (quality)	Services or supports for persons who may have been trafficked or exploited that respondents prioritize as missing and in more immediate need of more development or strengthening in the region (or country in the region)
Return and reintegration gap	Return or reintegration services that respondents prioritize as missing and in more immediate need of more development or strengthening in the region (or country in the region)
Other priority	Other gaps in mechanisms for responding to human trafficking or exploitation of migrants that respondents prioritize as in more immediate need of development or strengthening in the region (or country in the region)

V. Priority Recommendations (Memo topic: RECOMMENDATIONS)

7. What do stakeholders recommend as (i) immediate next steps to take, (ii) interim goals, and (iii) longer-term goals to build, expand or strengthen existing mechanisms and resources to combat TIP and assist its victims in the Western Balkans?

Code	Definition
Next step	Any response to TIP and exploitation of migrants respondents recommend be developed, strengthened or improved immediately ; include any reasons respondents give for making this recommendation
Interim and longer-term goal(s)	Any response to TIP and exploitation of migrants respondents recommend be developed, strengthened or improved in the mid- or longer-term ; include any reasons respondents give for making this recommendation

References

- MacQueen, Kathleen M., Eleanor McLellan, Kelly Kay, and Bobby Milstein (2008) "Team-Based Codebook Development Structure, Process and Agreement." *Handbook for Team-Based Qualitative Research*, G. Guest and K. MacQueen, eds. Plymouth, UK: AltaMira Press: 119-136.

**APPENDIX G:
PROVISIONAL LIST OF PARTICIPANTS
Validation Seminar
Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans
May 2014
Skopje**

REGIONAL VALIDATION WORKSHOP

LOCATION	TITLE/INSTITUTION or ORGANIZATION
1 ALBANIA	Deputy Minister of Interior, National Anti-Trafficking Coordinator
2 ALBANIA	Coordinator, Anti Trafficking Unit, Ministry of Internal Affairs
3 ALBANIA	Anti Trafficking police member of the Responsible Authority
4 ALBANIA	State Social Service, Member of the Responsible Authority
5 ALBANIA	President of turn, National Coalition of Anti Trafficking Shelters
6 BOSNIA AND HERZEGOVINA	National Anti-Trafficking Coordinator, State Ministry of Security
7 BOSNIA AND HERZEGOVINA	Senior Inspector, Directorate for Coordination of Police Bodies of BiH
8 BOSNIA AND HERZEGOVINA	Assistant Minister, State Ministry of Human Rights and Refugees
9 BOSNIA AND HERZEGOVINA	Senior Inspector, Service for Foreign Affairs, State Ministry of Security
10 BOSNIA AND HERZEGOVINA	NGO Medica, Zenica
11 MONTENEGRO	Office for Combating Human Trafficking
12 MONTENEGRO	NGO Montenegrin Woman's Lobby
13 MONTENEGRO	Unit for Suppression of Organized Crime, Montenegro Police
14 SERBIA	Anti-Trafficking Coordinator, Ministry of Interior
15 SERBIA	Advisor, Ministry of Labour, Employment and Social Policy
16 SERBIA	Coordinator, Centre for VoT Protection
17 KOSOVO	Deputy Minister/MIA, National Anti-trafficking Coordinator Office
18 KOSOVO	Captain, Department against organized crime/ Sector for investigation of human trafficking
19 KOSOVO	Center for Protection of women and children-- Local NGO
20 KOSOVO	Terre des Hommes
21 MACEDONIA	Deputy National Anti-Trafficking Coordinator
22 MACEDONIA	State Counselor, Ministry for Labor and Social Policy
23 MACEDONIA	President, NGO Open Gate/La Strada Macedonia
24 MACEDONIA	President, NGO Open Gate/La Strada Macedonia
25 MACEDONIA	Head, Department for Combating Human Trafficking
26 MACEDONIA	Macedonian Young lawyers Association
27 MACEDONIA	NGO Equal Access

**APPENDIX G:
PROVISIONAL LIST OF PARTICIPANTS
Validation Seminar
Needs Assessment of the Regional Counter-Trafficking Situation in the Western Balkans
May 2014
Skopje**

INTERNATIONAL ORGANIZATIONS AND DONOR COMMUNITY		
LOCATION	TITLE/INSTITUTION or ORGANIZATION	
28 EU DELEGATION	Political Advisor	
29 EU DELEGATION	Programme Manager Home Affairs/EIDHR	
30 US EMBASSY	Political Officer, U.S. Embassy in Skopje	
31 US EMBASSY	Political Assistant, U.S. Embassy in Skopje	
32 NORWAY	TBC	
33 SIDA	TBC	
34 PRM	TBC	
35 US Department of State, J/TIP	Senior Coordinator for Programs, Office to Monitor and Combat Human Trafficking (J/TIP)	
RCG		
36 RCG	Researcher, Social and Development Policy Specialist	
37 RCG	Researcher, International Human Rights, Public and Social Policy	
IOM		
38 IOM	Senior Regional Migrant Assistance Specialist, regional office Vienna	YES
39 IOM	Sub-Regional Coordinator for the Western Balkans	YES
40 IOM	AVRR and Counter Trafficking Assistant, Regional Office Vienna	YES
41 IOM	Consultant, IOM Sarajevo	YES
42 IOM	Migrant Assistance Specialist, IOM Skopje	YES
43 IOM	Head of Office, IOM Skopje	YES
44 IOM	Counter-Trafficking Focal Point, IOM Belgrade	YES
45 IOM	Head of Office, IOM Belgrade	YES
46 IOM	Counter Trafficking Project Coordinator, IOM Tirana	YES
47 IOM	Head of Office, IOM Tirana	YES
48 IOM	Head of Office, IOM Podgorica	YES
49 IOM	AVR Project Coordinator	YES



Appendix H:

Needs Assessment Research The Regional Counter-Trafficking Situation in the Western Balkans

7 May 2014

Presentation Overview



- Needs Assessment Background and Purpose
- Research Approach and Methodology
- Study Findings
 - Landscape
 - Gaps
- Recommendations
- Discussion and Refinement

An important note about needs assessment



The presentation offers an overview of key study findings ***based on the views*** of the stakeholders and documents

Not all findings apply to all of the sites ***equally***, with the same emphasis, or in the same way

Findings reflect stakeholder views and perspectives ***rather than*** a single, objective, empirical estimation of the landscape

Purpose of the Workshop



- Review needs assessment purpose and methods
- Present learned findings and recommendations
- Discuss, debate, refine, and/or validate findings and recommendations
- Use outcomes to revise and prioritize report
- Inform next steps and actions toward developing more effective response to TIP in the region

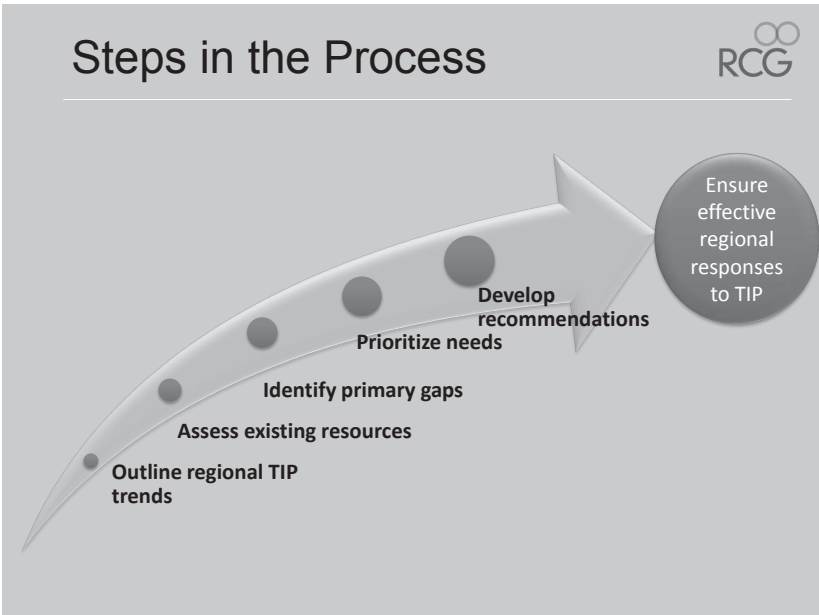
Background

Background

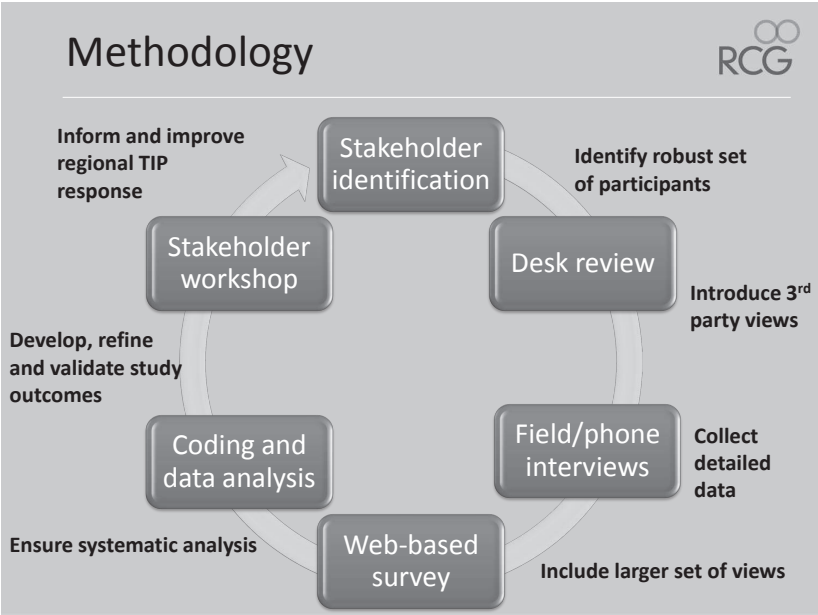
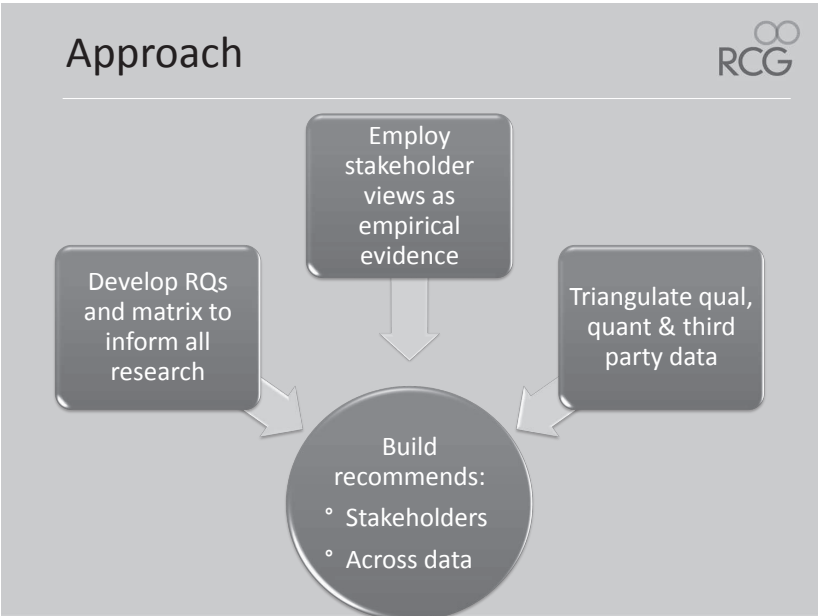
- TIP as a persistent and complex regional challenge
- Perpetual threat to people on the move in pursuit of potential work opportunities
- Exacerbated by new migration flows following EU expansion and regional border tightening
- More serious among socially marginalized groups



Source: FRAN and WB-RAN as of 15 February 2012, ESRI geodata



Approach and Methodology

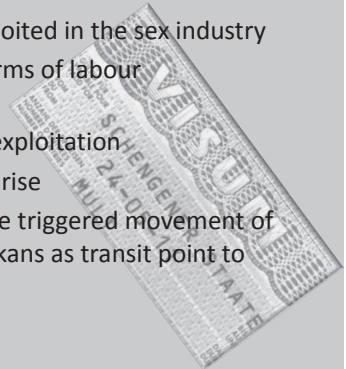


Findings

Landscape: Emerging Trends

TIP in the region involves multiple patterns, multiple forms of exploitation, and multiple forms of coercion

- Many more cases of trafficking than those identified
- Most *identified* cases: women exploited in the sex industry
- Many cases relate to additional forms of labour exploitation
- Emergence of new forms of child exploitation
- Internal trafficking appears on the rise
- Conflicts in Central Asia/Africa have triggered movement of migrants towards the Western Balkans as transit point to the Schengen area



Identification Landscape: Strengths

- Well-developed National Strategies and Action Plans
- Codified laws, rules and procedures

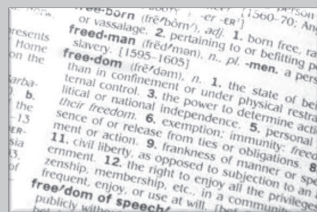


- Standard Operating Procedures
- Multi-disciplinary intervention
- Cooperation among key sectors

- Cases of strong cooperation and active NRMs, including voices of those receiving services
- New emphasis on training, reducing vulnerabilities, and multidisciplinary identification approaches

Identification Landscape: Challenges

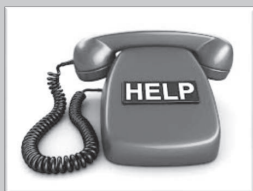
- Different and sometimes inconsistent systems for identifying cases of TIP
- Weaknesses in identification mechanisms
 - Primary role of the police
 - Definitional inconsistencies
 - Institutional limitations
- Key barriers to identification
 - Exclusion of labour exploitation from TIP definitions
 - Non-participation of labour inspectors from identification processes



Support Landscape: Strengths



- **Essential assistance** appears to be provided by shelters in **all** sites, including **free emergency medical care**
- **Both state and NGOs** are both engaged in providing supports, often in examples of positive cooperation
- **SOS Hotlines** where people can seek assistance anonymously exist in most sites
- Successful examples of **victim feedback** mechanisms have begun to emerge



Support Landscape: Challenges



- Supports and services available vary with trafficking type – domestic, international, and labour sector
- Accommodation = shelter-based and NGO-run
 - No dedicated shelters for children
 - No shelters for men
- Reflection periods and temporary residency permits contingent upon cooperation with authorities
- Little compensation for victims
 - Complex or non-functioning procedures
 - Lack of legal support
 - Some cases of discouragement



Available Support Services



Victim Support Services Available in the Region (in percentages)						
	Fully adequate	Somewhat adequate	Adequate for some groups only	Inadequate	Totally inadequate	Don't know
Short-term shelter	34.7	24.5	20.4	4.1	2.0	14.3
Longer term shelter or housing	30.6	22.8	19.2	6.2	2.1	19.2
Medical care	31.6	41.8	12.2	9.2	0.0	5.1
Psycho-social services	41.8	34.7	15.3	3.1	0.0	5.1
Risk assessments	33.0	37.1	14.4	10.3	1.0	4.1
Legal support (civil or criminal)	27.3	34.0	13.4	12.9	5.7	6.7
Employment support	10.8	32.6	24.0	14.9	2.4	15.3
Return and/or reintegration	28.0	34.2	14.0	6.7	2.6	14.5
Relocation or integration	18.5	20.5	13.8	15.4	4.1	27.7

Source: Stakeholder Survey (IOM WB Needs Assessment 2014)
Notes: Table shows percentages by row; each row sums to 100 percent. Missing data is excluded from percentage calculations.

Landscape: Cooperation



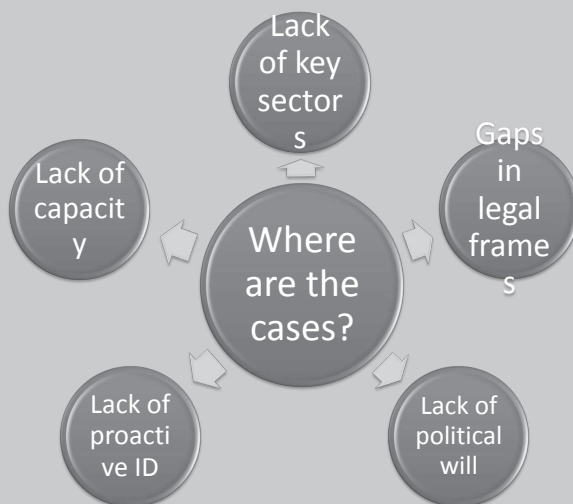
Survey: TRMs are operational (87%)
Interviews: Not working



Survey: NRM are operational (72%)
Interviews: Not working



Gaps: Identification Mechanisms

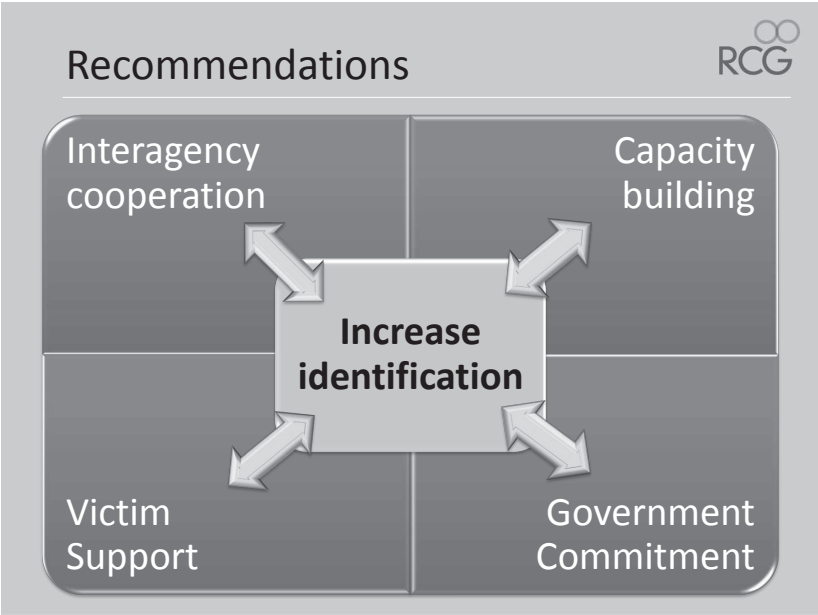


Gaps: Supports, Services, Quality



- Many VOTs remain underserved by available services
- Longer-term reintegration services remain a challenge across the region
- Protection mechanisms for trafficked persons inconsistently operationalized/enforced
- Few systems are in place to ensure that the assistance provided to victims of trafficking
 - Meets minimum standards
 - Is regarded as appropriate by those we seek to assist

Recommendations



Recommendations: Identification 1

1. Involve wider range of actors in *pro-active identification*: labour inspectors, health practitioners, social workers and teachers



2. Build skills and capacity of *police* to identify cases of trafficking, including to screen, interview, and refer cases appropriately
3. Strengthen capacity and motivation of *non-police* actors responsible for identifying trafficked persons

Recommendations: Identification 2

4. Pursue a proactive approach to identification of trafficking cases



Recommendations: Supports



1. Provide support to all types of trafficking case

2. Develop dedicated services for children

3. Improve the quality of all services

4. Deliver long-term, sustainable reintegration support

Recommendations: Cooperation



1. Increase cooperation and coordination among national actors responding to trafficking
2. Strengthen international cooperation through
 - Improving implementation and institutionalization of regional TRM
 - Strengthening other forms of cross-border cooperation
 - Creating joint investigation teams



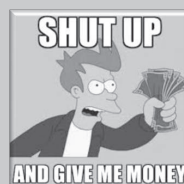
Recommendations: Criminal Justice

1. Strengthen the capacity of criminal justice actors to
 - Protect victims of trafficking
 - Prosecute traffickers to the full extent of the law
2. Strengthen support in the criminal justice process
 - Full implementation of the reflection period
 - Appropriate support during legal processes
 - Legal assistance to pursue compensation



Recommendations: Govt. Commit

1. Increase funding for counter-TIP programmes, in particular for NGOs and institutions that support trafficked persons



Recommendations: Attitudes



1. Incorporate activities to address attitudes that hinder the response to trafficking
 - Relevant trainings
 - Awareness raising campaigns
 - Skills building workshops



Discussion and Refinement

Small Group Discussion



- **Topical groups** to address issues and identify priorities most important to address at the regional level



Concluding Remarks



- Needs assessments are a positive, productive step that focus on current needs, gaps and priorities for future action
- All sites have taken, and continue to take, significant steps to combat and respond to TIP
- The nature of the challenge of TIP makes it difficult to realize return on investment, especially in an era of scarce resources and competing priorities

Concluding Remarks



- Reducing the # of trafficked persons requires identifying them and helping them to exit exploitative situations
- Achieving this goal requires
 - Assistance to victims, including long-term reintegration support
 - Addressing the causes, the traffickers, by making trafficking an unprofitable business
- These two areas are strongly connected
 - Better services make it more likely that victims will seek assistance and cooperate with legal authorities
 - More victims coming forward aids in the identification of trafficking networks
 - Progress on compensation helps to serve both the goal of reintegration and the goal of making trafficking less attractive



Thank you for your
attention and feedback

