

# COMBATING TRAFFICKING IN HUMAN BEINGS IN THE WESTERN BALKANS REGION |

## A NON-PAPER

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This non-paper was prepared by the International Centre for Migration Policy Development (ICMPD) initially on the occasion of the international forum, “The Western Balkans and the European Union: Systems for Combating Human Trafficking in Southeast Europe in the Context of the Accession Process,” held on 31 May-1 June in Sofia and organised by the National Commission for Combating Trafficking in Human Beings (NCCTHB) of Bulgaria in partnership with ICMPD.

The non-paper draws on the survey that was conducted by the NCCTHB and ICMPD with the Anti-Trafficking Coordinators (ATCs) of the Western Balkans (WB) region. It also draws on the country fiches submitted in response of the questions put forth by the Bulgarian EU Presidency on the occasion of the Meeting of the EU Network of National Rapporteurs or Equivalent Mechanisms (NREM) on Trafficking in Human Beings on 13-14 June 2018 in Brussels. In addition, it synthesises the latest reports by the Council of Europe (CoE) Group of Experts on Action against Trafficking in Human Beings (GRETA), as well as the European Commission (EC) progress reports published on 17 April 2018 for the WB countries in focus of this discourse - Albania, Bosnia and Herzegovina (BiH), Kosovo\*, the former Yugoslav Republic of Macedonia (Macedonia), Montenegro, and Serbia. The findings of ICMPD’s recent research assessment “*Trafficking along Migration Routes to Europe - Bridging the Gap between Migration, Asylum and Anti-Trafficking*” have also been taken into consideration.<sup>1</sup>

This non-paper is a work in progress and its aim is twofold. First, it guided the discussions during the Forum in Sofia. Second, it is to serve as the compass for EU’s near-future engagements in the field of countering THB in the Western Balkans.

### 1. INTRODUCTION: WESTERN BALKANS AND THE EU ACCESSION

The European Union (EU) has supported the European perspective for the WB since the Thessaloniki Summit in 2003. Such perspective was also reiterated in the State of the Union address of 2017 by the President of the EC<sup>2</sup> and in the Sofia Declaration on the occasion of the EU-WB Summit on 17 May 2018.<sup>3</sup>

In 2018 the EU has made an historic step by going beyond a mere declaration of support. In its Strategy for “*A credible enlargement perspective for and enhanced EU engagement with*

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\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo declaration of independence.

<sup>1</sup> Forin, Roberto & Healy, Claire (2018). *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*. Vienna: ICMPD. The study is available at: [goo.gl/T4Q6zK](http://goo.gl/T4Q6zK)

<sup>2</sup> 13.09.2017, see: [goo.gl/nnigRi](http://goo.gl/nnigRi) The State of the Union address of 2018 states bluntly: “We must find unity when it comes to the Western Balkans – once and for all. Should we not, our immediate neighbourhood will be shaped by others.” (State of the Union 2018. The Hour of European Sovereignty. See [bit.ly/2QmKmOu](http://bit.ly/2QmKmOu), p. 4)

<sup>3</sup> The declaration is available at: [goo.gl/ibVGKj](http://goo.gl/ibVGKj)



the *Western Balkans*” adopted in February 2018 (EU-WB Strategy)<sup>4</sup>, the EC has set the year 2025 as the window of opportunity. By that time some of the WB countries could potentially be ready for membership provided they are able to deliver real reforms and definitive solutions to disputes with neighbours.<sup>5</sup>

Since 2003, these WB countries have moved at very different speeds. Accession negotiations have been opened with candidate countries Montenegro (2012) and Serbia (2014); Macedonia is a candidate country since 2005 and Albania obtained candidate status in 2014; BiH and Kosovo are potential candidates for EU accession.<sup>6</sup>

Together with the *EU-WB Strategy* the EC announced *six flagship initiatives* - specific actions that the EU will take over the next years to support the transformation efforts in the WB countries, ranging from strengthening the rule of law, reinforced cooperation on security and migration through joint investigating teams and the European Border and coast guard, to rolling out the digital agenda for WB.<sup>7</sup>

On 17 April 2018 the EC adopted its annual *Enlargement Package* including individual country reports, assessing the implementation of the EU's enlargement policy which is based on established criteria and fair and rigorous conditionality.<sup>8</sup> Montenegro has up until now opened 31 negotiating chapters and has provisionally closed three.<sup>9</sup> Serbia has since the opening of accession negotiations in January 2014, opened 14 out of 35 chapters, of which it has provisionally closed two.<sup>10</sup> The EC assessed that Albania and Macedonia are making significant progress and recommended opening of accession negotiations.<sup>11</sup> BiH could become a candidate with sustained effort and engagement. Kosovo is a potential candidate with an opportunity for sustainable progress through implementing the Stabilisation and Association Agreement.

The EU has established a comprehensive and victim-centred **legal and policy framework** for tackling THB. The cornerstones of this framework are the *Strategy towards the Eradication of Trafficking in Human Beings 2012-2016* (EU THB Strategy)<sup>12</sup> as well as *Directive 2011/36/EU*<sup>13</sup>, covering identification, protection and assistance to trafficked people; consolidating cooperation between key stakeholders and policy coherence; and improving knowledge and effective responses to new concerns associated with all forms of trafficking in human beings.

The 2017 EC's Communication *Reporting on the Follow-up to the EU Strategy towards the Eradication of Trafficking in Human Beings* (EU Follow-up THB Strategy) proposes a further set of priorities including disrupting the business model that THB depends on; improving

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<sup>4</sup> *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, COM(2018)65.

<sup>5</sup> *Ibid.*, p. 2.

<sup>6</sup> See more detailed status overviews at: [goo.gl/VKFn6](http://goo.gl/VKFn6).

<sup>7</sup> *Six Flagship Initiatives To Support The Transformation of The Western Balkans*, May 2018, available at: [goo.gl/c7FQqm](http://goo.gl/c7FQqm)

<sup>8</sup> *2018 Communication on EU Enlargement Policy*, COM(2018) 450, 17.4.2018. Available at: [goo.gl/CAZVXA](http://goo.gl/CAZVXA).

<sup>9</sup> See [bit.ly/2NJL0rQ](http://bit.ly/2NJL0rQ)

<sup>10</sup> See [bit.ly/2Klec61](http://bit.ly/2Klec61)

<sup>11</sup> *2018 Communication on EU Enlargement Policy*, COM(2018) 450, 17.4.2018. Available at: [goo.gl/CAZVXA](http://goo.gl/CAZVXA), p. 12.

<sup>12</sup> *EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)*, COM/2012/0286 final. Available at: [goo.gl/ejcc1a](http://goo.gl/ejcc1a).

<sup>13</sup> *Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA*. Available at: [goo.gl/vk7NUx](http://goo.gl/vk7NUx)

victims' access to rights; and ensuring that EU internal and external actions provide a coordinated and consistent response.<sup>14</sup>

Combating THB is also an integral part of the *European Agenda on Migration*<sup>15</sup> and also of the *European Agenda on Security*,<sup>16</sup> with links to policy areas within and outside the EU. The *Second report on the implementation of the Action-Oriented Paper on Strengthening the EU External Dimension on Action against Trafficking in Human Beings* includes a list of priority third countries and regions with which the EU should develop partnerships and specific areas of cooperation, including candidate and potential candidate countries from the WB.<sup>17</sup>

## 2. ANTI-TRAFFICKING SITUATION IN THE WESTERN BALKANS

All the six WB countries share both a common history of establishing anti-THB mechanisms, and in many instances also suffer from similar shortcomings.

Anti-trafficking response in all these countries was championed by the Stability Pact Task Force on THB in early 2000s.<sup>18</sup> Today the response to THB in the WB countries is regularly monitored by GRETA, in view of implementation of the 2005 CoE *Convention on Action against Trafficking in Human Beings* (CoE THB Convention) as all six countries are parties to the Convention.<sup>19</sup> The EC measures the anti-trafficking progress made by these countries in its annual progress reports vis-à-vis the EU *acquis* where progress in the area of the rule of law, fundamental rights and good governance remains the most pressing issue for the enlargement countries.

The Network of Anti-Trafficking Coordinators from South-Eastern Europe (NATC-SEE) is one of the most important fora for cooperation and policy making on anti-THB in the region. The network was set up on 20 October 2010 at the Brdo Ministerial Conference upon the initiative of the Ministry of the Interior of the Republic of Slovenia. The network brings together ATCs from the SEE region while the International Centre for Migration Policy Development (ICMPD) has been entrusted with the role of its Secretariat.

Trafficking in persons in the SEE region involves multiple patterns, multiple forms of exploitation and multiple forms of coercion. However, several common features can be identified in all the SEE countries. Namely, all of the countries in the region are identified as source, transit, and destination countries for human trafficking with the sexual exploitation as the prevailing form of exploitation. However, cases of trafficking for other purposes appear to be on the rise in the region lately.<sup>20</sup> In a snapshot, all six countries need more-proactive investigations and effective procedures to be put into practice in order to identify THB cases, including those among the migrant population. They share the need for strengthened communication and coordination among all stakeholders in order to provide comprehensive anti-THB response at both on national and transnational level. Challenges in establishing

<sup>14</sup> *Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions*, COM(2017) 728, Available at: [goo.gl/urTrqa](http://goo.gl/urTrqa).

<sup>15</sup> *A European Agenda on Migration*, COM(2015) 240, 13.5.2015. Available at: [goo.gl/jiHfCa](http://goo.gl/jiHfCa).

<sup>16</sup> *The European Agenda on Security*, COM(2015) 185, 28.4.2015. Available at: [goo.gl/Ly5Kr8](http://goo.gl/Ly5Kr8)

<sup>17</sup> *Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings – second implementation report/update of information on Member States' external action*, 13661/3/12, 3.12.2012. Available at: [goo.gl/JsqKb5](http://goo.gl/JsqKb5)

<sup>18</sup> See *Trafficking in Human Beings in South Eastern Europe in 2004*. UNDP (2005), p. 7. Available at [goo.gl/pWKR2N](http://goo.gl/pWKR2N)

<sup>19</sup> Overview of the signatures and ratifications to the CoE THB Convention can be found at: [goo.gl/Mi9484](http://goo.gl/Mi9484). Individual country reports by GRETA are available here: [goo.gl/Cwyd5v](http://goo.gl/Cwyd5v).

<sup>20</sup> Brdo Process Ministerial meeting, Discussion Paper *Regional cooperation in the field of combating trafficking in human beings, 15-16 march 2018*.



links between anti-THB and migration authorities within a country have become particularly visible having been propelled to the spotlight by the recent migration crisis and the movements along the Balkan route. Finally, compensation for victims of THB - and for victims of crime in general - remains a shared challenge across the WB region. In the following sections we take a brief look at the situation in each of the countries.

## Albania

In its most recent progress report, the EC found Albania to show improvements in the anti-trafficking response in the country. The new *Anti-trafficking Strategy and Action Plan for 2018-2020* have been finalised and their adoption is pending<sup>21</sup> and the National Referral Mechanism (NRM) is fully functional.<sup>22</sup> GRETA noted in its latest report the progress in developing the legal framework for combating THB, particularly adopting legal provisions on the granting of a recovery and reflection period and residence permits to victims of THB.<sup>23</sup>

Areas where improvement is needed include:

- legal aid scheme to develop an outreach mechanism and access to services to be developed (EC);
- compensation system/scheme to be enforced in practice (EC and GRETA);
- solid track record of proactive investigations, prosecutions and convictions by improving the criminal justice system to be established (EC and GRETA);
- the principle of non-punishment for child victims of trafficking to be implemented and to provide them with adequate protection (EC);
- to ensure cross-sectoral coordination with child protection and anti-THB mechanisms at local and regional level (EC);
- border police investigative powers to be strengthened, in order to detect people smuggling and trafficking cases and paying particular attention to unaccompanied children, irregular migrants and asylum seekers (EC and GRETA);
- Anti-THB prevention measures in order to discourage demand for the services of trafficked persons for all forms of exploitation to be enforced (GRETA).

## BiH

The EC registered that the implementation of the *Action plan on fighting THB (2016-2019)* in BiH is ongoing.<sup>24</sup> The *2017-20 Strategy for Combating Organised Crime* (covering also the anti-THB issues) is in place. Improvements, however, are needed in order to establish a comprehensive, multidisciplinary and victim-oriented approach to trafficking in human beings<sup>25</sup> as well as adequate identification and protection of victims.

GRETA has welcomed the legislative changes that have been made since 2013: the introduction of the criminal offence of human trafficking in the criminal codes, legal provisions concerning the non-punishment of victims of trafficking for offences committed as a result of being trafficked, as well as the establishment of the right of victims to be granted a

<sup>21</sup> *Albania 2018 Report*, SWD(2018) 151, 17.4.2018, p. 34. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

<sup>22</sup> *Ibid.*, p.36.

<sup>23</sup> *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania*, GRETA(2016)6. Available at: [goo.gl/iVM47P](http://goo.gl/iVM47P)

<sup>24</sup> *Bosnia and Herzegovina 2018 Report*, SWD(2018) 155, 17.4.2018. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

<sup>25</sup> *Ibid.*, p. 24.

recovery and reflection period pursuant to the Law on Foreigners.<sup>26</sup> In addition, the enlargement of the composition of the four Regional Monitoring Teams co-ordinating anti-THB activities by including labour inspectors and staff of mental health centres and day centres for children was notified as another positive development, along with the adoption of the 2016-2019 National Action Plan against THB.

BiH is expected to demonstrate the following improvements:

- Comprehensive, multidisciplinary and victim-oriented approach should be established. Statistical system on measures to protect and promote the rights of THB victims is needed (GRETA);
- Capacity among prosecutors and law enforcement to be strengthened (EC). Capacity of social work centres to play a proactive role in alerting other relevant authorities to possible THB cases to be enhanced, especially in the cases of child trafficking (EC, GRETA). Capacity of the THB investigation units to be improved (EC);
- Procedures for identification and providing adequate assistance to victims of THB (including child victims of THB) to be improved (GRETA);
- Greater efforts are needed in order to improve the long-term monitoring of child reintegration and conducting proper risk assessments (EC);
- Measures to facilitate and guarantee access to compensation for THB victims from the perpetrators or the State to be adopted (GRETA).

## Kosovo

According to the EC, the 2015-2019 Strategy and Action Plan against THB is in place, with the priority on preventing trafficking, protecting and supporting victims and witnesses, investigating and prosecuting trafficking crimes and protecting children. The legislation is broadly aligned with the EU Directive on preventing and combating trafficking in human beings and victim protection.<sup>27</sup>

Suggested areas of improvement include:

- The implementation of the legal instruments on THB to be improved in practice (EC);
- Sustainable funding of the shelters for THB victims to be insured (EC).
- Comprehensive and coherent statistical system on THB by compiling reliable statistical data to be established (GRETA);<sup>28</sup>
- Prevention and protection measures addressing vulnerability of children to THB to be developed (GRETA);
- Strengthen action to combat THB for the purpose of labour exploitation by involving labour inspectors (GRETA);
- Capacity building activities for all relevant anti-THB actors to be enforced, in particular to identify potential THB-related risks among migrant population (GRETA);
- Measures to be taken for effective reintegration of victims of THB (EC).

<sup>26</sup> Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bosnia and Herzegovina, GRETA(2017)15, p. 8. Available at: [goo.gl/EQ9zEj](http://goo.gl/EQ9zEj)

<sup>27</sup> Kosovo\* 2018 Report, SWD(2018) 156, 17.4.2018. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

<sup>28</sup> Report on the compliance of Kosovo\* with the standards of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA(2015)37. Available at: [goo.gl/BzmYGk](http://goo.gl/BzmYGk).



## Macedonia

The Macedonian Criminal Code is broadly in line with European standards and criminalises THB. In March 2017, the *National Strategy for Combating Trafficking in Human Beings and Illegal Migration (2017-2020)* was adopted together with an action plan to implement this strategy. The National Commission for Combating THB and Illegal Migration is responsible for monitoring the implementation of the Strategy. EC noted that the decentralisation of the National Commission through the creation of local commissions at the municipal level has yet to prove its effectiveness.<sup>29</sup> Establishing of the Task Force (National Unit for suppression of smuggling of migrants and THB) in January 2018 was seen as a positive step forward, aiming to provide better cooperation, strengthen the capacities and improve the efficiency of the prosecution and police services. The plan of the government to establish four mobile teams composed of social workers, police officers, and non-governmental organisations is seen as a promising move towards identification of trafficking instances among vulnerable categories of people.

GRETA experts welcomed the evolution of the legislative, policy and institutional framework, the training provided to an expanded range of professionals and the research carried out on different aspects of THB.<sup>30</sup> They also highlight the practical application of the criminalisation of the use of services of a victim of trafficking.

Areas of improvement include:

- The effectiveness of the newly established anti-THB local commissions to be proven in practice (EC);
- More proactive policy for prevention and identification of THB cases to be developed and more effective coordination to be established (GRETA), particularly between prosecutors, the police and other relevant bodies and agencies (EC, GRETA);
- Increased attention to detecting potential victims of THB among migrants, asylum seekers and unaccompanied children to be paid, as well as to proactively identify victims of trafficking for the purpose of labour exploitation (GRETA);
- Coordination between asylum and migration actors and procedures, on the one hand, and anti-THB actors and procedures, on the other hand to be enhanced, in order to identify and provide proper assistance to the THB victims among migrant population. Identification of THB cases to be incorporated into asylum application procedures through proactive screening during registration and status determination interviews (ICMPD);
- Adequate funding and sufficient staff for the anti-THB investigative work to be assured, in order to carry out proactive investigation, successful prosecution and effective, proportionate and dissuasive sanctions (GRETA);
- Continuous attention to unaccompanied minors who are at risk of becoming THB victims is needed. In that sense, effective and sustainable cross border cooperation to be established (EC, GRETA);
- Access to compensation for THB victims to be assured, including by systematically informing them of the right to seek compensation and by setting up a state compensation scheme accessible to victims of trafficking (GRETA).

<sup>29</sup> *The former Yugoslav Republic of Macedonia 2018 Report*, SWD(2018) 154, 17.4.2018. P. 35. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

<sup>30</sup> *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by "the former Yugoslav Republic of Macedonia"*, GRETA(2017)39. Available at: [goo.gl/8iFRXN](http://goo.gl/8iFRXN)



## Montenegro

Montenegro's legal, institutional and strategic frameworks are in place and are being continuously improved.<sup>31</sup> GRETA marked several positive developments, such as: the developed anti-THB legal framework by adding additional forms of exploitation to the Criminal Code; the irrelevance of the victim's consent to the intended exploitation; the foreseen recovery and reflection period of up to 90 days for victims of trafficking (according to the Law on Foreigners); the possibility of granting a temporary residence permit to victims independently of their co-operation with law enforcement authorities etc. In addition, the awareness-raising of the risks of human trafficking, including among migrant workers and children, close cooperation with the civil society, training police officers, the establishment of a dedicated police unit and the adoption of important policy documents were also welcomed by GRETA.<sup>32</sup> Improvements are required to:

- Produce a convincing track record in the fight against THB - investigations, prosecutions, final convictions, seizures and confiscations of proceeds (EC, GRETA);
- Proactively identify victims and to detect the organised and forced nature of prostitution, of child begging and of certain forms of labour (EC, GRETA). Particular attention to be paid to migrant workers, children in street situations, children from the Roma, Ashkali and Egyptian communities and unaccompanied minors (GRETA);
- Improve the operational capacity and coordination among the anti-THB stakeholders (police, prosecutors, judges, labour inspection, social workers, NGOs etc.) in order to enforce multidisciplinary approach on the prevention and repression of THB and on victims' protection (GRETA);
- Develop measures in order to discourage demand for the services of trafficked persons, in partnership with civil society and the private sector, including the tourist industry (GRETA);
- Facilitate and guarantee victims' access to compensation regardless of their nationality and residence status by making full use of the existing legislation (GRETA);
- A specific legal provision and/or the development of guidance for relevant professionals on the scope of the non-punishment provision to be adopted (GRETA).

## Serbia

Several improvements in the anti-THB response are marked in the 2018 EC progress report for Serbia: a new Strategy and Action Plan to prevent and fight THB 2017-2022 adopted, a National Coordinator for combating THB appointed (October 2017), as well as new Law on the Prevention of Money Laundering and Terrorist Financing has been adopted. Serbia also adopted a new Law on Foreigners, aiming to align its national legislation with the EU *acquis* in areas such as family reunification, the status of third-country nationals with long-term residence, and residence permits issued to third-country nationals who are victims of THB. Amendments to the Criminal Code were adopted, leading to increased penalties for smuggling and THB.<sup>33</sup> The EC noted that the investigative capacity in this field was substantially increased by transferring competences from the Border Police Directorate to the Criminal Police Directorate.

<sup>31</sup> *Montenegro 2018 Report*, SWD(2018) 150, p. 34. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

<sup>32</sup> *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Montenegro*, GRETA(2016)19, p. 13. Available at: [goo.gl/EsXUdt](http://goo.gl/EsXUdt)

<sup>33</sup> *Serbia 2018 Report*, SWD(2018) 152, 17.4.2018, p. 34. Available at: [goo.gl/k9tfTk](http://goo.gl/k9tfTk).

GRETA acknowledged that the legal and institutional framework for combatting THB in Serbia has evolved, but efforts should be stepped up to reduce children's vulnerability to trafficking and improve the identification of and assistance to child victims.<sup>34</sup>

Serbia has been recommended to make the following key improvements:

- Capacities of the Centre for Protection of Victims of Trafficking in Human Beings to be strengthened (EC);
- Children's vulnerability to trafficking to be reduced (EC). Identification of and assistance to child victims to be improved (EC, GRETA);
- Coordination between asylum and migration actors and procedures, on the one hand, and anti-THB actors and procedures, on the other hand to be enhanced, in order to identify and provide proper assistance to the victims of THB among migrant population. Identification of THB cases to be incorporated into asylum application procedures through proactive screening during registration and status determination interviews (ICMPD);
- Migrants, asylum seekers as well as unaccompanied and separated children to benefit from effective identification procedures as well as care arrangements, including safe and appropriate accommodation (GRETA);
- Provision on the recovery and reflection period for trafficked persons to be added in Serbian legislation (GRETA);
- Specialised support and safe accommodation to be provided to all trafficked persons, including men (GRETA);
- The interinstitutional coordination and the capacity to respond to requests for international cooperation to be strengthened (EC);
- Support fund for victims to be established and the compensation mechanism in civil proceedings to be improved (EC). To guarantee access to compensation for victims of trafficking by systematically informing them of the right to seek compensation and the procedures to be followed, as well as by setting up a State compensation scheme (GRETA);
- Reintegration of victims of trafficking into society to be facilitated (EC, GRETA).

### 3. REGIONAL COOPERATION IN COMBATING TRAFFICKING IN HUMAN BEINGS

The first instrument adopted in the SEE region encouraging cross-border cooperation at the operational level amongst law enforcement authorities was the **2006 Police Cooperation Convention for Southeast Europe**. In addition to the six countries in focus of this paper, it also includes Bulgaria, Moldova, and Romania and aims to strengthen the cooperation among the signatory countries "with respect to prevention, detection and police investigation of criminal offences".<sup>35</sup>

<sup>34</sup> Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia, GRETA(2017)37, p. 19. Available at: [goo.gl/aGHcDs](https://goo.gl/aGHcDs).

<sup>35</sup> Art. 1 of the Convention. Tools foreseen include: joint threat analysis, liaison officers, hot pursuit, witness protection, cross-border surveillance, controlled delivery, undercover investigations, transmission and comparison of DNA profiles and other identification material, border search operations, mixed analysis working groups, joint investigation teams, mixed patrols along the state border, cooperation in common centres. See more at: [goo.gl/86NeB8](https://goo.gl/86NeB8).



On the operational level three cooperation mechanisms are relevant - the **Southeast European Law Enforcement Center (SELEC)**<sup>36</sup>, the **Southeast European Prosecutors Advisory Group (SEEPAG)**,<sup>37</sup> and **Migration, Asylum, Refugees Regional Initiative (MARRI)**<sup>38</sup>. SELEC, with its headquarters in Bucharest, provides support for its Member States and enhances coordination in preventing and combating crime, including serious and organized crime, where such crime involves or appears to involve an element of trans-border activity.<sup>39</sup> SEEPAG is an international mechanism of judicial cooperation, formed to facilitate judicial cooperation in significant trans-border crime investigations and cases.<sup>40</sup> MARRI was established in 2003, within the framework of the Stability Pact for SEE, to promote and support a closer regional cooperation and a comprehensive and consistent approach in the fields of migration, asylum, integrated border management, visa policies and consular cooperation, refugee/displaced persons return and settlement in the WB.<sup>41</sup>

On the policy-making level the most relevant cooperation forum the WB countries on the anti-trafficking response is the **Network of Anti-Trafficking Coordinators** from SEE (NATC-SEE). The NATC-SEE started out as a “members-only club” exclusively for the anti-THB practitioners in the region, but throughout the years it has grown into a platform for interactive dialog that involves a wide-span European network of experts and professionals, thus enabling the creation and exchange of good practices beyond the usual formal channels. The network was created at the Ministerial Conference held in Brdo pri Kranju in October 2010, and ICMPD was entrusted with the responsibility of serving as the **Secretariat** for this initiative. Since 2011 the Network held regular meetings at least twice a year. The NATC-SEE meetings serve as a forum for sharing good practices, discussing the needs of the countries and identifying the areas for potential cooperation in the future, beyond SEE.

In 2012, on the occasion of the 6th EU Anti-Trafficking Day, the NATC issued a *joint declaration* outlining their priorities in combating THB and well reflecting the synergies between the EU THB Strategy at the time and the progressive efforts made in SEE to tackle the issue.

At one of the latest NATC’s meetings held in November 2017 in Skopje, several aspects of mutual cooperation were discussed, leading to concrete conclusions, among others, on the relevance and effectiveness of engaging police liaison officers and regional cooperation platforms, such as SELEC and Police Cooperation Convention for SEE; on the use of Joint Investigations Teams (JIT) in the region as a proven instrument for cross-border cooperation in investigating THB cases, also highlighting an issue of concern in using JITs being the protection and assistance to victims (in most cases neglected as JITs are only dealing with criminal investigation and prosecution aspects of a THB case); on the task-forces as a model for institutional cooperation between police and prosecutors being used more frequently; on the use of so-called action weeks with destination countries’ representatives from the police, prosecutors and social workers conducting site visits in countries of origin.<sup>42</sup>

Most recently the WB countries’ mutual cooperation on anti-THB received a boost from the Ministers of Interior of the SEE region who adopted a **Ministerial Declaration** at the

<sup>36</sup> See more at: [www.selec.org](http://www.selec.org).

<sup>37</sup> See more at: [www.seepag.info/](http://www.seepag.info/)

<sup>38</sup> See more at: [marri-rc.org.mk/](http://marri-rc.org.mk/)

<sup>39</sup> See more at: [www.selec.org/m106/About+SELEC](http://www.selec.org/m106/About+SELEC)

<sup>40</sup> See more at: [www.seepag.info/index.php?section=about&id=1](http://www.seepag.info/index.php?section=about&id=1)

<sup>41</sup> See more at: [marri-rc.org.mk/about-us/](http://marri-rc.org.mk/about-us/)

<sup>42</sup> The conclusions are available with ICMPD – the Secretariat for the NATC.



Ministerial Meeting of the Brdo Process on 16 March 2018. The ministers agreed among others, to continue the fruitful cooperation of within the NATC-SEE.<sup>43</sup>

## 5. COOPERATION OF WB WITH THE EU AND INDIVIDUAL EU MEMBER STATES

The importance of cooperation with the non-EU countries (including the WB countries) is highlighted in the 2017 EU Follow-up THB Strategy. Under the third priority, which foresees **intensifying a coordinated and consolidated response both within and outside the EU**, it states that the *“relevant actors in the EU and non-EU countries will be encouraged to tackle issues including protecting victims and reintegrating them into society in their initiatives on prevention, education and shelters, and to address the situation of vulnerable women, children and other groups, including the Roma”*.<sup>44</sup> Accordingly, *“support will be furthered to non-EU countries cooperating with the EU to implement security sector reforms and establish the rule of law on their territory, with the aim of prevention and tackling of trafficking in human beings, building strong law enforcement and prosecution”*.<sup>45</sup>

The importance of the quality of the investigation processes in the THB cases is highlighted by the EC and GRETA as requiring particular improvement in the WB. Accordingly, one of the highlighted priorities in the EU Follow-up THB Strategy is **setting up JITs** both within the EU and with non-EU countries. This, according to the document, *“can be done with the support of the relevant EU agencies, the European Judicial and Training Network and the European Crime Prevention Network as well as internationally, including through the EU development programmes and the actions under the Common Foreign and Security Policy”*.<sup>46</sup>

The EC, in the course of 2018, plans to review and identify the priority countries and regions for action against THB ensuring consistency and complementarity with the priorities and programming identified in all fields of international engagement (in particular, migration, security and human rights areas). **Cooperation with the non-EU countries**, therefore, is mentioned as important regarding the transnational cooperation on identification and referral of the THB cases. The WB countries are very relevant in this context, particularly in the context of the cooperation between the countries of origin, transit and destination, as well as with the civil society and international organisations. Namely, as reported both by Eurostat<sup>47</sup> and Europol<sup>48</sup>, Albania highlights as the country of origin for exploitation happening in the EU, while more recently available data by the WB countries confirms the EU being the main destination for THB victims originating from the WB.<sup>49</sup>

While Bulgaria, Croatia, Romania and Slovenia participate in the NATC-SEE platform, some Member States (Czechoslovakia, Cyprus, Estonia, Malta, Latvia, Portugal, Poland, Sweden, Spain) report **no or low level of cooperation** with the WB countries. Some MSs participate

<sup>43</sup> The text of the declaration is available at: [goo.gl/xmiDZy](http://goo.gl/xmiDZy).

<sup>44</sup> COM(2017)728, p. 6.

<sup>45</sup> *Ibid.*, p. 7.

<sup>46</sup> *Ibid.*, p. 4.

<sup>47</sup> “Trafficking in Human Beings”, *Eurostat Statistical working papers*, 2015 edition. P. 36. Available at: [goo.gl/D5tQe7](http://goo.gl/D5tQe7).

<sup>48</sup> *Situation Report Trafficking in human beings in the EU*. Europol (2016), pp. 3-4, 21, 24. Available at: [goo.gl/rxMBKS](http://goo.gl/rxMBKS).

<sup>49</sup> For instance data from the Serbian authorities over the past three years indicates Austria, Belgium, Denmark, France, Germany, the Netherlands, Italy, Slovenia, Sweden as main countries of destination. See the statistical reports for 2015, 2016 and 2017, available in Serbian at: [www.centarzztlj.rs/index.php/statistika](http://www.centarzztlj.rs/index.php/statistika). Similarly in case of Macedonian citizens for the nationals trafficked abroad, the main destination countries have been the EU countries - France, Croatia, Italy, as well as Switzerland and the region (Serbia). See GRETA (2017)39, paras. 12-13.



in networks with the WB countries, for example the «pôle de Belgrade» (France), the inter-ministerial regional initiative to fight organised crime in SEE region, covering 13 countries.<sup>50</sup> There are initiatives for strategic inter-ministerial cooperation between countries for information exchange and institutional functioning, as well as judicial and law enforcement training (France).

A lot of emphasis is placed on **operational cooperation** and many MSs have had investigations with WB counterparts. Still, the difficulty to investigate in case of lack of formal collaboration has been highlighted (Spain). Some MSs (Germany, Poland, Spain) have indicated the role of EUROPOL in ensuring operational support, exchange of information, and referred to the Albanian task force “The Power of Law” and the Albanian contact point at Europol to channelling the request of information/collaboration; while Austria and the Netherlands have collaborated with WB countries via JITs. Furthermore, many MSs (Austria, Belgium, Croatia, Germany, Greece, Hungary, UK) have established **bilateral cooperation** with some WB countries, while some (Germany, Slovakia, UK) have highlighted MoUs with WB countries. Belgium’s Federal Prosecutor’s Office has several protocols with WB countries, such as Serbia and Albania. The existing security agreements of Germany with Kosovo, Albania, Serbia also contain provisions relevant to THB. Austria has regular information exchanges about the trends and modus operandi.

MSs highlight the practical role of **liaison officers** – e.g. Germany’s Federal Criminal Police liaison officers and foreign liaison officers seconded to Germany; Austria’s national police and UK National Crime Agency international liaison officers in WB states; France has liaison judges in the SEE region to facilitate transnational judicial cooperation; and Spain deployed network of **attaches of Interior** (in Serbia covering also BiH and Montenegro; and in Bulgaria covering Albania and Macedonia).

Besides the cross-border cooperation between the state institutions, cooperation with and between NGOs supporting and assisting THB victims remains highly important. For instance, Denmark, Latvia, Luxembourg, Sweden, and the UK have referred to cooperation through their NGOs; Greece signed bilateral agreement with Albania for the protection of humanitarian repatriation of minor THB victims; Croatia, Denmark and Greece also collaborate in repatriation or voluntary safe return of victims. Additionally, also EU Civil Society Platform against THB was mentioned as forum of exchange in relation to assistance services.

The role of NGOs in fighting THB was recently recognised also by the US State Department who has recognized Serbia’s NGO Astra with the TIP Hero Award in 2018.<sup>51</sup> The founder of another anti-THB NGO (Atina) and of social enterprise Bagel-Bejgl Shop from Serbia was awarded the WE Empower UN SDG Challenge award.<sup>52</sup>

## 6. IDENTIFYING COMMON CONCERNS IN THE WB

A part of the process of preparing the non-paper was the survey among the Anti-Trafficking Coordinators of the WB countries conducted in the form of a questionnaire including 22 questions.<sup>53</sup> The questions covered the thematic issues of strengthening the rule of law and cooperation in criminal matters, supporting and advancing NRMs, and finally - strategic and cross-cutting issues (such as prevention, training, demand, also Agenda 2030 Sustainable Development Goals).

<sup>50</sup> More information available at: [goo.gl/D2bpAM](https://goo.gl/D2bpAM).

<sup>51</sup> See more at [goo.gl/ZKox3K](https://goo.gl/ZKox3K).

<sup>52</sup> See more at [www.vitalvoices.org/weempower](https://www.vitalvoices.org/weempower).

<sup>53</sup> Feedback to the survey was submitted by BiH, Kosovo, Macedonia, Montenegro, and Serbia.



The survey results highlighted promising practices in the field of confiscation of means and property acquired through criminal activity. Similarly, all the responding countries reported respecting the non-punishment principle i.e. THB victims not prosecuted for their involvement in criminal activities as a result of their situation. Challenges identified include: lack of knowledge among the police officers, prosecutors and judges about THB; lack of proactive investigation and dependency on the victim's statement; lack of a legal mechanism enabling compensation to trafficked persons; lack of monitoring of the functioning to the NRM; and lack of initiatives towards achieving Agenda 2030 Sustainable Development Goals relating to THB.

The section below summarises the main findings from the survey across these three thematic areas.

### ***Investigation and Prosecution***

Lack of knowledge among law enforcement agencies remains a challenge. It includes also judges and prosecutors and lack of proactive investigation and dependency on victim's statement instead.

Inability to qualify a case as a THB case remains a recurring problem, the main reason being lack of knowledge and cooperation between the main actors involved in identification. For this reason and due to the complexity of the investigation of THB cases there is a need of sustained efforts based on solid intelligence gathering and analysis and multi-agency collaboration.

Lack of efficient interagency cooperation and multidisciplinary approach were identified as the most pressing obstacles for prosecuting cases. Improving proactivity of THB investigations will increase the investigation, arrest and successful prosecution of traffickers without having to rely upon the cooperation and testimony of the victims. Efforts are being made to overcome these issues in all WB countries by providing different types of trainings to police officers, judges and prosecutors, but apart from limited improvements there is no evidence of great accomplishments in this field.

Seizure and confiscation of instrumentalities and proceeds from the THB offences. The routine practice, regulated by law, entails the confiscation of means and property acquired through the perpetration of a criminal offence. Another positive practice in the WB countries, that of corresponding to the standard set in Article 8 of the EU Directive 2011/36, is that victims of THB cannot be prosecuted for their involvement in criminal activities (in BiH and Kosovo this is regulated by law, in Macedonia, Serbia, and Montenegro even though not incorporated into law no victim of THB has been prosecuted for any criminal act perpetrated while s/he was a victim of THB).

### ***Victim protection***

NRMs are in place in all countries, aimed at the early identification of, assistance to and support for victims, in cooperation with relevant support organisations. The NRMs are institutionalised in different bodies and supported by rulebooks, Standard Operating Procedures (SOP), agreements and memoranda which, if applied correctly should facilitate the early identification, assistance and support for victims.

However, the mixed migration flows of people travelling towards Europe along the Balkan route have put the countries' institutions under heavy stress, highlighting a disconnection between systems designed to respond to THB and those handling migration matters.



According to the recently published ICMPD study “Trafficking along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking”, which also included some of the WB countries, there are significant gaps and challenges in the *harmonisation and incorporation of THB identification and referral procedures into the first reception and asylum systems* for new arrivals, leading to a disconnect between the two processes. In practice, this means that anti-trafficking procedures are not sufficiently integrated into the reception and asylum systems, leading to the limited ability of frontline responders to identify and refer people vulnerable to THB and exploitation and presumed victims of trafficking.<sup>54</sup>

Nevertheless, the recurring issue in all countries is the *lack of monitoring* of the functioning to the NRMs which is detrimental to its effectiveness and any possibility for future improvements. Despite the fact that in all countries the work of the NRM is monitored by special internal bodies (such as the State Coordinator in BiH; the Anti-Trafficking Council in Serbia; the Secretariat against THB in Kosovo; the Coordination Team in Montenegro) if they are not successful in monitoring NRM’s actual functioning, there is no guarantee that NRM performs the way it was supposed to. Moreover, it is not clear what these monitoring bodies are authorised to do in cases where they identify issues in the NRM’s functioning.

A leitmotif issue in all the WB countries is the lack of a legal mechanism enabling trafficked persons to pursue compensation - apart from Kosovo where there is a special Law on Victim Compensation. In all the other countries compensation can be pursued in separate civil proceedings which can prove to be lengthy and put the victim through additional trouble while providing no guarantee that the person would be compensated adequately or compensated at all.

The countries identified several other issues which they need to work on in order to improve the assistance and support to victims. For example, Macedonia has recently set-up mobile teams comprised of social workers, police and civil society representatives to work diligently to identify, assist and support victims of THB; Serbia wants to adopt the necessary legal regulations and procedures as well as development of appropriate support services to victims and provide training to police officers, prosecutors and judges; long-term reintegration, economic reintegration, as well as non-re-victimization of THB victims remain challenges across the region.

### ***Cross-cutting Issues***

An analysis of the current situation and the trends regarding *migration flows* show migration characterized by mixed migratory movements of migrants and refugees with a large part of these belonging to vulnerable categories, like unaccompanied children, potential THB victims, single parents with children, elderly persons and persons with special needs. In Macedonia and Serbia there has been a significant increase of the number of irregular migrants, and this tendency is expected to sustain in the next few years. Up until recently these two countries were the only ones among the six to experience such mixed migration flows. Recently, the dynamics of the movement have been changing and a new route through BiH has formed which as of September 2018 has reportedly seen some 15,000 migrants moving through BiH towards Europe.<sup>55</sup>

<sup>54</sup> Forin, Roberto & Healy, Claire (2018). *Trafficking along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, Vienna: ICMPD.

<sup>55</sup> See: *IOM: Bosnia Struggles With Thousands Of Migrants On New Route To Western Europe*, May 2018 (available at: [goo.gl/xQF5WK](http://goo.gl/xQF5WK)) and “*UNHCR: Bosnia Must Shelter Migrants Ahead of Winter*”, Voice of America, 25.09.2018 (available at: [bit.ly/2QdGkXZ](http://bit.ly/2QdGkXZ)).

In almost all the countries there have been no reported cases of exploitation or human rights and child abuses that have taken place *among migrants and asylum applicants*. Only Serbia reports that they have received information on the sexual exploitation of children. The main challenges in Serbia and Macedonia regarding identification procedures concern inadequate coordination in the reporting and identification, while existing SOPs have proven to be useful when applied properly.

In such a context good collaboration between neighbouring countries is crucial. So far only Kosovo and BiH have participated in a *JIT* with an EU Member State or a non-EU country on THB related cases which have resulted in arrests. Whereas Serbia has been a part but on cases not directly concerning THB, Macedonia and Montenegro have not been a part of JIT as of now. Since all responding countries expressed their willingness to continue or to participate in JITs, while highlighting the importance of cooperation with the countries from the region as well as with countries with which they share similar previous experiences related to the offence of THB, it is safe to conclude that succeeding in this will certainly contribute to the improved detection of THB cases in the region.

Transnational Referral Mechanism (TRM) is another issue that poses challenges. A recent review of the TRM situation in Serbia and Macedonia<sup>56</sup> reveals some good operational-level practices and cooperation. Yet, the operational level transnational referral requires regular meetings between the designated contact points from the countries participating in the TRM. In addition, there is need to expand such operational cooperation also beyond SEE as considerable part of victims originating from the WB are exploited in EU countries (e.g. France, Italy, Germany, Denmark).

In all of the WB countries systematic education of employees in competent state institutions dealing with THB cases as well as awareness raising campaigns are of great importance in order to lead towards an improved identification of victims, successful and timely completion of criminal proceedings, and reintegration processes for the victims. Staff turnover in frontline services as well as the changing nature of the THB phenomenon (for instance, identification of vulnerable persons within the mixed migration flows), require that all such frontline responders (particularly the police, border service, social services) are properly prepared and equipped with necessary skills. While raising the public awareness on THB and related risks remains highly important, it is equally important to measure the impact of such public awareness-raising campaigns in order to understand if the approach taken is actually working, i.e. whether the target group's knowledge has increased and behaviour is showing signs of change.

Trafficking for the purpose of labour exploitation is on the rise with all countries reporting an upward trend in that form of exploitation over the years. It takes different forms and occurs across various sectors, both in the formal and the informal economy and concerns both women and men, with number of identified male victims being higher. Industry-wise, men are exploited primarily in agriculture, construction, the hospitality industry, manufacturing, while women are more affected by exploitation in domestic and care work. The latter remains also difficult to detect as it takes place in private households where victims can be subjected to a

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<sup>56</sup> The CoE supported the preparation of an expert opinion on a possible revision of the SOPs for the treatment of THB victims with a focus on the SOPs measures linked to the transnational referral for THB victims, produced opinions for Serbia and for Macedonia. The opinions were produced as part of the "Horizontal Facility for the Western Balkans and Turkey", co-funded by the EU. (See more at: [horizontal-facility-eu.coe.int](http://horizontal-facility-eu.coe.int)) The opinion for Serbia was presented to the Serbian authorities on 30.05.2018 and for Macedonian authorities on 22.06.2018.

combination of labour and sexual exploitation. Unemployment coupled with informal economy, and a demand for cheap labour and services, are factors linked to labour trafficking.<sup>57</sup>

Consequently, more concerted efforts are needed to truly *disrupt the business model* of THB so that the traffickers' risks and costs increase and profits lower.<sup>58</sup> As stated in the EU Follow-up THB Strategy: "*Following the money throughout the trafficking chain is crucial to turning trafficking in human beings into a 'high-risk, low-return' crime*".<sup>59</sup> This requires operational cooperation between source and destination countries. Countries need to acquire a complete picture of those most vulnerable to THB in their countries, and draw up strategic responses to meet their needs.<sup>60</sup> There is no evidence of a sustained public discussion on the issue of *demand* in the WB societies. Much can be done to improve the awareness of those at risk of being exploited in the labour market to be better aware of exploitative practices, as can be done to raise the general public awareness of THB. Regarding the latter, a fact-based and impartial media reporting of THB must be encouraged in order not to form distorted public perception of the THB problem.<sup>61</sup> Particular economic sectors, such as the hospitality sector, must be addressed with targeted actions to raise awareness and improve victim identification.<sup>62</sup>

Lastly, the fact that none of the countries have identified special initiatives or plans that would guide how to achieve Agenda 2030 Sustainable Development Goals with particular attention to targets 5.2, 8.7 and 16.2 addressing THB, speaks for the task these WB countries still need to face.

## 7. ADVANCING THE COOPERATION

Based on the inputs collected, the WB countries recognise the need to advance cooperation with stakeholders outside the SEE region as their nationals are trafficked to EU countries (e.g. Austria, Germany, Italy, France, Denmark). At the same time, also the EU MSs stress the importance of developing joint efforts in addressing the demand in destination countries and offer in countries of origin, the push and pull factors.

<sup>57</sup> GRETA (2018). *7<sup>th</sup> General Report on GRETA's activities, covering the period from 1 January to 31 December 2017*, pp. 38-41. Available at: [goo.gl/CXKZht](http://goo.gl/CXKZht)

<sup>58</sup> See *Analyzing the business model of trafficking in human beings to better prevent the crime*. OSCE (2010), p. 71. Available at: [osce.org/cthb/69028?download=true](http://osce.org/cthb/69028?download=true).

<sup>59</sup> COM(2017) 728, p. 3.

<sup>60</sup> *Ibid.*, p. 68.

<sup>61</sup> In 2017, ICMPD developed in cooperation with the Ethical Journalism Network guidelines for journalists, intended as a handy reference of DOs and DON'Ts when covering and reporting on THB and related issues, covering the basic questions such as what is THB and how it differs from smuggling, what are the key characteristics of both types of behaviour, etc. They give concrete advice as to newsroom strategies, and highlight examples of good practices, giving also practical guidelines for interviewing trafficked persons. Available in English, Arabic, Albanian, Azeri, Bosnian, Romanian, Russian and Turkish and can be found at: [goo.gl/vTYRU7](http://goo.gl/vTYRU7).

<sup>62</sup> Within the its project *Fight against Trafficking in Human Beings and Organised Crime – Phase 2*, ICMPD held anti-THB awareness and skills-building training for labour inspectors and hospitality sector in tourism hotspots in Albania in November 2017. ICMPD linked up with the Oxford Brookes University, which had produced a "Combat Human Trafficking" Toolkit for hotels and hospitality sector. The COMBAT training toolkit is designed to help hotels proactively fight THB by helping them to identify potential signals of trafficking. The toolkit was funded by the EC Directorate of Home Affairs, co-funded by the Prevention of and Fight against Crime Programme of the EU and is available at [goo.gl/Vna89t](http://goo.gl/Vna89t).



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There are several avenues for enhancing the cooperation. One of such is increasing bilateral exchanges on good practices, especially among the institutions that are outside the usual circle of anti-THB stakeholders, such as social workers and refugee agency officials with the focus on vulnerability indicators among the migrant and refugee population. Such exchanges should be multidisciplinary and involve also the civil society specialists.

The already existing NATC-SEE can be better linked with the EU anti-trafficking structures, such as by initiating annual joint meetings between the NREM and NATC-SEE.

The WB countries within the Brdo process have created a *joint List of Contacts* with an aim of speeding up operational cooperation between anti-THB authorities in the SEE region. The List is regularly updated with the help of ICMPD that serves as the secretariat to NATC-SEE. Recent assessments of the transnational aspects of THB cases carried out by CoE and ICMPD in Serbia and Macedonia have clearly highlighted the need to expand such operational-level contacts beyond the SEE region.

Improving the anti-THB awareness and knowledge among the diplomatic and consular staff is relevant for the WB countries, while some of the EU MSs (Slovakia) have already taken steps in that regard.

Twinning projects with WB countries on combating THB are seen important from both ends. (e.g in Serbia, Austria), and allocating further EU funding for twinning projects is seen as a valuable tool.

Continuing capacity building trainings, organising thematic workshops and similar events is viewed as necessary. Meanwhile, raising awareness of the legislatures and also the media is vital in educating the general public.

## NEXT STEPS

As stated at the outset, this non-paper is a work in progress. As such the non-paper will serve each EU Presidency as a lighthouse, aiming to guide its dialogue with the six WB countries in the area of combating THB within the overall EU accession process. For that purpose the non-paper should be regularly revisited at the EU-WB summits and within the individual accession processes.