

Labour Trafficking in South-eastern Europe: Developing prevention and assistance programmes

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Rebecca Surtees

NEXUS Institute to Combat Human Trafficking
www.nexusinstitute.net



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Rebecca Surtees
NEXUS Institute to Combat Human Trafficking
Vienna, Austria
rsurtees@nexusinstitute.net
www.nexusinstitute.net

Abstract

This paper discusses labour trafficking in South-eastern Europe (SEE), a form of exploitation which has increasingly been identified in the region. It is intended as a first step in understanding who has been trafficked for labour from and within the SEE region and what are the various risk factors for this form of exploitation. As such, the paper will present cases of women, men and children exploited for labour purposes as well as consider the specific recruitment and trafficking experiences. We will also consider how counter-trafficking programmes can be more responsive to the needs and situation of persons trafficked for labour trafficking. This paper aims to sketch a picture of trafficking for labour within and from SE Europe which, in turn, moves us toward the design and development of more effective counter-trafficking policy and programmatic responses.

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Finally, I would like to acknowledge the many trafficking victims assisted in SEE whose experiences form the foundation of this paper. It is hoped that papers such as this can contribute to anti-trafficking efforts which can positively impact the lives of trafficked persons and those at risk of trafficking.

Rebecca Surtees
Senior Researcher
NEXUS Institute to Combat Human Trafficking
Vienna, Austria

Acronyms and abbreviations

BiH	Bosnia-Herzegovina
EU	European Union
FYROM	former Yugoslav Republic of Macedonia
GAATW	Global Alliance against Trafficking in Women
GO	governmental organisations
ICMC	International Catholic Migration Commission
IO	international organisation
IOM	International Organisation for Migration
NGO	non-governmental organisation
RCP	Regional Clearing Point
SEE	South-eastern Europe
THB	Trafficking in human beings
UN	United Nations
VoT	Victim of trafficking

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1. Introduction

Throughout South-eastern Europe (SEE),¹ trafficking in persons has been documented amongst citizens and foreign nationals alike. Trafficking in the region has been primarily manifested as trafficking of women and girls for sexual exploitation, however, this is, by no means, the only form of trafficking present. Labour trafficking² was an increasingly prominent form of exploitation to SEE in 2003 and 2004.

This paper is intended as a first step in understanding who has been trafficked for labour from and within the SEE region and what are the various risk factors for this form of exploitation. As such, the paper will present cases of women, men and children exploited for labour purposes as well as consider their specific recruitment and trafficking experiences. We will also consider how counter-trafficking programmes can potentially be more responsive to the needs and situation of persons trafficked for labour trafficking. Sketch a picture of labour trafficking within and from SE Europe can be helpful in the design and development of more effective counter-trafficking policy and programmatic responses.

¹ In this paper, SE Europe is comprised of Albania, Bosnia-Herzegovina (BiH), Bulgaria, Croatia, the former Yugoslav Republic of Macedonia (hereafter referred to as Macedonia), Moldova, Montenegro, Romania and Serbia including the province of Kosovo. While the province of Kosovo is part of the Republic of Serbia, each is considered separately to better pinpoint trafficking patterns and risks.

² The United Nation's *Protocol to Prevent, Suppress and Punish Trafficking in Persons* (2000) defines trafficking as "the recruitment, transportation, transfer, harbour or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception or of abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation", with exploitation including forced labour and services (United Nations 2000).

2. Labour Trafficking in SEE

Labour trafficking was an increasingly identified form of exploitation in SEE in 2003 and 2004, accounting for 7.2 per cent of victims in 2003 and 4.1 per cent in 2004. Further, when victims trafficked for a combination of labour and other forms of exploitation were included, the percentage increased significantly, to 25.8 per cent in 2003 and 12.6 per cent in 2004 with most victims trafficked for a combination of labour and sexual exploitation. In such cases, persons trafficked into prostitution in bars or restaurants were also obliged to undertake labour tasks – as waitresses, dancers/entertainers, cleaners, bartenders or cooks. In some cases, victims were kept by individuals and obliged to provide both sexual services and domestic labour. In exceptional cases, this combination involved labour tasks such as agriculture and construction. In BiH, in 2002, six women were forced to labour in the fields during the day and provide sexual services in a bar at night. In Macedonia, two Moldovan men were required to labour in construction during the day and were sexually exploited at night (Handziska & Schinina 2004).

TABLE #1: FORMS OF TRAFFICKING AMONG ASSISTED SEE NATIONALS, 2003 AND 2004

Forms of Trafficking	2003	2004
Sexual exploitation	824 (65.2%)	864 (74.2%)
Labour	91 (7.2%)	48 (4.1%)
Begging and delinquency	51 (4%)	75 (6.4%)
Adoption	0 (0%)	9 (0.8%)
Sexual exploitation and labour	245 (19.4%)	97 (8.3%)
Sexual exploitation, begging, and delinquency	10 (0.8%)	27 (2.3%)
Labour, begging, and delinquency	11 (0.9%)	2 (0.2%)
Sexual exploitation, labour, begging and delinquency	1 (0.1%)	0 (0%)
Potential victims ³	31 (2.5%)	43 (3.7%)
Total	1264 (100%)	1165 (100%)

Victims of labour trafficking identified in SEE were both male and female, adults and children. Labour tasks varied substantially from domestic work to agriculture, from work in construction and industries to restaurant/bar work. To some degree, the form of trafficking was linked to the victim's sex. While women were primarily trafficked for domestic work and waitressing, men were typically trafficked for construction, agriculture and industrial work, although some women also suffered these forms of exploitation. Age appears also be a factor in the type of work undertaken, with more "older" women (generally over 30) trafficked for domestic work, while younger women (between 18 and 25 years) trafficked for waitressing and bartending. Victims were trafficked for labour within SEE as well as exploited further afield – in Russia, the Middle East, Turkey and the European Union. In each country in SEE, there were cases of labour trafficking, highlighting that it is a regional issue.

³ This designation is used when individuals were assisted for insufficient time to clearly establish their trafficking experience or when the individual was identified and assisted before being exploited but showed strong signs of being in the trafficking process.

TABLE #2: CASES OF LABOUR TRAFFICKING⁴ AMONG ASSISTED SEE NATIONALS, 2003 AND 2004

Country	2003	2004
Albania	Albanian nationals: 6	Albanian nationals: 13
	Foreign nationals: 3	Foreign nationals: 1
BiH	BiH nationals: 1	BiH nationals: 6
	Foreign nationals: 10	Foreign nationals: 14
Bulgaria	Bulgarian nationals: 4	Bulgarian nationals: 4
	Foreign nationals: 0	Foreign nationals: 3
Croatia	Croatian nationals: 0	Croatian nationals: 0
	Foreign nationals: 3	Foreign nationals: 8
Kosovo (Serbia and Montenegro)	Kosovar nationals: 159	Kosovar nationals: 56
	Foreign nationals: 15	Foreign nationals: 17
Macedonia	Macedonian nationals: 0	Macedonian nationals: 0
	Foreign nationals: 24	Foreign nationals: 2
Moldova	Moldovan nationals: 131	Moldovan nationals: 40
	Foreign nationals: 1	Foreign nationals: 1
Montenegro	Montenegrin nationals: 1	Montenegrin nationals: 1
	Foreign nationals: 0	Foreign nationals: 7
Romania	Romanian nationals: 22	Romanian nationals: 14
	Foreign nationals: 0	Foreign nationals: 14
Serbia	Serbian nationals: 0	Serbian nationals: 3
	Foreign nationals: 3	Foreign nationals: 19
Total ⁵	Foreign and nation victims assisted in 2003: 383	Foreign and nation victims assisted in 2004: 223

The present focus on and prevalence of trafficking for sexual exploitation over others forms arguably reflects the understandings and agendas of policy makers, practitioners and researchers as much as the reality on the ground. Identification efforts have largely focused on the identification of (foreign) women trafficked abroad for prostitution. And much assistance has been designed in ways that is meant to meet the needs of this profile of beneficiary rather than to consider the disparate and potentially divergent needs of victims of forms of trafficking and/or different sexes, ages, etc.

⁴ These cases include both labour trafficking and dual forms of exploitation that include labour trafficking. Rates of dual exploitation may be greater still, however, because most service providers in the SEE region do not systematically record dual forms of exploitation. For further details of the precise forms of labour trafficking and rates of dual exploitation, please see Surtees 2005.

⁵ These figures capture the number of victims of labour trafficking (foreign and national) assisted in each of the countries of SEE. This is done to provide some measure of this form of trafficking (at least amongst assisted victims) as well as its scope in each of the countries. These numbers cannot be considered cumulatively as there are duplications between country caseloads. That is, a Moldovan victim assisted in BiH and subsequently assisted in Moldova will appear twice in the figures – once in each country.

However, the issue that defines trafficking is that of force and coercion and not the nature of the labour performed (Murray 1998: 53). As such, we must equally attend to trafficking for other forms of exploitation, such as forced labour, and consider the ways that anti-trafficking efforts can effectively prevent and redress this specific manifestation. It is, therefore, vital that researchers, service providers, policy makers and practitioners increasingly think beyond trafficking for sexual exploitation and consider the specificities of labour trafficking in prevention work as well as toward identifying victims and meeting their assistance and protection needs.

What is needed – and what this paper will seek to do – is outline this increasingly recognized form of trafficking. By presenting information about trafficking for labour from two countries in SEE – Moldova and Romania – we will seek to sketch a general picture of who has been trafficked for labour and what their experiences have been. Further, we will discuss some aspects of prevention and protection work, including potential entry and intervention points, in light of the specific needs of these victims of labour trafficking.

3. Methodology

This paper is based on both primary and secondary data from the SE European region as well as some EU countries, collected in the context of the Regional Clearing Point (RCP) Programme's *Second Annual Report on Victims of Trafficking in Southeastern Europe* (Surtees 2005).⁶ In 2005, the RCP was transferred to Vienna to be managed by the NEXUS Institute to Combat Human Trafficking, which undertook reanalysis of the data in the context of specific issues such as labour trafficking and child trafficking.

Primary data about victims of trafficking was collected from service providers assisting victims in SEE as well as select destination countries, according to a standardized set of questions and indicators. Categories included: individual characteristics (e.g. sex, age, education, marital and family status, area of origin, economic status, nationality); recruitment (e.g. sex of recruiter, relationship to recruiter, work promised and reason for leaving home, living and working situation at recruitment); transportation and movement (e.g. use of legal or illegal documents and legal or illegal border crossings, destination, transportation routes); trafficking experience (e.g. form of exploitation, length of time trafficked, working and living conditions, abuse suffered, mental and physical well-being); post-trafficking experience (e.g. identification, means to exit trafficking, re-trafficking and assistance declined).

Through interviews with services providers during fieldwork in each of the ten SEE countries/entities and email correspondence, the datasets were verified and validated. Data was cross-referenced with other service providers in order to avoid duplication. For example, where a victim received initial sheltering and medical services upon return home from one organization and was subsequently referred to a different organization for follow-up services, the victim's case was only represented once.

Secondary data collection involved in-depth interviews with frontline counter-trafficking personnel, including anti-trafficking police units, outreach workers, shelter managers and professionals providing medical, psychosocial and legal assistance for national and foreign victims, and counter-trafficking organizations and government departments working in the field of anti-trafficking prevention and policy. Interviews focused on a range of issues including trafficking trends and patterns, victim's needs at identification, identification processes, assistance programmes available and problems and issues in the assistance framework. Data was collected in the course of field research in each of the ten project countries/entities as well as through follow-up email and telephone communication.

The approach, however, involves some methodological limitations. First, information about victims was collected only from assisted trafficking victims and the actual number of trafficking victims is likely significantly higher than those who are assisted. Thus, the numbers should not be read as the full scope of trafficking in SEE. Secondly, in some

⁶ The RCP was established under the framework of the Stability Pact Task Force in Trafficking in Persons in 2002 in order to produce standardized regional data on trafficking victims and victim assistance and to support the further development of victim assistance throughout southeastern Europe (SEE). In 2002 and 2003, the project was jointly managed by IOM and ICMC; in 2004 and 2005, the RCP was managed solely by IOM. For more detail about the RCP project and partner organisations, please see Surtees 2005.

countries, high numbers of assisted victims is actually a measure of a country's efforts to tackle trafficking in that they are working in identify and assist victims and, thus, the patterns and numbers do not necessarily reflect where trafficking is "worst" or "most". Third, there are varying levels of skill and experience in the identification of trafficking victims, especially victims of labour trafficking. Fourth, assisted victims represent a particular subgroup of trafficking victims, those who were willing and able to access assistance, which is likely to differ systematically from other trafficking victims.⁷ This data can be read only as representative of assisted trafficking victims. Fifth, the time period presented reflects the year that victims were assisted, not trafficked; many service providers do not systematically record the year that victims were trafficked. This poses problems for the analysis of trends and patterns, as victims assisted in one year may have been trafficked recently or in fact some time ago. Data should be based on the year in which victims were trafficked. Sixth, efforts to collect information from service providers in key destination countries were largely unsuccessful as many organizations lacked time and resources to assist in the research or were prevented from doing so by institutional regulations on information sharing. With more victims staying in destination countries due to residency options, the lack of data from these countries can result in repressed figures. The number of victims may appear to decline, giving rise to a misperception that trafficking has been addressed. The true rate of identified and assisted victims is only revealed when victims are counted at both origin and destination.

⁷ See also Brunovskis & Tyldum 2004b and Surtees 2005.

4. Sketching victim profiles and trafficking experiences⁸

4.1: Moldovan victims of labour trafficking

In 2003 and 2004, 171 Moldovan victims – both men and women – were trafficked for some form of labour, accounting for 20.1% of assisted victims in 2003 and 7.3% in 2004.

Anecdotal information indicates higher rates of labour trafficking than are captured in the number of assisted victims due, in part, to the limited attention to and capacity in identifying cases of labour trafficking. Labour trafficking included a range of tasks including waitress, bar tending, domestic work, agricultural labour, industrial labour, care giving/nanny and selling.

TABLE #3: FORMS OF TRAFFICKING AMONG ASSISTED MOLDOVAN VICTIMS, 2003 AND 2004

Forms of Trafficking	2003	2004
Sexual exploitation	162	230
Labour exploitation	61	22
Sexual and labour exploitation	68	17
Begging/delinquency	14	23
Sexual exploitation and begging/ delinquency	2	7
Labour, begging/delinquency	1	1
Sexual exploitation, labour and begging/ delinquency	1	0
Other unspecified	4	0
Total	313	300

Individual characteristics⁹

Prior to 2002, all assisted Moldovan victims of labour exploitation were female. However, since 2002, males victims of labour trafficking have been identified – one in 2002 (or 8.3 per cent of assisted labour victims), four in 2003 (6.5 percent) and eleven in 2004 (47.8 per cent).¹⁰

⁸ The number of assisted victims trafficked for labour is limited; data presented here is only a snapshot based on this particular subgroup of trafficked persons.

⁹ Profiles detail the experiences of victims trafficked solely for of labour (22 instances in 2004 and 61 instances in 2003) as well as victims of trafficking for labour and delinquency (one instance in 2004 and one instance in 2003). Profiles of victims of sexual and labour exploitation and victims of sexual exploitation and delinquency are considered distinct, as in most of these cases the sexual exploitation was the “primary” form of exploitation. For details about this profile of victim, please see Surtees 2005: 339-364

¹⁰ This is consistent with information from the La Strada helpline in Moldova, which reported that two per cent of missing persons calls in 2003 and three per cent of missing persons calls in 2004 were related to men. The helpline also received calls from families of men who had been trafficked for labour, most commonly to Russia for construction work. Further, La Strada staff working in the drop in centre assisted male victims of labour exploitation, albeit in small numbers (Surtees 2005). In addition, data from Belarus and Ukraine found that men were a not insignificant percentage of assisted victims – 28.3 per cent and 17.6 per cent of the assisted caseload

Most victims of labour trafficking were between 18 and 25 years, although the proportion in this age category declined, from 85.7 per cent in 2003 to 50 per cent in 2004. Victims between 26 and 35 years were consistently the second largest category of victims between 2000 and 2004. What was new was the steady increase in victims who were both older (more than 35 years) and younger (under 18 years),¹¹ with each category accounting for approximately 15 per cent in 2004.

Education levels of persons trafficked for labour were generally low, primarily primary or middle school education.¹² However, more Moldovan victims of labour trafficking held middle school education than victims of sexual exploitation, 54.8 per cent in 2003 and 68.4 per cent in 2004. The percentage of victims who had attended high school in 2003 (6.9 per cent) and 2004 (0 per cent) decreased substantially from previous years (31.8 per cent in 2001 and 27.3 per cent in 2002). A number of victims had attended university, indicating that persons with high levels of education may also be vulnerable to trafficking, perhaps due to their inability to find work and earn a salary commensurate with their education.

Most victims were unmarried at recruitment (54.6 per cent in 2003 and 57.9 per cent in 2004), differing from 2003 where more were married (45.2 per cent) than unmarried (34.3 per cent). Despite being unmarried, many victims were mothers/fathers at recruitment – 61.9% in 2003, 26.3 per cent in 2004 – although there were fewer single parents than amongst victims of sex trafficking – 10.7 per cent in 2003 and 0 per cent in 2004.¹³

While the majority of victims in 2003 and 2004 were “poor”, more victims were from “average” economic backgrounds than from “very poor” economic backgrounds.¹⁴ This contradicts the common assertion that poverty and economics is the central contributor to trafficking and highlights the importance of considering the profiles and recruitment experiences of individuals from “average” economic backgrounds. Another finding in 2003 was that 1.4 per cent of trafficked persons originated from “well off” backgrounds.

In 2003, a slight majority of assisted victims (51.1 per cent) reported problems in their families, including alcohol abuse (20 per cent), domestic violence (11.1 per cent), conflict

respectively between 2004 and 2006 – totally 685 male victims in those years, most of whom were trafficked for labour (Surtees forthcoming 2008b).

¹¹ In addition, some victims between 18 and 25 years may have been minors at recruitment, as the age documented was that at of age at identification.

¹² In Moldova, primary school refers to grades one through four, middle/secondary school to grades five through nine, and high school to grades nine through twelve.

¹³ Also salient as a potential trigger for migration /trafficking may be whether victims had dependents other than their children, such as parents, siblings and elderly relatives.

¹⁴ This is based on the victim’s self-described economic situation, rather than on an objective measure of wealth and each country in SEE has different economic standards and conceptions of what constitute “poor” or “average” vary accordingly.

(8.9 per cent), neglect (8.9 per cent) and dysfunction (2.2 per cent).¹⁵ These findings are consistent with the overall assumption that problems within the home may serve as a (at least partial) catalyst for migration and trafficking or at least remove the incentive to stay home. However, it is also important to note the 48.9 per cent of victims reported no violence or conflict in their families. As such, victims of so-called “normal” or “functional” families were also vulnerable to labour trafficking and attention to their specific vulnerabilities and reasons for migration merits attention.

Recruitment experiences

The majority of victims in 2003 and 2004 were residing with their families at recruitment, although the exact composition of these families – whether nuclear or extended, number of generations, etc. – is unclear. Although victims living in institutions are generally assumed to be particularly vulnerable to trafficking, this group was only minimally represented among victims of trafficking for labour – 1.4 per cent in 2003 and 0 per cent in 2004. However, this may be largely a function of how data is collected, with service providers documenting victim’s living situation at recruitment, rather than at different stages of their lives.

In 2003 and 2004, roughly equal numbers of victims trafficked for labour were employed at recruitment as were unemployed. Employed victims worked in different sectors, including domestic work, in private business, public sector employment, family businesses, civil service, factory and office administration. Many of those who were technically unemployed worked occasionally and, thus, can be more accurately described as “underemployed”. However, it must be stressed that Moldovan men and women generally suffer high rates of unemployment (Ministry of Labour & Social Protection 2003), which, coupled with inadequate/low earnings, fuels migration for work.

While recruiters for labour trafficking were both women and men, they were increasingly men – as much as 73.7 per cent in 2004. Most were Moldovan, although there were instances of foreign nationals recruiting in Moldova. In 2003, 73.1 per cent of victims were recruited by “strangers”, a category which includes employment and travel agencies which advertised work as dancers, hotel staff, waitresses, housekeepers or child-minders. In 2004, the number of victims recruited by “strangers” dropped to 21.1 per cent. The majority of victims – 73.6 per cent – were recruited by friends. Whether this was direct recruitment – for example, a friend acting as a recruiter – for indirect recruitment – for example, a friend inviting another friend to migrate with them – is not clear from the data but has important implications for prevention efforts.

Moldovan victims trafficked for labour generally crossed at illegal border crossings – 50.8 per cent in 2003 and 79 per cent in 2004. All Moldovans trafficked for labour travelled with legal documents in both 2003 and 2004.

Moldovan victims were trafficked to 23 different countries/entities in 2003 and 2004. In 2004, Italy was the primary destination (68.2 per cent), a shift from 2003 when Russia was

¹⁵ This is based on victims’ self-described assessment of family and home relations and, as such, is not only informed by the victim’s individual subjectivity but also linked to the victim’s relationship with the interviewer, with victims arguably less likely to provide intimate details about family violence and conflict in the absence of an existing relationship of trust.

the most common destination (24.2 per cent). In 2004, the second most common destination was Turkey (13.4 per cent), a percentage that increased to 27.5 per cent when including trafficking for multiple forms of exploitation. Overall, service providers reported that victims were increasingly aware of their final destination at recruitment.

Trafficking experiences

Labour trafficking involved exploitation in different sectors – domestic work, service sector (restaurant and bar), industry, local markets, care giving (nannies and caregivers), construction and agricultural.

Some victims were subjected to labour and sexual exploitation – 21.8 per cent in 2003 and 8.3 per cent in 2004. Some were forced to sell sex as well as work as waitresses, dancers, cooks or cleaners or to undertake domestic work for their “employer” or his family. One unusual case involved two Moldovan men trafficked in 2003 to Macedonia for labour but forced to provide sexual services at night. In other circumstances, trafficked persons were employed as domestic workers and also sexually exploited by the employer and/or his friends and clients. Some victims were exploited for two purposes simultaneously; others were initially trafficked for labour and subsequently required to provide sexual services.

In 2003, the majority of victims – 91.9 per cent – were trafficked for periods of less than a year, 8.1 per cent of victims were trafficked for more than a year, 5.4 per cent for two years and 2.7 per cent for three years. In 2004, 100 per cent of victims were trafficked for only one month, which may signal improvements in identification or the accessibility of assistance services. It may also be an anomaly in the dataset – for example, if they were trafficked and identified as a group by some anti-trafficking personnel while other victims went unidentified.

Available data points to improvements in living conditions for Moldovan victims trafficked for labour. While the majority of victims assisted in 2003 experienced “poor” (55 per cent) living conditions, only a handful (12.5 per cent) reported “very poor” living conditions. Moreover, 32.5 per cent reported “good” living conditions. In 2004, while there was an increase in the number of victims reporting “poor” living conditions (to 66.7 per cent), no victims reported “very poor” living conditions and 33.3 per cent reported “good” living conditions. In terms of working conditions in 2003, the majority of victims reported these were “poor” (60 per cent) or “very poor” (12.5 per cent), while 27.5 per cent reported “good” working conditions. Although far more victims reported “good” than “very poor” working conditions, the working conditions faced by many are serious and severe and must be read against a backdrop of force and exploitation. That is, where individuals have reconciled themselves to exploitation, how they categorise their living and work conditions may not be consistent with how they might be more objectively categorized. Trafficked persons generally worked long hours every day under strenuous and even hazardous conditions and received little or no time off.

Moldovan victims of labour trafficking assisted in 2003 reported high levels of abuse – 92.2 per cent – a percentage which decreased in 2004 to only 26.3 per cent. It is unclear why victims of labour trafficking identified in 2004 suffered lower rates of abuse than in previous years. It may be linked to the individual trafficking experiences. However, it may also be tied

to the trend noted elsewhere in the SEE region whereby traffickers use less physical abuse against victims, arguably to prevent victims from seeking or accepting assistance or escape. Providing some payment to victims may also be a part of trafficker's strategy to prevent escape and some service providers reported a greater likelihood that victims of labour trafficking would return home having earned and saved some money. Earning money may lead persons trafficked for labour to not to perceive themselves as victims, which, in turn, influences their decision to seek or accept identification and assistance.

While most victims in 2004 were identified by law enforcement authorities, victims identified and assisted in 2003 were identified by a range of other actors including NGOs, IOM, embassies and victims who independently sought protection. This diversification reflects the greater number of victims identified and assisted in that year and/or a greater awareness of labour trafficking.

4.2: Trafficking of Romanians for labour

While the majority of Romanian victims were trafficked for sexual exploitation, victims were also trafficked for domestic work, agricultural labour, industrial work, waitressing and selling, accounting for 11.3 per cent of assisted victims in 2003 and 7.3 per cent in 2004.

TABLE #4: FORMS OF TRAFFICKING AMONG ASSISTED ROMANIAN NATIONALS, 2003 AND 2004

	2003	2004
Sexual exploitation	167	164
Labour exploitation	22	14
Delinquency and begging	5	9
Potential victims	0	6
Total	194	193

Individual characteristics

The majority of victims identified as trafficked for labour assisted in 2003 and 2004 were women. There were, however, also a handful of instances of male victims of labour trafficking – two in 2003 and three in 2004.

Victim's ages varied substantially. In 2003, the majority were between 18 and 25 years, with only a minority of minors (4.6 per cent) identified. In addition, a minority were between 26-35 years (4.6 per cent) and over 35 years of age (4.6 per cent). 2004 saw a spike in the number of minor victims – from 4.6 per cent in 2003 to 50 per cent. Similarly, more victims were over 35 years, from 4.6 per cent in 2003 to 21.4 per cent in 2004.

All Romanian victims trafficked for labour had attended some formal schooling, most victims had either primary or middle school education.¹⁶ In some cases, victims had less than primary education which, at least in 2004, is arguably linked to many victims being minors. Nonetheless, a number of victims had high school as well as university education.

¹⁶ Middle school education is slightly lower than the average education levels in Romania. According to the UN Statistics Division (2004), school life expectancy for females (number of years of formal schooling) in Romania is twelve years.

While the majority of victims trafficked for labour in both 2003 and 2004 were unmarried, their percentage decreased markedly in 2004. In 2003, three of 22 victims of labour trafficking (13.6 per cent) had children, two of whom were single mothers. In 2004, six of the 14 victims (42.9 per cent) had children, two of whom (14.3 per cent) were single mothers.

Overall, victims of labour trafficking came from “poor” economic backgrounds.¹⁷ However, in 2003 and 2004 more persons trafficked for labour were from “average” economic backgrounds than “very poor”. These findings are consistent with recent research on trafficking vulnerability in Romania, which found that intending migrants do not generally have a very low financial status. Moreover, in terms of an objective measurement of income, there is little difference between households of vulnerable girls and average households (Alexandru & Lazaroiu 2003: 34). This finding contradicts the common assertion that poverty and economics is the central contributor to trafficking.

The family environment of victims trafficked for labour appears to be more stable than among those trafficked for sexual exploitation, with lower reported rates of domestic violence and abuse in the home – 14.3 per cent in 2003 and ten per cent in 2004.¹⁸ That domestic abuse was not commonly reported highlights the importance of looking to a range of issues to understand trafficking vulnerability beyond the more formulaic explanation of family violence or “dysfunctional” family.

Recruitment experiences

In both years, the majority of victims trafficked for labour resided with their families at recruitment. No victims were residing in an institution at recruitment in spite of the high number of children in Romania in state institutions. However, this may be a function of how data is collected; some victims may have spent time in an institution in the past.

For most victims from Romania, unemployment was a central contributor – 81.8 per cent were unemployed in 2003 and 100 per cent in 2004 – and, almost without exception, unemployment was given as the reason they migrated. The few victims who were working at recruitment were employed as labourers, drivers, farm workers and, in one case, as a prostitute. Victims trafficked into labour were offered service sector jobs – as waitresses (11 cases), dancers (one case) and babysitters/nannies (two cases) – similar to the offers made to victims of sexual exploitation. In addition, eight persons trafficked for labour were offered work as labourers. The normative nature of migration abroad in Romanian society (which tends to view migration, legal and illegal, as a socially acceptable economic strategy) may

¹⁷ This is based on the victim’s self-described economic situation, rather than on an objective measure of wealth and each country in SEE has different economic standards and conceptions of what constitute “poor” or “average” vary accordingly.

¹⁸ This is based on victims’ self-described assessment of family and home relations and, as such, is not only informed by the victim’s individual subjectivity but also linked to the victim’s relationship with the interviewer, with victims, arguably, less likely to provide intimate details about family violence and conflict in the absence of an existing relationship of trust.

influence decisions to accept work abroad. Further, some people may be pressured to migrate to fulfil what may be seen as a responsibility or obligation to assist their family.

Most recruiters in 2003 were male (81.8 per cent), a composition that changed in 2004, with almost equal numbers of male (55.6 per cent) and female (44.4 per cent) recruiters. A victim's relationship to the recruiter can be an important aspect of decision-making. Where the victim has an existing relationship with the recruiter, s/he is less likely to be suspicious of work offers and promises made. Certainly, this is borne out among Romanian victims of labour trafficking, most of whom were recruited by someone known to and trusted by them. Recruiters were primarily Romanian nationals.

Increasingly, victims trafficked for labour passed borders legally (63.2 per cent in 2003, 81.8 per cent in 2004) and with legal documents (63.2 per cent in 2003, 90.9 per cent in 2004). This trend has been noted elsewhere in the SEE region as a means of rendering victims less visible to authorities and subject to identification. That Romanian citizens have been able to enter the *Schengen* region without visas since 2002 may have facilitated this change.

In 2003, victims trafficked for labour went primarily to the Balkans (68.2 per cent); the remaining victims (31.8 per cent) went to European Union countries, such as Italy, Belgium and Spain. In 2004, 35.7 per cent of victims (roughly half the number of victims as the previous year) went to the Balkans, with an almost equal number of victims (28.6 per cent) sent to EU countries. 21.4 per cent were trafficked within Romania for labour.

Trafficking experiences

Victims trafficked for labour worked in agriculture, industry domestic work and the service sector. To some degree, the form of labour was linked to the destination. In the Balkans, most labour trafficking was for domestic work, waitressing and dancer-entertainer. By contrast, exploitation as an agricultural or industrial labourer was more likely to occur in destinations such as Spain, Belgium and Croatia. Some were also exposed to multiple forms of exploitation – such as selling sex and also working as waitresses, dancers or cleaners; or domestic workers being required to provide sexual services (usually to their employers but, in some cases, “rented out” by the employer for prostitution).

In 2003, victims were primarily trafficked for periods of less than a year; in 2004, all were trafficked for periods of less than six months. Different lengths of time may be due to variable skills in identification in destination countries, short trafficking cycles in some networks, different destinations and so on.

In both 2003 and 2004, living conditions were, for the most part, “poor”, however, some improvements were noted. From 2003 to 2004, fewer victims endured “very poor” living conditions and more victims in 2004 reported “average” living conditions. Working conditions for labour trafficking were consistent in both years. Most victims – 70 to 80 per cent – suffered either “poor” or “very poor” working conditions. One woman, trafficked as a domestic worker, was locked in the employer's house, denied freedom of movement and kept under surveillance (her employers installed cameras to monitor her work and activities). In a minority of cases – 28.6 per cent in 2003 and 20 per cent in 2004 – working conditions were reportedly “good”.

For victims of labour trafficking, abuse (including sexual violence in some cases) was common, impacting 95.4 per cent in 2003 and 100 per cent in 2004. Abuse was likely used as a means to break down the victim's resistance to the trafficker as well as increase their work efficiency. Particularly worrisome is the impact that these forms of abuse may have on minors, who accounted for many victims in 2004.

The identification of victims of labour trafficking changed substantially from 2003 to 2004, with a significant decrease in identification by law enforcement and an increase in identification by NGOs. This potentially signals that more organizations in both SEE and EU countries are equipped and active in identifying victims of trafficking. Self-referral also declined substantially in 2004 among victims of labour trafficking.

5: Developing programmes and policy for labour trafficking

Understanding victims' background and trafficking experiences can be valuable starting points in the development of counter-trafficking programmes and policies, both to prevent and to redress labour trafficking. Data about victim's backgrounds and recruitment experiences may highlight potential sites of vulnerability and risk factors which can be helpful in the development of prevention efforts.¹⁹ As importantly, understanding the background and exploitation experiences of trafficked persons is a first step in the development and tailoring of identification tools and assistance programmes. In what follows, we will consider two aspects of counter-trafficking work – prevention and protection – and how interventions might be tailored to more appropriately and effectively respond to the specific contributors to and issues surrounding labour trafficking in SEE. This section is intended as a starting point for further exploration and discussion of these issues, which, in turn, should positively impact programmatic and policy response.

5.1: Prevention of labour trafficking

To be effective, prevention efforts must be tailored to the specific experiences of persons trafficked for labour – from recruitment, through transportation and during exploitation. This applies to all types of prevention efforts – awareness raising or information campaigns as well as more systemic prevention efforts, such as income generation or development strategies. Some efforts to prevent labour trafficking may differ from prevention strategies for other forms of trafficking, some may be similar. Because labour trafficking may differ in complexion and nature, prevention efforts may draw on the activities of different interlocutors not typically seen as anti-trafficking actors, like trade unions, labour inspectors and migrant workers groups.

Awareness-raising efforts and information campaigns

In the development of prevention messages, specific attention is needed to how recruitment takes place for labour trafficking and who is most at-risk. Messages (and the means of disseminating the message) must be firmly embedded in the specific realities of persons at-risk. Most information campaigns in SEE to date have targeted women with warnings of false job offers that will lead to forced prostitution. Poster campaigns have typically portrayed young women held captive, perhaps naked or dressed in provocative clothes and in situations of physical abuse and force. Equally common have been illustrations of the commoditisation of (women) victims – illustrated with bar codes, price tags and shopping carts. However, victims of labour trafficking are both men and women, young and old and, as such, such images and messages may not resonate with this more diverse pool of potential victims. Further, given that so many trafficking victims begin as prospective economic migrants – both regular and irregular – messages that focus concretely on safe migration²⁰

¹⁹ It is also possible to develop prevention strategies by learning about persons within sending communities and countries who are not trafficked. Persons who do not accept recruitment offers may have characteristics and mechanisms which work against trafficking. By considering situations where individuals are not trafficked, it may be possible to identify coping mechanisms and resiliency factors which can be employed in prevention efforts – both in terms of information messages and more systemic prevention efforts.

²⁰ Safe migration strategies support safe, legal migration. These include measures that allow prospective migrants to make informed decisions in the recruitment and/or migration process and, therefore, prevent

may be more relevant and accessible. There is a need to increasingly access information about prospective migrant's decision-making processes – how they make their migration decisions, who they consult about migration, what messages are likely to resonate and how to reach potential migrants before final migration decisions have been made.

Also relevant in terms of awareness-raising campaigns is the identification of appropriate mediums. While pamphlets and posters are common (at least in part, because they are relatively inexpensive), thinking beyond these more traditional, static information tools can be valuable. Community information sessions, outreach by migrant workers organisations, outreach in formal and informal education venues, mobile information units and migrant work employment points can reach a broad range of individuals in interactive ways as well as potentially identify and assist past or current victims of trafficking.

Considering some less usual experiences of labour trafficking highlights how difficult it can be to develop effective and broad-based prevention (and safe migration) messages. There are, for example, instances where individuals have migrated successfully but, during successive migration, were trafficked in spite of similar recruitment and migration processes. Having migrated successfully in the past, individuals had no reason to anticipate trafficking risk. Developing prevention messages for these more insidious situations is intensely complex, making it all the more important that safe migration and self protection messages reach as wide a group of people as possible. It also highlights the importance of more systemic prevention efforts (i.e. employment schemes in-country, income generation, etc.) in addition to information campaigns which, in the longer term, should make migration more of an issue of choice than of need.

Targeting migrants in countries of destination can also be a valuable prevention approach. Amongst foreign trafficking victims assisted in Macedonia in 2003 and 2004, recruitment occurred usually after arrival in Macedonia. Having travelled independently to Macedonia by bus to find work as waitresses, many women were then recruited and exploited (Andreani and Raviv, 2004: 74, Surtees 2005: 311). Similarly, in Russia, many trafficked victims migrated voluntarily, with trafficking occurring only after a period of time – first documents were withheld and wages unpaid and then victims were subjected to coercion, restricted freedom, abuse and debt bondage (ILO 2005: 49; see also Surtees forthcoming 2008b). As such, migrant workers (both legal and illegal) are vulnerable to trafficking at various stages of the migration process and prevention work must capture this trajectory of vulnerability.

Awareness-raising and information campaigns should also focus on the demand side of the equation, targeting consumers of trafficked labour. This includes those who benefit from trafficked labour in an organised fashion (e.g. employers in the construction sector, fishing industry, factory work and agriculture) as well as on an individual basis (e.g. employers of domestic workers and caregivers). One study, which looked at the treatment of migrant workers in Sweden and Italy found that a large number of employers did not feel bound to

trafficking. Safe migration messages might include outlining legal avenues for migration, providing information about labour laws in countries of destination and origin, advising what to do in cases of difficulty and who to contact in destination countries for help, etc. One example is the *Migrating Woman's Handbook* (see GAATW 1999), which provides practical information on arranging travel documents, and work permits, workers rights and wages, as well as suggestions on how to protect one's rights in the migration process.

treat migrant domestic workers according to national labour standards and that the workers' situation (whether exploited or trafficked) was of little interest to many employers. This highlights the need not only to increase information about the rights of workers but also to explore mechanisms for labour law enforcement and, arguably, social responsibility (Anderson & O'Connell-Davidson 2002: 33).

Finally, it is important to note that information in and of itself may not be sufficient. Prospective migrants may be informed of the risks involved in migration but may have weighed up their various options (at home and abroad) and decided that migration, in spite of risks, is their best option. In such cases, typical information campaigns which outline risks, are likely to be inappropriate and ineffective. There is also an apparent willingness on the part of some migrants to endure short term exploitation and abuse for promises of significant sums of money. Understanding these choices is of vital importance in considering how best to undertake information efforts and equally in developing other interventions and services that take into account these realities.

More systemic prevention efforts

Beyond information and awareness-raising, there is a need for prevention efforts which are more systemic, which seek to address the root causes and contributors to labour trafficking. These might include income and employment generation activities, community development efforts or efforts to address social exclusion. However, these might also include other types of interventions which can only be identified and designed with a more finely tuned and nuanced comprehension of what plays into trafficking vulnerability at a local level.

This local level comprehension and understanding is needed before actual interventions are designed. There is not a "one size fits all" approach which can be used. This information will also be vital as baseline information against which impact and success (or even failure) can be measured. However, in the absence of this specific information, it is possible to flag and discuss some possible interventions, which might be considered.

Given that most trafficked persons assisted in SEE were recruited with promises of work, the provision of employment, income generation efforts and economic assistance in origin countries may be an important starting point for prevention, both for cases of labour trafficking as well as trafficking more generally.²¹ But as discussed above, not all trafficked persons were unemployed or poor at recruitment, highlighting that it is not simply a question of unemployment or economics when identifying risk factors and that employment and affluence *per se* will not necessarily prevent migration that ends up in trafficking. It is also important to take into account issues of underemployment, employment outside one's field of expertise, low wages, poor working conditions, abuse in the workplace and discriminatory hiring practices. Employment in a factory is likely to be far less persuasive to someone with a high educational level or professional qualification. Persons who are already employed but with unsatisfactory conditions or wages will need more than general job placements to address their needs. Similarly, vocational training and income generation must be responsive

²¹ Also salient is the employment rate of victims' family members, particularly in the case of minors residing with their family at recruitment, where unemployment in the household or an overall poor household economy may lead minors to seek or accept work abroad.

to local labour market conditions (and assure adequate wages and conditions) if they are to serve as an alternative to work offers abroad. Prevention efforts might also take on the complexion of community development initiatives or poverty reduction schemes.²²

Social marginalization, discrimination and disenfranchisement also factor into a discussion of more systemic prevention. Not only do these issues impact rates of employment and economic opportunity but they also inform experiences of community, social inclusion and general well-being. Therefore, more systemic prevention might consider different means of empowering and including at-risk groups and communities, such as providing educational, vocational and life skills training opportunities within their communities as well as means to foster community participation and inclusion. Other social and civil protections, like birth registration, may also serve as a preventive tool given that unregistered persons lack access to social support and benefits (e.g. medical care, educational programmes, social assistance), which, in turn, may lead them to seek better opportunities abroad. Anti-discrimination efforts might also play a role in social inclusion and, by extension, trafficking prevention efforts.

Importantly, more systemic prevention efforts must be firmly embedded in the real situation of victims and at risk individuals. And common assumptions about risk and vulnerability may not always be accurate. While trafficking is often associated with factors such as poverty or low education, there is also evidence within SEE that these indicators are not inevitably linked to trafficking. For example, while most victims originated from “poor” and “very poor” economic backgrounds, others originated from “average” or “well-off” families, signalling that economics alone is an insufficient explanation for trafficking. While many trafficking victims had low education levels, many others had education similar to or higher than that of the general population. A small number of victims from countries such as Ukraine, Moldova, Romania and Bulgaria had high education levels, including university and college degrees, highlighting that it is not only the poorly educated who are trafficked. Indeed, educated people with limited options at home may be more likely to migrate in an effort to access relevant professional and economic opportunities (Surtees 2005; Surtees 2006a). Further, victim profiles (often derived from essentially survey data and case management files) may not always present a complete or adequately nuanced picture as causes and contributors to trafficking may be myriad and co-terminous. Further, migration is often fuelled by sociological triggers – for instance, material aspiration, a desire for adventure, fascination with life abroad, expectations within family/community, sex roles and the normative nature of migration. Moving beyond generalisations to carefully interrogate the precise sites of vulnerability for labour trafficking, including changes over time, is vital in understanding (and therefore preventing) labour trafficking in a more strategic way.

More systemic prevention can potentially also be realised through the enforcement of labour laws, legal migration regulations and labour standards in both countries of origin and destination. The lack of application and enforcement of labour standards and laws in both

²² The issue of trafficking has not generally been included in the development of poverty reduction strategies in the region (Jones 2005, Limanowska 2005). That being said, it is not clear that poverty reduction would necessarily lead to less migration and/or trafficking. It is a connection worth thought and exploration and institutions responsible for economic development and poverty reduction should consider the extent to which trafficking vulnerability is an issue in their target communities and countries.

countries of origin and destination allows traffickers to exploit legal (or what are perceived by migrants to be legal) migration and employment mechanisms. For example, many countries have laws which control the activities of private employment agencies. However, many cases of trafficking continue to occur under the guise of this legal mechanism. More regulation of employment and travel agencies in origin countries and enforcement of relevant laws is needed to support safe migration and, by implication, in some cases to prevent trafficking.

Labour right violations in destination countries also creates an environment conducive to trafficking. Without effective regulation and enforcement, migrant workers in destination countries are exposed to a range of trafficking related abuses such as restricted freedom of movement, long working hours, poor work conditions, inadequate attention to worker's health and safety, no payment of wages, no work site monitoring or labour inspection.²³ Proactive enforcement of minimum labour standards in destination countries would serve as a disincentive to exploit trafficked persons and serve as an important preventative tool. As corruption can contribute to the lack of enforcement of labour standards and legal migration, anti-corruption efforts must be undertaken alongside such initiatives.

As a concluding point, all prevention work requires rigorous follow-up and analysis to assess its efficacy and identify means of improvement. A current gap in much anti-trafficking prevention work is the lack of monitoring and evaluation, including effective indicators to measure the impact of prevention programmes. While many awareness-raising campaigns appear to have increased the knowledge of the target group, it is less clear if or how they have changed behaviours of at-risk groups in ways that decrease trafficking. Further, more systemic efforts – like income generation, empowerment programmes, job placements – appear to have realised their immediate objectives, however, it is less clear how this has translated into trafficking prevention (Rosenberg 2004: iix; cf. Limanowska 2005). It is also important to measure unintended consequences and impacts of prevention programmes and some discussion of such aspects is warranted (Somach & Surtees 2005: 24).²⁴ As part of this process, there is a need to engage directly with trafficked persons, for their assessment of prevention interventions. Trafficked persons are not commonly accessed to assess prevention efforts and their participation is needed in evaluating existing prevention efforts as well as developing future initiatives.

²³ Sectors commonly reported as employing trafficked persons and irregular migrants exist at the fringe of the formal economy and include agriculture, construction, garments and textiles, domestic work, entertainment and catering/restaurant (ILO 2005: 52). See Surtees (forthcoming 2008b) for a discussion of the experiences of Belarussian and Ukrainian males trafficked for labour.

²⁴ One example of an unintended (and negative) consequence of awareness-raising campaigns in Albania was when parents were warned, through a prevention campaign, about the risk that their daughters might be taken by traffickers. The result was that fearful parents withdrew their daughters from school to protect them, which, in the long run, may have increased their trafficking vulnerability as uneducated women may be more predisposed to accept work offers or marriage promises because they have so few options at home due to their limited education (Somach & Surtees 2005; Rosenberg 2004: 15).

5.2: Victim protection

Protection and assistance of victims of labour trafficking requires successful identification and the provision of appropriate services. Currently neither identification mechanisms nor the assistance framework is sufficiently responsive to the realities of labour trafficking, whether of men or women, adults or minors. Most mechanisms and programmes are focused specifically on trafficking of women for sexual exploitation and the relatively low number of victims of labour trafficking assisted in SE Europe is likely linked to this programmatic and policy orientation.

Identifying victims of labour trafficking

Many service providers and law enforcement officers in SEE have been trained in identifying victims of sex trafficking, which may lead them to overlook victims of labour trafficking or other forms of exploitation. For example, most foreign victims trafficked to Serbia for labour in 2004 were not identified and assisted in Serbia, but rather following deportation to Romania and identification by Romanian officials. Similarly, in Albania, a number of foreign nationals (eight in 2004 and 29 in 2005), both male and female, were identified by authorities as irregular migrants in spite of manifesting strong signals of trafficking vulnerability (Somach & Surtees 2005: 31-32; Surtees 2005: 89). Indeed in a study of identification and assistance in SEE, numerous instances of failed identification were noted, commonly for other forms of trafficking. One SEE man explained how, when he was hospitalised, the attending doctor provided no assistance in escaping his situation in spite of having related his experience to him:

You know, when I was exploited there [in the destination country], I once fainted and the owner took me to the hospital. There the doctor asked me why I didn't have any registration. I told him that my owner didn't let me leave the territory I worked. He seemed to have understood the situation I got into... I felt safe at that moment. I thought I would stay there for a long time and I would be able to go home... I was there for three days. On the third day the doctor told me that the treatment was over and the costs were covered by a charity organization. When I went out of the hospital, I saw my owner waiting for me. Then he took me back to the place I had worked before (Surtees 2007).²⁵

²⁵ Other men trafficked abroad for labour reported similar failures in identification often even when victims self-identified and told of their exploitation and asked for help:

[I was stopped] by the police at the bus station in [the destination country's capital] when I came to buy a ticket to [my country]. The station police stopped us to ask for our registration papers but we didn't have it. They were not interested in details [about our exploitation]. They were mostly interested why we broke the registration law... They wanted us to pay the fine (Surtees 2007).

Some of the policemen were laughing at us, saying that we were idiots, that only fools could end up in a situation of exploitation like that... Some policemen didn't understand that we were forced to work, that we were threatened with death... they didn't believe that our passports were taken by the exploiters... Many of the cops thought that we were robbers, that we were attempting to flee the country and that's why were concealing our true identities... Only one police officer took all the information he received from us in a serious manner... I suspect that the police didn't even bother to inspect that faraway place where we were exploited... I think that a reason for this could be the involvement of local policemen in the whole trafficking affair (Surtees 2007).

This suggests that some anti-trafficking personnel may be inadequately equipped to identify persons trafficked for labour and highlights the need for relevant training and sensitization²⁶ of frontline counter-trafficking personnel.²⁷ It also suggests that the far fewer assisted victims of labour trafficking may be as much an artifact of methods of identification as a reflection of actual rates of trafficking. This may be particularly the case in some destination countries where labour trafficking has only recently been criminalized.²⁸

To effectively identify labour trafficking, appropriate identification criteria (which will likely differ from criteria for sex trafficking) needs to be developed. Further, because labour trafficking may be systematically different from sex trafficking, entry points for identification and identifying personnel will differ, possibly quite substantially. For example, identification in destination countries may involve labour inspectors, medical personnel, migrant workers groups, law enforcement, social workers, helplines, worksite inspectors, etc (see Surtees 2007).

The invisibility of some labour trafficking poses additional complications for identification – for example, exploitation which takes place in private homes (e.g. individuals trafficked as domestic workers, caregivers, nannies, etc) or in restricted venues (e.g. private clubs, closed work sites, isolated agriculture fields). One woman trafficked to Serbia as an agricultural and domestic worker went unidentified for two years while being exploited on a family farm and was only identified when a neighbour reported her for working in Serbia without a residence permit (Surtees 2005). Similarly, a study of men trafficked for labour from Ukraine and Belarus found that some men were physically prevented from leaving their work site – they were confined, under constant guard and exposed to violence or threats of violence²⁹ (Surtees forthcoming 2008b).

²⁶ One man spoke about how he and the friends with whom he had escaped trafficking were ridiculed by authorities when they sought assistance in returning home. He explained how the police laughed at them and called them names – like idiots and fools – for having ended up in their situation of exploitation. They showed no understanding of their situation and no empathy for what they had endured (Surtees 2007).

²⁷ While identification of labour trafficking has been limited in SEE, there have been recent improvements. In Montenegro in 2004, Ukrainian men were identified, having been trafficked into the construction industry. The Romanian Resource Centre for Combating Trafficking in Persons within the Directorate for Countering Organized Crime and Anti-Drugs in Bucharest identified 46 cases of labour trafficking from June to December 2004. In one joint operation between Bulgarian and French law enforcement in France, 25 Bulgarian women were identified as trafficked for work in a sewing factory. Similarly, service providers have become increasingly attuned to labour trafficking and have identified cases as well as assisted persons referred to them by law enforcement, helplines and other social services. For further examples, see Surtees 2005.

²⁸ In the Netherlands, until 2005, trafficking referred only to sex trafficking. Similarly, in 2002 the UK passed legislation on sex trafficking which was amended only in 2004 to include labour trafficking. Other countries – like France and Germany – criminalised both labour and sex trafficking, although did so only recently (ILO 2005: 23).

²⁹ In such cases, men often escaped under dramatic circumstances, which involved planning and strategic coordination. In one instance, men described evading armed security and guard dogs and digging under the perimeter fence at night to escape the worksite (Surtees forthcoming 2008b).

Another obstacle to effective identification is that many trafficked persons may not recognise their experience as one of exploitation/trafficking. Many migrants consider themselves as “unlucky migrants” rather than victims of trafficking and so will not seek or even accept to be identified as trafficking victims. While increased awareness amongst migrants and the general public can potentially contribute to improved identification of labour trafficking, the stigma attached to trafficking, exploitation and failed migration may also dissuade trafficked persons from being identified. Even in cases where they may recognise their exploitation, they consciously chose to remain in the situation given their limited options at home. A study of men trafficked for labour found that many men, while physically able to leave, were prevented from doing so by the risk of forfeiting their salary or debt at home and often their exit from trafficking only occurred when it became clear that they would not receive any payment for their work (Surtees forthcoming 2008b).

In addition, identification may be problematised by the terminology of “victim” which is a construction which may be at odds with an individual’s sense of self and, by implication, a potential inhibitor to identification as a trafficked person. That is, as self-sufficient individuals who had made conscious and rational choices about migration, some trafficked persons were not prepared to relinquish this identity and sense of self in spite of the hardship they faced (Brunovskis & Surtees 2007; cf. Pereira & Vasconcelos 2006). As well, male victims (who make up a percentage of persons trafficked for labour) may be less inclined to be identified as a victim as this may conflict with the social ideal of manhood which requires men to be strong, self-sufficient and able to care for oneself and one’s family (Surtees 2007, forthcoming 2008a&b).

Developing assistance for victims of labour trafficking

Most assistance and protection in SEE has been designed for female victims of trafficking for sexual exploitation (Surtees 2005, 2006a, forthcoming 2008b). The general package of services may not always be sufficiently relevant for and accessible to victims of other forms of exploitation. For example, medical care in SEE is often focused on issues of sexual and reproductive health rather than the breadth of physical injuries one might sustain during situations of forced labour.³⁰ To some extent, the appropriateness of assistance may be linked to the profile of individual victims. That is, much assistance in the region is residentially-based and current facilities do not generally lend themselves to mixed-sex accommodation. Thus, male or minor victims of labour trafficking cannot be easily accommodated in programmes for adult female victims. Understanding how the experience of being trafficked for labour plays out in reality and also how victim’s experiences may (or may not) differ from other forms of trafficking is important in identifying their assistance and protection needs.

³⁰ A study of men trafficked from Belarus and Ukraine, primarily for labour, found that they had acute and extensive medical needs. Some health problems were linked to the conditions of work and many returned home with serious illnesses and health issues. Occupational health and safety also commonly impacted workers, with work related injuries commonly experienced and occupational accidents more likely amongst irregular migrants. Failure to provide workers with protective clothing was common place in many worksites, leaving them at risk of infection, poisoning and injury. Further, typical ways of coping with stressful situations like trafficking and post-trafficking (such as smoking and alcohol abuse) may also have a negative impact on the immediate and long term health and well-being of trafficked persons (Surtees forthcoming 2008b).

Given the general dearth of tailored assistance for victims of labour trafficking, it is perhaps not surprising that many do not receive it. In some cases, this may be because trafficked persons have declined assistance,³¹ in other cases, they may not have been offered assistance. The lack of appropriate assistance for victims of labour trafficking may not only translate into a failure to meet their needs but may even amplify their vulnerability to exploitation and even re-trafficking (Surtees forthcoming 2008a&b).

Individuals trafficked for labour may represent different profiles of persons, men and women, minors and adults, youth and the elderly as well as persons exploited in different countries and venues. Designing appropriate assistance then requires on-going research and thorough assessment of victims' needs based on their specific trafficking experience and identity. And because labour trafficking encompasses such a broad range of experiences, there is not one model or solution which can address this form of exploitation. Interventions which work in one setting or for some trafficked persons may not be appropriate in other settings or for other victims.

Trafficked children, for example, constitute a noteworthy percentage of victims of labour trafficking and, as minors, have their own specific assistance needs. Children will generally need medical assistance that considers how labour exploitation has impacted their physical development and general health; a child psychologist should provide psychological assistance; some children may require the appointment of a legal guardian. Moreover, all interactions and interviewing of minors must be guided by child-friendly techniques and all social care actors trained in these skills. Beyond immediate assistance, there is a need for long-term support and reintegration of minor victims of trafficking. This includes, but is not limited to, family mediation and counselling, education and training programmes, long term medical care and psychological support (Surtees 2006b).

Further, anti-trafficking assistance structures need to be sufficiently flexible to changes in forms of trafficking and profiles of victims and should be monitored, evaluated and adjusted accordingly. Assessments of services for victims of trafficking (including those specific to labour trafficking) should be undertaken regularly to ensure responsiveness and relevance. Moreover, while much trafficking assistance in SEE to date has been provided by human rights and women's NGOs, meeting the needs of victims of labour trafficking will require the engagement of a broader range of actors which might include trade unions, migrant workers organizations, immigrant community groups, religious groups, etc. as well as national governments.

Appropriate assistance also requires considering the specific social and cultural environment from which victims originate and into which they will integrate or reintegrate. For example, where there is stigma associated with having been trafficked,³² trafficked persons may be resistant to accepting assistance which frames them within this paradigm. Where migration is

³¹ For a discussion of why some trafficked persons decline assistance, please see Brunovskis & Surtees 2007. See also Surtees 2007 for situations in which available assistance has not met the needs of trafficked persons.

³² See Brunovskis & Surtees 2007; Surtees 2007.

normative, failed migration may be negatively perceived and victims may be disinclined to do anything which might reveal this experience, including accessing services and assistance.

Moreover, as discussed above, many victims of labour trafficking see themselves as “unlucky migrants” rather than “trafficking victims” and so are not likely to seek out this assistance or consider anti-trafficking assistance relevant for them. Where exploitation is temporary, migrants may be sufficiently able to focus on the gains to be earned such that they do not see their situation as exploitation or marginalisation (Tyuryukanova 2005: 66, cf. Anti-Slavery International 2006a). One SEE service provider explained: “Most won’t complain even though they suffer exploitation and abuse while working. When we tell them that they have been victims of trafficking, they don’t care because they are used to the exploitation they suffered. And if they come back with money, they never complain”.

Finally, the development of effective assistance and protection for victims of labour trafficking requires the inclusion of victim’s experiences and voices in the discussion and design of responses. Much trafficking work has been undertaken based on the assumed vulnerabilities of victims rather than their self articulated risk factors and needs. Equally, trafficked persons have seldom been consulted in evaluating assistance interventions and strikingly little dialogue has taken place with victims to learn about what assistance they require or their assessment of the services offered. Further, little independent evaluation of assistance programmes has taken place. Engaging victims in a discussion of their experiences (both positive and negative) as well as seeking their inputs in the design and implementation of programmes can ensure that interventions are victim-centred and grounded in the lived realities of the range of victims they are intended to support and assist.³³ Involving victims in research, monitoring and evaluation can also serve to potentially empower victims – putting their opinions on equal footing with those of the professionals. That being said, all efforts to involve trafficking victims in research, monitoring or evaluation must be guided by ethical principles such as informed consent, “do no harm”, confidentiality and voluntary participation.

³³ Other recent studies which engage directly with victims in a discussion of their needs and interests have also shed light on some interesting and important aspects of assistance and intervention. See Bjerkan 2005; ECPAT 2004; Brunovskis & Surtees 2007; Surtees 2007; Watts & Zimmerman 2006.

6: Some final thoughts

This paper has considered the issue of labour trafficking in SE Europe not only in terms of who is trafficked but also some of the issues and obstacles in the implementation of appropriate anti-trafficking programmes, both prevention and protection. Key recommendations include:

- Continued research on labour trafficking in various countries and regions to better understand the phenomenon and to provide guidance in developing interventions;
- The need to pay attention to the specificities of labour trafficking including how it differs and is similar to other forms of trafficking;
- Prevention should include not only information campaigns but also more systemic efforts to prevent labour trafficking;
- The need for criteria which is specific to labour trafficking which can facilitate more effective identification of victims of labour trafficking;
- The importance of assistance and services which reflects the needs and interests of persons trafficked for forced labour;
- Victims of labour trafficking should, to the extent that they so choose, be involved in research, monitoring and evaluation to ensure that interventions reflect their needs and interests;
- Victim/beneficiary participation in research, monitoring and evaluation must be guided by ethical principles like informed consent, “do no harm”, confidentiality and voluntary participation;
- Prevention and protection efforts must be monitored and evaluated to assess their impact and effectiveness in addressing labour trafficking.

These observations can be a helpful starting point in prevention and protection work. However, far more information is needed about trafficking for labour not only within SE Europe but also more broadly, from a range of countries of origin to the full range of destination countries. Research and dialogue is needed on a wide range of subjects if we are to better appreciate the nature of this crime as well as possible remedies. More understanding is needed about the diverse prevention and protection needs of trafficked persons; about traffickers to better target investigations and prosecutions; about the labour market and how it intersects with the practice of human trafficking; about the relationship between trafficking into formal and informal economies in both countries of origin and destination; about the extent to which trafficked persons make use of regular and irregular channels in their search for work; about the functioning of employment agencies and how these can potentially provide cover for trafficking networks and so on. Details of myriad aspects of labour trafficking will be vital contributions in efforts to prevent and combat this form of trafficking not only within SE Europe but also further afield.

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