

# Forced labour outcomes of migration from Moldova: rapid assessment

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Special Action Programme to Combat Forced Labour

DECLARATION/WP/38/2004

Working Paper

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Moldova: rapid assessment**

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in cooperation with

**International Centre for Women's Rights Protection and Promotion**

**International Labour Office  
Geneva**

November 2005

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First published (2005)

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92-2-117270-8 (print)

92-2-117271-6 (web pdf)

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Printed by the International Labour Office, Geneva, Switzerland

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## Foreword

In June 1998 the International Labour Conference adopted a Declaration on Fundamental Principles and Rights at Work and its Follow-up that obligates member States to respect, promote and realize freedom of association and the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation.<sup>1</sup> The *InFocus Programme on Promoting the Declaration* is responsible for the reporting processes and technical cooperation activities associated with the Declaration; and it carries out awareness raising, advocacy and knowledge functions – of which this Working Paper is an example. Working Papers are meant to stimulate discussion of the questions covered by the Declaration. They express the views of the authors, which are not necessarily those of the ILO.

This Working Paper was prepared by a team of Moldovan researchers and ILO consultants. It is part of a major research project on the forced labour outcomes of trafficking and irregular migration, implemented by the ILO Special Action Programme to Combat Forced Labour (SAP-FL). Initial studies have focused on European source and destination countries, demand and supply factors, the vulnerability of migrants to forced labour and trafficking as well as concrete forms of coercion they experience. The results of these studies will inform SAP-FL's growing knowledge base on the modern forms of forced labour as well as country-based and sub-regional technical cooperation activities.

The authors of this study pioneered a difficult field of research. Research on trafficking is a sensitive issue because of its criminal and “hidden” nature. In this case moreover the authors were also exploring a relatively new subject, namely trafficking for forced labour exploitation. In recent years, trafficking for sexual exploitation from Eastern to Western Europe has raised the attention of the media and policy makers. Political instability in the Western Balkans has also been a major pull factor for trafficking of mainly women and minors into the growing sex industry of the region. This paper argues, however, that the incidence of trafficking for labour exploitation is an important aspect of labour migration from Moldova. It also promotes a holistic approach to the eradication of trafficking with the active participation of labour market institutions in national action plans.

The results were first discussed during a tripartite workshop in Chisinau, Moldova in 2003. A follow-up workshop with representatives from government, workers and employers' organisations as well as NGOs from four different countries of South-eastern Europe took place in January 2004. In the meantime, the government of Moldova has taken important steps to curb human trafficking, partly in collaboration with ongoing ILO project in the region. We hope that this report will further stimulate the work of ILO constituents and other stakeholders in the country.

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<sup>1</sup>The text of the Declaration is available on the following web site: <http://www.ilo.org/declaration>



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## EXECUTIVE SUMMARY

### Objective of the study

The main objective of this research was to investigate forced labour resulting both from trafficking and non-trafficking related migration, in the context of irregular migration from Moldova. The study, based on questionnaires completed with returned migrants in Moldova, focus group interviews with selected migrants, and interviews with experts, focused on the profiles of trafficked and non-trafficked victims of forced labour as opposed to ‘successful’ migrants<sup>2</sup>. The distinction between trafficked and non-trafficked victims of forced labour was adopted for the purpose of the study to differentiate between those deceived from the outset of the migration project by a recruiter, from those that were deceived and coerced at a later stage, in order to investigate different forms of coercion and routes into forced labour. Recruitment methods of both victims of trafficking and other migrants were investigated as well as ways in which victims escaped from the forced labour employment situation in the destination country. In short, the study aimed to establish objective criteria of forced labour as an outcome of human trafficking as well as of irregular migration.

### Main findings

#### *Forms of coercion*

The study found that forced labour situations were experienced by men and women in both Western Europe and the CIS countries, not only in sex work and entertainment but also in construction, agriculture, catering, domestic work, personal care work and work at market stalls. Successful migrants working in these sectors were also identified, with the exception of the sex and entertainment sectors.

The sanctions used by employers to prevent escape from forced labour shared many common characteristics. In particular, freedom of movement was restricted in nearly all cases for female victims and three-quarters of male victims. Identity documents were also confiscated from the majority of trafficked persons. On the other hand, successful migrants never had their freedom of movement inhibited and rarely gave up possession of their identity documents.

Violence was often used against female victims of forced labour as a means of controlling them whereas men more often mentioned the withholding of wages. Similarly, debts to the employer or intermediary were often cited as controlling female victims but were not important amongst male victims. The sale of men into forced labour situations was virtually unheard of, whereas 25 per cent of women victims of forced labour claimed that they had been sold.

Although successful migrants never considered themselves tied to their workplace, it is clear that they also shared some of the exploitation of victims of forced labour. In particular the exhausting schedule of hours and days worked was shared by all, although women, both successful migrants and victims of forced labour, worked seven days a week in more cases than men. Similarly, food and shelter, where part of the compensation for work, were often inadequate.

Whether or not victims of forced labour received money from the exploiter very much depended on the sex of the migrant. Female victims tended to seldom receive money as compensation for their work, and were mostly paid in kind. They also spent the highest amount among all groups on paying back debts. Male victims were paid money more often than women, though not always. Only successful migrants were generally paid money for their work.

#### *Recruitment and forced labour*

In addition to support provided by family and friends, in order to migrate for work, assistance could be sought through visa and passport intermediaries, travel agencies, job and/or transport intermediaries and

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<sup>2</sup> For the purpose of this study “successful migrants” refer to respondents who were not deceived during recruitment and did not suffer significant forms of coercion during their employment in the destination country. See also section 2.



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job placement agencies. Following arrival in the destination country, however, the study revealed another layer of organization that operated independently of the manner in which respondents had migrated: job intermediaries in the country of destination, often Moldovan nationals.

The study identified several main differences in the organization of successful female migration and of that resulting in forced labour. The first is that three-quarters of successful migrant women organised their own travel either through travel agencies or on their own. However, three-quarters of female victims of forced labour organised their travel through intermediaries, hardly ever on their own and rarely through a travel agency.

Secondly, over half of successful migrant women had job offers from family and friends working in the destination country or were themselves in touch with the employer before departure. On the other hand, over half of female victims of forced labour had job offers from intermediaries, but never from family in the destination country and were never in touch with the employer before departure.

Furthermore, successful migrant women financed their travel either themselves or by borrowing from family and friends. This was not the case of most female victims of forced labour, who did not have savings or borrowings available to them. In fact, three-quarters of those using intermediaries were either given 'credits' to cover expenses or did not need to pay.

As such, both successful migrant women and female victims of forced labour travelled clandestinely. However, they did not obtain job offers in the same way: successful migrant women did so through family and friends, whereas female victims of forced labour did so through intermediaries.

The difference between successful male migrants and male victims of forced labour was less clear in the area of recruitment. This is no doubt partly because over 60 per cent of both victims of forced labour and successful men had travelled to Russia, where little or no assistance is needed in the actual travel, since Moldovans need no visas for the CIS countries. There were, therefore, no striking distinctions in the manner in which either group organised its travel, over half of both groups organising it themselves.

The study found that one in two men travelling with job placement agencies or transport intermediaries ended in forced labour, whereas only one in six men with assistance from job intermediaries in the country of origin ended in forced labour. However, the proportion of men using either intermediaries or job placement agencies was very small compared to women who became victims of forced labour.

### *Vulnerability factors of trafficking*

A review of the socio-economic and educational status of female victims of forced labour compared to successful women provided some answers to why women who became victims of forced labour organised their movement and job placements differently. Several distinctions emerged.

In the first instance, female victims of forced labour were generally the youngest participants in the sample. At the same time, they were twice as likely to have children under the age of five compared to successful migrants. Furthermore, they were exposed to violent relationships at home five times more frequently than successful women.

Moreover, female victims of forced labour generally had lower levels of education than successful women, although nearly a tenth had a university education. This is perhaps related to the fact that women in forced labour situations were twice as frequently without an activity prior to departure compared to successful migrants and were more seriously affected by poverty than successful women. Their relative poverty therefore accounted for why no female victims identified for this study had organised their movement through the seemingly safe but expensive channel used by successful women – travel agencies. Instead they were often dependent on the credit that intermediaries provided for travel.

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Also, female victims of forced labour were five times less likely to have received assistance in finding employment from social networks abroad than successful women. This fact again made them more dependent on intermediaries in countries of origin for job offers as well as creating dependency on transport intermediaries where they travelled clandestinely.

The study found that similar distinctions could be made between both male and female successful migrants and victims of forced labour. Male victims of forced labour were twice as frequently affected by a lack of resources than successful men, had far fewer social networks and received job offers from friends and family already abroad five times less frequently than successful men. Finally, male victims of forced labour were twice as likely to be without paid work. Levels of education, however, were comparable for men in both categories of migrants.

### **The way ahead**

Though Moldova has made a good start in combating trafficking, there is still much that remains to be done. First and foremost, in order to tackle the roots of forced labour outcomes of migration, migration management should be improved. This includes the monitoring of recruiters, awareness raising amongst potential migrants and especially amongst high-risk groups as well as the creation and sustained functioning of adequate legal channels for labour migration.

The adequate implementation of anti-trafficking legislation should be assured through improved cooperation between relevant ministries and organizations, as well as capacity building. Relevant officials and organizations should be trained in anti-trafficking legislation and migration management. A network should be set up and maintained to foster cooperation between different actors. Last but not least, witness protection legislation should be developed further and adequately implemented in order to improve the prosecution of perpetrators.

At State level, the programme for assistance and reintegration of victims should be further developed and implemented. Collaboration should be improved with the organizations that are currently responsible for victim assistance and reintegration. Vocational training should take into account the demands of the labour market.



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## I. INTRODUCTION

### **Socio-economic situation in Moldova**

The Republic of Moldova is situated in Eastern Europe between Ukraine and Romania and is one of the most densely populated European countries, with a population of 4.3 million in 2003 for an area of 33,843 km<sup>2</sup>. The country has been undergoing drastic economic decline since the transition from a centrally planned to a market oriented economy at the beginning of the 1990s (World Bank, 2000). The level of GDP per capita decreased 25 per cent from US\$ 426 in 1996 to approximately US\$ 350 in 2000 (National Bank of Moldova, cited by the UN Common Country Assessment 2000), and was US\$ 400 in 2003 (Limanowska, 2003) and remains the lowest of all the European countries. More than half of the population lives below the poverty line. Indeed, Moldova's Human Development Index rank is only 108 (UNDP, 2003).

Arrears on external debt payment are already high and will probably continue to rise (The Economist, 2004a). Though the current government has been trying to secure IMF funding, which will also unlock other bilateral and multilateral financing. Nevertheless, Moldova's general lack of market reforms deters investment flows and policy inconsistency prevents the reception of sufficient multilateral aid to make a difference (The Economist, 2004b). Because of existing trade regulations, exports are difficult from Moldova's main economic activity, agriculture, to Europe. Moreover, exporting to Russia also presents obstacles as Russian agriculture is heavily subsidized. Yet there is a stable demand for Moldovan exports, unequalled, however, by strong domestic demand.

Since the transition period, unemployment has been high due to large numbers of lay-offs and bankruptcy of industries linked to liberalization of prices and privatization. Official unemployment figures were extremely low throughout the 1990s up to the beginning of the 21<sup>st</sup> century due to, among other reasons, the 'hoarding' phenomenon where workers remained 'nominally attached' to their workplace but are not actually working or receiving a salary, but also because there was so little chance of finding a job via public employment services. Unemployment benefits were so minor, that few registered with the public employment services (Torm, 2003). Increased privatization has brought to light some of this underemployment. In April 2004, unemployment figures were at 26.9 per cent (CISstat, 2004), though some estimate that hidden unemployment encompasses another third of Moldovan workers in the country (CISR, 2001). A survey of those in official and hidden unemployment showed that 38.7 per cent do not have enough money to buy food, and 49.3 per cent have money to buy just food but are not in a position to acquire other necessary goods (ibid.). Women, comprising 68 per cent of the unemployed, have been disproportionately affected (UN Common Country Assessment, 2000). As a result, many Moldovans migrate abroad to find work, which is illustrated by the fact that migrant remittances account for a third of the country's GDP.

### **The migration-trafficking nexus**

With increasing polarities between rich and poor countries, those living in absolute or relative deprivation seek to migrate. However, increasing border controls, as in the case of EU and EU candidate countries, mean that migration becomes very difficult. There is a certain demand for migrant workers in the wealthier countries, as well as a large supply of labour willing to emigrate from the poorer countries. This type of situation creates a booming market for traffickers.

The need for cheap labour, resulting in practices such as subcontracting and outsourcing, as well as contributing to a large extent to the creation and sustained functioning of the ethnic niche, finds its solution in the shape of, mostly irregular, migrants. Migrants are often willing to work longer and harder than native workers, and for lower wages. However, migrant worker rights are not always respected, particularly since large parts of the industries mentioned above are located in the shadow economy. The push and pull factors in the country of origin create a supply of migrant workers ready to answer the demand for cheap labour in the West, created to a large extent by economic restructuring (Stalker P., 2000).

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Driven by push and pull factors, migration flows from the poor East to the wealthy West of the European continent have increased to unprecedented levels. In Moldova, regular and irregular migration continuously increases. According to unofficial estimates, the number of Moldavian citizens who work abroad is between 600,000 and 1,000,000, (National Bank of Moldova, cited by the UN Common Country Assessment, 2000), making Moldova the country with the highest number of nationals abroad in Southern and Central Europe as well as Turkey.

A very high number of migrants come from rural areas; some 50-100 (approximately 10 per cent) persons from each rural community of 1,000-2,000 inhabitants are working abroad. In some communities only half of the former population is left. In the southern region of Gagauzuya, which has autonomous status and a large Turkish minority population, about 70 per cent of women have already migrated (ILO, 2004).

Moldova is also a source country for women and children trafficked for sexual exploitation as well as women and men trafficked for forced labour. Trafficking of women takes place mainly to the Balkans: Bosnia-Herzegovina, Albania, Macedonia, Serbia-Montenegro and Kosovo. In addition, women and children are trafficked to Hungary, Slovakia, Poland, the Czech Republic, Greece, Cyprus and Turkey, as well to Middle Eastern countries such as Lebanon, Israel, United Arab Emirates, Syria, Pakistan, and Afghanistan. Moreover, trafficking to Russia, Turkey and the United Arab Emirates increased during 2003. Trafficking to Israel via Moscow and Egypt continues. Men and children have been trafficked to Russia and other neighbouring countries for forced labour and begging (US Department of State, 2004). The most common first step in the complex trafficking routes tends to be Romania, particularly the city of Timisoara.

The most reliable data on victims of trafficking come from the Regional Clearing Point (2003). The data has been derived from those victims of trafficking that were identified and assisted (only including those receiving assistance in Moldova, not in other countries), thus probably grossly underestimating the number of actual victims. The minimum number of Moldovan victims of trafficking who have returned to Moldova between January 2000 and April 2003 was 1,131. The victims were almost all women trafficked for sexual exploitation. Little information is available on forced labour exploitation.

The profile of the victims identified by the Regional Clearing Point on victims for sexual exploitation shows that most were between 18 and 24 years old, 10 per cent were minors when identified, 30 per cent were recruited when minors. Victims came mostly from the Chisinau District and Municipality (26 per cent) and from the Cahul district (18 per cent). All of the victims had received some formal schooling: 50 per cent had primary schooling and 11 per cent had secondary schooling. Trafficked victims from Moldova had children in 46 per cent of cases, which were taken care of by others, consisting of relatives, non-relatives, or State institutions. This percentage is significantly higher than that of victims of trafficking from other South Eastern European countries. The main push factors to leave Moldova were low salaries and lack of employment opportunities.

The study by the Regional Clearing Point shows that 60 per cent of victims were recruited through direct contact with individuals; approximately half of these were acquaintances. However, job advertisements in the press as well as private employment, travel and other agencies also played a role (Limanowska, 2003). 65 per cent of victims were lured by false job promises and 16 per cent by false travel schemes (Regional Clearing Point, 2003). The average length of time for which people were trafficked was two years (ibid.).

## **II. METHODOLOGY**

### **Background to the study**

This rapid assessment was the first phase of a regional programme of the ILO Special Action Programme to Combat Forced Labour in Central and Eastern Europe. The main aim of the research was to provide the information necessary to develop a programme for the prevention of trafficking and other

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forced labour outcomes of migration from countries of origin and to develop a strategy to improve identification of victims in countries of destination. More generally, it was hoped that the information would enlarge understanding of trafficking and the forced labour outcomes of migration from Moldova and provide a frame of reference for interested stakeholders together with other research.

In designing the research it was considered that the data collection on the phenomenon of forced labour linked to migration had been limited to trafficking, which, in turn had been limited in many ways to the experience of women and girls sexually exploited in the Balkans. Although trafficking into labour exploitation, as well forced labour in general, are widely recognized by various international instruments, very little attention had been paid to documenting exploitative outcomes other than sexual exploitation.

The research is based on quantitative and qualitative data collection methods. To generate comparable, though not representative, data on successful migrants and victims of forced labour, the research design included a questionnaire for these respondent groups. Focus group discussions were also conducted with victims of forced labour and successful migrants. In depth semi-structured interviews were conducted with key informants. The data was collected between October and December 2002.

### **Aims of the study**

The main objectives of the research were to identify root causes of forced labour outcomes of migration, taking as a reference point the experience of those that had migrated successfully, though irregularly, from Moldova. Gender aspects will play an important role in this analysis. Moreover, it aims to broaden the knowledge base of forced labour and provide the necessary information to design prevention and protection interventions in countries of origin and destination.

More specifically, the research aimed to examine root causes of migration such as poverty, unemployment, family responsibilities, age, education, social networks abroad and perceptions of opportunities abroad. The study also considered the organization of movement, the relevance of travel documents, availability of credits for travel, the character of intermediary assistance and the prevalence of job offers.

Furthermore, the nature of forced labour was investigated: the sectors and locations in which it took place and the mechanisms used to maintain control over individuals and evade detection. Finally, methods of exiting forced labour as well as access to assistance with respect to exit were studied in depth.

### **Sampling**

Recruiting a sample of returned victims of forced labour and successful migrants for research presented challenges. There was no sampling frame listing all those falling into these categories and therefore it was impossible to obtain a random or probability sample of these particular population groups. The main selection mechanism was therefore snowballing, each selected area providing the starting point, and information from key informants, other informed third parties, or the interviewer's own information, leading to the identification of respondents. The majority of female victims of forced labour were, however, selected from the trafficked persons shelter in Chisinau.

The study aimed to have similar numbers of men and women as well as of successful migrants and victims of forced labour. In addition, where possible, both victims of forced labour and successful migrants were selected from the same work sectors. In this way, the study attempted to break the tendency of research focusing on trafficked women exploited in sex work. Because of the sampling methods used the results in this study were not representative. The references to percentages therefore in the study represent only the findings in relation to this limited respondent set and cannot necessarily be generalized as representative of the country as a whole.

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## Sample characteristics

### *Definitions and variables*

The most crucial variable of this study is the one differentiating ‘victims of forced labour’ from those not having experienced forced labour, who can thus be termed ‘successful migrants’.

Forced labour has been defined by the ILO Forced Labour Convention, 1930 (No. 29) as follows:

*All work or service which is exacted from any person under the menace of penalty and for which the said person has not offered himself voluntarily (Art.2.1)*

The ‘menace of penalty’, as mentioned in the definition, is seen to include not just penal sanctions, but may also take the shape of the loss of rights or privileges (ILO, 2003a). Moreover, the idea of work or service being offered voluntarily implies that the person providing the services or doing the work is doing so with his/her freely given consent. Consent is considered to become irrelevant if coercion, persuasion or deception are used in order to place the person in forced labour. In addition, for freely given consent to be considered as such, it must also be free to be revoked. The workers’ right to choose their own employment remains inalienable (ibid.).

The differentiation between the two types of migrants considered in this study was based on a question pertaining to whether the respondent had been free or not to leave his/her job abroad if he/she desired so. The question was the following: ‘Each time you worked abroad, were you free to leave that work at any time and seek other work?’ If the person was not able to leave work of his/her own free will, it was considered that the work done or services given by this person were not offered voluntarily.

According to the 2000 Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, ‘trafficking in persons’ means:

*The recruitment, transport, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Art. 3)*

As such, trafficking encompasses the intention of the recruiter, transporter, harbourer, or receiver of persons with the intent of exploiting them, the movement of persons, as well as the final exploitation of these persons. Since there is no consensually agreed upon definition of exploitation, the Palermo Protocol refers to forced labour as a form of exploitation. This study focuses on forced labour outcomes of migration in general instead of on trafficking in human beings in particular. There are several reasons for this decision. Firstly, the human rights abuses to which people are subjected as trafficking victims underpins the commitment to combat trafficking. Many of these abuses are only experienced once the individual is subjected to exploitation in the destination country. Rather than prejudice the selection of respondents by imposing certain ideas about the organization of migration leading to forced labour, it was decided that an alternative approach might generate new and valuable information. By identifying individuals that had experienced forced labour in countries of destination, information could then be gathered on the manner in which they had been delivered to such situations.

Secondly, data on trafficked women often excludes the experiences of those that have not been recruited by intermediaries in the country of origin. Many have travelled independently to countries of destination and following arrival have been trapped by abusive employers. These scenarios might be

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particularly frequent in destination countries that do not require visas for Moldovan nationals, such as Russia, or those countries that offer tourist visas routinely at the border for a small fee, such as Turkey. It is clear that in these circumstances people may more easily travel to the destination country without the assistance of intermediaries. The organization of their placement into abusive employment nevertheless occurs, but clearly the organization of this exploitation is dependent on mechanisms in the country of destination rather than the country of origin.

In conclusion, the category of migrants in this study named ‘victims of forced labour’ contains both those migrants that had been trafficked from the outset, but also those that had experienced forced labour independent of their recruitment and movement. From a legal point of view, it is not necessary to distinguish between victims that have been deceived or coerced from recruitment through the final employment stage and those that moved on their own volition and still became victims of forced labour. All may be called victims of trafficking. This study, however, uses forced labour as the most important variable to distinguish between victims and successful migrants.

### **Limitations of the study**

This study encountered numerous methodological obstacles.<sup>3</sup> From the outset, the fact that there was no agreed upon definition of labour exploitation constituted a problem. Forced labour has been taken as a substitute for labour exploitation for two reasons. The first is that the Palermo Protocol mentions forced labour as a criterion for defining the purpose of human trafficking. The second reason is that the Forced Labour Convention, 1930 (No. 29) has a supervisory mechanism in the form of the ILO Committee of Experts on the Application of Conventions and Recommendations, which has dealt with trafficking under the Convention since it entered into force. As such, the concept of forced labour has a consensually agreed upon definition. It can be regarded as the most extreme form of labour exploitation. Nevertheless, it is hard to distinguish between forced labour and other forms of severe exploitation (ILO, 2005).

Apart from definitional problems, there were problems associated with the design of the study. A major flaw was the fact that the interviewees were all returned migrants. Though this is probably the best way to approach the sampling difficulties involved in a study on a covert and underground topic, it nonetheless implies that the results are less representative. A good example of this is the time spent in forced labour abroad. Basing the period of forced labour on returned migrants means that only those who managed to exit it are considered. Thus the time spent in forced labour is likely to be grossly underestimated.

The sampling problems were aggravated by the fact that a snowballing method was used to identify interviewees for a more quantitative study. Many of the victims of trafficking were contacted via IOM shelters. Though time saving, this means that the representativeness of the findings is weak. Another factor is the difference in size of the two groups of participants. Comparisons between migrants and victims of trafficking are unlikely to yield representative results. Nonetheless, comparisons between the two groups were made to provide indications as to the mechanisms behind emigration from Moldova and to the risk factors associated with trafficking in human beings.

As to the actual interviewing, it is suspected that social desirability may have influenced the answers. It is generally known and accepted that returning migrants tend to exaggerate the good sides and underplay the more negative ones about their experience. In the case of forced labour and trafficking – particularly for sexual exploitation – there is the risk of social stigma if the matter becomes public. When taking into account that forced labour and trafficking constitute highly sensitive topics, it should not be forgotten that pride, honour and shame may bias the way interviewees answer questions. Again, this could lead to an underestimation of the numbers of victims in this study, as well as the severity of the conditions under which they were made to work.

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<sup>3</sup> For more information on the difficulties of researching trafficking, see Andrees, B. and van der Linden, M.N.J. (2005) ‘*Designing trafficking from a labour market perspective: The ILO experience*’, International Migration Review, Geneva, IOM.



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Though this study may have certain shortcomings, it must not be forgotten that it is covering new ground. Trafficking in human beings remains an under-researched topic, and only a few attempts have been made to look at the wider implications, in particular the forced labour outcomes in sectors other than the sex industry. It is hoped that the results of this study may give indications as to certain trends, and inspire future research on the matter.

### **3. RESULTS**

Since the break up of the Soviet Union migration from Moldova has reached immense proportions. Experts and surveys differ in estimating how many Moldovans are currently abroad. Estimates range from the percentages of families with a member abroad (30 per cent - 40 per cent), percentages of young people abroad, to proportions of all men and women abroad (25 per cent – 30 per cent). Other estimates point to the proportion of women amongst all those abroad (75 per cent) and the proportion of irregular versus regular migration (60 per cent – 80 per cent of all migration is thought to be irregular)<sup>4</sup>.

Other figures point to the numbers in given destination countries: 230,000 Moldovans in Russia; 120,000 in Italy; 80,000 in Portugal; 40,000 in Czech Republic; 35,000 in Spain. It is not always clear where these estimates of key informants come from. However, there is a clear consensus that the phenomenon is sufficiently widespread to affect most Moldovans in some manner.

The legal opportunities for travel and work abroad, however, are few. Only one in ten of those working abroad are estimated to be doing so legally. Nevertheless, the lack of legal opportunities has neither quelled the desire to migrate nor impacted on the extent of remittances to Moldova, which in recent years have become a substantial part of the country's income.

#### **Vulnerability Factors**

Vulnerability factors are characteristics of a potential migrant's individual, social, and structural environment that put him/her at risk of forced labour. In this section, micro vulnerability factors will be considered. These include, for example, civil status and education. Macro scale risk factors are also reviewed, such as unemployment and financial situation.

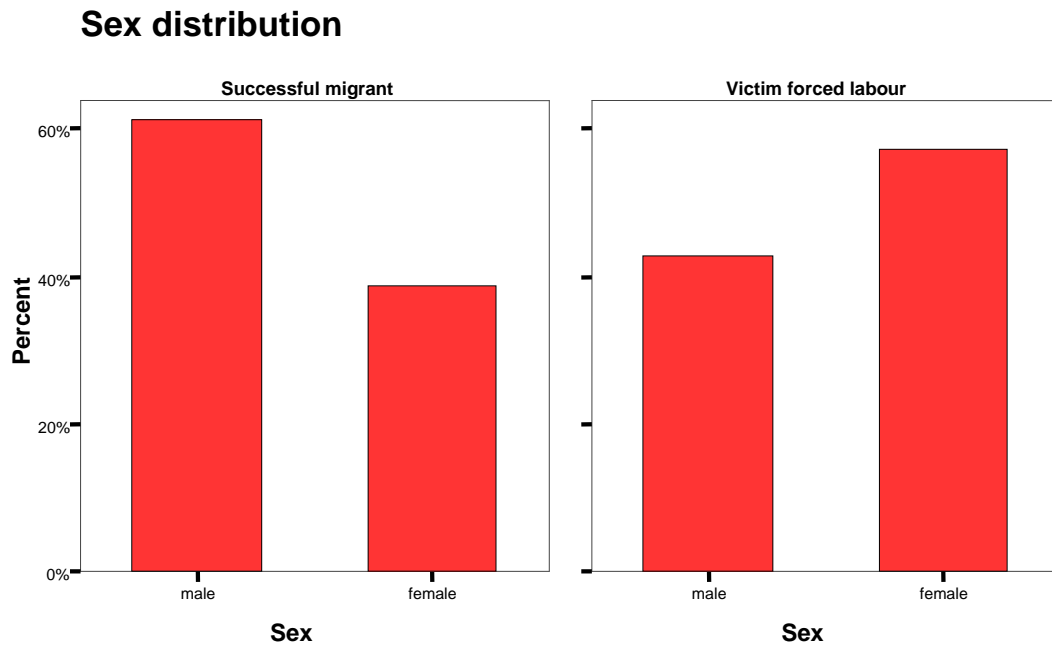
##### *Demographics*

Currently, the considerably sized group of adolescent and young women with a propensity to migration are considered most at risk and many prevention activities are targeted towards them. The results of the study confirm that women are more likely to be victims than men, though victims on average are only about four years younger than successful migrants and age does not appear to be an influential vulnerability factor.

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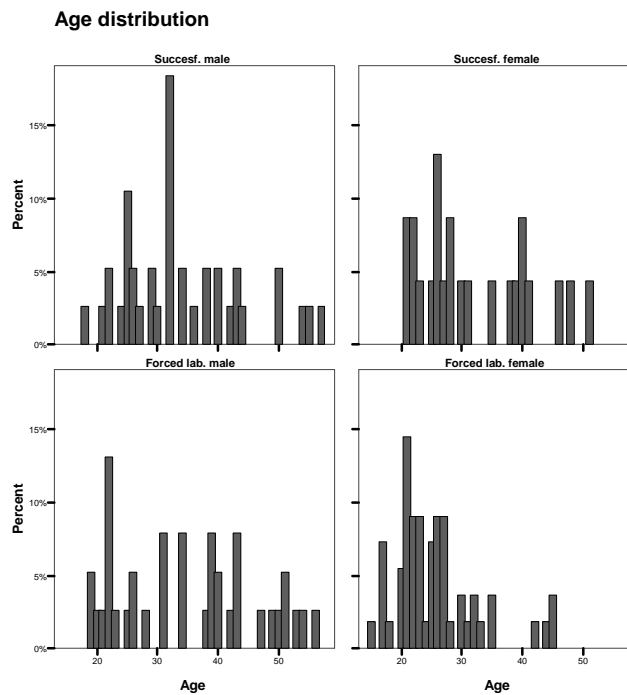
<sup>4</sup> Source: Report on Trafficking from Moldova. *Irregular labour markets and restrictive migration policies in Western Europe*, by Shivaun Scanlan, May 2002, ILO Geneva, unpublished paper.

Graph 1



The successful migrants group was made up of 38 (61.3 per cent) men and 24 (38.7 per cent) women. On the contrary, those that had experienced forced labour consisted of 42 (42.9 per cent) men and 56 (57.1 per cent) women. Hence men were over-represented in the category of successful migrants, whereas women tended to be over-represented in the forced labour group.

Graph 2



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On average, the oldest group of migrants was the male victims of forced labour (Mean (M) 40.98, Standard Deviation (SD) 21.65). The youngest group was female victims of forced labour (M 25.55, SD 10.11). The successful male (M 34.11, SD 10.43) and female (M 31.91, SD 9.19) migrants occupied intermediary positions.

Only 34 per cent of the male victims were under 30 years old compared to over 80 per cent of female victims of forced labour. Therefore, whereas this study still showed that forced labour is disproportionately experienced by younger women, the same was not true for male victims where all age ranges were equally affected.

As for the family situation of the participants, 58 per cent of successful women and 74 per cent of successful men were married or living with a partner prior to departure. Sixty-seven per cent of the successful women and 74 per cent of the successful men had children and 54 per cent of the female successful respondents and 64 per cent of the male successful respondents also had the main financial responsibility for elderly members of their family.

Compared to successful women, a much larger proportion of female victims of forced labour were single, with only 38 per cent married or living with a partner prior to departure. Compared to successful men, a slightly lower proportion of male victims of forced labour (64 per cent) were married or living with a partner. The proportions of respondents that had been victims of forced labour with children, however, were high, although not as great as those for successful respondents, with 52 per cent of female victims of forced labour and 64 per cent of male victims of forced labour with children. The difficulties in raising children in the current economic climate in Moldova are clear:

*“The situation here is so difficult. The number one problem is lack of money. To raise four children, to get them clothes, to feed them. I decided to go somewhere while my husband stayed at home taking care of our children, the household.”*

*(Focus group discussion with women that had been victims of forced labour).*

The children of female victims of forced labour, however, were much younger than the children of successful women with 60 per cent respondents having children under the age of five compared to successful female migrants with 31 per cent of respondents with children under the age of five. This could be in part due to the fact that the average age of the victim of forced labour was younger than that of the successful migrant and therefore one would expect younger children. Nonetheless, the same pattern was not true of successful men and victims of forced labour: 30 per cent of both groups had children under the age of five.

Male and female victims of forced labour were less likely to have the main financial responsibility for elderly members of the family (respectively 50 per cent and 38 per cent) compared to male and female successful migrants (respectively 63 per cent and 54 per cent). The main financial responsibility for children again was higher amongst successful migrants than among victims of forced labour, with 90 per cent of male migrants and 60 per cent of successful female migrants with children answering that they had the main financial responsibility compared to 75 per cent of male victims of forced labour and 51 per cent of female victims.

Therefore successful migrants tended to have greater financial responsibility than victims of forced labour, which in part may have followed from their migration success. However, to the extent that these responsibilities existed before their departure, these findings show that increased financial responsibility in the home does not lead to a higher incidence of forced labour outcomes of migration. Nevertheless, the additional pressures of looking after younger children may lead to a certain vulnerability to trafficking and forced labour among women, to which successful women are not subjected to the same extent.

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### *Destination countries*

If it is true that many victims of forced labour end up in severe exploitation because of mechanisms proper to the country of destination rather than the country of origin, then the destination country may also constitute a vulnerability factor. As such, it is interesting to see which type of migrant went to which destination country.

The study found that the largest proportion of female victims experienced forced labour in the Former Yugoslavia (39 per cent), between the ages of 20 to 30. This reflected the demand for sex and entertainment workers and, to a lesser extent, waitresses. The next largest group of women victims of forced labour was from Russia (20 per cent), their ages ranging from 15 to 45. The wider age range than that found among the respondents from the Former Yugoslavia reflected the different kinds of activity for which trafficked women in Russia were in demand, including domestic, agricultural, construction and street vending work.

Most male victims of forced labour went to Russia (66 per cent), their ages ranging from 19 to 56, reflecting the demand in construction work and agriculture. There were no male participants who had experienced forced labour in the Former Yugoslavia.

The most important destination country for successful women was Russia (42 per cent). The age of this group ranged from 21 to 51 and represented a similar age pattern to the group of female victims of forced labour in Russia. The next important country was Italy with 25 per cent of successful females, ages ranging from 27 to 41.

Certain destination countries for successful female migrants and female victims of forced labour were the same. This study has shown these to include Italy, Greece and Russia. On the other hand, certain countries seemed to be associated exclusively with forced labour and included the Former Yugoslavia, Israel, Turkey, and Libya. No successful migrants returning from these countries were identified for this study (though the respondent sample was small). A further list of countries was host to successful migrants but not to victims of forced labour and included Belgium, Ukraine, Spain, and United States.

The most important destination country for successful men was also Russia (57 per cent). Again the age range of the successful migrants was very similar to those that became victims of forced labour: 18 to 55 years; so, as already mentioned, age in itself did not indicate the likelihood of being trafficked. The next important destination country was Romania (10 per cent) and the ages ranged from 21 to 57.

As with female respondents, it is important to note that the major destination countries for successful male migrants were the same as those for male victims of forced labour, including Russia, Romania, Greece, Turkey, Portugal, France, and the Czech Republic. Only Italy appeared as a country with no identified successful male migrants but forced labour victims for this research (the respondent sample being only two) and Germany and Spain with only successful male migrants and no cases of forced labour.

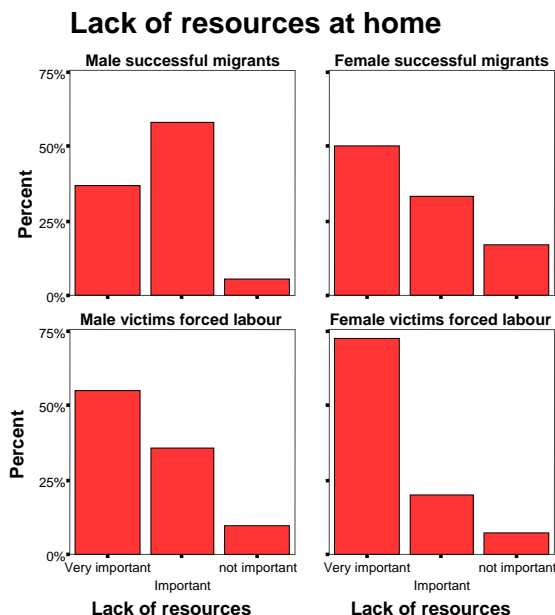
### *Factors influencing departure*

Decisions to migrate are traditionally seen to be based on push and pull factors relating to the circumstances in the country of origin and in the country of destination. Other studies on trafficking, for instance, have found that the experience of domestic violence or misinformed ideas of opportunities abroad have been prevalent among trafficked victims. However little seems to be known of the pull factors affecting victims of forced labour and how both push and pull factors may affect successful migrants. This comparison is necessary in order to establish to what extent push and pull factors may put certain individuals more at risk of trafficking and forced labour than others.

The following section considers several push and pull factors: lack of resources and employment prospects, relationships at home, the potential for a better/more interesting life, social networks abroad and the different sources of information, as well as actual job offers for abroad.

*Lack of resources and employment prospects*

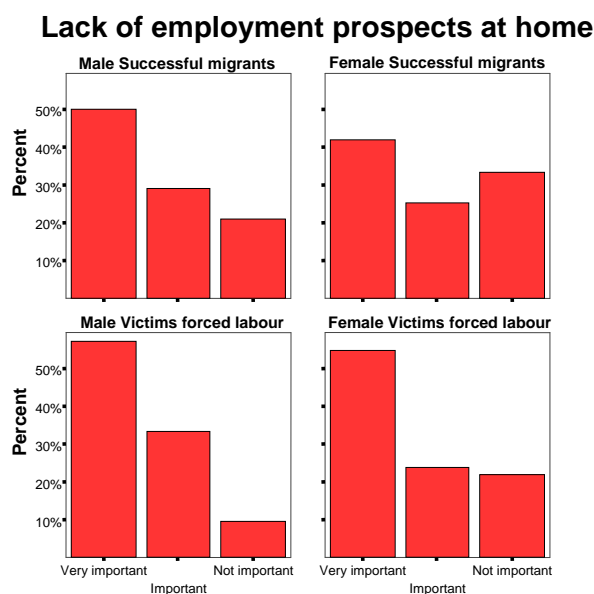
Graph 3



Graph 4 above shows that a lack of resources in the home country was a major motivating factor for all respondent groups in choosing to go abroad. However, victims of forced labour seemed to suffer greater economic hardship prior to departure than successful migrants. A lack of resources was of most importance to female victims of forced labour in influencing departure.

Both male and female victims of forced labour were substantially more affected by a lack of resources at home than successful migrants and marginally more affected by a lack of employment prospects. However, the lack of employment prospects remained a key factor in the decision to migrate for work, as illustrated by Graph 4.

Graph 4



The following excerpts from the focus group discussion highlight the importance of both the lack of resources and the lack of employment prospects.

*‘I worked 13 years as a teacher in a primary school, a teacher’s salary is pathetic, you cannot live and support two children with only 100 lei (approximately US\$ 20), I had to go abroad to make money...’*

*(Focus group discussion with female victims of forced labour)*

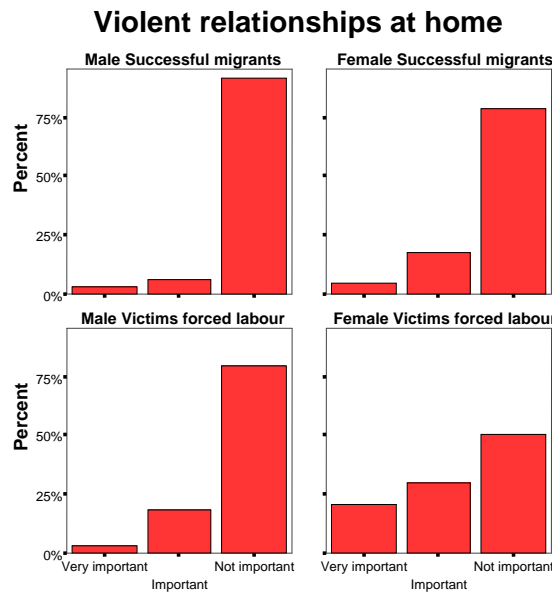
*‘I worked at the kindergarden for many years ... I hadn’t been receiving my salary for two years so I decided to go abroad in search of money.’*

*(Focus group discussion with female victims of forced labour)*

*‘The main problem was accommodation. The child was already born. My parents lodged us of course. I could bear anything but I had to have a place of mine own.’*

*(Focus group discussion with male victims of forced labour)*

Graph 5



The results of this study corroborate the general understanding that victims of forced labour experience more violence and abuse at home than other migrants (see Graph 5). When looking at the data from a gender perspective, it can be seen that female victims of forced labour deem relationships at home more violent than both male victims of forced labour and successful migrants in general. In fact, female victims of forced labour cite this factor five times more frequently than successful female migrants.

*Potential for interesting life*

Graph 6



All respondents rated the potential for a more interesting life abroad as a very important factor influencing departure, but particularly in the case of victims of forced labour (see Graph 6). A breakdown by sex showed that female victims of forced labour cite this factor almost four times as frequently as the other male and female respondents. The comparably younger age of the group

probably partly accounts for this response. However, the eagerness to believe in the potential abroad possibly rendered this group more vulnerable to risky or dangerous situations than potential successful migrant women. This belief may constitute a factor distinguishing potential female victims of forced labour from potential successful women. However, it appears not to be an indicator of vulnerability for male victims of forced labour.

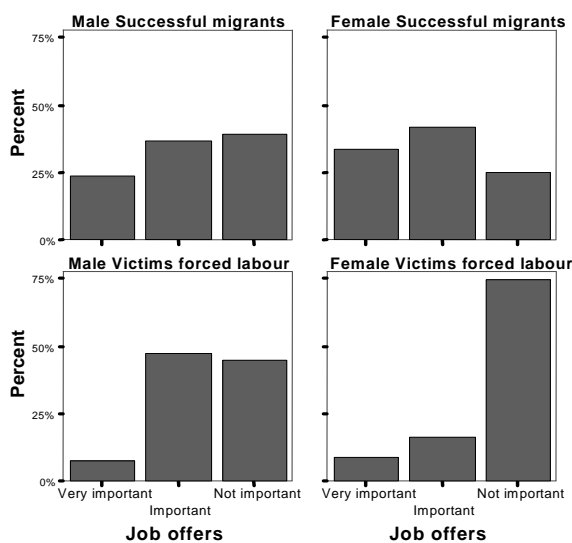
### Social networks

Both male and female successful migrants had more close friends and relatives working abroad compared to victims of forced labour: 95 per cent of male successful migrants and 91 per cent of female successful migrants answered that they had close friends and family abroad compared to 82 per cent of male trafficked victims and only 66 per cent of female trafficked victims.

It therefore seems to follow that more successful migrants, both male and female, recognized the influence of social networks both in determining their decisions to go abroad and, especially for successful female migrants, in providing job offers to them (see Graph 7). Both male and female successful migrants received job offers from friends and family between five to six times more frequently than men and women that became victims of forced labour. Therefore the findings here suggest that a successful migration experience is more likely where a job offer has been obtained from friends and family working in the destination country.

Graph 7

### Job offers from friends and family working abroad



Although this is not a surprising conclusion, it provides some balance to the general view that often friends and family are involved in organizing trafficking. This study suggests that job offers from friends and family already in the destination country to a potential migrant in the country of origin are five times more likely to be genuine than not. Respondents in focus group discussions recognized the important role of family in ensuring success in migration, even if one had to travel clandestinely:

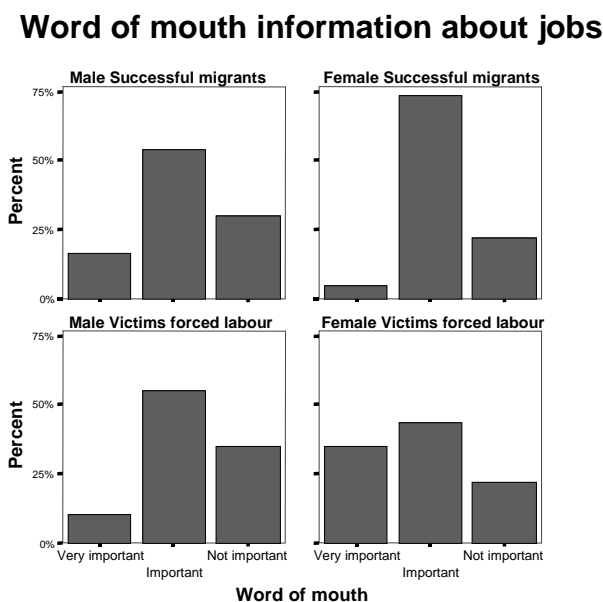
*‘My friend went illegally (to Italy) but she’s working and making a living. She gets paid her salary every month without any problems. She tried to go legally, but she was returned and went illegally because she had no other choice; she has two children and her husband is dead. She went illegally and has succeeded, but she went with her sister who has been working there for three years so she is a support.’*

*(Focus group discussion with women victim of forced labour)*



Linked to the comparative lack of family and friends abroad is the relative importance of word of mouth information.

Graph 8

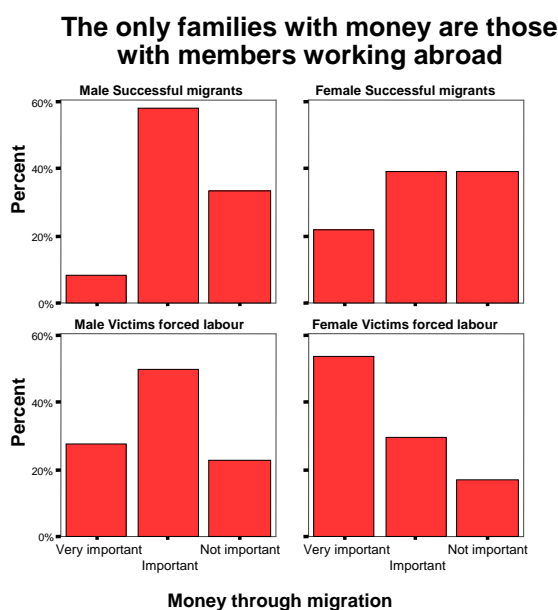


Word of mouth information plays the most important role in the decision of female victims of forced labour to leave for work. In the absence of real job offers for these women from friends and family abroad, they are especially influenced by hearsay information of either work available or the possibilities of success. One participant in a focus group discussion with women that became victims of forced labour illustrated how information about success is a tremendous pull factor:

*‘I wanted to go to Italy because of the language and because I knew three of our teachers who were in Italy for a long time and they had had so much success, their husbands were receiving money from them each month and that’s why I wanted to go to Italy.’*

Perceptions and expectations of work abroad are maybe influenced by word of mouth information. They are illustrated in Graph 8.

Graph 9



Graph 9 shows that a large majority of migrants perceived that the only way for a family to obtain money was to have a member working abroad. This was not, however, the case for successful male migrants, who did not in general agree with this perception. Female victims of forced labour were particularly influenced by the perception that only those families with someone abroad had any money. Although both male victims of forced labour and successful female migrants recognized this factor as important, female victims of forced labour recognized it at least twice as frequently as the other groups. Though not all participants agreed that the only way to make money was to work abroad, 84 per cent of successful migrants and 70 per cent of victims of forced labour, both male and female, recognized that friends and family remitted money home.

Even though answers to the questionnaires demonstrated the positive image of work abroad, focus group discussions indicated that the expectations related to working abroad were not all optimistic; there was a general sense that one took one's chances when deciding to go abroad and that not everybody succeeded:

*'People go abroad to work hard and hoping that they'll get paid better there. And that's true; in many cases, there are some who earned something and came back home with some money. There are also those who came back with health problems, without money and with debts, having borrowed money for the travel expenses. So there are different cases.'*

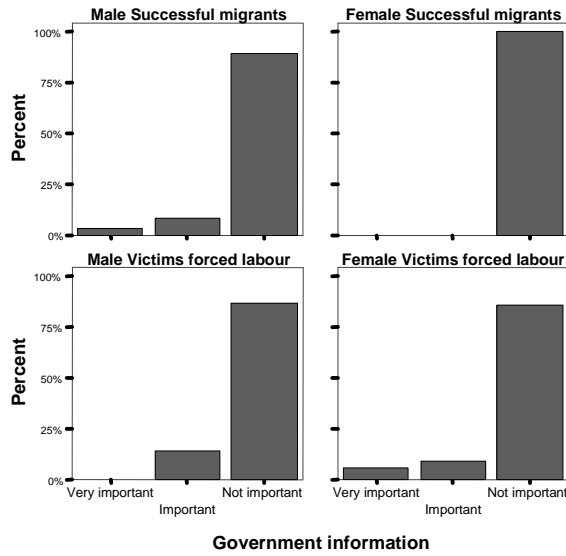
*(Men's focus group discussion)*

#### *Information on work abroad*

Government-sponsored information on placements abroad played virtually no role among the respondent groups in influencing departures, as illustrated by Graph 10.

Graph 10

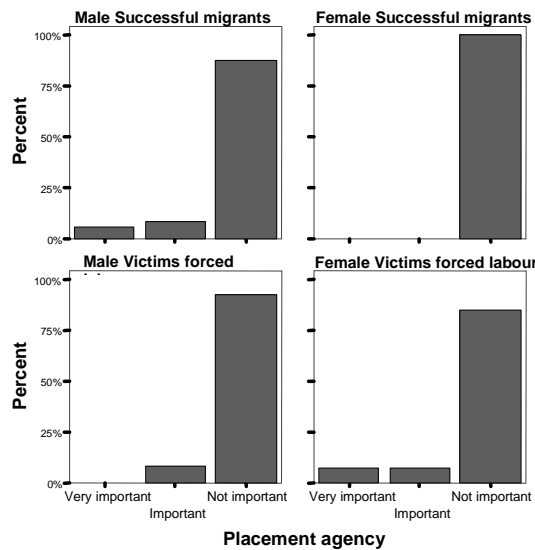
### Government information on work abroad



Just as information on job offers by government was not considered very important, job offers from job placement agencies<sup>5</sup> played almost no role in influencing the migration decisions of respondents.

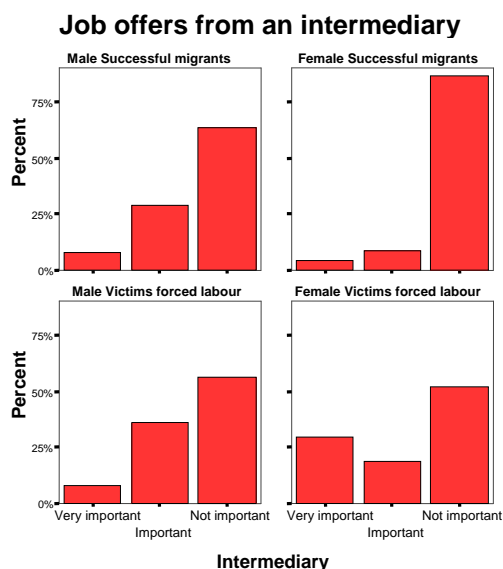
Graph 11

### Job offers from a job placement agency



However, the role of job offers from intermediaries was far more important and of relevance to all respondent groups, although only marginally important to successful female migrants.

<sup>5</sup> For the purpose of this study the term ‘agency’ is understood to mean an individual, or a group of individuals, operating under a legal, semi-legal, or seemingly legal facade. On the contrary, an intermediary is defined as being an individual, often part of a (possibly criminal) network, providing services without such a facade. Services provided by both agencies and intermediaries include travel arrangement, provision of travel documents and job placement.



16 out of 23 (70 per cent) female victims of forced labour that had received job offers from intermediaries rated these job offers as very important to their decisions to depart. Successful migrants particularly successful men occasionally relied on intermediaries.

*Pre-departure situation*

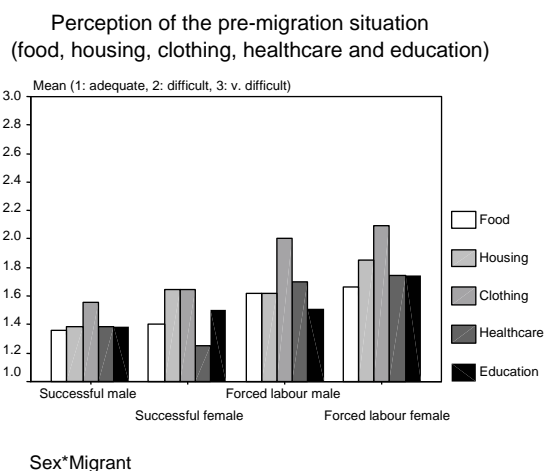
All respondent groups cited a lack of resources as a major push factor influencing decisions to go abroad. Further analysis of the socio-economic position of each respondent group confirmed that victims of forced labour generally experienced greater economic hardship than successful migrants. Table 1 reflects how participants in the study perceived their pre-migration situation with respect to food, housing, clothing, healthcare, and education.

Table 1

**Report**

Sex*Migrant		Food	Housing	Clothing	Healthcare	Education
Succesf. male	Mean	1.34	1.39	1.53	1.38	1.39
	Std. Deviation	.53	.59	.51	.49	.69
Succesf. female	Mean	1.38	1.62	1.67	1.33	1.50
	Std. Deviation	.65	.71	.70	.48	.76
Forced lab. male	Mean	1.62	1.60	1.98	1.67	1.49
	Std. Deviation	.66	.70	.60	.66	.64
Forced lab. female	Mean	1.66	1.82	2.09	1.73	1.74
	Std. Deviation	.64	.77	.67	.67	.56
Total	Mean	1.53	1.63	1.86	1.57	1.56
	Std. Deviation	.63	.71	.66	.62	.65

Graph 13



Female victims of forced labour consistently found their material circumstances more difficult than the other respondent groups with male victims of forced labour also experiencing more difficulties than either of the successful migrant groups. Both male and female victims experienced particular difficulties with respect to food compared to successful groups citing this difficulty nearly twice as frequently as the other groups. All groups, however, rated the difficulties with respect to clothing highly, with one in every two respondents recognizing this as a problematic issue. Interestingly, only female victims of forced labour emphasized the difficulties with respect to education.

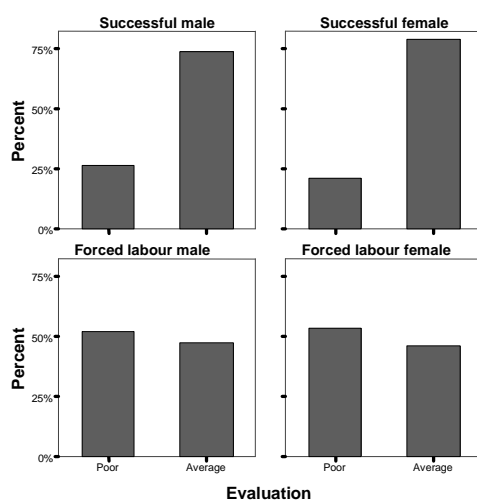
*‘We didn’t have much money. I don’t say we were poor. It’s just the fact that we were five children in the family. We were already grown-ups and like every youngster, we wanted nice clothes to look good for the disco, but we felt uncomfortable asking money from our parents to buy clothes. That’s why I left for work in another country...’*

*(Women’s focus group discussion)*

However, the comparative sense of poverty for both male and female victims of forced labour was almost identical: male and female victims rated their pre-migration situation as less good than the rating of successful migrants (see Graph 14). In fact, none of the participants described their pre-migration situation as ‘well-off’ compared to those living around them.

Graph 14

**Material/household situation compared to others living in the same area**



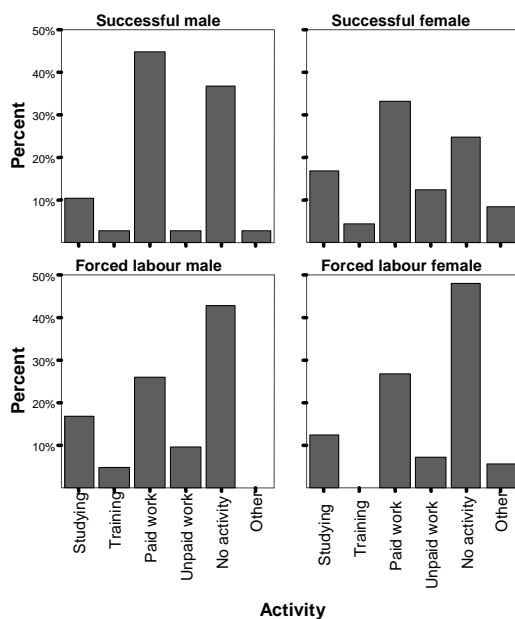
The conclusions from these results are that relative poverty creates vulnerability to forced labour for both men and women. Those rating their material situation as relatively good prior to departure with fewer difficulties in relation to basic needs appeared less vulnerable to trafficking and forced labour outcomes of migration in general.

*Occupation and education prior to departure*

The comparative poverty of victims of forced labour is confirmed by observation of their pre-migration occupations. Graph 15 shows the occupational status of the respondent groups prior to departure:

Graph 15

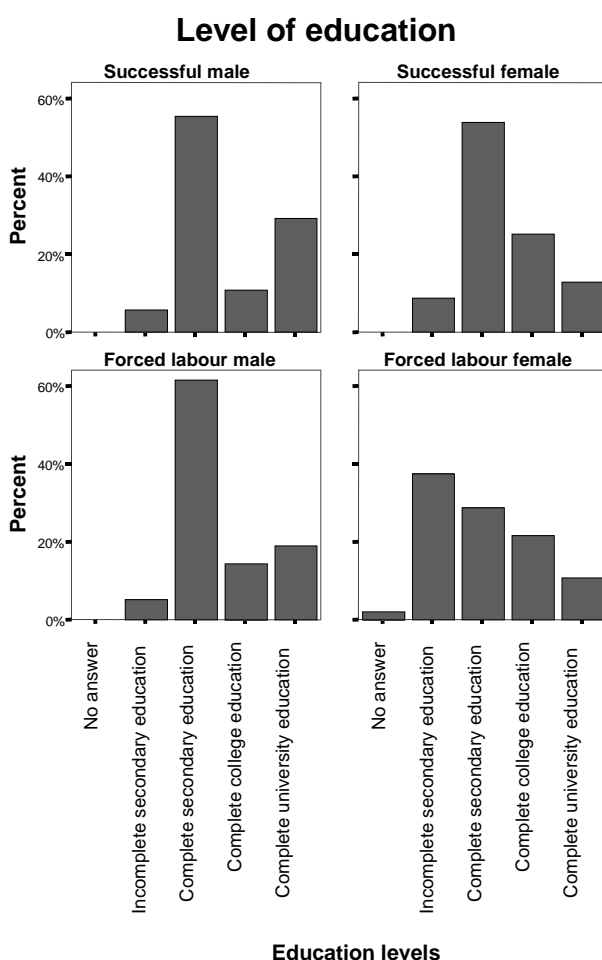
**Main activity six months before going abroad**



The most obvious information provided by the graph is that, though successful migrants tended to be in paid work slightly more often than victims of forced labour, the numbers in a paid activity for both groups remain very low. Although the proportion of those in paid work was similar for both successful and unsuccessful women, women that became victims of forced labour were nearly twice as often with no activity prior to departure. Thus a woman with no activity prior to departure abroad was twice as likely in this study to become a victim of forced labour. This was not the case for men.

The study further explored the educational status of the respondents, set out in Graph 16.

Graph 16



The first striking statistic is that a large proportion of the female victims of forced labour had not even completed secondary education. This did not depend on whether the individuals were living in an urban or rural environment. The lower levels of education did not lead to these women being disproportionately influenced by offers from intermediaries in their decisions to go abroad. This educational sub-group exhibited the same susceptibility to job offers from intermediaries as those with higher levels of education, with 29 per cent of the latter influenced in their decisions to migrate by such job offers. Therefore, low levels of education do not entertain a deterministic relation with recruitment through local networks, and higher levels of education do not directly provide greater protection against intermediaries recruiting in the country of origin.

Female victims of forced labour generally had lower levels of education than successful women, but the proportion of those with university education, constituting over a tenth of female victims of forced labour, was nearly the same as for successful women.

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The differences in education between male victims of forced labour and successful male migrants is far less striking than when comparing the two migrant women groups. Male victims of forced labour had a comparable level of education to successful migrants. Therefore, whereas low levels of education may generally be a characteristic of migrant women that have been victims of forced labour, the same was not true of trafficked men.

### *Summary*

This section on vulnerability factors has shown that young women were more at risk of trafficking than any other social-demographic group considered in this study. Women that became victims of forced labour were also more often single than any other group of participants. Women also had an additional vulnerability factor influencing the risk of trafficking prior to migration: female victims of forced labour more often experienced violence at home than any other group investigated.

Though male victims of forced labour reflected female victims in some ways, they were more often single and less likely to be financially responsible for their children and elderly family members, these factors were not as pronounced as for female victims. In fact, male victims resembled male successful migrants more than female victims resembled successful female migrants.

Victims of forced labour had a more difficult pre-migration situation than more successful migrants, particularly in the case of female victims. Indeed, few were in paid activities prior to migrating. This perhaps explains why the perception that life abroad would be better or more interesting had more influence on their decision to leave compared to more successful migrants. However, victims of forced labour had less social connections working abroad than successful migrants and were therefore more influenced by word-of-mouth information. This is likely to constitute a vulnerability factor since word-of-mouth information may be less accurate than information from those actually working abroad. Word-of-mouth-information played a particularly significant role in the decision of female victims of forced labour to migrate. The latter also felt that only those families with members working abroad had money, which had a large influence on their migration decision.

Government information about jobs abroad had almost no influence on the participants' decision to go abroad. This indicates an important lack of migration management by the State and suggests that more effort needs to be put into awareness raising. The lack of accurate, trustworthy and easily obtained Government information meant that participants turned to intermediaries and thus exposed themselves to the risk of being trafficked.

Once the decision to leave had been made, the majority of participants went to Russia for work, female victims of forced labour most often to the Former Yugoslavia and to Russia, male victims mainly to Russia. Successful migrant women mostly went to Russia and Italy, successful migrant men mainly to Russia. As such, travelling to the Former Yugoslavia increased the risk of forced labour outcomes of migration. However, migrating to Russia presented a more complicated picture since both victims of forced labour and successful migrants went there.

### **Organization of travel and job placement**

There are many kinds of recruiters operating in Moldova that play a role in the organization of migration and trafficking. They can be broken down into three categories:

1. Recruiters offering assistance with passports and visas;
2. Recruiters offering jobs and transport;
3. Recruiters offering only transport.

Among these recruiters were those who offer genuine services and were not involved in trafficking. Traffickers operated particularly in the last two categories. Among all groups there were recruiters, who, though not recruiting with the intention of placing migrants in forced labour, nonetheless recruited abusively. For example, they may have asked excessive fees, provided false documents, not provided



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the agreed-upon services once payment had been received, and so on. In addition to the mechanisms operating in the country of origin, the study found another kind of recruiter operating in the destination country, providing job placement assistance to migrants coming from their own country.

All these kinds of recruiters are described below and the extent to which they are responsible for forced labour outcomes of migration from Moldova are analysed. In addition, the kind of services they offer to migrants are looked at, including the provision of travel documents and job placement.

### *Travel documents*

On the whole, both victims of forced labour and successful migrants had passports for the countries to which they travelled. In only 11 per cent of cases did victims of forced labour, both male and female, not have passports for international travel (excluding those cases when they travelled to CIS countries where a passport is not needed for travel). Successful women, however, always had a passport and in only 7 per cent of cases successful men did not have a passport.

In general, passports were obtained personally. A further 14 per cent of successful females obtained their passports through travel agents. All successful males obtained their own passports but 14 per cent of men that became victims of forced labour obtained theirs through a travel agent or other connection.

Travel agencies have often been implicated in the organization of trafficking. However, no female victims of forced labour went through a travel agency to obtain a passport. This might indicate that travel agencies are not or less involved in trafficking than other recruiters. However, it may also be that providing passports is not their primary role since these are easily obtainable by the individual. Thus this service may not allow the distinction of traffickers disguised as travel agencies.

33 per cent of female victims of forced labour and 7 per cent of successful female migrants obtained passports through an intermediary. The use of intermediaries by successful migrants to obtain travel documents points to some of the shared mechanisms behind the organization of successful migration and migration leading to forced labour. In the case of travel agencies, it is not clear from this research whether the intermediaries obtaining passports for victims of forced labour were simply obtaining documents for these migrants or whether they were part of a trafficking network.

Key informants interviewed for the study did not clarify this question further. They stated that intermediaries had access to top-level structures from which they obtained travel documents, but whether these intermediaries included traffickers is not clear. Though investigations have shown that the institutions responsible for issuing passports have been involved in document falsification, it was not clear whether this was for the purpose of trafficking or not.

More than half of the women that became victims of forced labour (59 per cent) did not have visas for the countries to which they travelled, nor did 25 per cent of male victims. Successful female and male migrants also lacked visas in 14 per cent of cases.

Respondents in focus group discussions outlined the legal trends (with a visa allowing entry in to the country of destination, though not necessarily allowing work (here) or illegal (clandestine) travel from Moldova:

*Whether one leaves legally or illegally depends on the country. If you're talking about Italy or Portugal the methods used are normally legal. Travel to Greece is illegal in most cases (...) some of us were lucky, others weren't. Many were caught in the mountains (...) 99 per cent of those leaving for Greece went illegally (...) it's very difficult to get a visa and that's why many people decide to go illegally. Also those who had already worked there, even in France, could help relatives, brothers, sisters, in signing job contracts and getting visas this way. There are such cases but these are few, most people leave by illegal means.*

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*(Women's focus group discussion)*

Men were of a similar opinion:

*If someone decides to go to Europe, most of the people go by illegal means. Those who were going to Greece were passing through the mountains with a guide's help. To Italy, people go with a temporary visa... Speaking about Russia, the process is different, much simpler. I don't know how it's going to be from now on but those who went there were going freely.*

*(Men's focus group discussion)*

The fact that over half the women that became victims of forced labour were without the required visas for travel possibly undermines the thinking that traffickers are connected to visa issuance in the country of origin. Only 11 female victims of forced labour, 2 male victims, 10 successful female migrants, and 13 successful male migrants had visas. These were acquired through a variety of means: personally, through a travel or job placement agency, via social connections and family, on the border between the country of origin and destination or through an intermediary.

The study shows that visa intermediaries had been used to obtain documents for successful migrants as well as for victims of forced labour. Therefore, as with passports, it is possible that the intermediaries obtaining visas are not necessarily connected to trafficking but simply facilitate the process for all potential migrants.

However, it is clear from the focus group discussions that migrants pay substantial amounts of money for visa facilitation, though these are not always provided. Sometimes the determination to leave for abroad and the decision to do so clandestinely are due to the debt incurred to obtain visas, through visa intermediaries, which can then lead to trafficking as the following extract from a female victim of forced labour illustrates:

*I tried three times to obtain a visa for Budapest and from there to go in Italy. I paid a lot of money. I was borrowing and trying again (...) That's when I heard that a group of neighbours and relatives of mine were leaving like others do, illegally, for Greece. I therefore had to go to Greece even if I didn't like the Greek language whereas I know a little Italian and I was a bit scared. I had no choice because the debts were pressing.*

*(Women's focus group)*

Identifying reliable visa intermediaries is clearly a problem for everyone:

*I didn't want to go to Europe because they told me that I needed US\$ 2500 for the visa. From what I know all these firms lie. People give them US\$ 2500 and then only get to our border where they are stopped because the passports made by the firm are false. I would prefer to go to another place.*

*(Men's focus group)*

Again it is not clear whether travel agencies involved in obtaining visas for victims of forced labour were any different from those obtaining visas for successful migrants. In addition, another observation can also be made in relation to all those travelling without the necessary travel documents. Both victims of forced labour and successful migrants entered destination countries clandestinely. The organization of trafficking and smuggling is therefore shared to some extent.

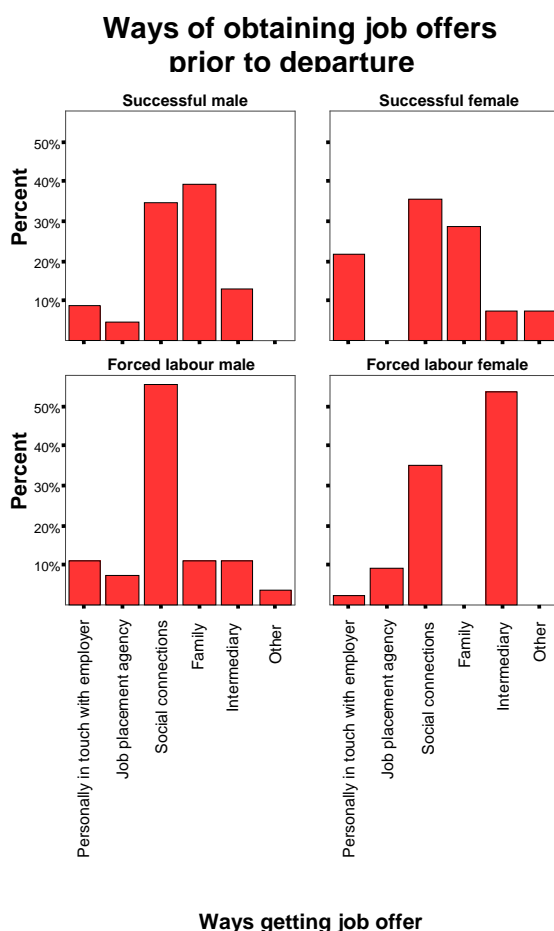
This last point is also of utmost importance to the identification of victims of trafficking. Currently, the identification strategy of trafficked women in many destination countries is based on the woman not possessing valid documents (which in some cases might also include possessing a work permit). Insofar as it relates only to travel documents, however, the findings from this study indicate that this identification mechanism does not necessarily help to differentiate between irregular migrants and those that have fallen victim to forced labour, including trafficking.

*Job offers prior to departure*

It is clear that the issue of travel documents may in many cases be unconnected to the overall organization of trafficking and subsequent exploitation. The extent to which job offers operated as a pull factor in influencing the departure of migrants and trafficked persons has been considered in the section on vulnerability factors. The following section explores how many respondents actually had (or thought they had) job offers before they departed and the source of those offers.

More male and female victims of forced labour (74 per cent and 77 per cent respectively) had job offers before they left for abroad than male and female successful migrants (59 per cent and 58 per cent respectively). The main sources of job offers for respondents are set out in Graph 17 and are discussed separately.

Graph 17



Firstly, as noted, job placement agencies appear from this study to play less a role in trafficking than may have been thought. They were never used by successful female migrants in finding work abroad and only two out of 42 successful men used them. Victims of forced labour used them very little.

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Intermediaries, however, appear to provide the most frequent source of job offers for female victims of forced labour, accounting for 53 per cent of the job offers received by female victims or 41 per cent of all female victims labour. They were, however, of very little significance to successful female migrants. The data showed that only one out of 24 (4 per cent) female respondents that received a job offer from an intermediary ended in a successful migration experience. In all cases the intermediary also organized the transport to the destination country.

The experience for men, on the other hand, was the opposite. Out of six male respondents with job offers from intermediaries five had successful experiences and one ended being trafficked.

The conclusion from this is bleak: most intermediaries offering job placements to women are in fact traffickers, as has been found in many trafficking studies to date. A trafficked woman in a focus group discussion described a typical experience with these kinds of intermediary:

*I said to my friends that I'd like to have some money of my own, to leave and find a job and they introduced me to a man and a woman who took me to Timisoara (Romania). They told me that there would be more young women there. "Don't be afraid, you'll go together, I'll do everything that you need, passport, everything." he said. They brought me to Timisoara and didn't do anything. I arrived in Macedonia.*

Travel agencies did not appear to be involved with providing job placements at all in this research. This may, however, relate to issues of terminology. Possibly respondents did not refer to them as travel agencies during interviewing but as placement agencies or intermediaries, dependent on the particular role under discussion at the time. Nevertheless, the unanimous disavowal of their activities in job placement must be indicative of a minimal role at best.

The study also revealed that successful women were ten times more often in touch with their ultimate employer before departure than trafficked victims, although the differences between male victims of forced labour and successful men on the basis of this factor were less important. Encouraging contacts with the employer before departure, on the basis of this research finding, clearly would increase the chances of successful migration experiences and decrease the likelihood of trafficking.

Job offers through family are equally important to successful male and female migrants and singularly lacking for female victims of forced labour. Where women used their family connections they were 100 per cent successful. On the other hand, only 7 out of 12 cases of men with offers from family ended in successful migration experiences. Therefore, men seem to have more than a one in two chance of success in their migration where they depart with job offers from family.

Job offers from friends, neighbours and acquaintances (social connections) were both a valuable source of assistance for successful migrants and a trap seemingly for those who subsequently became victims of forced labour. However, key informants believed that the assistance from friends or family already working abroad was the defining feature of successful migration experiences. For this reason in particular it would clearly be very difficult to convince a potential migrant of the risk of forced labour where an offer for work had been received through friends or family. Regardless of the information they might have been exposed to of the risks of trafficking and forced labour, their own knowledge of the success of these mechanisms is likely to take precedence.

The study indicated that a particularly dangerous form of assistance from friends, at least for women, was where assistance with travel (either clandestine or legal) was provided through the same contact. It is clear that often offers from friends or acquaintances of trafficked women in sexual exploitation are generally offered together with assistance from intermediaries with transport and together these parties act as the traffickers. One woman in a focus group discussion described the assistance that her former classmate had provided:

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*He told me that his aunt, from our village, helps people, young women to find work abroad, taking care of old people. But he didn't honestly tell me what kind of job it was; taking girls abroad and making them prostitute themselves. I was thinking about his offer. I told his aunt that if she really could take me abroad she should talk to my parents. My parents would be sure that way and me too, we had all heard about trafficking. They spoke to my parents and told them that I would take care of old people in Italy. I knew I needed a passport and visa because my cousins had left for Italy a long time before but the woman said she would take care of everything since I had no money. But I never reached Italy. They brought me to Turkey where I was sold into prostitution.*

*(Women's focus group)*

On the other hand successful women who had relied on the offers of friends and family had rarely done so together with assistance for travel. In the majority of cases they had arranged their travel personally or through travel agencies. The study showed that assistance with transport, often for clandestine travel, was also often sought and may be directly linked to forced labour outcomes. Although in certain cases smugglers no doubt do deliver their charges to the destination country without any involvement in trafficking (an excerpt of the seemingly successful use of a transport intermediary for clandestine travel by a woman is given below), in other instances they appear to be solely responsible for the trafficking of these individuals. The study revealed that a number of women without job offers prior to departure used transport intermediaries and ended up in forced labour, whereas almost no successful women identified for this study used transport intermediaries. There were, however, cases of successful men relying on such intermediaries. This information points to the overlap between smuggling and trafficking.

The study showed that there are also mechanisms in destination countries placing people in forced labour situations. Key informants told of Moldovans familiar with the labour market in countries of destination operating as intermediaries in finding and placing newcomers. These mechanisms may account for the exploitation of some of the 23 per cent of female victims of forced labour and 26 per cent of male victims who did not have job offers prior to arrival in destination countries, as well as possibly providing placements for successful migrants. Similarly, they may be responsible for intervening in other kinds of cases and for the forced labour outcomes of some of those departing with job offers from friends or family. Focus group discussions provided some insight into some of these mechanisms in the country of destination:

*Those finding work in Greece did not necessarily have a contract before they left here, they often left with nothing. Sometimes they learned the language and then started looking for work, but it wasn't necessary to learn the language. There were some kind of offices there, for organizing the workers who came from abroad. The chief of the department (...) was Greek but his employees were Russian, Ukrainian, Moldovan women. You were hired out somewhere. They paid you a smaller salary because you didn't know the language. And in time you were learning it.*

*(Women's focus group)*

Although the above excerpt suggests that this recruitment in the country of destination may lead to successful migration, other quotes illustrate that this is far from always being the case.

*Most of them (migrants) have persons waiting for them there (in Italy) who would shelter them until they find something, but of course there are some who leave without knowing anybody (...) They go to the railway stations (...) I talked with many persons about it. They told me 'We were staying at the railway station; someone came and said – do you want a job with a US\$ 100*

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*salary? Do you want to work for US\$ 150 per month?’ So you stay there waiting for them to come and buy you.*

*(Men’s focus group)*

One man who had travelled to Italy on a 3-day visa described his own experience of this type of recruitment:

*I didn’t look for a job; they took me from the railway station like a child. They took me to some place and said: ‘You’ll work here, and that’s all.’*

*(Men’s focus group)*

The way in which assistance in travel and finding work can be divided between different parties, making it difficult to assess who is responsible for ultimate exploitation, is described by one man trafficked into construction work in the Czech Republic:

*My relatives gave me information about working abroad. I got there with several intermediaries’ help, having organized my own travel documents. I began to look for a job by myself when I was already there.*

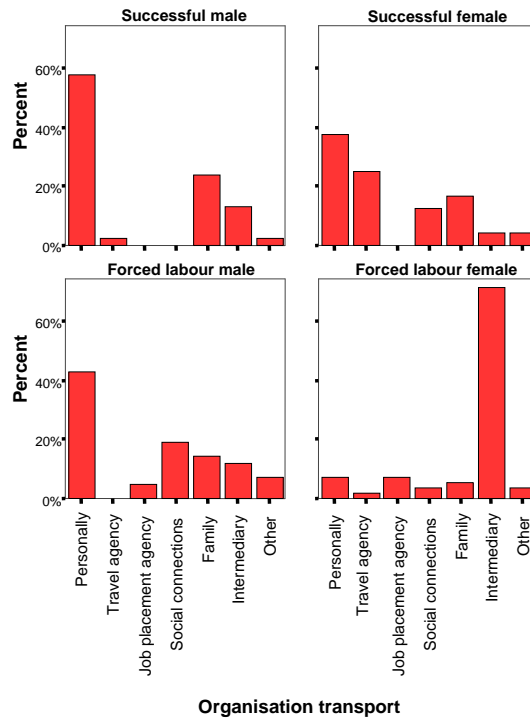
*(Men’s focus group)*

#### *The organization of transport and work*

This section explores how migrants travelled abroad, why they turned to intermediaries for assistance and how they established contact with these intermediaries/agencies. Each different group of migrants considered in this study (successful migrants versus victims of forced labour and women versus men) will be considered separately. This section is partly based on Graphs 18 and 19.

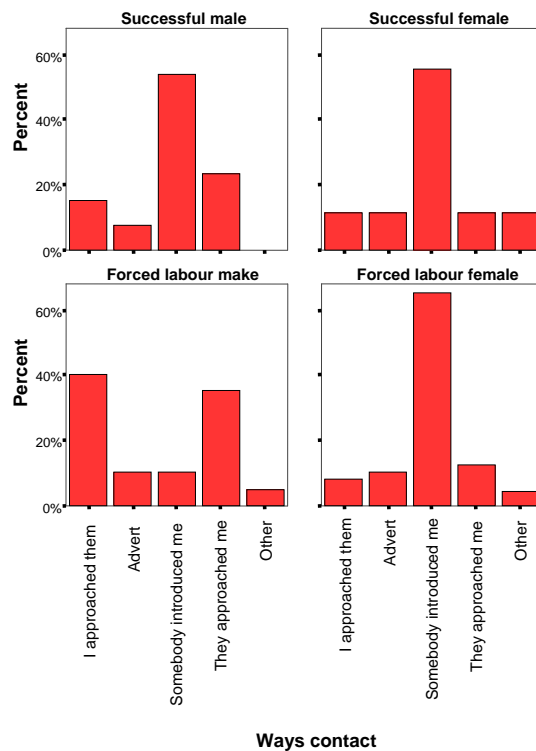
Graph 18

### Ways of organisation of transport to the destination country



Graph 19

### Ways of establishing contact with intermediaries providing travel and job placement assistance



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All the female victims of forced labour with job offers from intermediaries organized their transport through them (23 out of 56 respondents or 41 per cent). 14 of these 23 (61 per cent) respondents did not arrive in the destination country agreed on (Italy was the country most frequently promised but in 12 out of 15 cases the respondents ended in Turkey, the former Yugoslavia and Romania.)

Besides those with job offers from intermediaries, a further 18 (32 per cent) of victims claimed to have organized their transport through intermediaries. It is not clear in these cases whether the transport intermediary was in fact a different kind of intermediary to those offering both jobs and transport.

In any case it appears clear that the transport intermediary was often responsible for trafficking. However, the transport intermediary was not responsible for the forced labour outcomes in the destination country. The fact that successful female migrants never used transport intermediaries but that their use was widespread amongst female victims of forced labour nevertheless leads to the assumption that transport intermediaries are probably often involved in trafficking.

The female victims of forced labour using the assistance of intermediaries for both job offers and travel (23 out of 56 respondents) made contact with them through different means. The fact that most of them were introduced to the intermediary suggests that social connections (friends, acquaintances and neighbours) were possibly also involved in trafficking. However, 55 per cent of these respondents also answered that others in their community had used the same assistance before. Therefore, the activities of such intermediaries were known to the community yet presumably had not been recognized as trafficking.

Key informants commented that the stigma attached to trafficking means that returned trafficked persons do not disclose information about the outcome of their experience. Therefore the community is often unaware of the amount of trafficking that goes on meaning that the same people continue to operate freely. This finding is corroborated by the fact that 91 per cent of female victims of forced labour answered that they had not tried to organize their jobs and travel in a different manner prior to turning to the intermediaries for assistance.

8 (35 per cent) of the respondents stated that the provision of assistance was made without payment, 8 (35 per cent) borrowed the payment from the intermediary himself and only 6 (26 per cent) actually paid the intermediary for assistance.

Of the respondents with job offers from friends who used intermediaries in theory just for transport (10 female trafficking respondents), 8 were introduced to the intermediary by someone and 2 were approached by the intermediary. This may indicate that in these cases the trafficking was probably organized through the combined efforts of the friend and transport intermediary. However, there are examples of transport intermediaries, who seemingly only provided transport assistance, as illustrated by a female victim of forced labour:

*I heard that this man had taken groups (to Greece) before; two young men from a neighbouring village went before us. The mother of one of these two young men is a teacher so I rang her up and she told me that the boy arrived well. We knew that he had some problems, they had been caught once in the mountains, but I decided to leave (with the same intermediary) maybe I'd be lucky, and I did arrive well. But I had my money on me and I did the documents myself. I didn't have problems.*

*(Women's focus group)*

The fact that successful women never organized their travel through either intermediaries or job placement agencies is the major difference in the organization of migration between successful females and those that became victims of forced labour. In the majority of cases successful women organized



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their travel themselves or through travel agencies; a medium that was not used by female victims of forced labour at all.

The conclusions to be drawn from this observation are clear: successful female migrants never subject themselves to the risks associated with assistance from intermediaries either for travel or job placements. The absence of reliance on intermediaries can partly be explained by the fact that most successful women have worked in Russia where little assistance is needed in obtaining visas or with clandestine travel. But even in the two cases where female migrants travelled clandestinely (i.e. without visas for the destination country, which was Italy) they answered that they organized the transport themselves or through family rather than relying on an intermediary.

The organization of migration leading to forced labour outcomes for men is in no way comparable to that of women. First, only one male victim of forced labour had a job offer from an intermediary who also organized transport to Russia. Therefore forced labour cases that originated in recruitment in the country of origin, as was the case for 41 per cent of female victims, occurred only in less than 3 per cent of cases of male victims of forced labour. A further 3 male victims of forced labour used intermediaries for the organization of travel. In total, only 4 male victims of forced labour had used the services of an intermediary. They had either approached him/her, knowing of his/her activities previously or had been approached by the intermediary. Three out of 4 respondents noted that the intermediary was known in the community for the type of assistance provided.

As already described above, many of the intermediaries were not traffickers but smugglers and/or conmen. One man described the following in a focus group discussion:

*People I know tried to go there (Italy) by illegal means. They paid a lot of money to do that. I consider US\$ 1,800 a big amount of money. They got as far as the border and were sent back. They came home – imagine their situation. One of them lost his US\$ 1,800 the other lost a borrowed US\$ 1,000 that he had to pay back.*

*(Men's focus group)*

Very few male victims of forced labour appealed to job placement agencies in order to find work abroad. Instead, like successful female migrants, they often organized their own transport to destination countries (16 out of 38 respondents, or 42 per cent). This reflects the fact that 66 per cent of those male victims of forced labour who had organized their own travel went to Russia. Their subjection to forced labour, therefore, probably did not occur during the transport phase, but once they had arrived in the destination country.

Unlike successful female migrants, intermediaries are used by successful men for travel and job offers. Therefore, the risks associated with intermediaries are not as clear-cut for men as for women. 6 out of 42 (14 per cent) respondents used intermediaries to travel. All acknowledged that others in the community had used the same intermediaries to travel before. All paid for the assistance through their own funds or by borrowing from friends – never borrowing from the intermediary.

The majority of successful male respondents, however, organized their own travel (24 out of 42 respondents, or 57 per cent), the majority of whom travelled to Russia (14 out of 24, or 58 per cent) but also to Turkey, Spain, Portugal, Germany and Romania. All had valid visas for the countries of destination. Job placement agencies were never used for assistance with travel for successful men.

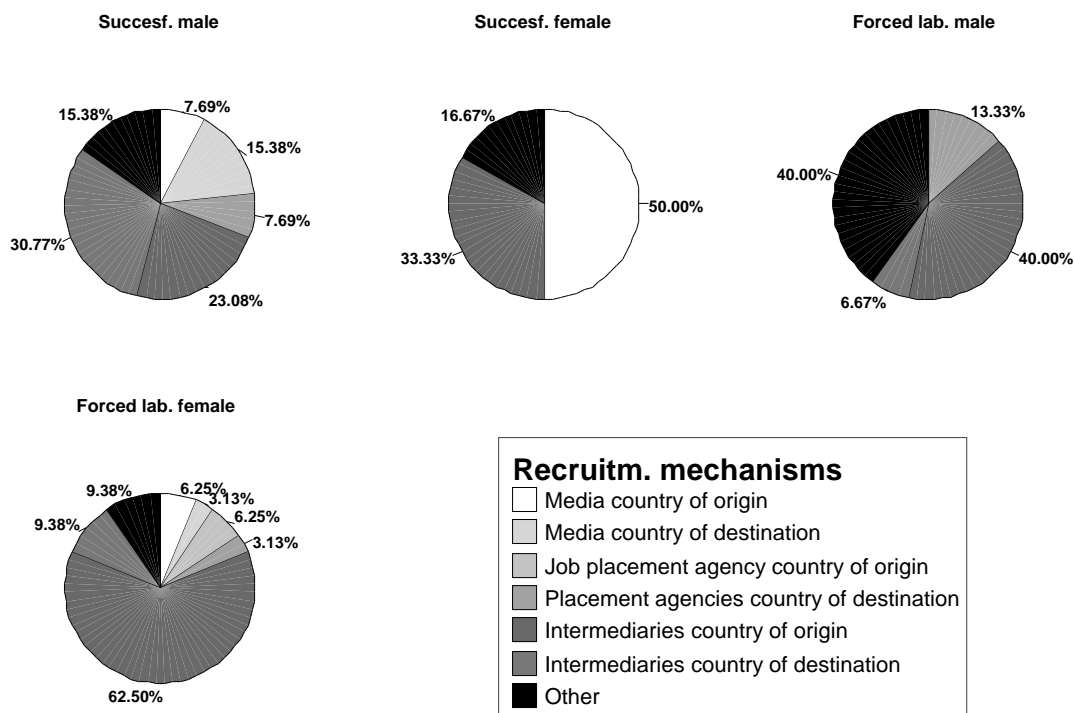
#### *Recruitment mechanisms used by employers*

Some migrants were aware of the recruitment methods that their employers used to find new workers. 13 (34 per cent) successful male migrants were aware of these methods as well as 6 (25 per cent)

successful female migrants, 16 (38 per cent) male victims of forced labour and 32 (57 per cent) female victims of forced labour. Graph 20 illustrates the results:

Graph 20

### Recruitment mechanisms used by employers/exploiters



Graph 20 to a certain extent reflects the mechanisms by which migrants found jobs abroad (though, unfortunately, the question pertaining to the recruitment mechanisms used by employers did not include a category on social connections, nor one on personal contact with the employer). First of all, Graph 20 shows that employers use a wide variety of recruitment methods particularly in the case of female victims of forced labour. As such, it is difficult to establish a recruitment mechanism used by an employer that is more or less likely to lead to forced labour.

The exploiters of female victims of forced labour overwhelmingly appeal to intermediaries in the country of origin to recruit their victims. However, intermediaries in the country of origin play a lesser role in the recruitment of all groups of migrants. The exploiters of male victims of forced labour also appeal to intermediaries in the country of origin, though also use other means. However, Graph 15 on ways of obtaining job offers prior to leaving the country of origin, might provide insight. The category ‘other’ is perhaps mainly constituted of social connections.

Intermediaries in the country of destination played the largest role in the case of successful migrants, though they were also at times involved with victims, both male and female, of forced labour. Half of successful female migrants, on the other hand, were recruited via the media in the country of origin. This goes against the well-accepted idea that advertisement in the media lure migrants into forced labour situations. However, the low response rate of participants to the question pertaining to recruitment methods used by the employer makes these results difficult to interpret.

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## *Summary*

The study highlighted a number of differences between the type of intermediary assisting female victims of forced labour and those assisting successful men. Firstly, successful men were never approached by intermediaries but rather were introduced to them or knew of them. However, the vast majority of female victims were also introduced to the intermediary and in certain cases also knew of them. Travelling clandestinely with an intermediary does not necessarily mean that this person is a trafficker. He/she can also be a smuggler and/or conman.

Successful men always paid for the services of an intermediary whereas 2 out of 4 male victims and 12 out of 40 female victims did not have to pay for the intermediary's services, and a further 14 female victims borrowed from the intermediary to pay for the assistance. The fact that the women had no money and therefore needed to rely on credit provided by an intermediary was mentioned in focus group discussions with female victims of trafficking as the main reason for their turning to intermediaries for assistance. There are, however, some similarities between the kind of intermediary used by male and female victims. For both respondent groups the intermediary approached the individuals. More often than not no payment was required or the intermediary provided the credit. As such, potential migrants should be particularly cautious when their intermediary does not expect payment or approaches them with offers for work or travel.

Knowledge of the fact that the intermediary has serviced the community before does not seem to provide particular safeguards against traffickers with the majority of women and men that became victims claiming that the assistance that the intermediary provided in the community was common knowledge. This points to the possibility that there are gaps in awareness raising amongst communities and that more should be done to facilitate community action against those operating in their midst.

The data on recruitment mechanisms used by employers shows that they use a range of methods to recruit workers abroad. Nevertheless, the employers of female victims tend to appeal to intermediaries in the country of origin, whereas the employers of successful males are more likely to recruit through intermediaries in the country of destination. The data on successful women migrants is hard to interpret (low response rate) as is that on men that were victims of forced labour (large category 'other').

## **Employment and exploitation in the destination country**

Most of the work and services identified by the study was performed under both decent working conditions and in forced labour situations, sometimes in the same destination country. However, a limited number of activities were not represented by both types of respondents, despite attempts to locate and interview both victims of forced labour and successful migrants from the same occupational sector. Nevertheless, the next section provides: (i) an overview of the mechanisms leading to forced labour and the placement of successful migrants in different work/services; (ii) a description of the work/exploitation experienced in the country of destination; and (iii) the forms of coercion used by the employer to prevent the individual from withdrawing from the exploitative situation.

### *The organization of forced labour by work sector*

The tables below set out the occupational distribution of the respondents. As in the graphs, the most important occupations are considered separately. Sex work is included in this list even though it is not considered as an occupation by the ILO.

Table 2

## Main tasks during the latest stay abroad

		Sex of Migrant			
		Successful male	Successful female	Forced Labour male	Forced labour female
		Col %	Col %	Col %	Col %
Tasks	Catering		100.0%		5.4%
	Childcare				1.8%
	Personal care work				3.6%
	Cooking				1.8%
	Domestic work			2.7%	10.7%
	Entertainment/dancing/bar tending				30.4%
	Sexual services				26.8%
	Market sales/street vending			2.7%	5.4%
	Assembly work			8.1%	
	Agricultural work			21.6%	3.6%
	Construction work	100.0%		62.2%	3.6%
	Other			2.7%	7.1%

*Commercial sexual exploitation*

Female victims of forced labour were most frequently exploited in the sex and entertainment industry, representing 57 per cent of cases. No recently returned migrants were identified for this study that professed to have freely offered sexual or related services.

The country harbouring the majority of these cases is the Former Yugoslavia, followed by Turkey. If this data is indicative of the situation at large, one could conclude that the majority of women of Moldovan origin working in the sex and entertainment industry abroad are in forced labour situations.

53 per cent of forced labourers in the entertainment sector arrived there through job intermediaries acting in the country of origin, 18 per cent by recruitment through job placement agencies in the country of origin, 18 per cent through transport intermediaries (who might sometimes be the same as job intermediaries) and 12 per cent through mechanisms operating in the country of destination.

On the other hand, 33 per cent of victims of forced labour in sex work came into this situation through recruitment by intermediaries in the country of origin, 6 per cent through job placement agency recruitment in the country of origin, 53 per cent through a combination of transport intermediaries in the country of origin and offers from friends.

*Domestic and care work*

The next most important activity for female victims of forced labour was found to be domestic work (11 per cent), followed by personal care (6 per cent) and child care work (6 per cent). The role of intermediaries in these sectors is of less importance than the role they play in the sex and entertainment industry.

Successful migrants in domestic work<sup>6</sup> had no job offers from intermediaries and only one male respondent used an intermediary for transport. However, this was not the case for victims of forced

<sup>6</sup> Childcare and personal care work were not considered with regard to recruitment methods since the samples were too small.

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labour. About 42 per cent of those in domestic forced labour were recruited through intermediaries in the country of origin, 29 per cent were possibly trafficked through transport intermediaries and 29 per cent ended up in forced labour through job offers from their friends or recruitment in the country of destination.

An example of recruitment in the country of destination leading to forced labour is given below. The respondent explains that she was met on arrival by the transport intermediary's sister who took her to the local agency which unofficially provided placements for migrant workers:

*In Athens our liaison met us. She called at those (recruitment) offices where our women were working. I got a job and started working for a family with two twin children, eight months old. They said that my salary wouldn't be big at the beginning, about US\$ 250-300 if I work Sundays too. The idea was that I would be paid every month. It seemed to me that the people were nice, they treated me well, but I didn't have much freedom to go out in the city or ring someone up without their permission. I was spending all the time cleaning and watching the children. I stayed there almost 11 months and each month they were postponing my salary (...) I couldn't get back to this organization in the centre of the city because I couldn't get out of the house and I didn't have their phone number either. I had not left the house on my own since I had been fetched from the organization to start work, nor had I got in touch with anyone from the group that I travelled with. I was working for nothing.*

*(Women's focus group)*

#### *Construction work*

Construction work was the most important activity for both successful men migrants (60 per cent) and victims of forced labour (66 per cent), the majority of which were to be found in Russia. There were also some cases of women construction workers, both successful migrants and victims of forced labour (limited to the former Soviet Union).

Intermediaries in the country of origin played absolutely no role in the forced labour outcomes of men and women into construction work in Russia either by way of job offers or transport. All job offers for men and women that became victims of forced labour in the construction sector were through friends or family. Neither did intermediaries play any role in the trafficking into construction work in other European destination countries. Most respondents organised their own transport and either went with no job offer or had offers from friends or family.

The typical experience of male victims of forced labour was further elaborated on in the focus group discussions. The organization of their movement and job placement was often characterised by an understanding of the work available in specified destination countries, followed by efforts to organize their own travel and documents, borrowing the necessary money from friends and family. They often left in groups consisting of friends and/or family, for a destination country, which this study showed was typically Russia. Their problems normally began following arrival, often destitute, where labour recruiters would appear offering work at railway stations, construction sites or building suppliers.

#### *Agricultural work*

Agricultural work represented the second most important sector in which men became trapped in forced labour, the most important destination country being Russia. No successful returned migrants were identified who had worked in this sector.

The role of intermediaries in the country of origin seems to be of less importance for trafficking into this sector (only two out of 10 respondents). The remaining job offers were received through friends. No further respondents organized their travel through transport intermediaries.

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The recruitment into and the conditions of agricultural work in Russia were described by a woman who had become a victim of forced labour in a focus group discussion:

*A woman from Ungheni told me that she goes to Russia to work in the sugar beet fields, and that they pay well and don't lie (...) She convinced me. I went with others there and found the man in charge who told us that he would give us so and so (amount of money) and we would have to weed (a small) plot of land two times (...) What do you think happened: We had to weed eight hectares two times, and not 1.5 as was agreed. We were waking up at five o'clock in the morning and at 9 pm we were coming from work, and after eating a little, washing, it was already midnight. Our rest days were when it rained. But this summer had no rains. When I asked people from there they said that they were lied to as well (...) The local people told me that there is a salary of US\$ 100 for working one hectare. Can you imagine there were 18 people working for him, and he had about 100 ha to work, how much money did he get from that? So I came back home with 300 lei (less than US\$ 1) after three months of work.*

*(Women's focus group)*

#### *Street vendors/market sales*

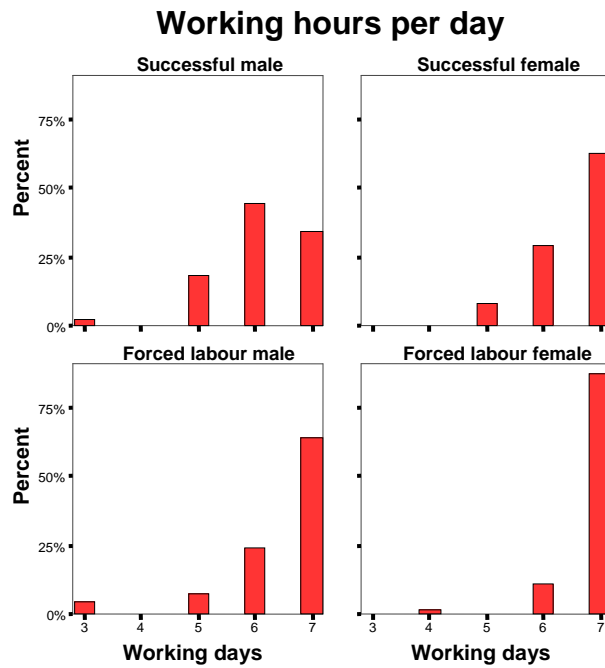
Market sales was the most important activity for successful female migrants all of whom were to be found in Russia, but there were also forced labour cases of men and women in Russia and Italy. Intermediaries were not involved in either successful or forced labour cases.

#### *Working conditions and forms of coercion*

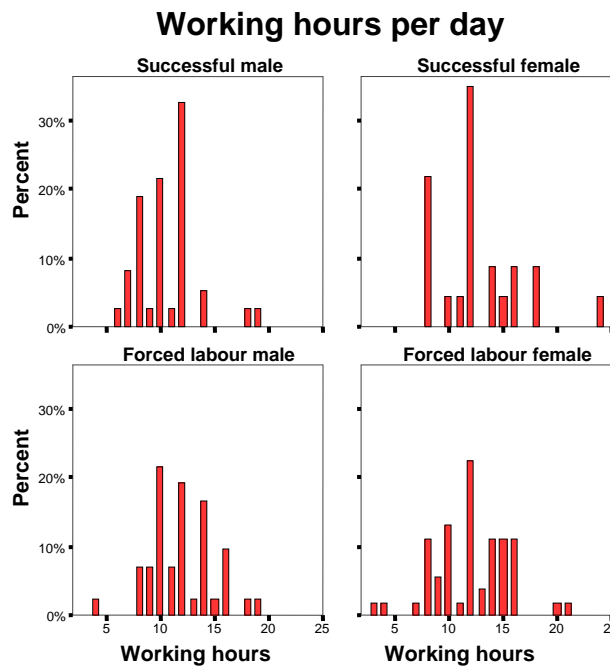
In designing the research it was assumed that many of the free or successful migrants who constituted the control group against which the experience of victims of forced labour was compared, would possibly share some of the workplace experiences. It was hoped that a comparison of these experiences might clarify where forced labour situations begin and end, or alternatively, what the continuum of the experience between forced labour and non-forced labour situations looks like. It was hoped that this exercise would also generate indicators to assist in the identification of victims of forced labour in countries of destination.

On average, successful women migrants and male victims of forced labour tended to spend the least amount of time abroad, both staying a little over seven months (successful women migrants M 7.64, SD 5.53, male victims of forced labour M 7.30, SD 7.12). Successful men migrants worked abroad for a longer period: around 9 months (M 8.85, SD 7.42). Female victims of forced labour often stayed abroad for around 10.5 months (M 10.59, SD 8.60), constituting the category of migrants that stayed abroad the longest. Thus this latter group can be seen as the most severely exploited group when considering the amount of time spent in forced labour. The data on working days per week reflects a similar picture.

Graph 21



Graph 22



As illustrated by the Graphs 21 and 22, almost none of the migrants were working regular 5-day weeks with 8-hour workdays. In this sense, all the migrants in the study can be considered to be exploited. The situation was worse for some than for others.

However, discrimination on the ground of sex is also apparent and not only between successful men and women but also between male and female victims of forced labour (although the work sectors differ). The study showed that nearly twice as many successful women as men and 20 per cent more female victims than male victims worked seven days a week. The proportions of those working in excess of 10 hours per day was similar for all groups.

Table 3

**Compensation for work**

			Sex*Migrant			
			Successful male	Successful female	Forced lab. male	Forced lab. female
Money	Yes	Col %	100.0%	100.0%	73.8%	30.9%
Shelter	Yes	Col %	65.8%	66.7%	88.1%	94.5%
Food	Yes	Col %	31.6%	50.0%	69.0%	76.4%
Down payments on debts	Yes	Col %		4.2%	2.4%	25.5%
Clothes	Yes	Col %	15.8%	29.2%	23.8%	32.7%
Alcohol	Yes	Col %	7.9%	4.2%	4.8%	29.1%
Tobacco	Yes	Col %	13.2%	4.2%	9.5%	40.0%
Drugs	Yes	Col %		4.2%		5.5%

As table 3 shows, the only groups that always received financial compensation for their work was the group of successful migrants. However, respondents did not often disclose the amount of money they received. As such, it is difficult to establish to what degree, if any, they were exploited, and if there was a difference between male and female successful migrants in this respect.

Furthermore, female victims of forced labour were far less likely to receive money than any of the other groups. Perhaps as a reflection of this, they tended to receive the most in-kind compensation for their work, particularly in the form of food and shelter. It is noteworthy that female victims of forced labour were also the group which had to most often pay back debts with their salary, leading to the probable conclusion that female victims of forced labour have higher rates of debt-bondage compared to the other groups. In addition, they were also the groups that received alcohol and tobacco as compensation for their work. Alcohol particularly is often referred to as a control mechanism in forced labour situations, helping the trafficker/exploiter to make the victim more dependent on him/her.

The forms of coercion explored include the use of violence, threats of violence, debts to the employer or trafficker, lack of freedom of movement, the withholding of wages and threats of being reported to the authorities and of being deported. All forms of coercion investigated are to be interpreted as being used with the intent to keep the victim in a forced labour situation. For example, the form of coercion labelled as 'violence against me' should be considered as violence by an employer/trafficker with the aim of the continued severe exploitation of the victim. Each form of coercion considered in this study will be considered separately in closer detail in this section, starting with violence and threats of violence in the workplace.



Graph 23

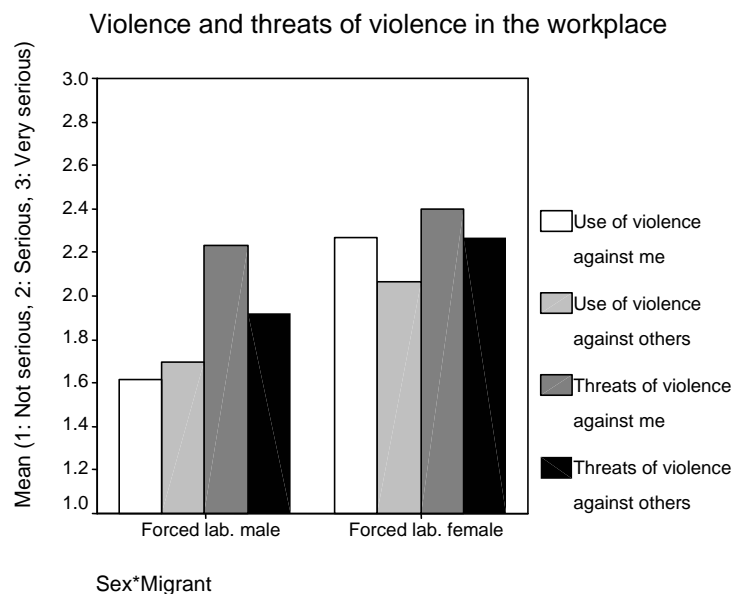


Table 4

		Report			
Sex*Migrant		Use of violence against me	Use of violence against others	Threats of violence against me	Threats of violence against others
Forced lab. male	Mean	1.61	1.67	1.95	1.72
	Std. Deviation	.78	.84	.83	.75
Forced lab. female	Mean	2.57	1.90	2.64	2.23
	Std. Deviation	.77	.89	.61	.81
Total	Mean	2.25	1.79	2.43	2.00
	Std. Deviation	.89	.86	.75	.82

Table 4 and Graph 23 show that victims of forced labour were substantially more subject of violence and threats to violence at the workplace. In fact all successful migrants chose the option ‘Non applicable’ for the four variables above: ‘Use of violence against me’, ‘Use of violence against others’, ‘Threats of violence against me’, and ‘Threats of violence against others’. Threats of violence against the migrant appear the most serious form of coercion. Furthermore, the data indicates that female victims of forced labour experience more serious forms of coercion related to violence and threats of violence.

Graph 24

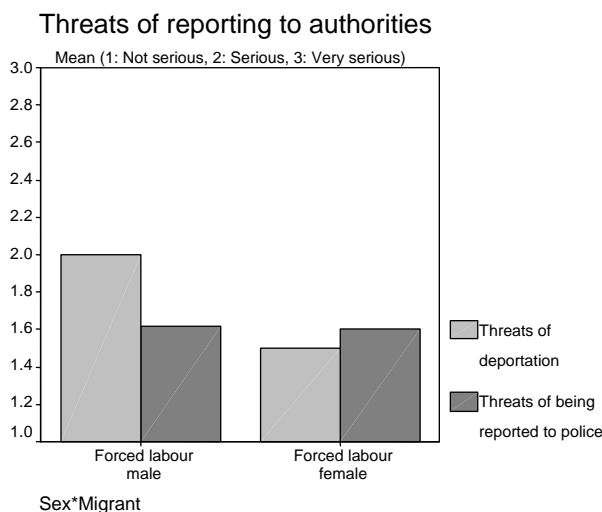


Table 5

**Report**

Sex*Migrant		Threats of deportation	Threats of being reported to the police
Forced lab. male	Mean	1.94	1.76
	Std. Deviation	.83	.90
Forced lab. female	Mean	1.64	2.09
	Std. Deviation	.67	.75
Total	Mean	1.82	1.95
	Std. Deviation	.77	.83

The information on threats to report the irregular status of migrants to the authorities, leading to deportation, played no role in the employment relationship of successful migrants. As such this variable helps to differentiate between successful migrants and victims of forced labour. Threats of deportation were more important in the case of male victims of forced labour than in the case of female victims. However, both male and female victims estimated the level of seriousness of threats of being reported to the police about the same, the level approaching the ‘serious’ category.

Graph 25

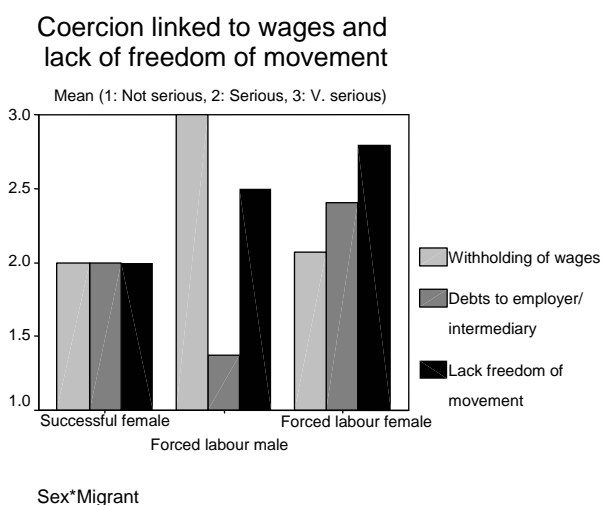


Table 6

Sex*Migrant		Condition		
		Withholding of wages	Debts to the employer/intermediary	Lack of freedom of movement
Succesf. male	Mean	2.50		1.00
	Std. Deviation	.71		.
Succesf. female	Mean	2.00	2.00	2.00
	Std. Deviation	.	.	.
Forced lab. male	Mean	2.82	1.33	2.45
	Std. Deviation	.39	.71	.62
Forced lab. female	Mean	2.33	2.39	2.86
	Std. Deviation	.73	.76	.35
Total	Mean	2.59	2.15	2.67
	Std. Deviation	.61	.85	.54

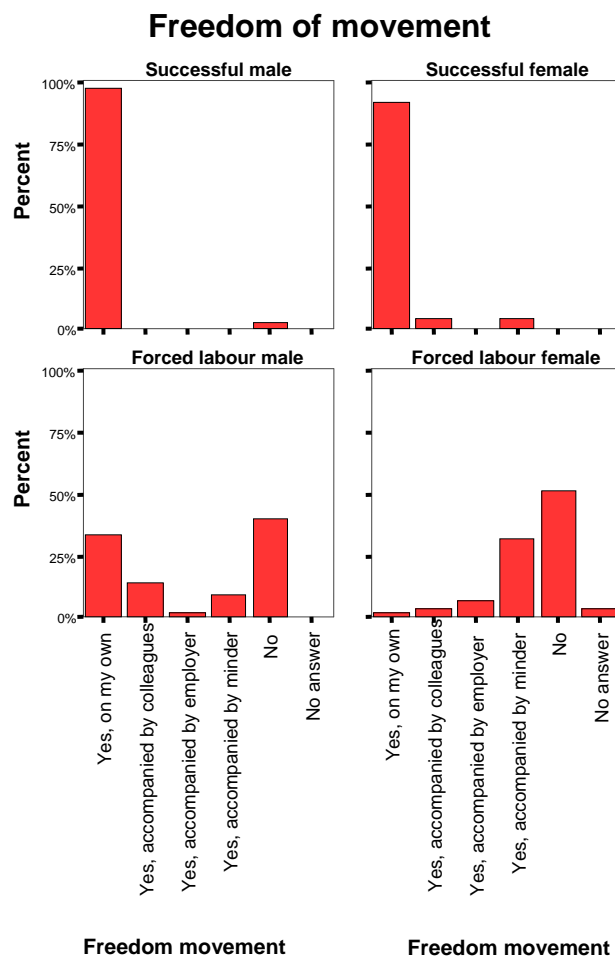
The data on coercion linked to wages, which is either the withholding of wages to prevent the migrant from leaving (often used in combination with promises of pay if the migrant stays) or the use of wages to pay back (an often fictitious) debt, is very interesting. First of all, successful male migrants in the study did not encounter either form, though it was serious among successful female migrants, and worse for female victims of forced labour. Male victims of forced labour experienced significant withholding of wages, and also involving debt bondage. A typical situation of withholding wages is described by a migrant construction worker in forced labour in Russia:

*'We agreed with the boss to work half a year. The time was passing, the work volume was growing, and after two months they said that they would pay at the end so that we don't steal anything. When somebody decided to go he said that he would pay less than half of the salary and the money for the travel. Others got nothing at all. Those who quit at the beginning saw only the travel money. Others who didn't respect the rules got nothing, even the money for the travel. I only realized this after three months of working. At the beginning, everything went well. I had to stay more so that three months of working wouldn't be for nothing and I stayed six months. They wouldn't let us go in any case since they had no other workers. They gave us some money in the end.'*

*(Men's focus group)*

When considering the information in Graph 25 pertaining to the lack of freedom of movement, the first salient fact is that only successful male migrants did not experience a lack of freedom of movement related to their employment abroad. Gender discrimination is apparent when taking into account the fact that successful female migrants did experience a serious lack of freedom when working abroad. However, it is not as important as that of male victims of forced labour, and is the most serious in the case of women that were trapped in forced labour. Indeed, the most serious form of coercion found in this study was the lack of freedom as experienced by female victims of forced labour.

Graph 26 illustrates that only successful migrants were allowed to move freely on their own and unaccompanied. As such, this is the single most powerful variable among those considered in this study that allows differentiating between forced labour and more or less decent employment. Female victims of trafficking were those who had experienced the most serious restriction of movement, with 52 per cent not allowed to move freely at all, not even if accompanied. However, male victims of forced labour also experienced this complete lack of freedom of movement (41 per cent), though a relatively large proportion was also allowed to move around freely (33 per cent). Moreover, 32 per cent of women trapped in forced labour were allowed to move around in the company of a minder.

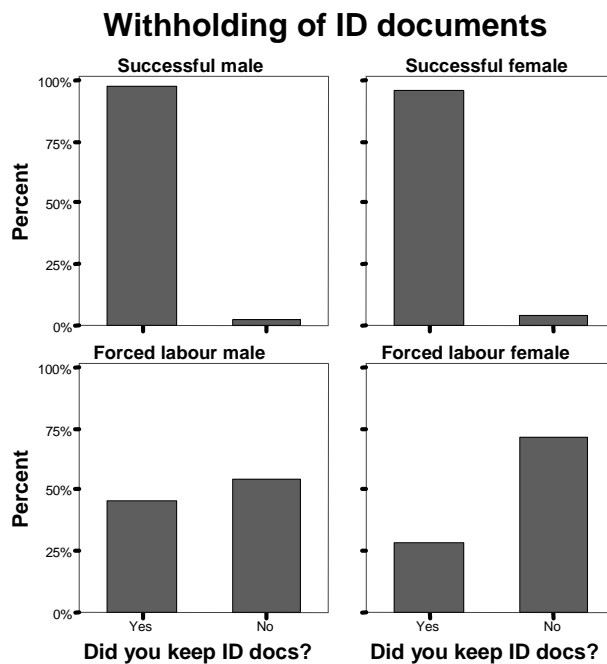


In some cases, however, it was apparent that the employer did not impose restrictions on freedom of movement. Men sometimes restricted their own freedom of movement due to fear of being harassed or treated violently by the police. The following man worked at a construction site in St Petersburg:

*‘I had no freedom of movement. There was the constant danger that the police could catch us at any moment. But in general we could go wherever we wanted. We were going out in the city in our spare time (...) Some workers from St Petersburg railway station told me to go with them and see the sights. We weren’t going to go far so I didn’t think that we’d have problems. However, they told me that if policemen approached us I would have to talk in Russian without an accent. I was a little afraid. After a few seconds, police did catch us and beat us. Since then I never got out in the city.’*

*(Men’s focus group)*

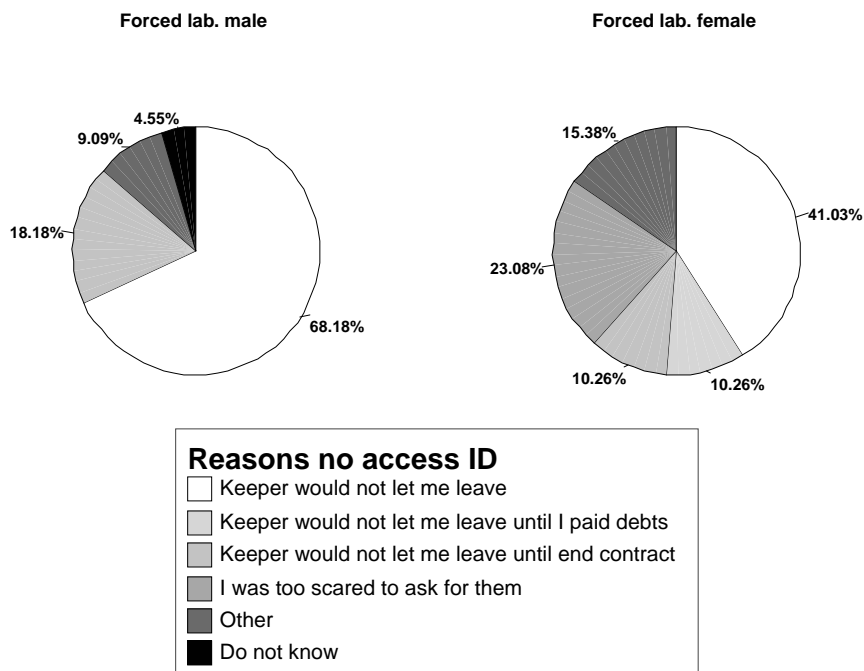
Another variable explaining the differentiation between successful migrants and victims of forced labour/trafficking is the withholding of ID documents (see Graph 27). Successful migrants almost always kept their own ID documents (except for one male and one female successful migrant). Victims of forced labour, on the other hand, often did not keep their own ID documents (men 55 per cent, women 71 per cent).



In most cases of forced labour, the ID documents were kept by the employer (men 48 per cent, women 54 per cent). Other possibilities are that the documents were kept by intermediaries. In any case, most victims of forced labour could not get their documents back if they wanted to (men 52 per cent, women 68 per cent). Thus large majorities of victims of forced labour had their ID papers confiscated. Reasons for confiscation varied, as illustrated in Graph 28.

Graph 28

### Reasons for migrants not having access to ID documents



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The most important reason for confiscating ID documents was that the keeper would not let the migrant leave. The second most important reason differed according to sex: women were too scared to ask for the documents, whereas men were not allowed access to their papers so that they would be unable to leave before the end of the contract. The excerpt below gives an example of the latter type of situation:

*'We couldn't leave this job because our papers were taken by the boss, and we couldn't leave without them. We didn't try to get our papers back because we agreed at the beginning that we would work and we would get paid, provided we completed the construction. During our stay there I understood that something wasn't quite right but I hoped that maybe I was wrong and maybe things would turn out well.'*

*(Men's focus group)*

Besides providing information about their own experiences, victims of forced labour were also asked to provide information on the experiences of others sharing their environment and on the organization and consequences of forced labour. 36 out of 38 (95 per cent) male victims worked with other employees while 48 out of 56 (86 per cent) female victims worked with other employees. The numbers worked with ranged from 2 others up to groups of 30. The majority of respondents answered that other employees were generally treated the same as themselves with little reference to distinctions made between workers on the basis of nationality.

Key informants, however, claimed that there were distinctions made between different kinds of employees. The employee's nationality was important in determining the kind of treatment expected in the workplace with those from countries considered unable to protect their nationals abroad treated worse than others. A government that was considered unable to protect nationals abroad meant that the likelihood of that national finding legal work in the destination country was remote. Therefore those nationals would most probably find themselves in an irregular situation, thus particularly prone to abuse.

### *Summary*

In conclusion, it can be said that there are three main variables that allow to distinguish between successful migrants and victims of forced labour. These are the restriction on movement, threats of deportation and reporting to the police, and the confiscation of ID documents. However, these variables must not be taken in a deterministic fashion. For example, successful women migrants may also experience a lack of freedom of movement.<sup>7</sup>

Furthermore, the seriousness of forms of coercion as experienced by the migrants in this research draws a picture of a forced labour continuum. Women in forced labour represent the most negative pole of this continuum, experiencing the most serious coercion. Violence against women, for instance, was more serious than violence against men, though both experienced it. The importance of discrimination based on sex and the increased vulnerability of women migrant workers is therefore underlined.

Moreover, when taking into account the working conditions of successful migrants, it can be seen that these were also exploited. Working conditions experienced by mainly irregular migrant workers may be presented as a continuum of indecent work, with forced labour at the negative end and exploitation in terms of working hours and pay at the other end. Also debts to the employer/intermediary are of more

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<sup>7</sup> Though it must be said that these migrants may actually have been in forced labour while working abroad yet not considered as such. The questionnaire is based on subjective judgments by the migrants themselves on whether they were free to leave their jobs or not, which may have led to some false categorizations of migrants that believed they had not been but were in fact working in forced labour or severe exploitative situations.

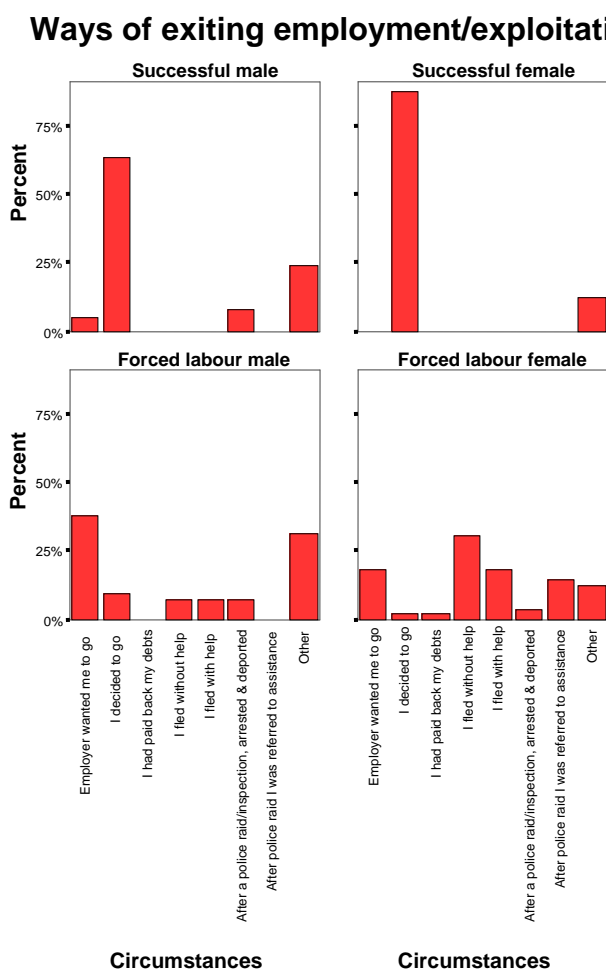
consequence to women than to men. However, the withholding of wages is a major form of coercion used to keep men in forced labour.

### Exiting forced labour

As noted, the circumstances in which men were typically exploited differed from those faced by many women in forced labour. Therefore one would expect that the manner in which the trafficked situation was exited would also differ. The study showed that men more often than women were in a position to leave the workplace when they decided to do so or, alternatively, when the work for which they were being retained was completed and they were allowed to leave. On the other hand, more women had to flee the workplace than men in order to be able to exit the forced labour situation.

The graph below sets out the circumstances under which the respondents left their workplace.

Graph 29



Nearly half of the female victims of forced labour left the workplace through fleeing it, either with or without help. This compares to less than a fifth of the male respondents that were victims of forced labour. Most male victims of forced labour left the workplace because the employer wanted them to leave. In many cases the employer/exploiter did not want to pay the migrants and threatened them with deportation or expiry of visas. If the employer/exploiter let female victims of forced labour go, though no particular reason was cited with special frequency, the reasons given included that the respondent was sick or pregnant, the employer was afraid of the authorities and that the employer did not want to pay the respondent and threatened with the deportation and expiry of visas.

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Interestingly no men were identified during a police raid as victims of forced labour or trafficking and none were referred to relevant organizations for assistance. The 3 men who were arrested by the police were deported without their status of victim having come to light. Focus group discussions with men also indicated that often when the employer was subject to a police inspection or inspection from other authorities, the workers would either be hidden or the police bribed.

Leaving the workplace, however, was not necessarily the end of troubles. Many described how return home was impossible because insufficient money had been earned to pay fines for overstaying visas. A construction worker who had been in forced labour in Turkey described how many Moldovans were stuck in Turkey without work but hiding from the police without the funds to pay departure fines to return home and in fear of being imprisoned. Others could not make it home since they had not earned sufficient amounts to pay for their return trip. Key informants also emphasized the negative impact that the long-term separation of migrants' families was having on family relations, not to mention the fact that the inability to return home yet remaining jobless created pockets of vulnerable individuals likely to be targeted for exploitation by intermediaries in the country of destination.

#### *Assistance to victims of forced labour*

Currently, the identification of trafficked women proceeds through either police raids in the country of destination or through interviews with deportees on return to the country of origin. Mechanisms to identify and assist male victims are very few. Even though victims of forced labour have the right to protection and assistance, many of the respondents for this study never recognized themselves as having experienced forced labour. Moreover, most were unaware of the availability of assistance either in the country of destination or origin: 68 per cent of successful men and 63 per cent of successful women, 83 per cent of male victims and 82 per cent of female victims. Successful migrants tended to be somewhat more informed about available assistance.

In particular those trafficked to Russia could generally return home without needing to alert any authorities and would therefore return unidentified. Key informants also emphasized the fact that potentially much exploitation in Russia and Ukraine goes unnoticed since those affected easily return home with little or no immigration control and therefore no point at which identification of a trafficked status might be made.

Unfortunately, very few participants replied as to questions to whether they had tried to contact NGOs, workers or migrant organizations or other associations that could offer assistance or provide reasons why they had or had not contacted them. However, since this is an important issue, the results will still be described: 3 (7.9 per cent) successful males contacted assistance because of reasons related to advice on improving working conditions and non-payment of wages, whereas 1 (2.6 per cent) successful male migrant sought advice on taking legal action against his employer. 2 (8.3 per cent) successful female migrants sought advice on regularizing immigration status. 1 (2.4 per cent) male victim of forced labour was seeking advice on regularizing immigration status, and 1 wanted advice on taking legal action against his employer. 2 female victims of forced labour wanted advice on assistance to leave or escape the workplace. These results most likely indicate once again that female victims of trafficking are in the most difficult forced labour situations.

The main reason for successful migrants not contacting assistance was that they had no need to: 4 (11 per cent) successful migrant men, 7 (29 per cent) successful migrant women. However, 1 (3 per cent) migrant man felt he was not able to, and 1 was too scared of being deported to seek any assistance. Reasons for not seeking assistance in the case of victims of forced labour were more varied. 1 (2 per cent) man felt there was no need to contact assistance, one was not able to do so, and one did not think they would be able to help. 2 (4 per cent) women felt there was no need to contact assistance, 3 (5 per cent) were not able to, and 2 (4 per cent) were too frightened of being arrested.

As such, several victims of forced labour felt they had no need to contact assistance. This may indicate that these victims were situated at the less abusive end of the forced labour spectrum, or alternatively the degree to which they were ignorant of the seriousness of their situation. However, these results may also pertain to the trust migrants can have in assistance.



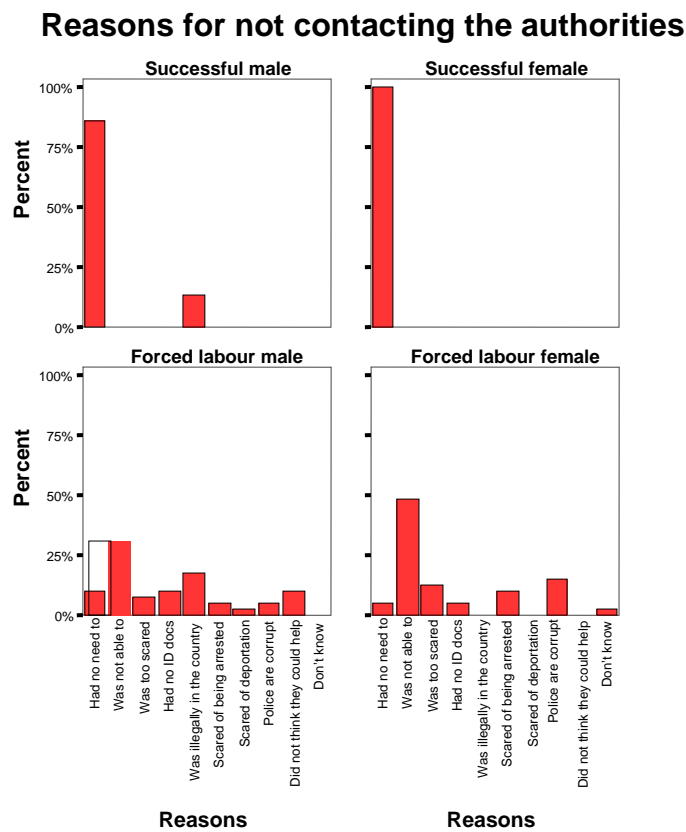
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The overall feeling among participants of focus group discussions was that if one works irregularly one cannot possibly expect any assistance. Respondents believe that nationals of the destination country deem that the fault lies only with the migrant working illegally and that this is far more serious than any individual abuses suffered at the hands of intermediaries or employers. Indeed, the risks for trafficked women in contacting the police in certain destination countries, particularly the Former Yugoslavia, have been documented in previous trafficking studies.

This research also investigated whether migrants had attempted to contact the police, embassy or other authorities for assistance (see Graph 30). 17 out of 56 female victims of forced labour (30 per cent) contacted the police or other authorities for assistance whilst abroad. 4 women who contacted the police were sold back to their employer. Only 3 (7 per cent) male victims of forced labour attempted to contact the authorities. Even less successful migrants compared to victims of forced labour tried to contact the police: 1 (3 per cent) man and 1 (4 per cent) woman.

The main reason for not contacting authorities in the case of successful migrants was that there was no need to: 32 (84 per cent) of men and 23 (96 per cent) of women. Yet 5 men (13 per cent) were too frightened of being arrested to contact the authorities.

The most important reason preventing victims of forced labour from contacting the police, their embassy or other authorities was overwhelmingly because they were unable to contact them: 19 (24 per cent) women and 12 (29 per cent) men answered that they could not contact the relevant authorities. Only 4 (10 per cent) men and 2 (4 per cent) women answered that they had no need to contact them. Other reasons given included that they were too frightened to contact them, they had no ID documents, they were staying irregularly in the country, they were frightened of being arrested or deported, that the police were corrupt in that country or that they did not think that those authorities could help them.



The research also investigated what sources, based on their own experience, the participants would recommend as being the most effective when it came to distributing information to migrant workers. The results are shown in Graph 31.

Graph 31

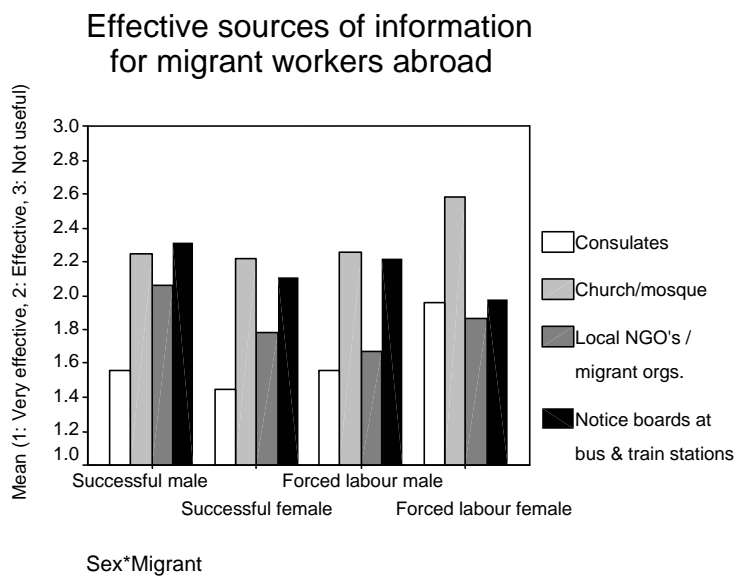


Table 7

		Report			
Sex*Migrant		Consulates	Church/ Mosque	Local NGO's / Migrant organizations	Notice Boards at Bus/Train Stations
Succesf. male	Mean	1.60	2.27	2.06	2.30
	Std. Deviation	.55	.67	.61	.73
Succesf. female	Mean	1.35	2.21	1.87	2.00
	Std. Deviation	.65	.92	.69	.93
Forced lab. male	Mean	1.48	2.29	1.65	2.05
	Std. Deviation	.68	.69	.68	.74
Forced lab. female	Mean	1.90	2.58	1.82	2.02
	Std. Deviation	.88	.58	.86	.86
Total	Mean	1.63	2.38	1.84	2.09
	Std. Deviation	.75	.70	.74	.81

The source of information considered to have the most potential is the consulates, followed by local NGOs and migrant organizations. Notice boards at bus and train stations are less popular, and churches and mosques are deemed the least effective sources of information.

Male victims of forced labour appear enthusiastic in general about all conduits of information with particular emphasis on consulates and local organizations. Female victims of forced labour on the other hand appeared a little less enthusiastic than men by all the typical sources of information but suggested a number of their own which included TV and radio commercials, newspapers, police and nightclubs among others.

#### *Future Plans*

Most successful migrants desired to work abroad again (87 per cent men and 83 per cent women). More male victims of forced labour (57 per cent) answered that they would like to go abroad again compared with female victims (38 per cent). Considering the unhappy nature of their experience these statistics are rather worrying but also point to the relatively destitute situation in the country of origin. Of more concern, however, is that 20 (36 per cent) of female respondents answered that if they went abroad next time, they would not organize it any differently than their previous trip. 9 of these 20 (45 per cent) women had been sold either en route to their destination or in the country of destination and arguably had suffered some of the worst experiences. Their willingness to use the same systems for future migration projects points to a lack of alternatives and the failure of reintegration assistance. Focus group discussions, however, highlighted the fact that working irregularly created desperate situations and many would therefore consider only legal work in the future.

#### *Summary*

Female victims of forced labour most often fled the workplace, with or without help. Male victims mostly left because the employer/exploiter wanted them to leave, and enforced this decision with threats of deportation and the expiry of visas. Furthermore, victims of forced labour left forced labour after a police raid, though only a few were referred to assistance. This probably means that the process of identification of victims of forced labour is not adequate and that law enforcement officers need to be trained in this area. In addition, the fact that only female victims were referred to assistance points to a serious bias in the kind of assistance offered to migrant workers.

Even though successful migrants left the workplace considerably more often because they 'decided to go' (implying a certain amount of independent decision-making, compared to victims of forced labour), this does not remove the fact that a certain number of the latter left the workplace for the same reason. This implies that forced labour is a process rather than a state: an ever-narrowing labyrinth where

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perceived viable alternatives become fewer with time. As a migrant enters forced labour, the exploiter has a certain amount of control over him/her, as the control takes a stronger and stronger hold, the victim perceives less and less alternatives. This may also be a partial explanation for the fact that female victims leave forced labour less often because they 'decided to go' than male victims of forced labour as the former spent approximately three more months longer in forced labour than the latter. In addition, women suffer more coercion in forced labour than men, implying that the forced labour labyrinth they are in leaves less room for free decision making than that of men, who already have very little.

Several participants expressed the desire to receive assistance in the destination country. Assistance in the areas of improving working conditions, assistance with recovering non-paid wages, taking legal action against the employers and regularization of immigration status would have been appreciated. However, the general perception that irregular migrants will be seen as the real perpetrator instead of the employer/exploiter, prevented participants from seeking assistance. Many were fearful of arrest and deportation if they appealed to the authorities. The amount of distrust in law enforcement is understandable when taking into consideration the fact that four women who appealed for assistance were sold back to their employers/exploiters, thus indicating disturbingly high levels of corruption among State officials.

Finally, taking into account that most participants would like to go abroad again, the importance of efficient information sources on assistance to migrants should not be under-estimated. The participants believed consulates, as well as local NGOs and migrant organizations to be the most efficient information sources.

#### **IV. CURRENT RESPONSES TO TRAFFICKING<sup>8</sup>**

##### **Prevention of trafficking in human beings**

The Government of Moldova has developed a national programme for employment as well as a national strategy for the prevention and struggle against poverty and for economic growth, both of which can contribute greatly towards combating trafficking. The Government is currently drawing up a series of concepts, strategies and action plans to reduce poverty that directly concern labour migration issues, such as a National Employment Strategy (Government Decision No. 611, 15.05.2002), the Migration Policy Concept of the Republic of Moldova (31.10.2002) and the Economic Growth and Poverty Reduction Strategy, which contains several strategies in different fields.

However, the objectives of these actions do not have common provisions, and actions stipulated are not coordinated. Moreover, neither the National Employment Strategy nor the Strategy for Economic Growth and Poverty Reduction of the Ministry of Labour and Social Protection provide any stipulations on trafficking in human beings. For example, the law on migration (6.12.2002) does not contain any provisions on trafficking. The same issues arise with regard to the National Human Rights Action Plan of the Republic of Moldova for 2004 - 2008 (adopted by Parliament on 24 November 2003). Moreover, the Government should improve the management of migration. For instance, the country lacks a screening process for both departing and returning migrants, and a database on job vacancies abroad does not exist. Very few bilateral or multilateral labour agreements exist with other States. There is also little regulation of recruiters.

To combat trafficking more specifically (actions in Moldova are aimed at trafficking, not forced labour outcomes of migration in general), Moldova adopted a National Action Plan addressing trafficking (NAPT) in 2001 (Official Gazette, 2001). National anti-trafficking coordination councils on a regional and national basis implement the NAPT. In response to the obligations assumed under the Stability Pact, the Government approved, in October 2001, the establishment of a National Committee to Combat Trafficking in Human Beings, the Deputy Prime Minister being appointed as Coordinator of the Committee. The Group includes the heads of the leading ministries and departments. To date, all

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<sup>8</sup> The following section refers to developments up to December 2004.

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relevant ministries and related agencies are members of the National Committee and its three sub-groups. Four groups of experts examine the following matters: legislative framework; prevention and awareness raising; social rehabilitation and assistance to victims; combating trafficking in children and the illegal removal of children from the country (a recently created group).

A number of organizations are partners in the implementation of the NAPT: UNICEF, UNDP, IOM, OSCE, ILO, the US Embassy, the Council of Europe, as well as NGOs from Moldova working in the field of trafficking. It has to be stressed that national institutions, on the one hand, and international agencies and NGOs, on the other, have established and maintained very fruitful cooperation. In fact, almost all the initiatives and proposals in counter-trafficking come from the international agencies and NGOs that have the necessary funds to implement various projects.

Representatives of international organizations and selected NGOs have the status of “partner-observers” and do not actively participate in the work of the National Committee. Currently, neither trade unions nor employers’ organizations are involved in settling migration issues. It is, therefore, necessary to establish cooperation among them and with the central authorities.

Unfortunately, the NAPT lacks an integrated strategy on migration, as well as coordination between different actors, particularly the Migration Department and the National Employment Agency, the Ministry of Foreign Affairs and the Ministry of Labour and Social Protection, social partners and institutions in destination countries. The lack of coordination among the different actors identified in the NAPT hampers effective action against trafficking and irregular migration more in general.

NGOs have also been active in the prevention of trafficking. Since February 2001, a project entitled “The Centre for Prevention of Trafficking in Women” (CPTW) has been implemented by a local NGO named the Association of Women Lawyers (AWL) under the aegis of UNDP. The most important goals of the CPTW are: the creation of an efficient infrastructure for the prevention and prosecution of trafficking cases; the increase of public awareness and the sensitization of public opinion on trafficking; to inform vulnerable categories of teenagers about the risks and consequences of trafficking; to provide free legal and social assistance, as well as useful information about trafficking through a hotline for persons in need; and to assist law enforcement agencies in the development of prevention and prosecution programmes.

In order to avoid corruption and abuses by representatives of the law enforcement agencies, CPTW lawyers provide legal assistance and represent the rights and interests of victims in courts. At the moment, CPTW lawyers are representing the rights and interests of victims in 37 criminal cases and in 42 civil lawsuits in Chisinau as well as in the localities of Balti, Cahul and Ungheni. Since 2001, the CPTW, in collaboration with the Department of Information Technologies, has assisted 260 returned victims and potential victims of trafficking providing them with adequate papers and documents.

The second set of activities of the CPTW is focused on training representatives of law enforcement bodies and educational institutions on trafficking and migration. Following a decision (16.10.2003) of the National Committee to Combat Trafficking in Human Beings, the CPTW started to train the representatives of all local commissions to combat trafficking on issues related to prevention and prosecution. Since 2001, the CPTW has trained more than 100 volunteers from more than 15 districts of the Republic of Moldova. Currently, volunteers are taking part in information campaigns and are organizing training in schools in their regions. During these seminars, children are informed about the risks of trafficking and on how to avoid being trafficked. They are encouraged to contact the CPTW lawyers if necessary.

The NGO La Strada has implemented three programmes in Moldova: one on prevention, one on education, and one on social assistance to victims. As part of the social assistance programme, La Strada set up anti-trafficking telephone hotline at the beginning of March 2002. The hotline has a toll free number and can be contacted from all over Moldova.

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In September 2001, IREX, a US based NGO, started the Regional Empowerment Initiative for Women Program with USAID funding. The Moldovan programme started in May 2002. The IREX programme is aimed at women between the ages of 15 and 29, who are potential victims of trafficking, and includes the availability of small grants for unemployed women who want to start their own business, vocational training for women, and grants to women's NGOs working for the empowerment of women.

The main problems encountered by all actors attempting to prevent trafficking are the lack of communication and networking tools and the lack of involvement of social partners. In addition, there is the lack of information as well as resources.

### **Law enforcement responses**

Moldova has ratified the Palermo "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children", and several ILO Conventions: The Forced Labour Convention, 1930 (No. 29), ratified on 23.03.2000, the Private Employment Agencies Convention, 1997 (No. 181), ratified on 19.12.2001, and the Worst Forms of Child Labour Convention, 1999 (No. 182), ratified on 14.06.2002.

On 18 April 2002 and 14 April 2003, the Parliament adopted, respectively, a new Criminal Code and a Code of Criminal Procedure. The regulations concerning trafficking in human beings have been adjusted to meet international standards. In addition, trafficked victims are no longer responsible for crimes committed while under control by the trafficker. This is conditional on the victim collaborating with the police. The Criminal Code defines trafficking in human beings as:

*The recruitment, transport, transfer, harbouring or receipt of a person for the purposes of commercial and non-commercial sexual exploitation, forced labour or services, slavery and slavery-like conditions, using a person in armed conflict or in criminal activities, removal of organs or tissues for transplantation, by means of: threat of use or use of physical or psychological violence not endangering a person's life and health, including through abduction, confiscation of documents and servitude for the repayment of a debt without reasonably defined limits; deception; abuse of a position of vulnerability or abuse of power, by giving or receiving payments or benefits to achieve the consent of a person having control over another person (Art. 165).*

In accordance with this provision, trafficking in human beings shall be punished with imprisonment between seven and 25 years, or life imprisonment. The new Criminal Code has considerably improved the fight against trafficking in human beings, making law enforcement action more comprehensive. Yet many problems remain, including a lack of legislation on Private Employment Agencies, though the country has ratified the ILO's Private Employment Agencies Convention 1997 (No. 181) and it is known that Private Employment Agencies (often acting under disguise) play a role in trafficking. There is also a lack of cooperation between agencies involved at the national and international level, i.e. the police, labour inspectors, and judiciary. Cooperation between police and labour inspectors in the country itself is particularly not satisfactory. Anti-trafficking legislation is too general and does not attribute specific responsibilities to specific agencies. In addition, there is a lack of studies on how to define and identify sanctionable activities and issues, such as corruption and trafficking.

A major problem is associated with victims providing testimony against their traffickers. The lack of a solid witness protection programme, in addition to distrust of the legal system and fear of repercussions by the trafficker(s) means that very few victims agree to testify against their perpetrators. Although Moldova has a law on witness protection, it has not been funded and implemented adequately. Furthermore, the law does not include provisions on alternatives to live testimony, physical separation of victims/witnesses from defendants, or other measures constituting safeguards for the protection of the privacy and safety of the victim.

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## Victim assistance

Moldova does not have an efficient screening process to identify returning victims of trafficking and the large majority are identified in other countries (mainly the Balkans). Until recently female victims of trafficking who returned to Moldova could count only on very limited support (some social support and financial support), but in 2004, several programmes were implemented in Moldova. These programmes try to address the reintegration of victims of trafficking into society in a more comprehensive way. Moreover, psychological assistance and empowerment form part of the reintegration programmes and the staff of shelters are trained on victim reintegration.

Moldova has two main shelters, both in Chisinau. One is managed by a local NGO, the other by IOM. The total number of spaces in these shelters is 40. The average length of stay at the NGO shelter is four months, whereas that at the IOM is around three weeks (Regional Clearing Point, 2003). Since June 2000, apart from medical care, victims in both shelters have received psychiatric and psychological services on a short-term basis.

The IOM Centre, contrary to the NGO shelter, provides all services under one roof, including medical examinations (tests and treatment and HIV/AIDS tests), social-psychological support and group therapy, as well as psychiatric support and vocational training. IOM also provides women who are part of the assistance programmes with a reintegration grant of US\$ 500: US\$ 50 upon arrival, US\$ 50 after the first month, and US\$50 after the second month, etc. All women in the shelter are informed about the existing assistance and reintegration programmes.

As a result approximately 160 women took part in at least one of the programmes. The programmes include lodging and meals, social and psychological counselling, psychiatric, gynaecological and general medical examinations and treatment. The average stay is 12-15 days. The Centre can accommodate up to 16 women. Women can also take part in vocational training sponsored by the shelter (secretarial, manicure, hairstyling, tailoring and computer training).

At the end of 2001, the Italian Solidarity Committee (ISC), an Italian NGO working in the Balkans in partnership with IOM, started a programme providing vocational training to victims and offering them grants enabling them to set up micro-enterprises. A similar project was initiated in July 2002 with the aim of reintegrating victims of trafficking through micro-credit schemes. ISC selected 25 from a group of 250 women. Twenty women finished the training and prepared business plans for their future activities. ISC provided these women with grants (up to US\$ 800) to start their own business. Proposed activities included sewing, laundry services, processing seeds, farming activities, confectionery production, etc.

Similar income generating programmes for potential victims of trafficking are being implemented jointly by the Swiss Agency for Development Cooperation, local authorities, and local NGOs, in rural areas of Moldova. The aim of the programme is to support income-generating activities and to build the capacity of NGOs. Moldova also implemented a victim legal reintegration programme in 2001 with the help of the US State Department (Project implemented by the Centre of Prevention of Trafficking in Women).

Despite the low attendance and low success rate of these programmes, they prove that more proactive approaches regarding reintegration of victims of trafficking can give positive results. However, experience also shows that it is not possible to integrate women with weaker profiles into such programmes unless better conditions are created. Reintegration programmes are not suitable for traumatized women or women with psychological problems.

The main problems associated with victim assistance include the short-term nature of reintegration programmes. As such, victims receive only basic reintegration support, whereas their long-term needs are not addressed. Furthermore, because the Moldovan labour market has not been studied in detail, it is

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difficult to offer victims vocational training adapted to the demand in a certain region or economic sector, which would make it easier for them to find a job or start their own business.

Moreover, a majority of victims come from abusive families. Because of this, most victims are not willing to go back to their families and thus it is necessary to provide reintegration support only to them. But when the victim is willing to go back home it is necessary to provide assistance to the whole family. However, reintegration programmes are solely focused on the victims, without taking their families into account. However, because the financial burden of reintegration of victims is placed mostly on the shoulders of the country of origin, resources may not be available to sustain such victim reintegration programmes.

## **V. RECOMMENDATIONS**

The following recommendations were first validated in a tripartite workshop organised in Chisinau in 2003. They are also based on a sub-regional workshop that took place in January 2004: ‘Managing a National Programme against Trafficking in Human Beings: Addressing the Labour Market Dimensions (with delegations from Albania, Moldova, Romania, and Ukraine).

### **General**

First of all, the focus on trafficking should be broadened to include all forced labour victims. In addition, trafficking is often seen to encompass mainly women and children. This study has shown that men are also victims of forced labour and thus should be considered in activities aiming to prevent or combat trafficking, or to assist victims of it. In a broad sense, the socio-economic conditions of Moldova should be improved. More specifically, the functioning of the labour market should be improved. This means not only increasing adequate job supply in the country and the transmission of the job offers to the applicants by appropriate institutions, but also by adapting education to make it more responsive to labour market demands. The national employment plan should focus on labour market monitoring and job placement. The creation of new jobs should be encouraged and more attention should be paid to gender discrimination in employment and migration strategies.

Cooperation between all relevant partners on the migration and trafficking scene should be promoted, and all should be trained. This should include training on network-related skills such as communication and lobbying competencies. Consultation meetings should be set up to exchange information and discuss communal projects. The creation and sustained functioning of an e-portal allowing relevant actors to communicate is advisable.

### **Legislation**

The activities of the National Committee to Combat Trafficking in Human Beings should be enlarged to include trafficking for forced labour and forced labour outcomes of migration in general, as well as smuggling. Coordination between different authorities participating in the Committee should be encouraged, for example, between those considering migration strategies and recruitment, and those dealing with receiving countries, trade unions, employers’ organizations and NGOs should be involved in the National Committee to Combat Trafficking in Human Beings.

In order to have adequate information on which to base legislation and action on trafficking, networks at the national and international levels should be promoted. Research to fill information gaps on trafficking and irregular migration should be undertaken. Good practice examples from other countries should be disseminated.

Adequate legislation on Private Employment Agencies should be drafted and implemented. These agencies should be monitored through methods such as licensing and, eventually, self-regulation, supervised by a specialised institution such as the Public Employment Services (ILO, 2004).



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## **Law enforcement**

Coordination between law enforcement and labour authorities in countries of origin and destination should be improved through combined training, consultation meetings, and the creation of common databases. In addition, data should be collected from agencies abroad, for example on migrants, recruiters, and employers with a criminal record.

Coordination and cooperation between labour inspectors and the police should be fostered through regular consultation meetings and communal training on the monitoring of recruitment. A database should be created and maintained on recruiters, employers and migrants, accessible to both police and labour inspectors. Moreover, specific but complementary responsibilities should be assigned to labour inspectors and the police.

If a victim desires to testify against his/her trafficker, the trial procedures should allow for the use of audio and video equipment, which could solve the problems associated with the preservation of evidence and, more importantly, would not necessitate direct contact between the victim and the trafficker. The victim must be protected by mechanisms that can improve his/her situation during the investigation interviews, the legal process and the reintegration process. Law offices should be set up to provide free legal assistance to trafficked victims.

## **Migration management**

The issue of trafficking should be addressed in the wider context of migration management. In order to achieve this, the State Migration Authority (SMA) should be further developed. The SMA could have several or all of the functions described in this section, though other State institutions could also take them on.

Bilateral international agreements on the employment of migrant workers should be concluded with a focus on actual destination countries preferred by the Moldovan Government. The Government should conclude these in order to create legal channels of migration, which can rival irregular channels and diminish their use. The SMA should provide consultation on migration policy and legislation. Research on migration flows and the main push and pull factors will contribute to formulate adequate policies in education, vocational training, and bilateral agreements.

Once legal channels of migration are available, the transparency of the information on legal employment and vacancies abroad should be ensured. The awareness of the public of these legal employment opportunities abroad should be raised through the media. A standardized information guide for (potential) migrant workers should be published.

A database at the national level on employment offers and migrant worker profiles should be set up to make job broking more efficient. Once a person has decided to move abroad and has found a job through legal channels, professional training courses and courses on the language and culture of the destination country should be provided. Once abroad, a database should be maintained of the profile of the worker abroad and his/her employer so that the migrant worker can be tracked if necessary.

The protection of migrant workers abroad should be achieved through Moldovan authorities abroad as well as through cooperation with authorities in the country of destination. In addition, Moldovan authorities abroad should provide assistance to Moldovan citizens residing, regularly or irregularly, in the country of destination.

The migration strategy should also focus on ways to attract migrants abroad back to Moldova as the importance of remittance is crucial. State management of remittances should be improved by post-migration seminars on investment and entrepreneurship for returning migrants.

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## **Awareness raising**

Public awareness campaigns should be developed and implemented on all aspects of the migration phenomenon in Moldova using the mass media. Training should be carried out for public officials on the rights of migrants and victims of trafficking and forced labour. In addition, awareness should be raised not only on returning migrants and victims of trafficking to Moldova, but also on foreign migrants and victims of trafficking in Moldova.

## **Victim assistance**

Victim assistance should not only focus on women and children trafficked for sexual exploitation, but also on trafficking for forced labour and other forced labour outcomes for migration. For the purpose of focusing vocational training and reintegration, the demands of the Moldavian labour market at the regional as well as sector level should be analysed. Employers can play an important role here. Coordinated and effective vocational training of victims of trafficking should be implemented, for example on women entrepreneurship. The anti-trafficking network should contribute to the training in order to approach it in an integrated way. The families of the victims could take part in the reintegration programmes, if the victim so wishes. Last but not least, the financial burden of victim reintegration should be shared between countries of origin and countries of destination.

## **Complaint mechanisms**

Efficient complaint mechanisms should be put into place for victims of labour exploitation abroad, as well as for victims of abusive recruitment practices in the home country. Trade unions could play a stronger role in this area. They could represent the worker in the home country, but they could also play an important role representing workers abroad. In collaboration with trade unions in destination countries, compensation for the worker could be obtained through judiciary procedures. These could be undertaken by a local trade union and substantiated by evidence from the trade union in the home country.

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