

## **MACEDONIA (Tier 1)**

Macedonia is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Macedonian women and children are trafficked internally, mostly from eastern rural areas to urban bars in western Macedonia. Victims trafficked into Macedonia are primarily from Serbia and Albania. Macedonian victims and victims transiting through Macedonia are trafficked to South Central and Western Europe, including Bosnia, Serbia, Italy, and Sweden.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government made marked progress during the last year: it improved its capacity to identify and protect victims, resulting in a greatly increased number of victims identified and significantly more victims offered and provided assistance. The government's aggressive prosecution efforts resulted in an increased number of traffickers convicted.

**Recommendations for Macedonia:** Demonstrate appreciable progress in victim protection and assistance, including increased funding to the shelters for domestic victims and sustained assistance to NGOs providing victim services; proactively implement the new standard operating procedures on victim identification and the new reflection period for foreign victims; vigorously prosecute traffickers under the improved anti-trafficking legislation and sentencing guidelines, ensuring convicted traffickers receive adequate jail time; continue to vigorously prosecute any trafficking-related corruption; and expand demand reduction awareness efforts to educate clients of the sex trade about trafficking.

### **Prosecution**

The Government of Macedonia increased its law enforcement efforts in 2007. The government prohibits sex and labor trafficking through its 2004 criminal code: article 418 on all forms of trafficking in persons; article 418c on organizing a group for trafficking; and article 191 covering forced prostitution. Penalties prescribed for trafficking for commercial sexual exploitation are commensurate with those for rape. In January 2008, the government amended its criminal code, adding harsher penalties for those who traffic or attempt to traffic minors and for those who use the services of trafficked victims, to address the full range of trafficking crimes and satisfy the requirements of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. In 2007, the government prosecuted 55 cases related to trafficking, and convicted 70 traffickers involved in 30 cases, a significant improvement from 54 convictions in 18 cases the previous year. Of the 70 convicted traffickers, 52 received sentences of a year or more jail time. While 39 of the 70 traffickers were convicted under smuggling charges, resulting in punishments ranging from eight months to two years, punishments for the 31 traffickers sentenced under article 418a and 418c ranged from two to nine years. The government produced and distributed a comprehensive trafficking training manual to police. Macedonia also refined how its judicial system addresses trafficking as part of an overall restructuring of its judiciary during the reporting period, including the creation of a new central office to coordinate all trafficking prosecutions nationwide and streamlining trafficking cases to a single court. The government upheld on appeal in May 2007 sentences imposed on two policemen in 2006 for trafficking-related crimes. In March 2008, the government began prosecuting a January 2007 case involving five policemen and one Ministry of Justice official charged with complicity in smuggling.

### **Protection**

The Government of Macedonia considerably increased its efforts to identify trafficking victims and identified 249 victims—152 foreign nationals and 97 Macedonian in 2007—compared to 17 in 2006. The government offered assistance including shelter, legal and medical assistance, witness protection, psychological assistance, and vocational training to all potential victims in 2007. However, according to data provided by NGOs, IOM, and government agencies assisting victims, less than one-third of identified potential victims accepted this assistance and protection. Although the government encourages victims to participate in investigations and trials, the short length of the reflection period allowed to foreign victims during the majority of the reporting period may have rendered some victims reluctant to identify themselves or denounce their exploiters. In January 2008, the government introduced an extended two-month residency permit and reflection period for foreign victims to allow victims more time to receive assistance and decide whether to testify against their traffickers. This permit includes an additional six-month permit once such proceedings are underway. The government reported that no victims applied for such a permit. There were no reports or evidence of victims of trafficking being penalized by authorities for unlawful acts committed as a direct result of their being trafficked. During the summer of 2007, a joint inter-ministerial/NGO working group drafted and enacted throughout Macedonia comprehensive and victim-centered standard operating procedures for

proactive victim identification. These procedures were fully implemented throughout the country by the time they were unveiled and endorsed by the Prime Minister in January 2008. The government expanded its assistance to trafficking-related NGOs as part of its annual program for NGO assistance. The government provided approximately \$11,000 in direct support and \$62,000 in in-kind support to five trafficking-related NGOs, including the NGO that runs the shelter for domestic trafficking victims, and it pursued discussions on the provision of pro bono services by government doctors, lawyers, security personnel, and social workers with the NGO-run shelter for domestic victims.

### **Prevention**

The government proactively implemented its anti-trafficking plan over the reporting period. It greatly improved overall coordination and ability to collect statistics on trafficking in 2007, and opened an anti-trafficking national coordinating office within the Ministry of Interior. The National Referral Mechanism office strengthened the work of 27 centers throughout Macedonia who provide services to trafficking victims. The government provided personnel and financial support for NGOs conducting anti-trafficking prevention and awareness-raising, including efforts to educate clients on the health and legal risks of commercial sex. In April 2007, the government completed a successful pilot project for the education and integration of 10 Macedonian trafficking victims. Macedonian officials at all levels of government participated in anti-trafficking awareness campaigns. The government addressed demand reduction through legal means by adopting amendments to its criminal code in January 2008 that stiffened penalties against knowing clients of trafficking victims. The government also provided anti-trafficking training to its troops deployed abroad.