

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 within the country. Victims trafficked into Macedonia are primarily from Albania and Kosovo. Macedonian victims and victims transiting through Macedonia are trafficked to South Central and Western Europe. Children, primarily ethnic Roma, are trafficked for the purpose of forced begging within the country. Victims were trafficked for the purpose of forced labor in Macedonia's service sectors. Traffickers' *modus operandi* continued to evolve in response to law enforcement tactics, including increased use of more hidden, private sectors, such as beauty salons and massage parlors.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. While the government could strengthen its performance in certain areas, the government improved implementation of the anti-trafficking statute to obtain convictions of trafficking offenders and continued to expand the usage of its victim-centered standard operating procedures for the treatment and protection of trafficking victims.

Recommendations for Macedonia: Continue appreciable progress in victim protection and assistance; proactively implement the new standard operating procedures on victim identification; ensure institutionalized protection and reintegration services for victims; continue to ensure convicted traffickers receive adequate jail time; vigorously prosecute, convict, and punish public officials complicit in trafficking; and expand overall prevention and demand reduction awareness efforts to educate clients of the sex trade and forced labor about trafficking.

Prosecution

The Government of Macedonia demonstrated some important progress in its anti-trafficking law enforcement efforts in 2008 by decreasing processing times for trafficking cases and securing increased sentences for convicted trafficking offenders. While one organization reported that traffickers were still sometimes prosecuted under smuggling laws, significant improvement in prosecuting suspected traffickers under the antitrafficking statute was reported during the year. The government prohibits sex and labor trafficking through its 2004 criminal code; Article 418(a) and (g) covers all forms of trafficking in persons. The minimum penalty prescribed for trafficking for commercial sexual exploitation is four years' imprisonment, which is sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2008, the government prosecuted 11 cases under article 418(a) and (g) involving 28 trafficking suspects, resulting in the conviction of 17 trafficking offenders. The average sentence imposed was five years' imprisonment. The government prosecuted three cases on forced labor charges. These prosecutions resulted in eight sentences: four of four years, two of five years, one of six years, and one of seven years. There were reports that some law enforcement officials, including prosecutors and judges, continued to demonstrate an inadequate understanding of trafficking and insensitivity towards victims' rights, including in courtroom settings. The government did not prosecute any acts of trafficking-related complicity by government officials during the reporting period; however, reports indicated that corruption continued to directly hamper Macedonia's anti-trafficking efforts. For example, local brothel owners were occasionally tipped off prior to raids, allowing traffickers to elude law enforcement and brothel owners to hide potential trafficking victims.

Protection

The Government of Macedonia demonstrated some progress in its protection of trafficking victims in 2008. It continued to conduct training, with the support of international donors, on its standard operating procedures (SOPs) on the identification and referral of trafficking victims, and implementation of these procedures has continued to improve; however, application of the SOPs by local police was at times ad hoc and dependent on particular, victim-sensitive officers. The government has acknowledged that local police need more consistent understanding and application of the SOPs, and in January 2009 implemented a new requirement that all raids conducted by local police must include an officer from the police anti-trafficking unit. An international organization reported that border police did not employ systematic procedures to identify trafficking victims among migrants at Macedonian borders, although several victims were identified as a result of border police efforts. The government did not take proactive and systematic efforts to identify victims among vulnerable groups within its labor sectors. The government has not yet funded an NGO providing protection and assistance to domestic trafficking victims. It recently announced plans to take over full financial and material responsibilities for the country's domestic trafficking shelter, but there were concerns about the impact on victims' rights; these concerns were addressed and alleviated in a January meeting between the government and the NGO that voiced them. The government continues to operate a reception center for foreign migrants and trafficking victims; victims' freedom of movement in this center is severely restricted. Although law enforcement reported it identified 130 "presumed" victims in 2008, only 18 victims, 14 of whom were Macedonian, qualified as trafficking victims during the reporting period. The government encouraged victims to participate in investigations and trials. The government in January 2008 created provisions for the offering of a six-month residency permit and reflection period to foreign victims; none of the 118 presumed foreign victims identified during the reporting period requested this permit. Presumed domestic victims were entitled to a 30-day reflection period in the domestic shelter before taking part in a formal interview process with a trained trafficking specialist. The government provided some reintegration support through its 27 Centers for Social Welfare. These centers assisted seven victims in 2008. NGOs and international experts reported some problems with the government's identification process, resulting in possible misidentification of potential trafficking victims by local authorities.

Prevention

The government collaborated with NGOs and the international community in its trafficking prevention efforts, and in December 2008 drafted a National Action Plan for the years 2009-2012. It did not provide any direct financial support for NGOs conducting anti-trafficking prevention activities during the reporting period, but continued to provide significant in-kind support. In May 2008, the government conducted a nationwide survey to determine the public's level of awareness about trafficking. Based on the findings, it conducted nine public roundtables throughout the country. The government included mandatory training in its primary and secondary school curriculum to prevent trafficking. In December 2008, the National Commission organized a national anti-trafficking week. The Commission set up booths in over a dozen cities throughout Macedonia to distribute anti-trafficking materials, and high-level officials spoke out about trafficking. In January 2009, the National Commission published an annual report on its anti-trafficking efforts. The government did not fund or initiate any

awareness campaigns to reduce demand for forced labor or commercial sex in 2008; however, it used some IOM-funded materials aimed at demand during its anti-trafficking week.