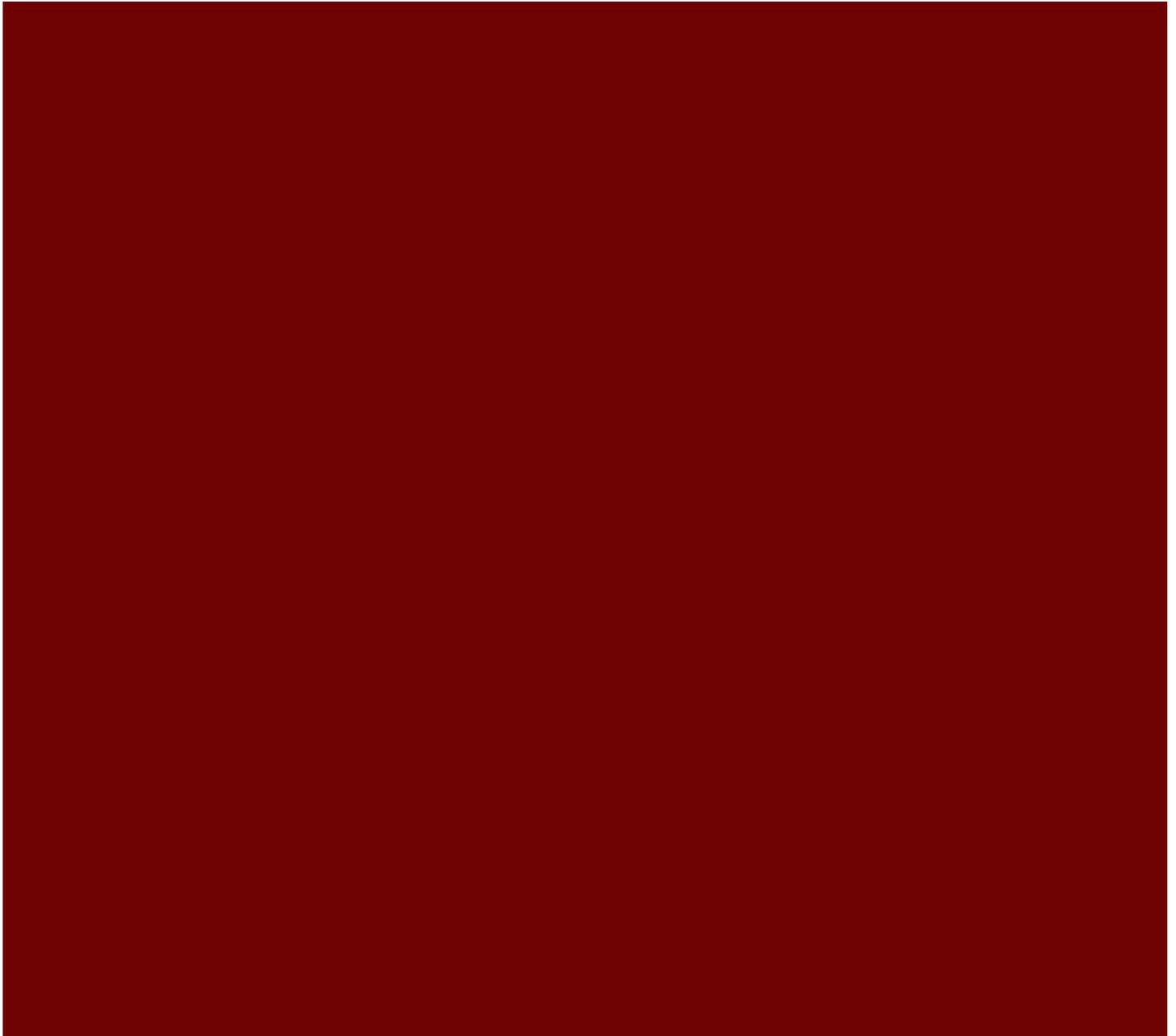




JULY 2003 KVINNOFORUM AND KVINNA TILL KVINNA

Evaluation of IOM Counter-trafficking Programme  
Western Balkans

# IOM Regional Counter- Trafficking Programme in the Western Balkans



## Introduction by Sida's Deputy Director General

Sida has supported anti-trafficking actions in the Western Balkans since 1999 and is currently working with a large number of different actors, from local NGOs to international organisations. The largest programme has been the regional programme of return and rehabilitation of victims, implemented through IOM since 2001. After supporting this programme for two years, Sida has commissioned an evaluation of this programme.

For the evaluation, Sida has selected two very experienced evaluators, both with extensive experience from trafficking programmes, especially within an Eastern European context. Through their networks, they have had access to a number of sources, governmental and non-governmental, local and international, donors and implementing partners. It is my firm belief that they have managed to put together a critical, yet supportive picture of an extremely complicated issue. The findings in the evaluation and the statements put forth are those of the evaluators. Sida and IOM alike have been invited to comment on the report, and it is obvious that we do not always agree on all issues. However, I am convinced, that this evaluation represents a major effort towards improving our work against trafficking.

This evaluation is an evaluation of the Sida-sponsored IOM *Programme of Assistance for the Protection, Return and Reintegration of Trafficked Women and Children in Albania, Bosnia Herzegovina, FYR of Macedonia, Kosovo, Serbia and Montenegro*. It is not an assessment of the trafficking situation in the Western Balkans. It is not a general evaluation of IOM or even of IOM's work against trafficking. It evaluates only the Sida-sponsored programme, nothing else. For practical purposes, the evaluators had to limit their field visits to two countries. These countries were selected by Sida. Therefore, it is not a complete overview, not even of the evaluated programme. But it gives a good picture of the return and repatriation activities, and highlights a number of achievements and shortcomings alike.

Having said this, I hope that the evaluation can become a starting point for a discussion of how our joint efforts against trafficking in human beings can become even more effective. How can we join forces and engage all parts of the society against this despicable trade in the most valuable of all assets – human life? Donors and implementing partners alike must streamline their efforts in order to efficiently combat trafficking, and at the end of the day we must never lose our focus on the human dignity.

Sida has initiated an internal process on how to implement some of the key findings of the evaluation in our future work against trafficking. This work requires the active participation of many actors, and I hope that it can be the topic for e g the Stability Pact Task Force on Trafficking, that serves as a major co-ordinating body for anti-trafficking work in the Balkans.

Therefore, this evaluation is definitely not intended as criticism of a valued programme. It should be read with the eyes of a person intending to improve the efforts against trafficking, and not used as a tool for incriminating those actors with whose views the reader does not agree. No efforts are so good that they cannot be made better. I hope that we through this evaluation have contributed towards this goal.



Staffan Herrström  
Deputy Director General, Sida

# **IOM Regional Counter-Trafficking Programme in the Western Balkans**

An Organisational and Programme Evaluation  
Commissioned by Sida

FINAL REPORT  
June 2003



Stiftelsen Kvinnoforum  
Tomtebgatan 42  
113 38 STOCKHOLM



KVINNA TILL KVINNA  
Kristinebergs Slottsväg 8  
112 52 STOCKHOLM

## TABLE OF CONTENTS

<b>1. EXECUTIVE SUMMARY.....</b>	<b>9</b>
<b>2. INTRODUCTION.....</b>	<b>11</b>
<b>2.1. BACKGROUND.....</b>	<b>11</b>
2.1.1. <i>Reasons for the evaluation.....</i>	<i>11</i>
2.1.2. <i>Outline of the report.....</i>	<i>11</i>
<b>2.2. METHODOLOGY.....</b>	<b>12</b>
2.2.1. <i>Analytical framework for assessing a anti-trafficking project.....</i>	<i>12</i>
2.2.2. <i>Method of the evaluation.....</i>	<i>15</i>
<b>3. BRIEF DESCRIPTION OF THE TRAFFICKING SITUATION .....</b>	<b>18</b>
<b>3.1. REGIONAL.....</b>	<b>18</b>
3.1.1. <i>Overview of key issues as regards trafficking in the region .....</i>	<i>18</i>
3.1.2. <i>Regional Initiatives.....</i>	<i>21</i>
<b>3.2. BOSNIA AND HERZEGOVINA.....</b>	<b>25</b>
3.2.1. <i>Short description of the counter trafficking work in Bosnia and Herzegovina.....</i>	<i>25</i>
3.2.2. <i>Present situation.....</i>	<i>28</i>
3.2.3. <i>International policing.....</i>	<i>30</i>
3.2.4. <i>Referral system.....</i>	<i>31</i>
3.2.5. <i>Statistics and trends.....</i>	<i>32</i>
3.2.6. <i>NGO shelters.....</i>	<i>34</i>
<b>3.3. THE REPUBLIC OF SERBIA .....</b>	<b>34</b>
3.3.1. <i>Short description of the counter-trafficking work in Serbia .....</i>	<i>34</i>
3.3.2. <i>Situation in Serbia.....</i>	<i>36</i>
3.3.3. <i>Referral system.....</i>	<i>38</i>
3.3.4. <i>One or two shelters.....</i>	<i>40</i>
<b>4. IOM AND THE REGIONAL COUNTER TRAFFICKING PROGRAMME.....</b>	<b>41</b>
<b>4.1. IOM STRUCTURES AND POLICIES .....</b>	<b>41</b>
4.1.1. <i>IOM Constitution.....</i>	<i>41</i>
4.1.2. <i>IOM Counter Trafficking Policy and Work.....</i>	<i>42</i>
4.1.3. <i>IOM Gender work and policy.....</i>	<i>44</i>
4.1.4. <i>IOM Collaboration with NGOs.....</i>	<i>45</i>
<b>4.2. GENERAL PROGRAMME DESCRIPTION.....</b>	<b>46</b>
4.2.1. <i>Background.....</i>	<i>46</i>
4.2.2. <i>Aim.....</i>	<i>47</i>
4.2.3. <i>Objectives.....</i>	<i>47</i>
4.2.4. <i>Expected results.....</i>	<i>47</i>
4.2.5. <i>Activities.....</i>	<i>47</i>
4.2.6. <i>Countries.....</i>	<i>47</i>
<b>4.3. BOSNIA AND HERZEGOVINA.....</b>	<b>47</b>
4.3.1. <i>IOM Mission in Bosnia and Herzegovina.....</i>	<i>47</i>
4.3.2. <i>Development of counter-trafficking work by IOM Mission/BiH.....</i>	<i>48</i>
4.3.3. <i>Present situation and operations.....</i>	<i>48</i>
<b>4.4. SERBIA .....</b>	<b>55</b>
4.4.1. <i>The IOM Mission in Serbia.....</i>	<i>55</i>
4.4.2. <i>Development of IOM CT-work .....</i>	<i>56</i>
4.4.3. <i>Present situation and operations.....</i>	<i>57</i>
<b>5. GOAL ATTAINMENT AND PROJECT OUTCOME .....</b>	<b>62</b>
<b>5.1. OVERALL GOAL, OBJECTIVES AND EXPECTED RESULTS .....</b>	<b>62</b>
5.1.1. <i>Reporting.....</i>	<i>62</i>

<b>5.2. RESULT 1: NUMBER OF VICTIMS OF TRAFFICKING RETURNED THROUGH THE IOM CT PROGRAMME</b> .....	63
5.2.1. <i>Number of women and girls assisted</i> .....	63
5.2.2. <i>Who are assisted?</i> .....	64
5.2.3. <i>Key issues</i> .....	65
<b>5.3. RESULT 2: COORDINATION MECHANISMS ESTABLISHED AMONG PARTNERS FOR SUPPORT OF TRAFFICKED MIGRANTS</b> .....	65
5.3.1 <i>Co-ordination with other actors</i> .....	65
5.3.2 <i>Collaboration with governments</i> .....	67
5.3.3 <i>Collaboration with NGOs</i> .....	68
5.3.4 <i>IOM's opinion</i> .....	70
5.3.5 <i>Collaboration with international agencies</i> .....	70
5.3.6 <i>Key issues</i> .....	71
<b>5.4. RESULT 3: DATABASE WITH STATISTICS ON PERSONS ASSISTED AND MAPPING OF MAJOR TRAFFICKING ROUTINES WILL BE PRODUCED</b> .....	71
5.4.1 <i>CTM Database</i> .....	71
5.4.2 <i>Key issues</i> .....	74
<b>5.5. RESULT 4: EVALUATION OF THE REINTEGRATION PROCESS</b> .....	74
5.5.1 <i>Reintegration components</i> .....	74
5.5.2 <i>Reintegration assistance</i> .....	75
5.5.3 <i>Reintegration problems</i> .....	76
5.5.4 <i>Re-trafficking and follow-up</i> .....	78
5.5.5 <i>Key issues</i> .....	78
<b>5.6 PSYCHOLOGICAL SUPPORT TO IOM STAFF</b> .....	79
5.6.1 <i>Psychological training</i> .....	79
5.6.2 <i>Key issues</i> .....	80
<b>5.7 ADMINISTRATIVE AND FINANCIAL ASPECTS</b> .....	80
5.7.1 <i>General aspects</i> .....	80
5.7.2 <i>Contacts with Sida and Sida visibility</i> .....	82
5.7.3 <i>Cost efficiency</i> .....	82
5.7.4 <i>Major changes in the new IOM proposal to Sida for 2003</i> .....	83
5.7.5 <i>Key issues</i> .....	83
<b>5.8 ATTAINMENT OF GOAL AND OBJECTIVES</b> .....	83
5.8.1 <i>Project objectives</i> .....	83
5.8.2 <i>The overall goal</i> .....	84
5.8.3 <i>Key issues</i> .....	85
<b>6 CENTRAL ISSUES AND FINDINGS</b> .....	<b>87</b>
<b>6.1 REGIONAL APPROACH</b> .....	87
6.1.1 <i>Key issues</i> .....	88
<b>6.2 ROLES AND RESPONSIBILITIES: IOM MANDATE AND LONG TERM ROLE</b> .....	88
6.2.1 <i>Coordination and division of roles</i> .....	88
6.2.2 <i>IOM: project- and donor driven</i> .....	92
6.2.3 <i>IOM: an operational organisation rather than an analytical and policy based organisation which advocates for change</i> .....	93
6.2.4 <i>IOM: a humanitarian and migration organisation rather than a gender- and rights based organisation</i> .....	93
6.2.5 <i>Key issues</i> .....	94
<b>6.3 IOM AND STABILITY PACT TASK FORCE AGAINST TRAFFICKING</b> .....	94
6.3.1 <i>The Expert Team</i> .....	94
6.3.2 <i>IOM's view of SPTF</i> .....	95
6.3.3 <i>SPTF's view of IOM</i> .....	96
6.3.4 <i>Key issues</i> .....	97
<b>6.4 SUSTAINABILITY</b> .....	97
6.4.1 <i>Development of institutions or taking the role of the institutions</i> .....	97
6.4.2 <i>Roles and co-operation between IOM and NGO's</i> .....	98

6.4.3	<i>NGO as service provider</i> .....	99
6.4.4	<i>Hand-over the shelter management?</i> .....	99
6.4.5	<i>Exit Strategy</i> .....	100
6.4.6	<i>Key issues</i> .....	101
<b>6.5</b>	<b>THE IOM PROGRAMME IN A GENDER- AND A CHILD PERSPECTIVE</b> .....	<b>101</b>
6.5.1	<i>The link between gender and trafficking</i> .....	101
6.5.2	<i>The IOM approach and activities in a gender- and empowerment perspective</i> .....	102
6.5.3.	<i>Minors</i> .....	109
6.5.4	<i>Key issues</i> .....	109
<b>7.</b>	<b>CONCLUSIONS</b> .....	<b>110</b>
<b>7.1</b>	<b>ATTAINMENT OF GOAL AND OBJECTIVES</b> .....	<b>110</b>
<b>7.2</b>	<b>THE IOM PROGRAMME IN THE COUNTER TRAFFICKING WORK</b> .....	<b>110</b>
7.2.1	<i>The role of IOM in counter trafficking work</i> .....	111
7.2.2	<i>Framing the support to victims of trafficking in a gender and empowerment perspective.</i>	113
7.2.3	<i>The lack of an internal analysis and on-going discussion of the issue as well as the methods and procedures used within IOM</i> .....	114
<b>8.</b>	<b>RECOMMENDATIONS</b> .....	<b>115</b>
<b>8.1</b>	<b>RECOMMENDATIONS TO SIDA</b> .....	<b>115</b>
<b>8.2</b>	<b>RECOMMENDATIONS TO IOM</b> .....	<b>115</b>

## **ANNEXES (not included in the electronic version)**

- Sida's Terms of Reference*
- List of persons met*
- List of documents*
- SPTF guidelines for NPA*
- Temporary instructions*
- Chart of referral system in Bosnia and Herzegovina*
- Code of conduct from SPTF guidelines*
- Referral system in Serbia*
- Organisational chart of CTS functions*
- List of IOM global projects*
- Contract between IOM and Sida*
- Contract between IOM and la Strada*
- Memorandum of understanding between IOM and MHRR*
- Forms used by IOM BiH for return process*
- IOM questionnaire BiH*
- Documentation from meeting for NGOs organised by Helsinki Federation of Human Rights, February 2002*
- IOM standardised questionnaire*
- IOM calculations cost/victim*
- BiH report, portrayal of women*

## LIST OF BOXES

<i>BOX 1: DIFFERENT REFERRAL SYSTEMS</i> .....	38
<i>BOX 2. CHAPTER 1- PURPOSES AND FUNCTIONS, ARTICLE 1</i> .....	41
<i>BOX 3. IOM COUNTER TRAFFICKING WORK AND OPERATIONAL FRAMEWORK</i> .....	42
<i>BOX 4. DISTINCTION BETWEEN SAFE-HOUSES AND SHELTERS</i> .....	49
<i>BOX 5. TYPES OF SHELTERS AND SAFE HOUSES</i> .....	51
<i>BOX 6. THE ORGANISATION OF THE IOM SHELTERS FOR VICTIMS OF TRAFFICKING (IOM BOSNIA)</i> .....	52
<i>BOX 7. OVERALL GOAL, OBJECTIVES AND EXPECTED RESULTS</i> .....	62
<i>BOX 8. ESTIMATED NUMBER OF VICTIMS AND NUMBER OF CASES ASSISTED</i> .....	63
<i>BOX 9. CO-ORDINATION WITH OTHER ACTORS AS REFLECTED IN IOM FINAL REPORT TO SIDA</i>	66
<i>BOX 10. AREAS OF PRIORITY AND CHALLENGES FOR IOM ACCORDING TO HQ</i> .....	91

## ACRONYMS

ASTRA	Anti Sex Trafficking Action
BiH	Bosnia and Herzegovina
CoE	Council of Europe
CPWC	Centre for Protection of Women and Children
CT	Counter Trafficking
CTS	Counter Trafficking Services
EUPM	European Union Police Mission in Bosnia and Herzegovina
HQ	Head Quarters
ICMC	International Catholic Migration Committee
ICMPD	International Centre for Migration Policy Department
IHRLG	International Human Rights Law Group
ILO	International Labour Organisation
IMP	International Migration Policy Programme
INGO	International Non-Governmental Organisation
IO	International Organisation

IOM	International Organisation for Migration
IPTF	International Police Task Force
KFOR	Kosovo Force
MHRR	Ministry of Human Rights and Refugees in Bosnia and Herzegovina
MIMOSA	Migrant Management and Operational Systems Application
MoU	Memorandum of Understanding
MP	Members of Parliament
NGO	Non-Governmental Organisation
NPA	National Plans of Action
ODIHR	Office for Democratic Institutions and Human Rights
OHR	Office of the High Representative in Bosnia and Herzegovina
OSCE	Organisation for Security and Cooperation in Europe
RCP	Regional Clearing Point (of the Stability Pact Trafficking Task Force)
SBS	State Border Service
SECI	Southern European Co-operative Initiative
SEE	South Eastern Europe
SFOR	Stabilisation Force
SIDA	Swedish International Development Cooperation Agency
SPTF	Stability Pact Trafficking Task Force
STOP	Special Trafficking Task Force Operation Programme (UNMIBH)
UMCOR	United Methodist Committee on Relief
UN	United Nations
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMIK	United Nations Interim Administration Mission in Kosovo
UNODC	United Nations Office on Drugs and Crime
VPP	Victim Protection Program
WIGI	Working Group on Gender Issues, IOM

## 1. EXECUTIVE SUMMARY

Trafficking in the Western Balkans is a big problem. A large number of actors, international agencies, inter-governmental organisations, the governments from the region and NGOs are involved in different initiatives and programmes to counter trafficking, several in connection with the Stability Pact Process. IOM is one of the actors.

The present report is an evaluation of the IOM *”Regional Programme of Assistance for the Protection, Return and Reintegration of Trafficked Women and Children in Albania, Bosnia and Herzegovina FYR of Macedonia, Kosovo, Serbia and Montenegro”* funded by Sida during the period May 2001- December 2002. Sida commissioned the evaluation to Kvinna till Kvinna and Kvinnoforum, two organisations with long experience in counter trafficking activities and gender related work. Interviews have been conducted with IOM Head Quarters in Geneva, IOM Mission, SPTF and OSCE representatives in Vienna and IOM Missions, international agencies and NGOs in Sarajevo, Bosnia and Herzegovina and in Belgrade, The Republic of Serbia and Montenegro.

The evaluation is set in a analytical framework, which makes a distinction between long-term strategies, addressing the root causes of trafficking and short-term strategies, here called “Band-Aid interventions” which provide much needed support to women, girls and boys victims of trafficking. The evaluated IOM programme has here been categorised as a short-term Band-Aid intervention. The programme is further analysed in a gender and development context where the central issue is what counter trafficking activities mean and with focus on the rights and perspective of the woman.

The evaluation does not include other parts of IOM’s counter trafficking work. A limitation has been that the evaluators did not visit any of the countries with primarily reintegration programmes.

As regards the attainment of goal and objectives of the programme evaluated it is concluded that IOM, through the programme has assisted and returned women and girls willing to return home and collaborated in the joint efforts of counter trafficking in the Balkan region. IOM is clearly an important actor with expertise as regards the transport and repatriation of persons.

However, the programme has not fully attained the goal and objectives due to:

- Less cases than estimated were returned despite an extended implementation period, without a full analysis of the reasons for this nor of the conditions needed in the context to fulfil the estimated number.
- A problematic relationship and collaboration with other actors; IOM are not seen as team players by many international actors and there is a clear gap between IOM and NGOs as regards the trust of each other.
- The conditions for a safe and dignified return are not fully analysed and therefore not fully met.

The present evaluation concludes that IOM has an important role to play in the anti-trafficking work and has done so in the programme evaluated. Yet, IOM needs to reconsider its role and co-operation with other actors, in particular NGOs, respecting and recognising the roles and expertise of others. Furthermore, the IOM return programme needs to assess its activities, procedures and approach out of a gender and empowerment perspective in order to secure the rights of victims and to comply with international human rights standards.

Sida is recommended to:

- Require from IOM to comply with Sida policies as regards gender, human rights, children, HIV-Aids, collaboration with civil society and sustainable development.
- Analyse its' support to counter trafficking measures as regards long-term as well as short- term interventions. The comparative advantage of different actors for the various aspects of the counter trafficking work should be assessed.
- Require IOM to provide better reporting including analysis of data. Quantitative data should be complemented with qualitative information. A gender- and child perspective should be mainstreamed in the reporting.

The report further recommends concrete actions and measures for the improvement of the IOM return programme for women, girls and boys victims of trafficking.

## 2. INTRODUCTION

### 2.1. Background

#### 2.1.1. Reasons for the evaluation

Trafficking in human beings has become an increasing problem in the region of the Western Balkan. The region, much of it having been devastated by war and conflict, and currently undergoing economic transition, has become both a destination, transit and recruiting area for women and children for trafficking purposes.

IOM has received Sida support for its counter trafficking activities in South Eastern Europe since 1999, first an information campaign in Kosovo, later for shelter and repatriation programmes in Albania and Macedonia and finally for a regional programme of repatriation, rehabilitation and reintegration of trafficked women and children. The regional programme aims at repatriation and rehabilitating of 1.120 trafficked women and children and costs MSEK 28.

Kvinna till Kvinna and Kvinnoforum, two Swedish organisations with long and broad experience in the work against trafficking, were commissioned by Sida to make an evaluation of the regional programme. The overall objective of the evaluation is to look at goal attainment and efficiency, as well as to provide recommendations with regard to future co-operation and activities to be performed.

#### 2.1.2. Outline of the report

The present chapter (2) presents the methods of the evaluation as well as analytical framework for evaluating an anti-trafficking project in a gender and development perspective.

**Chapter 3** briefly describes the trafficking situation in the Western Balkans, with specific sections on the situation in BiH and Serbia. The main actors and their activities are briefly presented. Recent trends and issues are presented in the chapter as presented by the interviewed informants.

**Chapter 4** presents IOM and the Regional Counter Trafficking Programme in Western Balkans. An overview of the IOM mandate, structure and key policies relevant for the programme are presented as well as separate sections for the operations in BiH and Serbia as found during the field visits.

**Chapter 5** discusses the attainment of the goal and objectives including each of the four expected results as presented to Sida by IOM in the project proposal in 2001.

**Chapter 6** analyses central issues and findings. These include the regional approach, roles and responsibilities, IOM and the Stability Pact, sustainability issues, and the IOM programme out of a gender- and child perspective.

**Chapter 7** presents the conclusions of the evaluation.

**Chapter 8** presents the recommendations to Sida and to IOM.

## **2.2. Methodology**

### **2.2.1. Analytical framework for assessing a anti-trafficking project**

Trafficking is a complex issue and addressing it is equally complex. Thus the present evaluation has been set in a analytical framework as regards understanding trafficking in a gender and development perspective.

#### **Gender analysis**

The causes to trafficking are complex and intertwined, even though poverty and unequal gender relations may be referred to as the root causes. It clearly relates to gender inequality and attitudes on the relationship between women and men, as well as attitudes as regards sexuality and the role of women and men. A gender analysis of trafficking in women and children entails understanding the *full* situation of the women, the girls and boys at the local level; *why* women, girls and boys are vulnerable to trafficking. It also entails understanding it at the international level – why there is a market, which creates a demand for trafficking and how this impacts on the women and children. In a gender perspective both the demand and the supply for why trafficking is occurring must be understood in order to counter act it. Any trafficking related intervention must integrate a gender perspective in order to be long-term efficient and sustainable. The Terms of Reference for the evaluation clearly asked the team to look at the gender aspects of the programme.

#### **A child perspective**

Trafficking in human beings includes girls and boys among its victims, as well as women above the age of 18. How many of the “women” that are trafficked that in reality are *de jure* children is not know. Many are trafficked with falsified passports and are told to say that they are above age of majority. The Terms of Reference for the present assignment specifically address the importance of looking at the child perspective of the programme, and thus this has been integrated in the work. By linking a child and a gender perspective a distinction must be made between girls and boys. It is further important to stress the age of the child, as there is clearly a difference if the victim is 12 or 17 as regards treatment and support.

#### **An empowerment perspective**

If the goal is change and development, a gender perspective must be linked to an empowerment perspective. Empowerment is in this context defined as the process by which the woman or group of women gain ownership of their life. After being trafficked women, girls and boys are at the bottom end of society with little or no control, or ownership over their situation and life. To apply an empowerment perspective involves respecting the woman and understanding the situation she is in and finding dignified methods and ways out, to a better life. It involves trusting the women with the ability to make decision for her future. Empowerment cannot be given to a woman. She must gain

it herself. Thus to support the empowerment process of women and girls victims of trafficking is a very difficult and sensitive task which requires time, dedication and endeavour. Women and children who have been trafficked clearly need special methods of support, which are gender and empowerment based. There are no shortcuts if sustainable results are the aim.

### **A human rights perspective**

A human rights perspective entails focusing on the violations against the individual and not against the state- such as is the case with smuggling and illegal migration. A human rights perspective entails supporting those who are victims of trafficking instead of labelling them as the criminals. It opens up for a broad spectrum of strategies and activities as the human rights of human beings covers most aspects of life such as the right of freedom, the right of movement, the right to health, the right to development, the right to absence of violence and others. Based on human rights analysis of trafficking the rights of the women and children will always be at the centre for any intervention.

### **A development perspective**

Poverty is one of the root causes to trafficking. The gendered dimensions of poverty, with women's limited choice to livelihoods and income cause women to seek alternatives in their life. The increase of trafficking in women and children may thus be seen as the failure of development work to address the specific needs and vulnerabilities of women and children, as well as to support the agency of those women who migrate in search for better alternatives of life. Trafficking can be understood as a problem of migration, of health, of public order, of morality or human rights. Yet all these aspects are integral parts of development work.

### **UN Definition of trafficking**

Trafficking in human beings is here understood as defined in the UN Convention Against Transnational Organised Crime and supplementing Protocol addressing trafficking in persons, particularly women and children adopted in December 2000.

*a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other form 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 payment 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;*

*b) The consent of a victim in persons to the intended exploitation set forth in subparagraphs (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;*

*c) The recruitment transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons",*

*even if this does not involve any of the means set forth in sub paragraph (a) of this article.*

*d) Child shall mean any person under eighteen years of age.*

The IOM Regional Programme evaluated focuses on trafficking in women and children for the purpose of sexual exploitation, and does not address other forms of trafficking.

### **Anti-Trafficking activities in a gender and development context**

A key question in the development work as relates to trafficking is whether to focus on root causes, through long term strategies, or on short-term strategies that could be labelled “Band-Aid-interventions”. Band-Aid interventions do not necessarily address the root causes, but support the victims. They may not lead to a major shift in society, but they benefit the individual. As mentioned, trafficking as a phenomenon is a very complex issue. The root causes are found in poverty and the gender dimensions of poverty. It also relates to the collapse of social networks and of the social welfare, to lack of opportunities and a longing for another life. Migration and trafficking are issues that are intertwined. Some women migrate quite aware of what the purpose of their travel is. Some are completely deceived. Most are strongly abused and exploited leading to severe health consequences, both in their reproductive health as well as their mental health and other physical illnesses. Many women leave a context they don’t want to return to. Some of them are too ashamed and stigmatised to return home. Some desperately want to return home. Most of the women are fairly young; in their 20s. Yet many are younger, and even under the age of 18. Some are older and have family with children. Trafficking is further intertwined with criminal networks, both on a Mafia-level scale as micro-level networks. To engage in anti-trafficking activities which disturb the “business” can be very dangerous. Trafficking thus involves legal aspects, social aspects, economic aspects, migration aspects, health aspects, human rights aspects, security aspects and obviously gender and development aspects.

There is a risk that in any activity targeting women or children victims of trafficking is labelled as “anti-trafficking” activity. Returning women is not necessarily an anti-trafficking activity. But it may prove as anti-trafficking, if it is considered within the complexity of the context and is linked to other long-term strategies that would actually reduce the trafficking business. Long-term anti-trafficking work must aim at diminishing both the demand and the supply side of the problem, thus this means change of attitudes (both from a supply and a demand aspect), anti-poverty activities (livelihoods, employment, education, migration etc), that is, to address the root causes. However, this takes very long time and meanwhile hundreds of thousands of women and girls and boys are abused, exploited and it could be said that they are “wasted” in that their participation in development is minimised. As sustained in the Palermo Convention and in the Brussels Declaration it is the human rights of these women and children that are to be supported. Thus, short-term “Band Aid interventions” are needed simultaneously with the long-term development strategies.

### **2.2.2. Method of the evaluation**

#### **The team**

The evaluation team consisted of Eva Zillén, Kvinna till Kvinna and Carolina Wennerholm, Kvinnoforum. Both consultants have extensive experience of trafficking as well as of gender in development. Eva Zillén has worked in the Balkan Region with activities related to gender since 1993 and is Kvinna till Kvinna's trafficking expert. Carolina Wennerholm has worked with trafficking in the Baltic Sea Region since 1999, and is Kvinnoforum's expert on trafficking. She has more than 10 years of experience of work in gender and development. The present study was carried out during the timeframe December 2002- April 2003.

#### **Terms of reference**

The objective of the mission was to make an evaluation of the regional programme commission by Sida to IOM in 2001. *The evaluation should look at goal attainment and efficiency as well as to look at the administrative capacity and the internal functioning of IOM. Recommendations should be given with regard to future co-operation and activities performed.* Separate Terms of Reference were written to the consultants. The two consultants have done the field trips together and are presenting one common report to Sida integrating the different questions as specified in the two ToR (Annex 1).

#### **Planning**

The team presented a time plan and suggested actors to meet to Sida in December 2002. Thereafter the consultants contacted the informants and an agenda was set. The experience of Eva Zillén of the region facilitated much of the initial contacts with the key actors, particularly those who are not directly involved in the IOM programmes (for instance some of the NGOs, the UN agencies in Sarajevo).

#### **Field visits**

The IOM Regional Programme covers Albania, Bosnia and Herzegovina, FYR of Macedonia, Serbia and Montenegro, Kosovo, and Croatia. The field visits were limited to Bosnia and Herzegovina (BiH) and Serbia, as defined by Sida. Additionally Sida wanted the team to visit IOM Head Quarters (HQ) in Geneva as well as the Stability Pact Trafficking Task Force in Vienna. The team made two fieldtrips as follows:

- Sarajevo in Bosnia and Herzegovina 20-25 January, 2003
- Geneva, Switzerland 10-13 February, 2003
- Vienna, Austria 13-16 February, 2003
- Belgrade, Serbia 16-20 February, 2003

#### **Informants**

During the field-visits a broad group of key actors in the anti-trafficking field were met and interviewed. Among the informants were representatives from multilateral UN agencies, the OSCE, the Chair of the Stability Pact Trafficking Task Force (SPTF) Ms.

Helga Konrad, various Non-Governmental Organisations (NGOs)<sup>1</sup> working against trafficking in the region, governmental representatives (police, State Border Service, politicians, etc.) as well as the IOM offices (HQ and Field Offices in Sarajevo, Belgrade, Vienna and the Regional Clearing Point in Belgrade). The interviews with the governmental representatives were set up, and initiated, by the IOM country offices, many of the other meetings were set up by the evaluators themselves. For a complete list of persons met please see Annex 2.

### **Methods**

During the field visits the team conducted in-depth interviews with the informants in their offices. At the IOM offices the team met with several of the staff. In Sarajevo the team further was invited to visit both the high-risk as well as the low-risk shelter managed by IOM. None of the NGO managed shelters were visited in any of the countries.

During the interviews the evaluators took notes, which were compared and written down at the end of every day. The full interviews are available. Throughout the report quotations of different informants are used which represent the opinion of the informant rather than the evaluators'. The quotations are used to illustrate the text and as qualitative indicators of the approach of the informants. The toughest quotations have been avoided.

The team has collected and reviewed an extensive list of documentation. Apart from programme specific documents, some studies have been of particular importance<sup>2</sup>, which both give a overview situation to trafficking and the actors and programmes involved. The list of documents reviewed is attached (Annex 3). After returning to Sweden the consultants have had e-mail contact with some of the informants.

During the mission the evaluation team noted that NGOs and police representatives where those who gave qualitative information regarding the women and their situation. Issues that were brought up by these informants included that of the internal trafficking, details on the bar raids and *modus operandi* of traffickers, the domestic sexual abuse of boys and girls, work with homosexuals. Both police and NGOs representatives brought up examples of good collaboration between the two parties. NGOs further stressed the issue of language, health and HIV/AIDs as well as put the women and their situation at the centre of the discussion. International agencies and actors further gave important information on the political process, but also on the situation of the women and the context of the programme.

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<sup>1</sup> By NGOs the evaluators mean local, national NGOs unless otherwise mentioned such as international non-governmental organisations.

<sup>2</sup> "Trafficking in Human Beings in South Eastern Europe, Current situation in and responses to trafficking in Human Beings in Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia, the FRY of Macedonia, Moldova and Romania", by Barbara Limanowska, UNICEF, UNHCHR and OSCE/ODIHR (2002) and the Human Rights Watch overview in Bosnia and Herzegovina (BiH), "Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution" , Vol. 14, No.9 (D) November 2002

Child agencies such as United Nations Children's Fund (UNICEF) have been met and specific questions on the child-perspective on programmes have been put to the informants.

### **Limitations**

The IOM Regional Anti-Trafficking Programme is a big programme and the present evaluation has been limited in various aspects.

- Due to time limitations set by ToR the consultants visited only four countries of which one was HQ and only two were operational field countries. That is, only two out of six project implementation countries were visited. Sida decided which countries to be visited.
- The evaluation would have benefited if the team had visited a reintegration country. The reintegration aspect was not emphasised in the IOM Project Proposal to Sida, but during the implementation phase it has become more important. Thus neither the consultants nor Sida fully assessed the importance of visiting a reintegration country. The IOM Belgrade office has received 15 women returning from being trafficked abroad and had a reintegration component in the country programme. That, however, does not give a satisfactory picture of IOM's work with reintegration.
- Anti-trafficking work in the Balkans involves an extensive list of actors. Given the Stability Pact focus on trafficking through the Task Force Against Trafficking, the involvement of governments, NGOs, International Organisations (IOs) and UN-agencies is large. It is a very complex puzzle with all the different actors taking on different roles, programmes and activities, which sometimes include collaborations, but many times are quite independent. The Stability Pact Task Force has been of great importance in structuring and coordinating the anti-trafficking activities, yet it has been beyond the scope of this study to give a comprehensive overview of the activities of the SPTF's many actors. The report thus only makes reference to other actors and their activities as is seen relevant for the present programme.
- A further limitation has been the limited information in the project proposal and reporting of IOM to Sida, specially in connection with country specific data and qualitative analysis, which might have given a more full picture of the evaluated programme prior to the field visits.

### **3. BRIEF DESCRIPTION OF THE TRAFFICKING SITUATION**

The Sida funded IOM Programme cover Croatia, Albania, Bosnia and Herzegovina, Serbia and Montenegro, Kosovo and Macedonia. There are also several regional initiatives that cover a wider region, mostly including the same countries as The Stability Pact of Southeastern Europe. In the following chapter key issues of relevance as regards the situation regarding trafficking are presented such as international presence, internal trafficking, minors and women who do not want to return to their countries of origin. Also a brief overview on the main actors and some of the regional initiatives are presented in order to put the IOM Programme in its context. Thereafter the situation and actors in BiH and Serbia are briefly presented.

#### **3.1. Regional**

##### **3.1.1. Overview of key issues as regards trafficking in the region**

###### **International presence**

In the region covered by the Sida supported regional IOM programme, the international presence is substantial. This has created a great demand for sexual services and people who want to earn money have swiftly seen to that the supply is there. The amount of bars/night-clubs/brothels has increased enormously.

The numbers of international buyers seem to decrease in the region although IOM in Bosnia stated that according to the girls and women's statements it seemed to be increasing again. In Kosovo, the NGO Centre for Protection of Women and Children (CPWC) estimates that the international buyers have decreased from almost 80 % in 2000 down to around 30% in 2002. Local clients have increased. The behaviour of the international community has also changed the attitudes of the Bosnian men, so that it is now completely ok for a married Bosnian man to openly go to a brothel. This was not the case before. (NGO Lara, BiH)

The international buyers pay higher price and therefore stand for most part of the income for the owners and traffickers. In BiH, local women's organisations estimate that around 50 per cent of the sex buyers are foreign citizens, they represent around 70 per cent of the brothels earnings.

###### **Internal trafficking**

The question of internally trafficked victims came up from time to time during the field visits. It is a problem as there are no comprehensive programmes to address the needs of these victims so far. Most information gained about the situation (such as in BiH where the internal trafficked seem to be locked in private apartments) came from NGO's in the region, which try to tend to the victims they come across.

In a soon to be published report from Centre for Protection of Women and Children, Pristina, Kosovo they state that they receive more and more victims of internal trafficking

and the majority of which are minors. Of the 271 victims they have assisted 2000-2002, 57% was assisted in year 2002. Out of the 271 victims, 32% were in the age between 11-14 years old and 49% in the age group 15-18 years old.

About the internally trafficked women and girls:

- *“There are villages of returnees with mostly women. They get offers to go and work in a factory but instead they end up in bars. If they are lucky they get 5 KM or a T-shirt for one sexual intercourse”.* (Emir Nurkic, International Forum of Solidarity, Tuzla)
- When out in the bars distributing their material, La Strada have noticed an increase of women and girls from the neighbouring countries (no visa requirement for citizens from Croatia, Serbia or Montenegro), as well as internally trafficked. One example of internal trafficking case is a minor from Velika Kladusa that had been “working” in Posusje. She has now spent four months in the shelter. She has not yet finished the elementary school. They also have a minor from Jajce. (Fadila Hadzic, La Strada, Mostar).

### **Minors**

The Regional Clearing Point (RCP) in Belgrade (see chapter 3.1.2) had observed that many of the victims from Bulgaria are minors. Other actors said that many of the minors are probably hidden during bar raids.

The RCP team had also seen a significant number of women who are mentally disturbed, especially from Moldova and Albania. The Albanian girls end up in street prostitution in Italy. When the RCP team visited Albania's reintegration shelter there was a group of 22 women/girls who looked extremely young, just like children. Some had been in Italy for two years. *“Sometimes when you see groups of similar looking women like this it might be that these women are not rescued but dumped”* (Regional Clearing Point, Belgrade).

From the NGO's running shelters, it was reported about cases as young as 11 years old (La Strada in Bosnia), whereas Counselling Against Family Violence, Serbia, have only had two cases with victims under 16. Nevertheless they have heard from the girls and women about stories with girls down to 12-13 years of age.

As stated above it also seems that many of the internally trafficked are minors, so these two issues might be linked. Many were talking about the fact that it seemed like the victims are now getting younger and younger. IOM in Vienna said that this was certainly the case for those that are trafficked to beg and steal. IOM in Serbia says that they have had around 6-7 of minors.

UNICEF has developed guidelines/recommendations for protection of the rights of children victims of trafficking in Southeastern Europe. These guidelines were presented at a SPTF meeting in March<sup>3</sup> in Slovenia and handed over to the governments. The SPTF meeting stated among other things that the countries now should establish working

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<sup>3</sup> 28<sup>th</sup> of March 2003

groups on child trafficking led by child protection specialist and be linked to the National Working Group, ensure that the NPA's address all aspects of child trafficking. They should also develop and adopt practices and procedures in accordance to the UNICEF guidelines. Another point that came out of the meeting was the need to develop and implement return and reintegration policies and practices based on the best interest of the child.<sup>4</sup>

The UNICEF guidelines are quite practical, taking up questions like legal guardianship and that it is necessary to determine if it is actually in the child's interest to go back home. It also includes procedures for the police force, how to do a home assessment and so on. In short, these are regional guidelines including who is supposed to do what and it relates to cross-border trafficking.<sup>5</sup>

### **Women and girls who do not want to return home**

A group that seems to be growing is a group of women and girls who say that they do not want to return. By doing so they are excluded from the IOM programme that builds on voluntarily return, and there is no comprehensive programme or help for these women and girls. The problem was addressed by almost all informants. Accordingly, women and girls might not want to go home because:

1. They are ashamed to go back home
2. They are afraid of what will happen to them if they go back home
3. The situation they once fled, poverty, violence or whatever it was, will still be there when they come back
4. Some do not want to go back through the IOM programme.

#### *Some views on the situation of the women unwilling to return:*

The problem with women who do not want to return home is according to Enisa Abaspahic, Ministry of Human Rights and Refugees (MHRR) in BiH that the only thing that can be done is to talk to them; there is no legal way to deport them. Sometimes they are accommodated in the shelters for many months. There is a need for discussing the possibilities of settlement in third country.

*“Right now we have five women from Ukraine that do not want to return. “We rather stay in prostitution than go home”. But everyone is sent home, no matter what they wish themselves. According to the national law they are not allowed to stay in the country”. (Counselling Against Family Violence, Belgrade)*

*“Girls who do not want to return, well if it is for economical reasons then we can do nothing to help them. If it because she has been threatened there is a possibility that third country settlement can be offered through UNHCR (one case has been offered this).” (IOM Bosnia)*

*“We have raised the issue of the women who do not want to go home, but when we go to the detention camp we present our programme that includes the return to the home country. Most do want to go home, if for nothing else than for comfort. Even though going back is bad. They also*

<sup>4</sup> Summary report from 5<sup>th</sup> Meeting of the Stability Pact Task Force on Trafficking in Human Beings, 28/3 2003, Portoroz, Slovenia

<sup>5</sup> Draft Guidelines for protection of the rights of children victims trafficking in Southeastern Europe” 24<sup>th</sup> March 2003, UNICEF

*have legal assistance in the shelter so that the girls know their rights according to Serbian law”.* (IOM Belgrade)

*“A lot of the women say that they want to go home but objectively they do not want to go home because they are ashamed, and the criminals work very efficiently informing the countries of origin so that the women can be recruited directly again as soon as they are back home. It would be good if we could return them all safely back home to their countries, the only thing we can do now is to provide for three months in the shelter. That is maybe too short but still better than nothing. Italians have one more step; they give permission to work after one year. IOM provides everything for their safe return”.* (Dusan Zlokas, Deputy Head of the Department of Border Police Republic of Serbia).

*“There is a need for temporary residence permits for 6 months. Now when the women can only stay for one month it is nothing much you can do. With six month you can do more and it would be a way for women who do not want to return home to have some time to think about options”.* (Anti Sex Trafficking Action (ASTRA), Belgrade)

*“Most women – specially from Moldova – do not want to go home, If they were in a real bad situation here, then they might want to go home, otherwise they do not want to go back to the same situation that they left. They can stay for three months if you are delaying the process with the papers...then unfortunately they have to leave. We cannot really assist them; just give short courses etc. We should have real reintegration starting from when they are here in Serbia, to have a legal structure so that they can stay longer and to give them real education – not only short courses .One woman even escaped from the shelter because she did not want to go back home – of course the police found her.”* (OSCE Aleksandra Vidojevic, Assistant Anti trafficking Issues, Belgrade)

A problem is that most of these women and girls might not even be considered a victim of trafficking, just based by the fact that they say to the police that they do not want to go home. The Moldavian press, for example, published some articles about IOM activities in Moldova, which publicly condemned women who return to Moldova with IOM support as prostitutes.<sup>6</sup>

Most of the NGO’s met under the evaluation also reported cases when women have said that they want to go home, but not through the IOM programme. These have only been statements by the informants. The only reason that has been mentioned is that it might be because of the IOM bags that the women are identified with on return to their home country.

### **3.1.2. Regional Initiatives**

#### **The Stability Pact for Southeastern Europe’s “Task Force on Trafficking in Human Beings”**

The Stability Pact for Southeastern Europe’s “Task Force on Trafficking in Human Beings” was launched in September 2000 under the working table III on Security Issues,

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<sup>6</sup> page 79 “Trafficking in Human Beings in Southeastern Europe” Barbara Limanowska

sub-table on Justice and Home affairs. Ms. Helga Konrad was appointed the Chair of the Task Force.

Within the Task force there is a group of international organisations that form an expert “Task Force Co-ordination Group”, with focal points for each of the priority areas. The Expert group serves as an advisory board to the SPTF Chair.

*The priorities and focal points are as follows:*

- Awareness raising: UNICEF and Save the Children
- Training and exchange programmes: International Centre for Migration Policy Department/International Migration Policy Programme (ICMPD) and IMP
- Law enforcement co-operation: SECI
- Victim protection programmes: International Catholic Migration Committee (ICMC)
- Return and reintegration assistance: IOM
- Relevant legislative reform: Council of Europe (CoE), OSCE/Office for Democratic Institutions and Human Rights (ODIHR) and United Nations Office on Drugs and Crime (UNODC/UNCIP)
- Prevention: UNHCHR and ILO<sup>7</sup>

The task force has been instrumental in pushing for National Plans of Action (NPA) and has developed guidelines for NPA’s, which are attached (Annex 4) and national co-ordinators and working groups. Once a year SPTF convenes a Regional Ministerial Forum and invites the SEE Government Ministers responsible for counter trafficking to discuss in this Forum.

The questions prioritised in the SPTF Policy outline for 2003 are:

- Temporary residence – further promotion to legalise the status of trafficked person and grant temporary residence.
- Witness protection – the enhancement of witness protection, as it is a main precondition to victims’ testimony.
- Prevention of child trafficking – this will include education programmes in the schools
- Root causes of trafficking – including the feminisation of poverty
- Demand side – compiling best practices and promote activities to effectively address the demand side (zero tolerance). Attention will also be drawn to maintain *“the differentiation between victims of human trafficking and prostitutes, which is currently blurred, to the detriment of effective and targeted victim protection.”*<sup>8</sup>

By mid-December 2002,<sup>9</sup> the Third Regional Ministerial Forum was held in Tirana, at the end of which the Tirana Agreement was signed. The Tirana Agreement is a statement of commitments that encourages its signatories to give temporary residence for victims of trafficking, with a minimum of three months. It also encourages its signatories to legalise

<sup>7</sup> [http://www.osce.org/odihr/attf/index.php3?sc=Exp\\_Team](http://www.osce.org/odihr/attf/index.php3?sc=Exp_Team) updated 21 of march 2003

<sup>8</sup> Stability Pact for South Eastern Europe task force on trafficking human beings, Fact Sheet Vienna, February 2003.

<sup>9</sup> 11<sup>th</sup> of December 2002

the status of the victims of trafficking. Nearly all countries have signed the agreement. The Italian legal model inspires the document and the residence is not conditional on the need of the victims to witness in the prosecution of traffickers. According to Ms. Konrad the challenge will be to make the signatories also draft laws that will make the temporary residence legal. Ms. Konrad stressed the importance to focus on the temporary residence permits and the legal status of the victim, as the number of victims that are being re-trafficked is said to be high in an updated UNICEF report.

The Tirana agreement has open up for new policy strategies – there are now new projects of support to help implement it as well. *“Council of Europe (together with others) have one regional legislative project where the part of getting temporary visa for victims will be included, there is also a pilot project (together with IOM) that will develop shelters for the victims who decides to stay in country. There will be a need for another type of programme in the shelter as well<sup>10</sup>. In the pilot project the implementer is the governments; together with IOM and NGO’s”.* (Helga Konrad, Chair of SPTF)

On initiative of SPTF the Regional Clearing Point (RCP) opened up in Belgrade in July 2002. The RCP is managed by IOM with the assistance of ICMC and supported by an Executive board that has an advisory function. The project manager of RCP is from IOM and the assistant project manager from ICMC. The aim of RCP is to contribute to regional anti-trafficking efforts through collection, compilation and analysis of counter-trafficking information and activities in the region. They will also try to develop a regional database containing standardised information on assistance and protection of trafficking victims. As of this evaluation’s field visits the first report from RCP had not yet been published.

### **OSCE informal working group on gender and trafficking**

The informal Working Group started to work in 2000, it was then an informal group for gender issues. It is co-chaired between the Belgium and Russian representative. As the issue of trafficking became high on the agenda, the group became the informal working group on gender and trafficking in April 2002. From the start the plan was to have every second meeting about gender respectively on trafficking but it has more and more become exclusively on trafficking. A goal for the group was to present a proposal to the Porto meeting, based on these commitments. The group is now working on a concrete Action Plan for OSCE where one of the key issues will be to reinforce the Palermo protocol.

The informal gender and trafficking group consists of representatives from UNODC, IOM, UNHCR, UNOHCHR, ICMPD, Ms. Helga Konrad, ODIHR, and representatives from almost all of the 55 OSCE delegations. The group complements the work of SPTF as it is not only focusing on the SEE countries but on all the 55 member states in OSCE.

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<sup>10</sup> The Pilot project covers four countries and will be implemented in Albania, Bosnia, Macedonia and one more country yet to be decided (Ms Helga Konrad)

### **NGO initiative**

NGO's within the SEE region dealing with anti-trafficking activities have had contacts through the years, especially groups in the region where the IOM regional project operates. To further improve the cooperation, and to discuss forming a more formal network, ASTRA, with funding from OSCE, invited NGO's from the region to Belgrade 22-24 November 2002. The network would aim at better information exchange on the various activities in prevention, education, lobbying, and more efficient victim assistance. The outcomes of the meeting were the creation of a network, a directory of NGO's and mailing list for exchanging information. The network will meet a few times a year and every meeting is coordinated by one of the member organisations.

### **Southern European Co-operative Initiative (SECI)**

SECI, the regional Centre for Combating Organised Crime was established as a result of the Agreement of Co-operation to Prevent and Combat Trans-border Crime, an agreement on co-operation between law enforcement agencies, signed by the SEE countries. The SECI centre is situated in Bucharest and became operational in November 2001. SECI supports specialised Task Forces combating illegal trafficking in human beings and drugs, commercial fraud and stolen cars. The SECI Illegal Human Beings Trafficking Task Force was established in May 2000.<sup>11</sup> SECI initiated the regional Operation Mirage see below.

#### Operation Mirage

Operation Mirage was a big regional one-time action to counter trafficking initiated by the SECI centre that took place in September 2002. This was conceived as a method to determine the levels of co-operation between law enforcement agencies in the SEE countries. The action was conducted against cross-border organised crime, especially concerning trafficking in human beings – primarily women and children, as well as in the area of illegal migration.

Although all of the actors met during this evaluation said that this action had been unsuccessful in many ways, and that no one really knew the outcome as the report had not come out yet, various actors expected a follow-up action. The action has mainly been covered with American funds.

#### Effects as an outcome of Operation Mirage:

##### Positive effects

- Dusan Zlokas, Head of the Department of Border Police Republic of Serbia, claims that several channels between Moldova and Italy were cut during this action.
- In Bosnia the MHRM issued temporary instructions on how to treat the victims, and signed an agreement with 8 NGO's because of the Operation Mirage to divide the responsibilities. The Ministry would provide security and the NGOs shelter, for further details see Chapter 3.2.2.

##### Negative effects

- *“SECI report about the Operation Mirage is still not out, it was a badly coordinated action. IOM will not participate in any new operation if there is no clarity of how the money is used.*

<sup>11</sup> Page 15-16 “Trafficking in Human Beings in Southeastern Europe” Barbara Limanowska

*IOM asked for money in advance for the victims that should be referred to them through this action but was denied". (IOM in Geneva)*

- The lack of co-operation can be seen as to how efficient the operation was by the description of International Forum of Solidarity in Tuzla. They got funds from SPTF for the action, 8500 US dollar, to cover the costs for the expected victims. They prepared to be ready to assist up to 100 women and girls. The outcome was 4 girls that came to the shelter.
- Barbara Limanowska had been attending an evaluation meeting on the Operation Mirage that International Police Task Force, IPTF STOP team conducted in BiH. One of the things that were brought up was who had been considered a victim. When the issue that not only the women who says openly that they want to go home should be considered a victim IPTF STOP Team said *"Do you realise what you are asking for? A use of Palermo protocol would mean that we had to consider all these women as victims of trafficking!"*

The Office of UNHCHR in Bosnia has written a brief report as to the effects of the Operation Mirage, issued in October 2002. In BiH it was a seven day long operation hitting down on 111 premises, 5 organisers were found and 3 criminal reports were filed and an additional 6 reports sent to the responsible prosecutors for further assessment. 7 minor offence reports were filed to responsible organs.<sup>12</sup>

In their concluding remarks they point out that:

- There was no attempt to identify the legal status of the persons found in the premises regarding the legality of their entrance and stay in BiH.
- Law enforcement officials failed to co-operate with non-governmental organisations and had limited co-operation with IOM.
- The action took place without reference to the efforts that BiH have put into designing a more effective strategy.
- Operation Mirage did not result in the identification of trafficking victims as defined by the Protocol, nor in gathering evidence for the criminal prosecution of the perpetrators. Therefore the results of this action cannot be deemed to be satisfactory<sup>13</sup>.

## **3.2. Bosnia and Herzegovina**

*Trafficking is a rather new issue, came together with the transition period. This together with the fact that there are a lot of foreigners, and a few Bosnians, with a lot of money have led to a lot of criminal activities. The victims are tools for the criminals, nothing else. Not considered as human beings. (Ismail Saric, SBS, BiH)*

### **3.2.1. Short description of the counter trafficking work in Bosnia and Herzegovina**

#### **1998**

It was on an IPTF training in 1998 that the issue of trafficking was first brought up. The training was held by, among others, Madeleine Rees UNHCHR who subsequently took

<sup>12</sup> "Effects of action "Mirage" preventing and suppressing trafficking in human beings" report October, 2000, UNHCHR, BiH

<sup>13</sup> *ibid.*

on the issue. In December the same year a first trafficking conference was held in Bosnia and Herzegovina (BiH), it was held in Tuzla, organised by Council of Europe in co-operation with UNHCHR. Representatives from ministries, institutions and international organisations were invited. Included were also local women NGO's (Such as Lara, Biljeljina and Centre of Legal Assistance for Women, Zenica) that had already come across cases in their regular work.

The Inter-Agency Gender Co-ordination Group formed a trafficking sub-group in December, including several international agencies, among them IOM.

### **1999**

IOM put the issue high on the agenda in early 1999. At this point there were no system in place in BiH to address the needs of the women and girls that were caught up in trafficking. The Gender Co-Ordination sub-group of trafficking started to collect money from different funds and private persons to be able to put up the victims temporarily. IOM, IPTF and UNHCHR were the leading agencies for organising the aid to the women.

There was no system of referral or assistance. The women who received help were the ones that showed up at IPTF offices or at the doorsteps of NGO's. Women were also flagging down Stabilisation Force (SFOR) and IPTF cars. As Madeleine Rees remembers it: *"It was a total chaos and cases were informally solved on an ad hoc basis"*.

IOM designed questionnaires for interviewing the women. The IPTF had other questions than IOM. But already this year the co-operation with IPTF started. A referral system started to be developed. The interviews with the women were held at the police station overlooked by the IPTF Human Rights officers.

IOM took on the responsibility to find a shelter, whereas UNHCHR was responsible for legal support. Towards the end of 1999 IOM secured US funding for this (see Chapter 4).

### **2000**

There were a lot of discussions on the state responsibility concentrating on the issue of the shelter but not much concrete came out of it. The state kept promising, but nothing happened. A referral system between the actors was starting to operate but the legal system was not there.

A donor conference was held and a temporary Shelter Fund was established. This was the start for the IOM low-risk shelter where the women could stay accompanied 24 hours. In November 2000 57 women needed shelter at the same time. The need for more accommodation was clear. The IOM staff had been threatened and security issues became important on the agenda. The women had to be moved between different houses in order to ensure security. The local police was contacted to provide protection for the women. Initially the women were taken to the hospital or the doctors for medical assistance, but this also involved security problems. Now the doctors were asked to come to the shelter instead.

In August, State Border Service (SBS) started to work. It was created by UNMIBH (UN mission in Bosnia and Herzegovina) and does not answer directly to any governmental

Ministry. According to IOM in BiH this can be a problem as UNMIBH closed down their mission as of 31/12 2002 and at the time of the field visit it was not clear who the SBS will answer to. Since September 2002 SBS are supposed to have full control over the border crossings.

*Prijedor case:*

In November 2000 there was a big case in the city of Prijedor with 34 women “rescued”. Three nightclubs were raided at the same time by IPTF with backup of SFOR (without the involvement of local police force). This was a high security case in many ways and there were no room for all of the women. The need for a more permanent shelter was obvious. These women had to spend a couple of nights in the UN building basement and that was not a satisfactory solution. A clear problem was that it was very difficult to interview them as they were so used to see uniformed men in the bar as well.

The president of the association of nightbar owners in Prijedor called a press conference in Banja Luka and revealed that IPTF officers had been involved in trafficking, as he had paid these officers not to raid his bar. He asked UN for reimbursement for lost income. Also present on the press conference were fifty-six bar owners and their bodyguards. Six IPTF officers were sent home because of this. (Information from IOM Bosnia). This case was much disputed and is singled out in the Human Rights Watch report<sup>14</sup> as the clearest example of UNMIBH’s failure to investigate allegations involving IPTF monitors in trafficking-related misconduct. For more information please see the full report.

In September 2000, the Trafficking Task Force started to work and began with the drafting of National Plans of Action. It was the Ministry of European Integration that was the main actor together with the Stability Pact Trafficking Task Force. Meetings were held in Mostar, Banja Luka and Sarajevo about the National Plan.

In December BiH signed the UN Convention Against Trans-national Organised Crime and its two protocols, as well as the Anti-Trafficking Declaration of South East Europe.

The National Working Group under the leadership of Ministry of European Integration, together with the Ministry of Human Rights and Refugees (MHRR) was established in November to discuss how the work in BiH should be prioritised and co-ordinated with a National Plan of Action.

## **2001**

To strengthening the work against trafficking within the police force, especially to be able to get down on the traffickers, UNMIBH launched the UN Special Trafficking Task Force Operation Programme (STOP) in June. The STOP Teams are on call 24 hours a day, and there are also STOP teams within the local police force.

The NPA was finalised and adopted by the Council of Ministries in December. Some of the points of focus of the NPA was to form a National Commission for the fight against trafficking to be responsible for the implementation of the NPA (see below), legal reforms that would harmonise legislation between the entities and the Brcko district, border control and law enforcement, support to victims and awareness raising.

<sup>14</sup> “Hopes Betrayed: Trafficking of Women and Girls to Post-conflict Bosnia and Herzegovina for Forced Prostitution” Vol 14, No 9 (D) Nov 2002.

During the year the discussions about the shelter continued.

IOM had as a priority this year to establish temporary shelters in the country. They wanted better communication with the NGO's. Contacts started between IOM and the NGO network the Ring initiated by the International Human Rights Law Group IHRLG and UNHCHR.

### **The Ring network**

The Ring network was, as mentioned, initiated in 1999 by International Human Rights Law Group (IHRLG) and UNHCHR. It is a network of NGO's interested in the question of counter trafficking. The network is referred to by many, but has only partly been functioning during the years, mainly because of lack of co-operation between the members. In December 2001 the Ring network reorganised themselves on an initiative from IHRLG and OSCE Mission in BiH, but was still not really functioning. The first co-ordinator of the network was the Sarajevo based organisation Zene Zenama and many have followed since then. Today the network has re-established itself and all the members now form the Assembly of the network. The co-ordination will be shifted every six months and on the last meeting, on 19th of April 2003, the elected next co-ordinator will be the Banja Luka based organisation United Women.

### **3.2.2. Present situation**

The National Co-ordinator of the National Working Group has been Ms. Kadria, the Deputy Minister of Human Rights and Refugees. This will probably change since a new minister was to be appointed at the time of the visit to BiH. The Co-ordinator is responsible for the implementation of the NPA. She has also been initiating the work of the National Commission for the fight against trafficking that meets once monthly. The Commission consists of representatives from Federal as well as RS ministries, Brcko district representatives, SBS and international agencies. Local NGOs also participate in the National Commission. However this is, according to Emir Nurkic from International Forum of Solidarity, only because the international community demands this and it is not really formalised.

The task of the Commission is to see that the decisions and work under the NPA are carried out, also on the municipality level. The MHRR's role was to co-ordinate and push. They were quite frustrated with the slowness within the governmental structures but also with the international actors that did not co-ordinate with the government and the NPA. One clear example of the lack of co-ordination are the STOP team's raids. On a meeting in end of November 2002 the Government aired their frustration over that they did not know what money different international actors had for counter trafficking programme and how it connected with the NPA.<sup>15</sup>

### **Different Memorandum's of Understanding**

In July 2002 the regional Operation Mirage took place as described above. In BiH this led to a better co-operation between the MHRR and NGO's. To make the operation in BiH effective temporary instructions on treatment of trafficking victims were issued (Annex

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<sup>15</sup> Information from interview with Yulia Krieger UNICEF BiH 20/1 2003

5) built on the Palermo protocol definition. It includes division of responsibilities and point out local NGO's as the implementing shelter counterpart, as well as rules and way of treatment and protection of minors.

A Memorandum of Understanding was signed between the MHRR and 8 local NGO's<sup>16</sup>. The Ministry would provide security and the NGOs would manage the shelters. All the interviewed NGO's have expressed their support to the temporary instructions and they see it as a very important role in the anti-trafficking work in BiH. It was clearly stated that the NGO's shelter would be responsible for interviewing and supporting the women, whereas the role of IOM would be to repatriate.

However, this situation was slightly changed as IOM signed a MoU with the MHRR in the end of 2002. Described by the IOM staff in Sarajevo this MoU is a part of the National Action Plan against Trafficking and concerns the shelter. The government should operate the shelter and should integrate the costs for running it in the national budget. Furthermore a commission should be formed with representatives from the government, IOM and possibly donors. A tender should be called for three objects in which IOM would assist. This should be a transparent process. Thereafter the government would agree with the Municipality to integrate this in its activities. IOM hopes to have this solved during the coming year.

Described by Enisa Abaspahic from MHRR the government is presently not in the position to take on the full role required. She sees the MoU as a clarification of the different responsibilities between NGO's, the ministry and IOM.

For Ms. Abaspahic the main partner is IOM as they have agreed to tender for the running of the shelter. IOM has taken on to contact donors. She expected a meeting to be held within a month with the new Minister to present the plan. It has been agreed that the shelter will be led by IOM and NGOs in cooperation with the MHRR. She sees this as a complement to the previous MoU signed between MHRR and 8 NGOs.

When the shelter is actually there (funding secured etc) a new MoU will be signed.

Ms. Abaspahic foresees the need of international funding for the next 3-4 years, after that the state should be responsible for the shelter and repatriation costs. Already today there is an input from the state with the police security offered to IOM.

### **Legislation/law enforcement**

Some of the problems with the legislation in BiH is due to the fact of the structure with the two entities and the Brcko district. Today the National Plan of Action has legal authority in BiH. At state level at least two laws are being processed, on asylum and migration and a new criminal code. The suggested Asylum and Migration law will include better protection for the victims and give alternatives for the victims to seek other solutions than to go home. In Bosnia the court can today give order of deportations, but

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<sup>16</sup> The Memorandum of Understanding on Treatment of trafficking Victims was signed on the 6<sup>th</sup> of September between MHRR and the NGO's WDC "La Strada" Mostar, "Lara" Bijeljina, "Zene BiH", Mostar, "Buducnost" Modrica, "Int. Forum of Solidarity" Tuzla, "Udruzene zene" Banja Luka, "Zene sa Une" Bihac, "Unija Zar" Sarajevo

there is not yet any mechanism to actually deport or detain. This is also a question that might be solved with the new law and that would help SBS in their work. Mr Saric from SBS also states the need of shelters for illegal migrants. He thinks that the co-operation with IOM so far has been very good and correct.

Today there is no criminal code on a state level. This means that it is harder to prosecute for trafficking; the most common law used now is the one against mediation of prostitution. There is a real need with co-operation with the victim to have any chance in getting a case into court, and Mr Saric from SBS thinks that it would be good to have a safe place where the SBS and police could come and talk to victims.

A New Criminal Code is prepared on the state level as well and then BiH would have a comprehensive and unified approach to the fight against traffickers. As Mr Edin Vranj from Federal Ministry of Interior put it *“It is a constant fight between them who wants to have one state and they who wants as little of a state level as possible. It is a mess right now with 2 entities and the Brcko district. So much focus is on being different, to build a wall around your entity. But the origin of the criminality is the same! The country needs more of a State”*.

Both the Criminal Code and the Law on Asylum and Migration are awaiting approval in the Parliament since August 2002.

Emir Nurkic from International Forum of Solidarity informed about a problem in the structure of law enforcement work when it comes to the counter trafficking work as the local police force have no direct line to the MHRR, the ministry that are responsible for the trafficking issue. They are currently under the Ministry of Interior.

### **3.2.3. International policing**

At the time of the field visit the question of how the international police force would work was still not clear. The UNMIBH had closed down on the 31/12 2002 and with it also the IPTF mission, including the international STOP team. The new European Union Police Mission in Bosnia and Herzegovina (EUPM) had just started their work, and their procedures were not established at the time for the visit. Here follows some information on how IPTF and the STOP teams had functioned and how EUPM foresaw their work.

When the STOP team was formed in July 2001 one of the main activities were bar raids with a focus on “rescuing” women rather than to try to get the criminals. There seems to have been no or little investigation before the raids. Many of the interviewees talked about the fact that information about when and where raids would take place was easily accessed by the bar owners. Fadila Hadzic from La Strada said: *“Everyone knows that the price to get information beforehand about if your bar will be raid is 150 KM. The bar owner then hides the girls, the only one allowed out in the bar are the ones the owner do not really want anymore, or the girls who wants to go home and that the owner allows to do so.”*

The STOP teams had six staff members placed in the UN Head Quarter and in each canton there were a team of two local police officers and four international IPTF officers.

IPTF had the power to let local police officers go if they did not conduct their work according to the wishes of IPTF or the Office of the High Representative in Bosnia and Herzegovina (OHR). This has created an atmosphere where the local police force rather were afraid of the IPTF officers than saw them as colleagues. This problem was brought up both by representatives from the local NGO's as well as from authorities.

One of the problems with the STOP team was the lack of co-ordination. The head of the Stop Team totally forgot about the Federal level and the raids were done without co-ordination. Mr Edin Vranj from Federal Ministry of Interior asked her why she did not go through the Federal Ministry she answered: *“it just happened like this for no particular reason – we will work with the federal level later”*.

At a meeting with Federico Soda, IOM Bosnia right after they had had a first working meeting with EUPM he said: *“One difference between IPTF and EUPM seems to be that EUPM have more senior staff and work in a more methodological way. And whereas IPTF did not want IOM to sit in on the interviews with the women, EUPM welcomes this. Our next meeting will be more concentrated on how the co-operation should work. EUPM has a more methodological approach and builds up intelligence. The EUPM is targeting criminals and the IPTF was targeting victims. We will work on the details on how to collaborate.”*

The EUPM mandate is monitoring and advising on a management level, and the mandate runs for three years. During this time the plan is that the local police force will develop and be ready to take over full responsibility. The work against trafficking will be placed as a subdivision under Major and Organised Crime Division.

Maria Donk who is the trafficking co-ordinator at EUPM emphasis that she will have special prosecutors out in the field that will base their work on information system. The main work will be made by the local police force. EUPM will be there as advisors and focus on the intelligence aspect and go undercover leaving the responsibility for the girls and women to others who are better equipped to give them shelter and help. Other important aspects are to increase the work with judges and prosecutors as the police so far only has dealt with investigation without contact with judicial authorities. EUPM sees it as especially important to have contact with the NGO's that have all the information from the field.

Special teams within the local police force will be formed under the name FIGHT, these teams will be the replacement of the STOP teams.

#### **3.2.4. Referral system**

The main way of reaching the girls and women caught up in trafficking is through bar raids. According to IOM Bosnia only around 10% of the women who enter their programme have managed to escape by themselves. The system is described in the report *Trafficking in Human Beings in Southeastern Europe*:

“The process of identification and referral is as follows. Foreign women discovered during bar raids without legal documents are divided into two groups: those that declare willingness to return home are identified as trafficked and those that do not. These “trafficked” women have to sign a form provided to IPTF by IOM, stating that they wish to be repatriated. Only then they are “identified” as the victims of trafficking by IPTF, and IOM is informed. These women also have to give a statement to the local police, or if they are unwilling or afraid to do so, at least to IPTF. There is a questionnaire with 30 questions, prepared by IOM, which is used by the police for interviewing the trafficked people. IOM receives a copy of the form, without any information about the potential perpetrators.---- On the basis of the answers to the questionnaire filled out by IPTF and its own follow up interviews, IOM makes the final decision whether a trafficked woman qualifies for IOM’s programme of return, and is accepted at the shelter”.<sup>17</sup>

The system will change as IPTF is not in BiH anymore. At the time for the field visits for this evaluation the new system was not in place. A graphic chart of the referral system up to the first of January 2003 according to IOM BiH is attached (Annex 6). One difference stated by the NGO’s running shelters; was that it is now the local police force that comes with the women and girls to the shelters. This change came about in January 2003.

There have been discussions about who are most competent to handle the identification of the women and girls as victims. The NGO Lara has suggested to the government that this should be made by NGO’s or local police as: *“We know if they are victims of trafficking as we know who owns what bars and have the information from the field”*.

Another problem is that the women and girls have to go through a lot of interviews in a short time. This has to do with the timeframe that the legislation prescribes. In the Federation of BiH the whole process; from the women have been rescued until the interview is finished cannot take longer than 24 hours to have a case that sticks in court. In Republika Srpska the timeframe is 72 hours.(IOM BiH)

Besides the bar raids another place where women and girls have come for help is at the border. SBS have interviewed and taken statements from 230 women from their start up until August last year. The main goal of SBS is to protect the borders, but when women come and ask for help to get out of the country SBS contact IOM. When the women come from certain countries an interview is needed. There have been cases when the women have been prosecuted for having a fake passport before being handed over to IOM.

### **3.2.5. Statistics and trends**

During the field visit the following information in terms of numbers and trends as regards trafficking were presented. Some of the statements might be contradictory, which only shows the difficulty to come up with figures and facts related to this issue.

#### “Statistics”

- IPTF has estimated that there are around 1000-2500 women and girls are trafficked into BiH every year.

<sup>17</sup> Page 65 “Trafficking in Human Beings in Southeastern Europe” Barbara Limanowska June 2002

- There are a lot of women that are now taken through BiH, on their way to the west or to big conferences in Croatia.
- Earlier it was said that 30% of the women found in bar raids wanted to go home. Now, according to Madeleine Rees, STOP team statistics say it is down to less than 10% of the interviewed women who wants to go home. There has been no analysis made to see why these figures have gone down.
- Everyone that goes through the IOM programme will get a stamp in their travel documents that says denied re-entry to Bosnia ( this is mandatory by law for all persons who were in the country illegally on departure). *“As we do not have good laws to hit against the traffickers at least we can decrease the amount of women that can get into Bosnia. I think we have succeeded”*. (Ismail Saric, SBS, BiH)
- Posusje in western Herzegovina has, according to Fadila Hadzic, La Strada BiH, become a big centre for transit.
- Last two years Edin Vranj from the Federal Ministry of Interior says they have pressed charges for around 30 cases against appr. 40 persons, they have all been charged with criminal offences in connection with trafficking.

Trends and issues:

- There is a widespread sexual abuse of girls and boys in BiH, for instance fathers who organise games for the friends with their daughters. There is no sexual education in schools. (International Forum of Solidarity)
- The International Forum of Solidarity in Tuzla also works with boys and girls who sell their bodies to survive, or to be able to afford to continue school. They also work with homosexuals. Through this work they have come across homosexual victims of internal trafficking.
- A trend that has been seen by many of the NGO's, as well as by international agencies is that the bar owners have learned how to get around that “their” girls will tell the police that they are victims of trafficking. Now they promise them that they will get the money that the owners owe them, or promise them better conditions, if they say that they are not victims. They might also give the women and girls some money as to disqualify them as being considered victims of trafficking. The women and girls that do have papers, even if they are victims of trafficking, are often hidden during the raids.
- The three NGO's had cases with women and girls who wanted to go home, but who did not want to have help with returning from IOM. It is not clear what the reason to this is.
- A different type of case was described by La Strada in Mostar: *“There is one case, again one woman from Moldova, that do not want to go home, there is a lot of problems in her family back home. She will be able to come to third country through UNHCR as she got refugee status. She has been in the shelter now for 10 months. There have been several other cases that we do not want to be repatriated. The solutions have been individual for them”*.
- A negative thing is that there is now new ways of organising prostitution. More to “home-delivery prostitution” which could be called “A more hidden way of prostitution”. This was stated by both representatives from the authorities, international agencies as well as NGO's.
- A picture from the NGO Lara from Bijeljina: *“Trafficking is not less today. But it works differently. To get the women into the country there are for instance faked conferences that the women and girls are said to be on their way to, and the girls are then placed in villages, in empty houses where the buyers visit them, or the girls are taken to the men. The girls are in the worst conditions! And it is much harder to reach them”*.

### 3.2.6. NGO shelters

The main shelters for victims of trafficking are run by IOM (see chapter 4). There are temporary shelters out in the country run by NGO's. Some have a regular shelter, such as La Strada and International Forum of Solidarity; some are housing the women and girls in different ways. The NGO Lara are in the process of opening a shelter after having assisted more than 70 victims on an ad hoc basis. A short description of their way of working is described here as to show another model of organising a shelter.

**Lara** started to assist victims of trafficking in 2000 and offers support to victims of trafficking regardless of their age but the great majority of the victims supported are adult women. The women stay in a pension, but Lara is now in the phase of opening a shelter of their own. Initially Lara tended to the needs of women/girls in the vicinity of Bijeljina but increasingly receive girls from all over the country. Some girls came directly to the organisation, and it took some time before Lara would realise they were trafficked. Activists could spend nights with the girls, which often had not slept a full night for a year and therefore could not sleep at night time. Sometime it was possible to talk to them in Bosnian, sometime they must translate. Lara uses its extensive network of women in the city and country to support the victims in terms of health, psychological support and other. They have a lawyer who gives the women legal advice, particularly for those involved in trials and prosecutions of traffickers. In Bosnia it is also crucial, according to the Bosnian law, that official interpreters are used in these procedures so that the evidence given by the foreign women are accounted for. Lara intends to contract, whenever funding permits, a Rumanian and a Ukrainian woman to work full time with trafficked women and also give them education so that they will be official interpreters. The aim is to contract former victims of trafficking. The language and knowledge of the country of origin are important elements to meet the women in an adequate way. Also, these women would work on a hotline for victims and their families.

## 3.3. The Republic of Serbia

*“Trafficking was the first issue where government and NGO's would work together”.*  
(Counselling Against Family Violence, Belgrade)

It should be noted that there were ongoing changes within the structures at the time of the evaluation field trip to Serbia. The Federal level of the government was not in place and no one really knew how the system would work within the framework of Serbia and Montenegro. The evaluators chose to meet up with actors also from the Federal level as it had been working up to this point.

### 3.3.1. Short description of the counter-trafficking work in Serbia

The first actors when it comes to anti-trafficking work in Serbia were NGO's. As a example ASTRA can be mentioned who launched an awareness campaign in 1998. In the campaign they translated the movie “Bought and sold”, filmed by Global Survivors Network, and distributed it to 40 women's group that are included in their network (the network covers former FRY and includes groups in Montenegro, Vojvodina and

Kosovo). Today ASTRA has, among other things, a SOS hotline for victims of trafficking and through the hotline they have also assisted victims who do not qualify for IOM assistance.

Before 2001 there were no international agencies working on the issue of trafficking in Serbia. When OSCE opened their mission in Serbia, after the Federal election in the end of 2000, they put trafficking on the agenda, including appointing a full-time trafficking focal point. According to most actors OSCE has been instrumental for building the structures.

According to OSCE themselves they aim to gather all information on trafficking players in Serbia and coordinate the work in order not to have overlapping systems and projects. This should be the National team's role when there is a real national structure in place. Aleksandra Vidojevic of OSCE says "*Right now there are so many bad projects and donors just want to give money to all of them which creates a real mess*".

The co-ordinated work in Serbia can be said to have started with a round table in April 2001. On the round table it was decided to form a Yugoslav Team against trafficking and Ms. Brankica Grupovic was elected the focal point of the team. The first meeting was held in May the same year. On the meeting were several ministries, both republic and federal level as well as NGO's and international organisations, among them IOM.

*The Yugoslav team consisted of four working groups:*

1. **Prevention** – lead agency the NGO ASTRA. They have produced video clips shown on the television channels B92 and Pink television, awareness raising campaigns including leaflet and other things, they also cover lectures in the school and have done several basic awareness raising campaigns.

2. **Protection** – IOM was not appointed lead agency but in reality they are. Ms. Brankica Grupovic stresses that IOM knew how to develop projects and that was something they needed so IOM had an important role to play.

At this time the IOM shelter was placed in Padinska Skela, a detention camp for illegal immigrants. According to Aleksandra Vidojevic of OSCE "*it was more like a jail even if no one calls it for this. Everyone was locked in*". It was obvious that a discussion with IOM was needed as to what the needs were for the shelter and its inhabitants and how to address the needs. The discussion resulted in the move of the shelter to the NGO Counselling Against Family Violence. OSCE made a code of conduct for the shelter after the Stability Pact guidelines (Annex 7). This was a shelter for all groups – internally trafficked, victims returning to Serbia and foreign victims of trafficking. A problem with the shelter is that the foreign women are restricted not to move outside for legal and security reasons..

3. **Law enforcement** – no leading organisation chosen, but in reality it is the NGO Victimology Society and Federal Ministry of Justice that are doing most of the work.

4. **Research**– no leading organisation chosen. The Catholic Relief Service was doing a study a few months ago.

Brankica Grupovic describes the work with the Federal team like this "*We got the best marks for our work. We got a lot of support from our Minister. It was also indicated in the US State*

*Department Report as we moved from Tier 3 to Tier 2. We also signed MoU between relevant actors at Serbian level for referral system”.*

In June 2001 Serbia signed and ratified the Palermo Convention and its two Protocols and in October the same year The Federal Ministry of Justice initiated a Working group on legal reform to incorporate anti-trafficking provisions in the Criminal Code.<sup>18</sup>

As mentioned above, at the time of the field visit the Federal level of administration was dismantling, but Brankica Grupovic was still working at the Federal Ministry of Interior. They were waiting to get instructions for how the work would be reconstructed.

When the Federal Yugoslav team had been working for about a year a Serbian Team was formed and Mr Dusan Zlokas, Deputy Head of the Department of Border Police, at the Ministry of Interior Affairs was appointed the Focal Point.. Montenegro had a national co-ordinator before Serbia did. The plan was to have a few, but active, actors. From the NGO side there would be the Victimology Society (have drafted the law and would be a good resource to accompany victims on trials), Counselling Against Family Violence and ASTRA. Then the Ministry of Interior, the Ministry of Social Affairs, IOM and OSCE – the role of OSCE would be an advisory one. Mr Zlokas has broadened the team both with more ministries and authorities and NGO’s. The team had met twice at the time for the interview.

Mr Zlokas has made a plan of work for counter trafficking, as Serbia has not had an actual plan before but rather worked a case-to-case basis. This was distributed to all participants in the national team and according to Mr Zlokas all the members have adopted the programme and also started to implement it.

According to OSCE the Serbian national team is not really operational now which means that there is no real arena for discussion. IOM Belgrade thinks that both the national as well as the Yugoslav team are like boards that discuss issues rather than doing any real work.

### **3.3.2. Situation in Serbia**

The geographical position of Serbia makes it a central transit point for the trafficking of women and girls into BiH, Kosovo, FYR Macedonia and Western Europe from Moldova, Ukraine, Romania, Russia and Bulgaria. Serbian women and girls are trafficked mostly to Italy and Greece although there are also cases of women from Serbia that has been found in Kosovo, Montenegro and Albania. Belgrade is a major transit point.<sup>19</sup>

According to the police a total of 1,260 women from Eastern Europe tried to enter FRY illegally in 2000 and were stopped at the border. Young women from Moldova who are suspected of being prostitutes (on unclear grounds) are refused an entry visa at the border.<sup>20</sup>

<sup>18</sup> page 84 ”Trafficking in Human Beings in Southeastern Europe” Barbara Limanowska

<sup>19</sup> page 78 ”Trafficking in Human Beings in Southeastern Europe” Barbara Limanowska

<sup>20</sup> ibid

Dusan Zlokas, the national co-ordinator, says that until 1999 the problem was not at all in the numbers of today. Ten years ago there were quite a few Romanian women who came, but those were rather individual cases. From 1999 with the things that happened in Kosovo, Macedonia and Bosnia and with all the international forces there it became a big problem, and the geographical placing of Serbia made it the spot for transit.

Ms. Brankica Grupovic emphasises the importance to develop the work to stop the routes that are going through Serbia. It is not enough just to move the routes elsewhere. For this good cooperation with the neighbouring countries is needed.

There are multiethnic networks of criminal groups involved in good collaboration, which is noteworthy given the ethnic problems which are common on other aspect in the region.

Recently Serbia has also become a country of destination, and there are quite a few cases of traffickers that have been found in Serbia. There was one big case where the man involved had already been convicted in a trafficking case in 2001. He was also known in Italy where he had taken girls from Moldova and Romania that had first been in transit in Serbia.

Dusan Zlokas says that as there is a lot of money involved in this business more and more of Serbian criminals have gone into this field. A trafficker can earn something like 10.000 Euro/month, which makes it the most lucrative job in Europe right now. Now the Italian mafia has moved into the field as well. This Mr Zlokas have heard from the first prosecutor in Italy for anti-mafia action.

One question about if there is a connection between the ones that traffick human beings and drugs Mr Zlokas said that there is not one without another – that it is often the same criminals behind this and it is also a fact that it is quite common to give the girls and women ecstasy on a regular basis.

### **Legislation and law enforcement**

- Montenegro has a special trafficking law – but that law only covers sex trafficking.
- Serbia have no law yet against trafficking according to the Palermo definition but as each country has a lot of criminal acts where one can put trafficking like mediation of prostitution, abduction, put person in or transport a person in slavery conditions. Prostitution is criminalized. On the 11<sup>th</sup> of April 2003 the Serbian Assembly incriminated trafficking in Persons by amending article 111 b of the penal Code of the Republic of Serbia, published in the official Gazette of the Republic of Serbia, No 39/2003
- The new Serbian law will allow victims to stay for four weeks just to decide what they want to do (humanitarian visa) and after that period they can also get prolonged visas.
- The police says there are far less victims in Serbia now than five years ago. But now there is more awareness. Earlier the women and girls were just called dancers and were deported.

- In 2001 there were 73 criminal charges brought to court and in 2002 there were 30 cases, these are all charges against traffickers and only a couple of them were foreigners
- Generally victims stay for a month, sometimes longer if they are witnesses in a trial. About 10 have given evidence in a trial so far but only three in the main trial (Serbian system with pre trial before main trial).
- The main concern for the police here is rather to find the traffickers than to rescue the women/girls. Information is mostly spread by neighbours. There has been quite some attention to trafficking in media recently.

The Serbian Ministry of Interior has started with Teams for Anti-Trafficking. The policemen in the teams are informed about trafficking and about the programs of assistance that exists. The police team see more now when they are more aware of the issue – so more victims are found. They have an official team and focal points and it is also introduced as a subject in the police academy. To co-ordinate the work is a team at Ministry level.

### 3.3.3. Referral system

There is no structured referral system in place. It is mostly the police that find the women through raids, or they find girls locked in apartments, who are primarily girls in transit. Often the latter information comes through neighbours. OSCE has, together with other actors, come up with a referral system that includes a mobile team (see Annex 8). Today the police take all women without papers in order to the detention centre for illegal migrants Padinska Skela.

#### *BOX 1: DIFFERENT REFERRAL SYSTEMS*

- If the woman/girl is found without any papers, she is then under Federal law and she will be taken to the detention camp Padinska Skela. IOM picks them up after interviewing them (the first interview) and drives them to the shelter.
- If the woman/girl has made an offence under Serbian law she will be taken to the police station and they will call the shelter co-ordinator who then fetches the women. (The co-ordinator then calls IOM so that they can do their interview).
- If the girls turn to their own Embassy, the embassy will contact IOM, and IOM transports the woman/girl to the shelter.(Counselling Against Family Violence)
- If the woman have fled herself and are found on for instance a buss station they might call IOM. *Sometimes women/victims call Sandra's* (Sandra Sljepevic, IOM CT-officer) *mobile phone directly, these are the women who have managed to contact their family who then have called IOM in Moldova or Romania who have given them Sandra's phone number.* Then the women must be able to contact their parents again so that they actually get the number to Sandra (IOM Belgrade)
- If the women are not taken to Padinska Skela but rather directly to a police station the police call on either IOM or the NGO – if it is a weekend they usually call the NGO (IOM Belgrade).

In Montenegro, the interview by IOM takes place in the shelter. In Serbia the identification is also made through IOM's interview that might take place at Padinska

Skela or at the shelter. The Police have almost always the first contact and do the first identification before calling either the shelter or IOM. (See further in chapter 4)

### **Mobile team**

As mentioned above OSCE has prepared a plan for a national referral system in Serbia; that includes a mobile team. The mobile team consists of ASTRA and Counselling Against Family Violence and one social worker from the Municipal Centre for Social Work. The social worker is based in an office in the Ministry of Social Affairs. The mobile team should have an office called the counselling and referral system, preferable with two different premises, one for the office and one for counselling. The main role is to be the contact point for all who might come in contact with victims. The mobile team should do the pre-screening of the woman/girl and refer to the shelter – or other social centres if such are available and needed – or if it is a minor they should be referred to an orphanage. They should be ready to cover all kinds of victims (minors, internal, returnees and foreigners)

Another function of the mobile team and the office should be to collect all facts on social services and health services that can be found in Serbia both for foreigners and nationals. A database for all the social services in the region should be the responsibility of the office of mobile team.

Presently funds are missing when it comes to equipment such as computers, mobile phone etc. the mobile team does not exist in its thought function. OSCE are paying the salary of the social worker – to match the fact that the ministry has provided with space for the office. The social worker should have the primary responsibility for domestic victims.

### Some voices about the mobile team:

*“We need the mobile team to do the assessment together with the police of who is the victim. The police make a determination, and if they have papers the police deports them – they do not consider them victims of trafficking”.* (IOM Belgrade)

*“In Serbia it should be the Mobile team that consists of two NGO’s and Ministry of Social Affairs. It would be better not to have the NGO included in the mobile team that is running the shelter. Identification of victims must be neutral”.* (IOM Belgrade)

On question if the Counselling Against Family Violence should be a part of the mobile team (as they are also managing the shelter) Aleksandra could not see any problem in this, but rather problem if they should be excluded. *“We trust them to take care of the victims – so why not also be part of the pre screening? If there were to be two shelters and another NGO managing the other shelter that NGO should also be included in the mobile team”.* (OSCE Aleksandra Vidojevic, Assistant Anti trafficking Issues, Belgrade)

*“The girls have interviews with police, shelter and IOM. That is the reason with the mobile team, and then it would only be one interview”.* (Counselling Against Family Violence, Belgrade)

### 3.3.4. One or two shelters

There was a discussion about whether there was a need for another shelter in Belgrade and the opinions differed, both concerning if there was a need and which target group a possible second shelter would have.

IOM can see a need of another shelter. Both shelters should be situated in Belgrade, as the mobile team should have a referral system there, including escort by the police teams. If the present number of women is not constantly higher than the capacity there is no real need for a second shelter, this must be evaluated. Advantages of having two shelters, according to IOM, is that there would be no monopoly, *“because it would more than one NGO running the shelters, which will create a network”*.

Counselling Against Family Violence who is currently running the trafficking shelter in Belgrade had heard rumours that IOM might open up another one. They did not see a need for another shelter in Belgrade; maybe there could be a need to have one more in central Serbia. The shelter they are running has only been used to its full capacity during the last two months. There have been 72 victims in the shelter since the start; at one time there were 18 which is too much as the capacity is for 14.

Aleksandra Vidojevic, from OSCE thinks that if it were to be two shelters here in Belgrade/Serbia it is important that they have different priorities – one should be for the nationals and the other for foreign victims, as different programs are needed for them.

There is a need for a safe place for Serbian women who needs to stay longer in a shelter – this should be run by an NGO and if IOM would be involved there should be clear guidelines and distinction of responsibilities between the NGO and the IOM.

ASTRA thinks that a problem today is that the shelter is both for foreign women and girls as well as for Serbian returnees. As the Serbian women are allowed to go out of the shelter and move freely while the foreign women have to stay indoors it can create tensions between the women. ASTRA can therefore see the need of a second shelter, but then one for reintegration of Serbian women. It should be planned and co-ordinated for long-term stays.

## 4. IOM AND THE REGIONAL COUNTER TRAFFICKING PROGRAMME

In the following chapter a background is given to IOM as an organisation, its mandate and policies as regards counter trafficking work, gender and collaboration with NGOs. Further the Regional IOM CT Programme in the Balkans is presented as well as a description of the programmes from the field visits in Bosnia and Herzegovina and Serbia.

### 4.1. IOM structures and policies

#### 4.1.1. IOM Constitution

The constitution of the IOM was adopted 19 October 1953 and amended in 20 May 1987. Its purpose and functions are presented in Box 2.

##### BOX 2. CHAPTER 1- PURPOSES AND FUNCTIONS, ARTICLE 1

1. *The purposes and functions of the Organization shall be:*

- a) *to make arrangements for the organized transfer of migrants, for whom existing facilities are inadequate or who would not otherwise be able to move without special assistance, to countries offering opportunities for orderly migration;*
- b) *to concern itself with the organized transfer of refugees, displaced persons and other individuals in need of international migration services for whom arrangements may be made between the Organization and the States concerned, including those States undertaking to receive them;*
- c) *to provide, at the request of and in agreement with the States concerned, migration services such as recruitment, selection, processing, language training, orientation activities, medical examination, placement, activities, facilitating reception and integration, advisory services on migration question, and other assistance as in accord with the aims of the Organization;*
- d) *to provide similar services as requested by the State, or in co-operation with other interested international organizations, for voluntary return migration, including voluntary repatriation;*
- e) *to provide a forum to States as well as international and other organizations for the exchange of views and experiences, and the promotion of cooperation and co-ordination of efforts on international migration issues, including studies on such issues in order to develop practical solutions.*

2. *In carrying out its functions, the Organization shall co-operate closely with international organizations, governmental and non-governmental, concerned with migration, refugees and human resources in order, inter alia, to facilitate the co-ordination of international activities in these fields. Such co-operation shall be carried out in the mutual respect of the competences of the organizations concerned.*

3. *The Organization shall recognize the fact that control of standards of admission and the number of immigrants to be admitted are matters within the domestic jurisdiction of States, and, in carrying out its functions, shall conform to the laws, regulations and policies of the States concerned.*

IOM was established in 1951 as an inter- governmental organisation to resettle European displaced persons, refugees and migrants. IOM has 98 member states as of December

2002 including Sweden. IOM has 80-90% of their staff in the field. The organisation has offices all over the world and develops activities in the following fields:

- Counter-trafficking
- Labour migration
- Mass information and Integration
- Migration Health Services
- Assisted Voluntary Return
- Governmental Partnerships and Collaboration
- Migration Research
- Migrant Movement Processing and Assistance
- Emergency and Post-Crisis
- Special Programmes
- Demobilization, Disarmament and Reintegration
- Technical Cooperation and Capacity Building in Migration and Border Management

#### 4.1.2. IOM Counter Trafficking Policy and Work

IOM's counter trafficking work and activities is presented as follows on the IOM website.

#### *Box 3. IOM COUNTER TRAFFICKING WORK AND OPERATIONAL FRAMEWORK*

The IOM counter trafficking **mandate**: *“IOM's Counter-Trafficking Service provides assistance and protection to victims and guidance to IOM field missions and member states for the prevention of trafficking in human beings”*<sup>21</sup>

IOM has adopted the definition of Trafficking and Smuggling as included in the Protocols supplementing the **UN Convention Against Transnational Organized Crime**.<sup>22</sup>

The IOM **objective** is *“to curtail migrant trafficking and to protect the rights of migrants caught up in the practice”*<sup>23</sup>

IOM's **programmatic** contribution<sup>24</sup> in meeting this objective includes:

- Seminar and Fora
- Information Gathering and Research
- Technical Cooperation
- Information Dissemination
- Return and Reintegration Activities
- Counselling and Medical Support

#### **Background to the Counter Trafficking work**

In 1991 IOM conducted its first research on migration in the former Soviet Union countries including Russia, Bulgaria and Ukraine and other countries such as Albania.

<sup>21</sup> [http://www.iom.ch/en/who/main\\_service\\_areas\\_counter.shtml#chap3](http://www.iom.ch/en/who/main_service_areas_counter.shtml#chap3)

<sup>22</sup> [http://www.iom.ch/en/who/main\\_service\\_areas\\_counter.shtml#traffdef](http://www.iom.ch/en/who/main_service_areas_counter.shtml#traffdef)

<sup>23</sup> [http://www.iom.ch/en/who/main\\_policies\\_trafficking.shtml](http://www.iom.ch/en/who/main_policies_trafficking.shtml)

<sup>24</sup> [http://www.iom.ch/en/who/main\\_policies\\_trafficking.shtml](http://www.iom.ch/en/who/main_policies_trafficking.shtml)

The research was followed by a survey looking at migration moving East-West (within Europe) and as a result it was found that a lot of young women were moving to the West and working in the sex industry.

### **The Counter Trafficking Division**

In 1998 IOM set up a Counter Trafficking Service Division where presently there are two persons working<sup>25</sup>. The Counter Trafficking Service Division is one of seven services within the Migration Management Services Department, which provides project development support to IOM's field operations and other units involved in migration management. The seven areas of services include:

- Counter Trafficking Services (CTS)
- Assisted Voluntary Returns,
- Labour Migration,
- Mass Information,
- Migration Health,
- Movement and
- Technical Co-operation on Migration.

The main responsibilities for the CT-Service in Geneva office is (Mr Marco Gramegna, Head of the CTS):

- To establish policies and strategies for the work globally, regionally and country based.
- To revise and endorse project proposals submitted by field offices before given to donors
- To maintain the contacts with donors, governments and institutions
- To represent the organization on CT issues
- To provide information to media, academics and others
- In some cases also managing the projects (when donors ask them to do so). The projects that Geneva is managing presently are the Sida project and a US funded Global Fund for individual assistance to victims stranded in places where no other immediate assistance is available (like Latin America, Asia and Africa). It is the CT-Service<sup>26</sup> that makes the assessment on who is a victim – according to the Palermo Protocol - and who will receive the assistance within the Global Fund.
- To manage the Counter Trafficking Information System.

Organisational chart over the CTS functions is annexed (Annex 9).

At the field level every mission has a counter trafficking focal point and project staff for the CT-projects (see chapter 4.3 and 4.4 for the CT Regional Programme in BiH and Serbia respectively). The IOM Vienna office covers Bulgaria and Romania, as well as participates in the Stability Pact Trafficking Task Force Expert Group.

A list of the present global CT-projects is annexed (Annex 10)

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<sup>25</sup> At the time of finalising the report Sida and IOM were discussing the secondment of a Junior Programme Officer to the CT-Service.

<sup>26</sup> Marco Gramegna and Teodora Sutter

### **IOM role and priorities in the Counter Trafficking Work**

In a discussion with the CT-Service about the work today and in the future the following was mentioned.

The present key roles and aspects of IOM's work in the counter trafficking field are:

- To carry out rapid research. Guidelines have been established on how to carry out research on trafficking. This is not high-level academia, yet it is very informative.
- To conduct information campaigns particularly as regards preventing women to become victims of trafficking (mass information campaigns)
- To do capacity building through training for law enforcement officials, NGO's, and governments.
- To provide concrete medical and legal assistance – supporting the individual, provide shelter and establish referral system, carry out the process of return and reintegration.
- To advise parliaments and governments as regards legislation and combating trafficking by providing examples of good practices.

In the future, the CT-Service foresee as IOM role and priorities:

- Policy advisors to member states
- How to tackle trafficking, proper legislation
- Provide assistance to the victims (medical, psychological, social, legal, education and reintegration)
- Assisted voluntarily return

(Mr. Gramegna and Theodora Sutter)

### **IOM Data base – MIMOSA**

Four years ago, the IOM started the initiative to standardise the procedure around the data collection, and two years ago the MIMOSA project - Migrant Management and Operational Systems Application started. Previously there were different systems at the different field offices as regards data collection on the migrants. However IOM has electronic data since 1976, the challenge is now to categorise the old data with the newer as well as to find a working system in the collaboration with other actors as of the migrants moving around a world, only 10-15% of the data comes through the IOM projects. Information about the rest needs to be feed in to the system by other actors, which is a challenge in itself.

When MIMOSA started the Counter Trafficking Service was not part of it, but had its own database, that started to be integrated with MIMOSA a year ago and will be fully integrated by the end of 2003.

#### **4.1.3. IOM Gender work and policy<sup>27</sup>**

*“IOM is committed to ensuring that the particular needs of all migrant women are identified, taken into consideration and addressed by IOM projects and services”.*<sup>28</sup>

<sup>27</sup> Interview with Ms. Denise Glasscock Gender Advisor at IOM HQ

<sup>28</sup> Gender and Migration, 96/02

## **Background**

IOM adopted a gender mainstreaming policy in 1995 and a Working Group on Gender Issues (WIGI) was established.

In 1997 a Gender Issues Coordinator was appointed and the Plan of Action on Gender issues was adopted for the period 1998-2002. A network of 80 gender focal points has been established of which around 20 take part in the WIGI on a voluntarily basis. Two out of the 20 WIGI members are men. The WIGI meets up on the basis of need, which may vary (once a week, once a month). The gender focal points often coincide with the trafficking focal points.

IOM is planning to make an assessment of the five year Plan of Action on Gender Issues for 1998-2002, during 2003 as well as to update the gender policy itself. Ms. Glasscock stressed that the policy from 1995 focus on migrant women only whereas it now is a need to also include migrant men.

## **Gender mainstreaming**

The project development process should be gender mainstreamed. The projects are generally developed at mission level and there a gender perspective should be applied. Through the WIGI, IOM conducts gender specific projects, which started three years ago with a project load of 8 projects and is now down to two projects this year. They have a budget of 50-55.000 US dollar a year.

There is a need for more gender training according to Ms. Glasscock. Last year a gender training was conducted at HQ, and a regional workshop for gender focal points was also conducted.

## **Gender and trafficking**

To link the gender and trafficking policies is a goal for the CT-Service. According to Ms. Glasscock there is no need to have a specific collaboration with the CT-Service on the counter trafficking projects as these are so well elaborated already. Trafficking as an issue is presented as an example of gender work in general information material of IOM gender focus. As regards the IOM staff, the codes of conduct were updated last year, which implies zero tolerance when it comes to sexual harassment and any kind of connection with trafficking.

Discussions on trafficking from a gender perspective have been conducted in the external interagency networks in Geneva a few times. Yet the link as such is not stressed.

### **4.1.4. IOM Collaboration with NGOs**

In 1996 a first overview of the collaboration between IOM and NGOs was made, which was updated as policy in 2002<sup>29</sup> given the *“expanded cooperation with NGOs*

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<sup>29</sup> IOM Partnership with Non-Governmental Organisations in Managing Migration, Eighty-fourth session, MC/INF/253, 1 November 2002,

today”(§1). Additionally the document sets out the IOM policy in “*the cooperation with NGOs in the context of current migration realities.*” (§1)

The policy stresses the diversity of the NGOs as well as the variety in forms of collaboration with IOM. “*The flexibility of many NGOs, their extensive networks, their knowledge of and access to communities at the grassroots level, and their emphasis on the well-being of the individual make them ideal partners for IOM*” (§4)

...“*NGOs may be collaborators with IOM, service providers or project executors, donors, beneficiaries of IOM technical cooperation, grant recipients, or service recipients. IOM and NGOs may act as equal partners, or complement each other’s activities. Alternatively IOM and NGOs may compete to provide efficient and effective migration services to government and migrant or pursue different approaches to migration policy issues.*” (§4)

§5. Stresses:

...*Nonetheless, the main objectives of IOMs collaboration with its NGO partners can be broadly summarized as follows:*

- i) to provide, through joint efforts, better and more targeted assistance to migrants in need, particularly at the local level; and*
- ii )to enhance the participation of NGOs in the development of migration policy and its implementation at the national, regional and international levels.*

§6. Reads as follows:

...*In the Policy realm, IOM believes that NGOs have an important contribution to make to the development of national and international migration policies. Strengthened by their specific experience, NGOs frequently offer perspectives and ideas that can enhance migration policy debate...*

## **4.2. General Programme Description**

On May 7<sup>th</sup>, 2001 Sida decided on funding for the IOM Return Programme: “*The Programme of Assistance for the Protection, Return and Reintegration of trafficked women and children in Albania, Bosnia Herzegovina, FYR of Macedonia, Kosovo, Serbia and Montenegro*” . The programme was presented as follows<sup>30</sup>:

### **4.2.1. Background**

“*IOM has been implementing anti-trafficking in South – Eastern Europe (SEE) for a number of years, since 1999 with the financial support of Sida. Sida has supported the activities in Albania, Kosovo and Macedonia*”. Sida encouraged IOM to present a regional Programme with “*the aim of minimising the bureaucratic efforts and allowing IOM to reallocate funds between the different countries when necessary*”.

Project start:	May 2001
Project end:	June 2002
Extension:	December 2002

<sup>30</sup> Bedömningspromemoria, Beslut nr Öst 248/01, 2001.05.07

Total Period of Implementation: 20 months  
 Sida funding: 28.000.000 SEK

#### **4.2.2. Aim**

*“The overall aim is to contribute to the regional counter-trafficking efforts in the Balkans thorough co-ordinated assistance to women and children victims of trafficking. The project will alleviate humanitarian problems experienced by victims of trafficking.”*

#### **4.2.3. Objectives**

*“The objective of the Programme is to, in co-operation with other international organisations, facilitate the orderly, safe and dignified return and reintegration of 1,120 trafficking victims stranded in the Balkan countries.”*

#### **4.2.4. Expected results**

- *“1,120 trafficking victims safely returned to their places of origin and provided with reinstalling grants. Some of them will benefit form targeted reintegration activities*
- *Coordination mechanisms established among partners for support of trafficked migrants*
- *Database with statistics on persons assisted and mapping of major trafficking routines will be produced*
- *Evaluation of the reintegration process”*

#### **4.2.5. Activities**

The activities planned in the project document include a long list of indicative activities intended to be adapted to each country’s specificities. *“Each mission will decide on the assistance to be provided to individual cases”* (p.8). Among the activities are: Coordination with relevant actors on the establishment of mechanics for assistance for trafficked migrants, to gather information on the profiles of the migrants through a questionnaire, to provide a psychological support for both victims and female CT-staff and others. Practical components of the return process under the sub-titles of Pre Departure Activities, Transport Assistance Activities, Post Arrival Activities, Reintegration Activities and Security Measures are listed.

#### **4.2.6. Countries**

The countries included in the programme are: Albania, Bosnia and Herzegovina, Macedonia, Serbia, Kosovo and Montenegro. Croatia was included in October 2002.

### **4.3. Bosnia and Herzegovina**

#### **4.3.1. IOM Mission in Bosnia and Herzegovina**

The IOM mission in BiH has around 80 staff members and 5 offices including the main office in Sarajevo. The office in BiH opened in 1993 when IOM started its operations conducting medical evacuations of civilians during the war. In 1999, IOM began its

counter-trafficking activities in BiH. The counter trafficking office in Sarajevo has 5 persons employed.

Examples of programmes of IOM in Bosnia (Federico Soda IOM Sarajevo):

- Counter Trafficking
- Assisted Voluntary Return of Stranded Migrants to their Countries of Origin
- Return and Reintegration of Minority Judges
- Elderly Return from Nordic Countries
- Transitional Assistance to Discharged Soldiers in BiH
- Cross Border Return between BiH and Croatia and BiH and Serbia and Montenegro
- Technical Cooperation and Capacity Building in the Field of Migration
- Swedish Medical Team Programme
- Third Country Resettlement

#### **4.3.2. Development of counter-trafficking work by IOM Mission/BiH**

The development of the counter trafficking work in BiH has been briefly presented in chapter 3.2.

- 1999 the IOM started a 12-month long Counter Trafficking Pilot project with 280.000 USD funding from the US State Department. The purpose was to assist and return victims of trafficking, provide them with travel documents, give some overnight support and initiate cooperation with NGOs.
- In April 2001 the US funding ended. The Temporary Shelter Fund complemented for the rent during the US department pilot project. Another grant of 100.000 USD was provided by the US in April 2001 to prolong the project.
- The Temporary Shelter Fund ended in October 2001. Meanwhile during 2001 negotiations were held with Sida. Parts of the funding was used already in June 2001, whereas the full project funding started being used in October 2001 (officially 19/10).
- The activities listed in the project proposal were based on lessons learned during the pilot project. The Sida grant was important, as it was the first comprehensive programme including all the aspects.

During the first years the numbers of women assisted have been as follows:

August –Dec. 1999	11 women
Jan – Dec 2000	199 women
Jan - April 2001	241 women

#### **4.3.3. Present situation and operations**

##### **Referral system**

The referral system is presented in chapter 3.2.4 BiH. As follows is a description of the IOM related parts of the system. IOM has formalised the collaboration with the other actors as follows:

- With donors MoU or contract (see Annex 11 contract IOM and Sida)

- With NGOs contracts (see Annex 12 contract IOM and La Strada)
- With La Strada MoU for information campaign and shelter (see above Annex)
- With STOP team there is no formal agreement
- A MoU has been signed with the Ministry of Human Rights and Refugees (Annex 13)
- A contract with the medical doctor

As mentioned, most women are rescued in bar raids. After the raids IPTF calls IOM, who calls on the closest safe-house manager who then accept the woman. The women after the raid are taken to the temporary safe house for some hours to rest, and are thereafter taken back to the police for an interview. The women eligible for the IOM return programme stay generally up to 2-3 days with the safe houses (run by an NGO or by IOM). If the woman is willing to join the IOM Return Programme she may stay even longer if it is needed. Lately the 2-3 days have been prolonged on agreement with IPTF as they want information ten days in advance before collecting testimonies for cases to be brought to trial. Thereafter IOM picks them up and drives them to one of the two shelters in Sarajevo. Average stay in the shelters is 30 days. There the IOM interviews them and provides them with health check ups and psychological support, as well as facilitates all the paperwork needed for repatriation. The women also receive some clothing if needed.

Two of the IOM CT-assistants accompany the women everywhere, to the embassies, to have their photos taken for new travel documents, to the doctor, and also to the airport where they get help with all the paper work prior to departure. IOM staff escorts the minors to the capital of the country of origin. There they are taken to the IOM receiving mission who accompanies the girls all the way back home. IOM have unmarked cars when they go to the shelters and when it concerns the high-risk shelter police escort is always provided. The police also guards outside the shelters 24 hours a day for protection.

*BOX 4. DISTINCTION BETWEEN SAFE-HOUSES AND SHELTERS*

In BiH IOM makes a distinction between safe houses and shelters.

**The safe houses** are those managed by NGOs (even though two are run by IOM employed staff) and are the first place to which the women come. **The shelters** are run by IOM. There is one high-risk shelter and one low-risk shelter (See below in Box 6 for a description of the distinction between those). At the shelters the women wait for the return procedures to be completed. The woman comes to the shelter once it is established that she wants to join the IOM Return Programme.

A more thorough presentation and distinction is made in Box 5 below.

It may be stressed though, that IOM is not consistent in the use of terms. In the contract with the safe house run by La Strada, this is on “shelter services”.

If IOM defines the woman as trafficked IOM refunds the safe house for their costs. The temporary safe houses can provide all sorts of assistance locally. According to IOM the terms for the collaboration with NGOs is made individually and a contract is established. The contract with La Strada (see Annex 12) establishes in detail the terms of the collaboration such as what the women shall be offered, the administrative procedures,

that La Strada must accept cases 24 hrs/day, that IOM has unlimited right to enter the premises, that all referrals to the shelter (unclear if the same or the one in Sarajevo) must be approved by IOM, that all telephone contacts must be approved and other details as to how to report and be refunded by IOM.

- Forum of Solidarity has a contract with IOM until June, the Forum provides health care, protection, psychological assistance, shelter and for this they receive 50 KM/day/girl from IOM.(Emir Nurkic, International Forum of Solidarity, Tuzla)
- La Strada have had their own shelter since May 2002 in Mostar. Earlier they used Caritas shelter, but Caritas did not really want to have trafficked women there. IOM pays for the cost for the victim, but not for the rent, electricity and other. They refund for 50 KM/day/person. Fadila (the shelter manager) has raised the issue with the Head of Mission of IOM, both about domestic girls and to get more support for the actual shelter. She makes an invoice for each girl. *"The girls come to the shelter and we inform IOM on how many cases we have, they come often without documents, clothes etc. We give them legal support, psychological help, medical examinations (including HIV/Aids test). Some cases are here for months. We inform both IOM and La Strada about the girl"*. (Fadila Hadzic, La Strada Bosnia)

*BOX 5. TYPES OF SHELTERS AND SAFE HOUSES*

Type of shelter/safe house	Run by	Locality	Capacity	Comment
<b>TEMPORARY SAFE HOUSES</b>				
<b>For temporary purpose immediately after raids or women that come by other means to the safe house. Women may remain until their status is decided. If the woman is willing to join the IOM return programme IOM will refund 50 KM/person/night after the NGO have given a report.</b>				
2 temporary safe houses	IOM	Sarajevo	20+20 women	
1 temporary safe house	La Strada	Mostar	20 p	Contract signed with IOM
1 temporary safe house	Forum for Solidarity	Doboj	300 p (700 p total capacity )	Contract signed with IOM
1 temporary safe house	IOM	Banja Luka	12 (6 rooms with 2 beds each)	
1 temporary safe house	Zene za Une	Bihac	only capacity for three women	Contract being discussed. New localities must be found.
1 temporary safe house	Lara	Bijeljina	depends on need, uses pension, in process of obtaining own premises	Contract being discussed.
Not yet established	Anima	Gorazde		Are interested in collaboration
Not yet established	Youth organisation Sunce	Zvornik		Are interested in collaboration
<b>SHELTERS</b>				
<b>Only for women defined as trafficked and willing to join the IOM return Programme</b>				
High-risk shelter	IOM	Sarajevo		For women identified in Sarajevo and for women willing to testify. High security. Police guards and staff in shift 24 hrs.
Low-risk shelter	IOM	Sarajevo		For women identified outside the Sarajevo area. Police guards and staff in shift 24 hrs.

The organisation of the IOM managed shelters for those women defined as trafficked, and willing to join the IOM return programme is presented in Box 6.

*BOX 6. THE ORGANISATION OF THE IOM SHELTERS FOR VICTIMS OF TRAFFICKING (IOM BOSNIA)*High-Risk Shelter

This shelter is located outside the centre of Sarajevo. It is for high-risk cases needing special protection and for women/girls who have been in Sarajevo and its vicinity. Two shelter managers remain at the premises 24 hrs. The shelter manager takes care of food and cleaning. Everyday is organised by internal rules and a schedule to be followed to avoid internal conflicts. Among the rules is a dress code, that the women should follow the shelter rules and obey the shelter manager, not to try to solve conflicts by themselves but to ask the shelter manager for help.

The shelter-manager receives the women and gives them a towel and a reproductive health pamphlet. The girls and women have to leave all sharp items, medicine and mobile phone. The day after they are interviewed. The women get two phone calls, one upon arrival to the shelter (to call their family) and one upon departing (also to the family). If there is a need for more calls because of documents they are allowed these calls as well.

All medicine is distributed by the shelter staff. No alcohol is allowed in the shelter. Many have nightmares and sleeping problems and request more tranquillisers. According to IOM the girls have no addictive problems. Drugs exist and are used in bars - but rarely heroin. The girls are used to kill the pain with pills and alcohol. Whenever a new group arrives the full team of doctors, legal advisor and others are alerted. When it comes to legal counselling it is mostly to inform the women about their rights while in Bosnia and Herzegovina. The counsellor comes as often as needed for individual or group therapy.

None of the girls tell their family what has happened to them. They say they went for work or that the owner of the bar she works at as waitress, does not want to have her any more.

Low-Risk Shelter

The low risk shelter is centrally located in Sarajevo. For security reasons the women are not allowed to move outside as the risk that the bar owners might recognise them is too big, the landlady lives in the same premises and provides 24 presence. The length of stay is as long as needed. The only difference from the other shelter is that it is for the less risky cases. It is for women who have been outside Sarajevo and will not be giving evidence to the authorities against the traffickers. (IOM Bosnia)

**Services provided by the IOM shelter programme**

- Health programme

Includes emergency and hospitalisation, covers also the need for glasses, dental care, hearing aid etc. If it is not possible to sort the needs out because of the timeframe, all this is organised in the country of origin. UNFPA have come in with complementing grants that covers reproductive health care.

Earlier many women did not want medical assistance. Today they are initially informed and educated about for instance reproductive health. Thereafter they generally are interested in medical support. HIV test are anonymous- only the practitioner and the women know about the results. Of about 500 women only 2 have been HIV positive. Medical protocols have been developed.

- Occupational training

English lessons, computer lessons, handicraft is provided for the women. *“Some women start with this already in BiH with sewing, knitting as art therapy. But they*

*are mostly interested in English and computer-skills after they have returned home. Here in Bosnia the women stay too short to really be able to go to any serious education.”. (IOM BiH)*

- Translation

The women generally speak Russian or they know some Bosnian and therefore do not need translation. The girls themselves translate when it is needed among each other. Some know some English. The doctor speaks Russian. IOM official documents are in English and translated by translators. Each sentence is translated by a translator in the victim’s mother tongue if it is needed. (Annex 14).

- Media contacts

IOM BiH receives a large number of requests by journalists interested in interviewing trafficked women. The mission has developed a media interview policy in this regard. The Policy has been co-ordinated with the IOM HQ, and includes the following:

- It cannot be a minor
- No pictures should be taken without consent
- No interview can be done in the shelter
- IOM instructs the women on what she can say, no information that can help to trace the case is given.
- IOM has to get a final version of the interview before publishing and also get the questions in advance.

### **Return process**

The return process involves a lot of formal documentation and involvement of national authorities in both the country of destination and of return. The women sign an IOM format for voluntary return, and receives 50 USD prior to departure and the remaining 100 USD at two separate times upon reception by the IOM mission in the country of origin. IOM staff and local police accompany the women to the airport and the aeroplane. The women are photographed and get a stamp of “denied entry” in their passport or travel document by SBS in order to discourage them from returning. The border police is informed. IOM counts on 4 civilian retired police officers for security. If the plan does not work, i.e. there are documentation problems or the aeroplane cannot leave the Sarajevo Airport, everything must be done all over again. If the women must transfer, IOM staff meets up at the transit airport.

At the receiving airport IOM staff meet the women. The IOM staff at transit and receiving airport recognises the woman by the IOM bag that they carry. The receiving mission has updated information about the women through the database. Border authorities are informed and special documentation arrangements required depending on the country. Generally there is a procedure of 3-4 hrs of documentation when arriving in the country. In Romania the procedure is extra complicated as if a person return without a regular passport the person is to blame and the police will question the person. This happens regularly with the women. Thereafter, depending on the mission, IOM offers different rehabilitation and reintegration activities. Minors, who are applicable to the

IOM programme in BiH are accompanied by IOM staff throughout the complete trip until the final destination (the family or other arrangement).

If the receiving mission has programmes some women remain in longer contact with IOM. Otherwise there is limited possibilities of making follow-ups during a more extensive time-frame.

### **Database and questionnaire**

The questionnaire is for the database and has been developed for all the missions. Extra questions can be developed for each mission. (Annex 15) The missions access the database through passwords. The sending mission will enter the information linked with the assistance of each victim, including background information, and will export the file to the receiving mission which will complete the file of the same victim with the reintegration component offered in the country of origin. The receiving mission cannot change the data entered by the sending mission and the sending mission cannot change the data entered by the receiving mission. The two missions share the whole file and Geneva Head Quarters – central depository – gets a copy. It has now been established and is functioning.

According to IOM BiH the advantages with the database are:

- For follow-up
- To easily find the story of the women
- The possibility to check the stories
- It saves time
- To keep the medical record

### **Budget and administrative aspects of the Sida grant**

- The Sida programme is the most important counter trafficking programme as it is the broadest.
- IOM Sarajevo and Sida have a lot of direct contact even though all official documents go through HQ. All budget changes go through HQ. This was confirmed by Sida Programme Officer.
- The Sarajevo office can look for funds themselves but all new ideas are coordinated with CT-Service in Geneva to see how it fits in the overall picture.
- Shifts in budget
  - Shelter managers were not planned initially in the budget, only the shelter manager for the low-risk shelter was included. But the situation has changed and costs for the shelter managers have been included. Not so much money was needed, and the mission also has funding for the shelter from US. BiH reintegration money thus shifted to Moldavia and Ukraine as they were lacking funds.
  - On the other hand there have been high costs for unforeseen such as for heart surgery, eyesight operation and other.
  - The budget line Operation research and monitoring is money used for organising seminars with for example institutions, also for working meetings and to produce certain documentation.

*IOM BiH's thoughts about the future:*

- Cooperation with ministry needs to be improved in realising it is their responsibility and that they will not receive international money forever.
- The legal system must improve, the sentences are too low, they only imprison the bar owner but there is no action taken to take his assets or even his aids.
- Everybody's time is tied up because of the legal system (new laws are in process)
- Corruption- linked to economic situation especially in the RS where salaries are lower.
- There is need for research on how big this problem is in Bosnia. Proper research. UNICEF is doing one on children but they are not visiting the bars, nor have contact with the law enforcement. Must do the fieldwork. Must do the analysis. We only have the statistics of those we assist.
- Hope that EUPM will have another attitude towards the local police. They were afraid of IPTF and that made it impossible to share information (IPTF had the right to dismissal of the local police officers). The way it is designed it looks good.
- The project is good- generally speaking so many activities because we gained experience. It was inadequate in the beginning, now it is much more comprehensive
- Reintegration in country of origin must be improved- more job seeking is needed.

*“The IOM goal is that we hand over the model of the shelter to the government and that we keep return and reintegration as IOM has been involved so long. In the long run the state should take over the shelter and reintegration and IOM takes over documents and return. The time frame we are looking at is that the take over of the shelter should be two years minimum and four years maximum. This with shelters is not really within IOM's mandate. We should also do more when it comes to reintegration”.* (IOM BiH)

## **4.4. Serbia**

### **4.4.1. The IOM Mission in Serbia**

The IOM Mission in Serbia started developing its programme in November 1992 in a partnership with the UN Inter-Agency Programme for the Former Yugoslavia. The focus during the first period was on resettlement programmes for refugees in third countries, facilitating refugee resettlement, return activities and out-of-country election programmes for Bosnian refugees hosted in FRY. Since October 2000 the programme has shifted into new service areas such as counter-trafficking and technical cooperation in migration management.

The IOM Mission has its main office in Belgrade and has one sub-office in Montenegro, in Podgorica and one in Vranje. Two international staff are employed – Head of Mission and one more (not on CT programme). Two persons are full-time on the counter trafficking programme, plus driver.

IOM Belgrade runs various projects within the following programme categories:

- Counter trafficking
- Resettlement Processing
- Assisted Voluntary Return

- Humanitarian and Social Programmes
- Technical Cooperation on Migration Management
- Integration and Development in South Serbia
- United States Refugee Programme

Among the IOM programmes that in some way relate to the CT programme the Chief of Mission stressed the following:

- Migration managing project – in cooperation with OSCE, UNHCR and UK immigration officers, as well as state level Ministry of Interior this project aims to strengthening the management on border level. IOM will be responsible for some equipment as well as arranging the training of the border police.
- Training of judges and prosecutors in Montenegro, Kosovo and Macedonia. There will be one mobile team for the training and it is done in cooperation with OSCE.
- Project yet to be written is on the subject criminalisation and prosecution with elements such as specialised police team training and how to deal with the process of a victim becoming a witness. Issues of security issues for the witnesses and also to fund DNA tests and other expensive tests that are needed for evidence, to equip the police trafficking teams and to sensitising the border police. (Christopher Gascon, Chief of Mission, IOM)

In Serbia the IOM Mission collaborates closely with the OSCE Mission. At operational level there is collaboration with the police. The NGO Counselling Against Family Violence runs the shelter. The IOM CT-officers have close contact with the SPTF Regional Clearing Point Project Manager who is an IOM employee.

#### **4.4.2. Development of IOM CT-work**

The development of the CT-work in Serbia is described as follows by the Head of Mission:

*Counter trafficking activities officially began in Serbia with the establishment of the Yugoslav team in April 2001. Within this context IOM together with the national coordinator for counter trafficking, OSCE and local NGOs has organised an interagency referral system for assistance to trafficked women and started to discuss the issues of shelter for the victims of trafficking and return/reintegration activities. Despite the lack of already established structures and the fact that the mechanisms were in the process of being established, IOM, through funding provided by Sida, began to provide support to the victims of trafficking already as of the end of July 2001.*

*With the funding support of the Austrian Government, IOM established a shelter facility in Belgrade in January 2002. These activities were further complemented by the opening of the Regional Clearing Point in Belgrade in May 2002<sup>31</sup>*

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<sup>31</sup> e-mail April 22<sup>nd</sup>, 2003 from Christopher Gascon to Carolina Wennerholm

#### **4.4.3. Present situation and operations**

##### **Referral system**

Most women are found through police raids, in contact with their embassies or might even call directly to the IOM office. Most women are initially referred to Padinska Skela, the Detention Centre for Foreigners and Asylum Seekers. Others are referred directly to the shelter of the NGO Counselling Against Family Violence. The referral system was presented in chapter 3.3.3.

##### **Interview and definition of status of women**

The IOM CT-officer Sandra Sljepcevic is responsible for identifying who is a victim and entitled to be part of the IOM programme (screening interview). According to the Head of Mission, Mr Gascon, she uses the UN definition and is trained on how to conduct the interview (not more than two people in the room, should be done on the victims terms etc). *“It is not the best solution to have Sandra doing the identification, but there is no-one else that can do it for the moment. Sandra used to do the full interviews in Padinska Skela, but now she only asks a few questions there and then she takes the women to the shelter run by the Counselling Against Family Violence”*<sup>32</sup>. The actual interview (*“which do include some stupid questions like how many customers have you had”*, Sandra Sljepcevic) then takes place after a few days when the woman/girl have had time to rest in the shelter (in depth interview). Further also the police and the shelter managers interview the women. Aleksandra Vidojevic, at the OSCE mission in Serbia stresses the need of one set of questions that all parties should agree on and work after, saving the women and girls the agony of going through several interviews. OSCE will conduct training for the police who take statements, but would like to include all parties (the police teams, NGOs, IOM etc) and then decide on one set of standards and how to share the information.

##### **The shelter programme**

The NGO Counselling Against Family Violence runs the shelter. A fixed sum for the food per woman is refunded by IOM and the rest from the budget as agreed in contract with IOM. The Counselling Against Family Violence pays the bills for salaries, telephone, rent, electricity etc (budget lines). *“It is our responsibility to find doctors, gynaecologist, dentist etc but as of September last year IOM have brought their own doctor and also a male psychiatrist”* (Counselling Against Family Violence). Each woman who arrives at the shelter has her main contact with one of the counsellors who is her mentor.

The IOM CT-officer Aida Kuric is the shelter liaison and will be so for as long as the *“‘super-structure’ is needed for international standards.”*

Within the Serbian NPA and in accordance to the guidelines of the SPTF's guidelines a Code of Conduct of a shelter for trafficked women in Belgrade was formulated by the OSCE in November 2001. A copy of the document is attached (see Annex 7).

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<sup>32</sup> IOM is for the moment the only one entitled to come in to the detention camp Padinska Skela, as pointed out also by the NGO ASTRA.

### **Services linked to the shelter**

Certain funds goes directly to the NGO as an advance “*such as fees for lawyers, psychologist, psychosocial support, buying food, clothes – this we often do together as it is hard to do this without a car, gynaecological doctor (in private clinic), interpreter for legal aid and psychologist because these things should always be done in the mother tongue*”. (IOM Belgrade)

- **Health**

There is a general practitioner linked to the shelter who comes every time a new victim arrives and a psychiatrist who comes when the psychologist recommends this. Most women want to visit a gynaecologist. According to IOM The Counselling Against Family Violence was earlier offering a gynaecologist, but it was private and she was not working in a systematic way. The Counselling Against Family Violence is now using the IOM doctors as suggested by IOM (see above on Counselling Against Family Violences view), i.e. general practitioners that have good contacts with specialists when needed. According to IOM they are secure and safe and will not endanger the victims further. Also IOM argued that the costs varied much with the doctors chosen by the Counselling Against Family Violence. The down side of the system is that it is within the IOM structures rather than any sustainable structure. Most of the doctors are female with the exception of the psychiatrist. IOM has discussed whether it is problematic having a male psychiatrist but they “*do not believe in the feministic view that the girls should be isolated from all men*”. The women are not provided with HIV test as the IOM medical unit is hesitant to provide tests without ensuring treatment. Yet, the mechanisms for this will be reviewed in a seminar in Budapest shortly.(IOM Belgrade)

- IOM also stressed the need for psychological support to the staff “*We have psychological support for the victims but had not thought of the need of the same support to our staff*”. One of the CT- officers has regular contact with the psychologist linked to the shelter (IOM Belgrade)

- **Vocational/occupational training**

Even though the vocational training is meant mostly for the reintegration programme it has been used for all the women in the shelters. The women and girls waiting to be returned back home are not allowed to leave the shelter for security reasons and need to be occupied during their stay. The activities provided are: Television, videotapes, books, magazines, fitness equipment like cycle exerciser, boxing bag, dumbbells, walking exerciser. “*They have also earlier had the possibility to make jewellery out of small shiny things. This was also extremely popular*”. (IOM Belgrade)

Above activities describe different types of occupations rather than vocational training. The mentioned Code of Conduct (OSCE) did not mention vocational activities, rather “*Concurrent activities*” such as TV, video, board games, magazines, crafts, painting, language study, recreational outings to park and museum.

### Security measures

According to the codes of conduct for the shelter, this should be guarded 24 hrs. This was not referred to as a problem. *“The police come by three times a day. Presently it is the Federal Ministry that is in charge of the security, but it will probably be the Republic Ministry of Interior and hopefully they will be more devoted to the work. The IOM staff has not had any real threats, just a few calls”*. (IOM Belgrade)

IOM has the policy of not allowing any visitor in to the shelter. Initially this was not the case, but after a training with LEFÖ, a Austrian NGO (through Austrian funding) IOM realised it was not safe enough with so many visitors. According to the Code of Conduct the implementing partners are not entitled to pass on the address.

### Problems and issues concerning the shelter

*The centre lacks staff, they have just one person on the shift all the time, and now when it is 16 women there it is almost impossible for one person to be in control. There should be at least two at every shift as a minimum. Also they have a problem with transport as they have no car but have to collect women in a taxi, which is not very safe either. OSCE have said that they would try to look for additional funding, but have not yet succeeded.* (OSCE Aleksandra Vidojevic, Assistant Anti Trafficking Issues)

The conversations held with the staff at the Counselling Against Family Violence, as well as with IOM staff revealed a mutual lack of confidence towards each other. Two staff members at the Counselling Against Family Violence have just resigned from the work in protest as they find the conditions for working with the women victims of trafficking too bad. (Counselling Against Family Violence). The lack of trust between IOM and the Centre is shown by the following: *“We have no regular meetings with all of them. But I talk to the mentor if there is anything. We are open. I have more problems with the management than with the counsellor”*. (CT-officers, IOM Belgrade). The lack of trust is recognised by IOM Head of Mission and a training with the Dutch NGO Admira on partnership and management is being discussed. Also, in general the IOM Head of Mission is not as negative as his staff: *“We are satisfied with this shelter, Vesna is discreet, keeps the shelter in integrity which is good. But it is overcrowded, there are too many women and we see the need with a second shelter.”* (IOM Christopher Gascon).

The shelter is both for returning and Serbian women.

According to the OSCE Shelter Code of Conduct a Consultation Board consisting out of the members of the Mobile Team and OSCE Mission to the FRY would monitor the implementation of the shelter and its ongoing activities. This issue was not addressed during the field visit by the evaluation team and none of the interviewed actors mentioned this.

### Return process

The CT-Officer Sandra Sljepevic is the one identifying and defining the status of the victims (the interviews), works with the arrangements of all the travel documents needed and the logistics around this, have contacts with the embassies etc and she accompanies the victims to the airport. She also has contact with the shelter to check that basic care is given to the victims when it comes to medical treatment, food – to see that the victim is medical fit to travel.

*“If we use Timisoara airport (it takes 2,5-3 hours with car to go there) we do not take more than two women in a group as it has become increasingly difficult to pass the border. This is because Romania is now within Nato and also closer to EU so they have to be more strict with their border control, sometimes they have kept women at the border for two days – this is if the women have passed the border illegally on their way into Serbia. Romanian police has also taken the women around in the car and asked them to identify where they did cross the border and also asked a lot of questions which is exhausting for the women. If the women are kept long at the border we call on a Romanian NGO to come and stay with them all the time and also follow them until the IOM mission there can take over. We accompany in the car to the border, or to Vienna airport if that route is needed to take. The Vienna airport becomes the main route of transport now as it has become so difficult to cross the border with Romania. (IOM CT-Staff)*

### **Minors**

*“We have had 6-7 cases of minors. IOM want UNICEF to be more involved in this as they are the UN agency for children. UNICEF have been more involved in the work in Montenegro”. “We have yet no specific programme, it is clearly UNICEF mandate”. (IOM Christopher Gascon)*

*“Don’t think it is needed with accompany the minors on the plane on the journey back home, usually they go home with a group of women. The travel is fairly short and they are immediately met. If we see a need for medical escort we would supply that, otherwise it is a waste of money”. (IOM Belgrade, CT-staff)*

### **Reintegration programme for domestic women**

In Serbia there is also a reintegration programme for Serbian women who return from being trafficked abroad. They have had 15 reintegration cases so far. The assistance for each victim is individual and created by the IOM CT-officer. Before creating a programme for the victim they need to be assessed by psychologist or psychiatrist to start the healing process. A lot of money and time is put into this process. One case exemplifies the approach: *“The one case who has been here for a long time: lot of psychological support. She had a child in orphanage, and gave it for adoption. She took manicure and pedicure courses. We hired a mentor who was very close to her, to study with her in the secondary school. It is a one-year course that costs 100 Euro. She will need a lot, as she is almost an analphabetic. The only way is to give her responsibility to earn money. She is motivated now- she understood in the shelter what responsibility is. She is a big help in the shelter. We have succeeded a lot with her.” (CT-staff IOM Belgrade).*

Neither the Chief of Mission nor the CT-staff were fully satisfied with the reintegration programme *“Reintegration is a mess. Everything is ad hoc. There are different courses, different for each victim according to what they want. We both send and receive women, that is problematic, it is easier in for instance Romania and Moldavia because they are only receiving women and it is easier to find NGOs working with it there. If we do not involve the government there is no way out.” (CT-staff IOM).* The CT-Officer hoped that

she in the future would have a network with NGO's and social services to make this job easier.

### **MIMOSA/Database**

The database is the only way to have a follow-up of the cases according to IOM staff. At the field mission it is only possible to look at the cases that have been exported, the ones that the IOM officer has dealt with. It started in the autumn last year (2002). (IOM Belgrade.)

### **Budget and financial aspects**

Each mission makes a budget for estimated costs. *"It is good to be able to shift money during the project time, for instance in September we (the IOM Missions involved in the programme) had to scramble for covering reintegration activities. We had fewer cases and less administrative costs, which could then be used in other missions."*

All reports go through Geneva as well as all bigger changes. With the bilateral projects the Mission informs Geneva when it has been approved, but is not checked with Geneva in advance. (Christopher Gascon, IOM)

### **Future**

*"Prosecution and criminalisation process are central. But everyone has to move in the same direction, system must move as one. Most of our work is reactive – not ready to go down to the roots. Not ready for working with prosecution. Now the easiest is to provide assistance."* (IOM Belgrade)

## 5. GOAL ATTAINMENT AND PROJECT OUTCOME

In the following chapter the outcome of the project is discussed in terms of the expected results and attainment of goal and objectives. The findings are based on the interviews in the field, the three reports submitted by IOM to Sida as well as relevant documents.

### 5.1. Overall goal, objectives and expected results

The overall goal, the programme objectives and the expected results as presented in the IOM project proposal to Sida are presented in Box 7.

#### *BOX 7. OVERALL GOAL, OBJECTIVES AND EXPECTED RESULTS*

##### **Overall Goal**

*The overall aim is to contribute to the regional counter-trafficking efforts in the Balkans through co-ordinated assistance to women and children victims of trafficking. The project will alleviate humanitarian problems experienced by victims of trafficking.*

##### **Objectives**

*The objective of the programme is to, in co-operation with other international organisations, facilitate the orderly, safe and dignified return and reintegration of 1,120 trafficking victims stranded in the Balkan countries.*

##### **Expected results**

- *1,120 trafficking victims safely returned to their places of origin and provided with reinstalling grants. Some of them will benefit from targeted reintegration activities*
- *Coordination mechanisms established among partners for support of trafficked migrants*
- *Database with statistics on persons assisted and mapping of major trafficking routines will be produced*
- *Evaluation of the reintegration process*

#### 5.1.1. Reporting

IOM has submitted two interim reports and a final report.

- Interim Report for the period May 1st -December 15<sup>th</sup>, 2001
- Interim Report for the period December 15<sup>th</sup> -April 15<sup>th</sup>, 2002
- Final Report for the period May 1st 2001-December 31<sup>st</sup> 2002

Sida has also received direct reports from for instance the IOM mission in BiH. According to Sida, the reporting from IOM HQ tends to be too general. However this has not been discussed with IOM. The evaluators have found that the reporting is insufficient as regards the analysis of key issues and in terms of self-criticism.

## 5.2. Result 1: Number of victims of trafficking returned through the IOM CT Programme

### 5.2.1. Number of women and girls assisted

In the interview with IOM HQ CT-Service they stressed that the case-load had not been the estimated 1.120 but rather around 800 women/girls. The main reason given for this was that the referral system was not in place in all countries. Therefore the money had lasted 20 months instead of estimated 12. The final IOM report informs that a total of **826** victims of trafficking have been assisted in the return programme funded by Sida. The costs for 763 women were fully covered by the present programme. Additionally the reintegration assistance costs (excluding for instance travel costs and costs in the country of destination) for 63 women, who returned to Moldova, Ukraine and Romania, were funded by the Sida grant.

*Box 8. ESTIMATED NUMBER OF VICTIMS AND NUMBER OF CASES ASSISTED*

IOM office	Estimated No of cases (budget)	Number of cases	Period	Country of origin
FYR of Macedonia	200	283	07.06-01-31.12.02	Moldova, Romania, Ukraine, Russia, Bulgaria, Kosovo, Croatia, Czech Rep., Lithuania, Serbia
BiH	300	182 *	19.10.01-31.12.02	Moldavia, Romania, Ukraine, Russia, FRY
Kosovo	120	125	01.06.01-31.12.02	Romania, Moldavia, Ukraine, Albania, Kosovo, Bulgaria
Serbia	200	88	30.07.01-31.12.02	Moldova, Romania, Ukraine, Belarus, Russia, Serbia
Albania	200	72	01.5.01-31.12.02	Romania, Moldavia, Ukraine, Serbia, Bulgaria, Russia, Poland, Montenegro, Kosovo
Montenegro	100	7	01.05.01-31.12.02	Romania, Ukraine, Moldova, Georgia
Croatia**		6	01.10.02-31.12.02	Moldova, Ukraine, Rome, Croatia
<b>Total</b>	<b>1.120</b>	<b>763</b>		

\*In addition 134 women and girls were provided temporary shelter, but they declined further assistance.

\*\* Croatia was included in the programme in October 2002.

Croatia was accepted to be part of the Sida project in October 2002. The number of victims assisted is therefore low, but they have opened a shelter and started working.(IOM Final Report)

In Bosnia a total of 134 women were assisted, but according to the report they declined further assistance. Most probably this means they did not want to return, i.e. join the IOM return programme. However, there is no further comments or explanation to this number of women or an analysis of what this means. There are no numbers of assisted, but not returned women for the other countries.

There is inconsistency in the reporting of the number of assisted women. During the field-visit the evaluators received statistics in BiH of the number of returned and assisted

women respectively. These statistics gave lower numbers despite a longer reporting period:

- Number of assisted women from June 2001-November 2002, **313**
- Number of returned women from October 2001-November 2002, **171**.

That means 142 women who did not join the return programme.

It is reasonable that 11 women were added to the caseload during December 2002 to add up to 182. And it is reasonable that of the 142 women, 8 joined the return programme in December 2002, resulting in 134 assisted only women. According to the Sida report the reporting period was October 19, 2001- December 31, 2002. Whereas above numbers report from June 2001- November 2002 and October 2001-November 2002 respectively. What is remarkable therefore is that the statistics of returned women, with a lower caseload than estimated, cover a longer period than reported to Sida.

Also worth noting is that, although the caseload in Serbia is much lower than estimated the IOM mission in Belgrade wanted to open up a second shelter. The questions here is both how IOM planned to reach the estimated number of assisted women and children (200) when it seems that they now argue that the one shelter they have is too small for coping with the case load of 88 women and girls.

A question to be asked is how the original numbers were estimated? In BiH there was already experience from a pilot project and a referral system in place, although with some problems. Furthermore, as Mr.Gramegna clarified (see chapter 4.1.2) a priority of IOM should be to establish referral systems, and the organisation should consequently be aware if there was no referral system in place at the time of submitting the project proposal.

Another explanation given <sup>33</sup> is that the main factor is *“that many victims do not request assistance because of security issues back home and the difficulties of victims’ protection”*.

### **5.2.2. Who are assisted?**

Another question, which is interesting, is who the women behind these numbers are. There is clear data on to which country they are returning, yet there is less information as regards the age, i.e. whether there are any minors among the “women” returned. In the IOM final report only the number of minors assisted in Kosovo and Macedonia are mentioned. Not for the other countries. In the annexed data on Victims profile it can be deduced that 104 (12%) of the 826 cases were minors under the age of 18. However 74 cases (8%) were not specified and here it is likely that these are cases of women/girls who did not inform IOM about their age. Only one case of the 826 was male, the report does not specify the age of him. The great majority of the women (54%) are in the age range 18-24.

A discussion, which is missing in the report is on the fact that the number assisted is only a small group of all the women that are trafficked namely the women that have agreed on returning to their country of origin. As described above in the description of the

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<sup>33</sup> E-mail correspondence 2002-07-22 from Marco Gramegna to Per Byman

trafficking situation (chapter 3), a large group of trafficked women and girls do not want to return back. This group is of course not included in the programme and therefore not included in the IOM statistics. That there was a problem with many women's readiness to join the programme was known to IOM. IOM Geneva asked for transfer of funds for reintegration activities as this would provide incentive for women to return home. Whether this is the reintegration grant of 150 USD or something else is not clear.<sup>34</sup> In July 2002<sup>35</sup> IOM Geneva argued that many women do not want to return because of security reasons back home. The suggestion to improve this was to employ a law enforcement and trafficking specialist to work on the issue in Geneva.

### 5.2.3. Key issues

- There is inconsistency in estimated number and real number of assisted women and girls.
- The relevance of numbers of assisted victims, vs. the quality and services of support to women is an issue that is not addressed satisfactorily. Focus in the reports is on numbers whereas qualitative aspects such as safety, dignified conditions and the problems and difficulties involved in this are less discussed.
- The programme only addresses those women who agree to return home, whereas the large numbers of women unwilling to return which are not supported are not discussed in the analysis. Even though unjustified, the evaluators can see the risk that this fact (i.e. that IOM focus on the victims who want to return) might lead to that IOM could meet critique from other actors for supporting deportations, totally despite the fact that they have a policy and practice of only supporting voluntary return. To avoid such possible critique IOM needs to analyse and discuss the problems with the women and girls who do not want to return.

## 5.3. Result 2: Coordination mechanisms established among partners for support of trafficked migrants

### 5.3.1 Co-ordination with other actors

The final report does not inform, on an aggregated level, whether the coordination mechanisms have been established by IOM as a result. Yet, for the country reports the cooperation with the relevant ministries and other actors are reported. According to the information given in the report, the inter-agency co-operation have been summarised in Box 9.

<sup>34</sup> E-mail 2001-11-07 from Marco Gramegna, IOM to Per Byman, Sida

<sup>35</sup> E-mail 2002-07-22 from Marco Gramegna, IOM to Per Byman, Sida

*Box 9. CO-ORDINATION WITH OTHER ACTORS AS REFLECTED IN IOM FINAL REPORT TO SIDA*

<b>Country</b>	<b>Type of cooperation</b>	<b>Key actors mentioned</b>	<b>Other actors mentioned</b>
<b>BiH</b>	Development of NAP, Protocol of Understanding, discussions on a permanent shelter facility	Ministry of Human Rights and Refugees	International community and local NGOs
<b>Albania</b>	Inter-agency referral system	ICMC	OSCE, UNHCR and others, Ministry of Public Order
<b>Kosovo</b>	Direct Assistance Multi Agency Group  Standard Operating Procedures  Political cooperation	UNMIK Police Trafficking and Prostitution Unit, OSCE, UNICEF, United Methodist Committee on Relief (UMCOR), local NGO CPWC, Ministry of Social Welfare and of Justice.  Office of the Prime Minister, Minister of Labor and Social Welfare, Ministry of Health and Ministry of Education.	Women's Association of Jakova/Jakovica, Kvinna till Kvinna
<b>FYR of Macedonia</b>	Referral of the victims	Ministry of the Interior, OSCE, Kosovo Force (KFOR), European Union Monitoring Mission, Embassies	Skopje General Hospital The NGO "For Happy Childhood"
<b>Serbia</b>	Country Team  "Padinska Skela" Detention Centre for Foreigner and Asylum Seekers  Shelter  Mobile team	Collaboration with NGOs and governmental structures Ministry of Interior  OSCE, local authorities, Counselling Against Family Violence Ministry of Social of Social Affairs and local NGOs	
<b>Montenegro</b>	Victim Protection Programme	Ministry of Interior, Montenegrin police, OSCE, NGOs, UNICEF, UNHCHR and IOM	NGO Women's Safe House
<b>Croatia</b>	National Committee	Ministry of Interior	Politicians and MPs NGOs

From the above table it is worth noting that many of the key actors, involved in different aspects in the programme funded by Sida are not mentioned. For instance is none of the NGOs in BiH who have contract with IOM mentioned by name. Neither is the Inter

Agency Working Group mentioned. In Serbia the Mobile Team is mentioned, but not all the names of the organisations included. The Kosovo part of the report seems to reflect most comprehensively the other actors in the counter-trafficking work.

In the two visited countries, BiH and Serbia, there are coordination mechanisms established as a result of the work with National Plans of Action, initiated within the Stability Pact Process (see chapter 3). IOM is involved in these systems, even though the level and type of involvement is debated among the other actors. IOM CT-Service reflected as follows on the Stability Pact Process: *“It is a mechanism for coordination, were we coordinate and cooperate closely with UNHCR, ILO, UNICEF, UNOHCHR. There has been some internal problems, but our relationship is now extremely clear, passing by a period of misunderstanding, we are on very good terms now.”* Mr Gramegna also sees the SPTF as a co-ordination mechanism for funds and is not sure whether IOM needs this – *“just another layer between us and the donors. The co-ordination should be there anyway. Stability Pact should instead be used to see who was mandated to do what in the field”*

### **5.3.2 Collaboration with governments**

IOM's collaboration with governments is a priority clear from the Constitution of the organisation and from the priorities set of the activities in the organisation (see chapter 4.1). It is very clear from the interviews that IOM collaborates well with governmental actors.

#### *Collaboration between IOM and governmental authorities:*

*“In all countries IOM have co-operation with Ministry of Interior and sometimes Ministry of Social Welfare”.* (Regional Clearing Point, Belgrade)

*“A good thing with IOM is that they always have good co-operation with the governments in the countries they work in”.* (Barbara Limanowska)

*“Governments in the region like IOM as they take on responsibilities that should lie with the authorities. And then they think that the problem is solved.”*(Helga Konrad, Chair SPTF)

*“We have excellent cooperation with IOM, specifically as relates to trafficking. Recently they started to work on the issue of illegal migrants as well.”* (Enisa Abaspahic, MHRB, Bosnia)

*“We have a very good collaboration with IOM. They are financing our shelter.”* (Dusan Zlokas, Department of Border Police, Republic of Serbia)

*“IOM is a serious institution. If I donated money I would give to a wider spectra. Both for trafficking and illegal immigrants. SBS and IOM are partners and this is how it should be. There is a great understanding as to their different roles in the work. We ask IOM for help. They can help more than state institutions.”* (Ismail Saric, SBS, Bosnia)

*“People in the field have cooperated with IOM through IPTF (or rather it was mainly IPTF that had the cooperation). Mr Vranj has himself worked a lot with Amela and Amer at IOM, “we use each other when we need each other”. Amela knows a lot about trafficking, and Amer, well the girls like him, I saw that when I visited the shelters. I am the person in the Ministry of Interior for*

*trafficking so of course we consult each other on specific issues. IOM reaches the one that needs the help, but mechanisms are needed to stop the misuse of the programme.”* (Edin Vranj, Ministry of Interior, Sarajevo)

*“IOM has been extremely supportive. Their office was very important for refugees and migrants and very supportive when we started developing the work. I would like to have them whenever I need them. They knew how to help us in the very beginning. Those who have helped us the most are IOM and the OSCE mission, and the Stab Pact through Helga Konrad”* (Brankica Grupovic, Federal Ministry of Interior, Serbia)

The collaboration in the countries visited seems to focus on law enforcement authorities such as the police, migration-and border services, Ministry of Interiors etc.

This might create problems, *“IOM always has Memorandum of Understanding with the governments – but it is really often with Ministry of Interior that means they are co-operating with the police force in the country. That can in itself create problems if you think about it from the victims' perspective and a rights perspective.* (Barbara Limanowska)

### **5.3.3 Collaboration with NGOs**

At the local level IOM also coordinates with NGOs. According to Mr. Gramegna at IOM HQ, Sida stressed the importance of IOM to collaborate with NGO's within this programme and as a result they now count on a network with NGO's. There is a policy on how to select the NGO's, which is cited above (see chapter 3). At mission level the collaboration then depends on the local situation. Mr. Gramegna gave the example of Kosovo where the NGO's initially were scared to become involved in counter-trafficking activities, and therefore the selection criteria became “who wants” to work with IOM.

IOM subcontracts NGOs and provides finance for activities within the programme including capacity building in terms of training. IOM does not provide operational or core support to NGOs. During the field visit it was clear that the collaboration and relationship between IOM and the local NGOs is far from as smooth and well functioning as the collaboration with governmental actors. In fact the critique is severe and the lack of trust between the NGOs as a community and IOM is very weak.

#### *NGO voices on the collaboration with IOM:*

*“IOM is talking from the position of power ‘It is our project they say’ as if we were employed by the project. We do not have a partnership. The only way this can be improved is by COOPERATION! Cooperation and respect for each other. It should be clearly defined who is responsible for what. The responsibilities are not clearly defined which is the reason for many of the problems, bad communication has added to the problem.”* (Counselling Against Family Violence, Belgrade)

*“Women who are working in the IOM shelters are great, as well as the people in the Sarajevo office. But the problem is that they are not giving any space to others – they have totally taken over. They deal with figures and criteria rather than humans. There is such a lack of co-ordination!”*(Selma Hadzihalilovic, The Star network of World Learning Zonta)

#### *International actors on the relationship between IOM and NGOs:*

*“There is a healthy scepticism from the NGO’s side towards IOM, they say that they do not want to be service providers for IOM ”. (Madeleine Rees, UNHCHR )*

*“It is difficult to find good examples where IOM co-operates with NGO’s – and no real capacity building of NGO’s but rather contracted to do a specific service for IOM. There is a lack of co-operation between IOM and human rights organisations and organisations dealing with assisting victims” (Barbara Limanowska)*

*“Some of the criticism that IOM gets is in place, but not all of it. What becomes an issue is that the NGO’s are economically dependant on IOM, which makes the NGO’s also dependent on IOM and it is harder to raise criticism against the organisation. This is also a result of that most donors want to give money to the big actors rather than to find local actors.”(Gerda Theuermann ICMPD)*

*“It has been a difficult relationship between NGO’s and IOM as NGO’s feel like it is IOM who sets all the rules and NGO’s only have to follow them. Now it has been a development in the relationship, between IOM and NGOs to the better, and NGO’s role have developed.”(Helga Konrad, Chair SPTF)*

Many of the NGOs active in the anti-trafficking field from the region have contact and meet when it is possible. In February, 2-4 2002 International Helsinki Federation for Human Rights organised a meeting for NGOs in Vienna. The meeting issued a number of recommendations on questions like minimum standards for the safe return of trafficked persons, corruption, the messages contained in information campaigns and gender sensitivity training. Some of the recommendations were directed to international organisations such as OSCE/ODIHR, IOM and UN agencies. Both the outcome of the meeting as well as the answers from IOM is attached (Annex 16). The two-sided problem with the co-operation between IOM and NGO’s are visible in the documents.

Reference to examples of contract established between IOM and some of the NGOs in Bosnia has been made earlier in chapter 4. (See sample Annex 12). As exemplified, the conditions are very strict. An important issue here is the fact that the NGOs obtain the funding for the women/girls after providing the support. This means that only those NGOs that have own funds and in that sense are economically independent are able to enter into collaboration with IOM in the well-funded return and reintegration programme.

Despite this lack of trust, even the critical NGOs are interested in collaboration with IOM.

*Wish to collaborate:*

*“Now when IOM have signed the contract with the government to cover victim’s assistance there is a need for the NGO’s who have already signed an agreement with the government (among them Lara) to sign an agreement with IOM. It is better to have one common procedure to assist victims (evaluators' emphasis). We have to collaborate with IOM to repatriate the women who wish so. But there must be some order in this.” (Mara Radovanovic, Lara, Bosnia)*

*“Even if we would get money from elsewhere we would co-operate with IOM.”(Counselling Against Family Violence, Belgrade)*

### 5.3.4 IOM's opinion

The lack of trust seems to be mutual in many aspects. The problem was raised and discussed by the evaluators during the field visits and IOM could to some extent see the problem but also has little understanding of the consequences their modes of operation with the NGOs may have.

The collaboration with NGOs has not been easy and is still not. *"Many times NGO's complain that we do not collaborate with them, but we do! NGO's are sometime too small, too opportunistic – and all the ones we do not cooperate with complain. We cannot work with all."* (IOM Geneva).

In Belgrade a discussion was conducted between the evaluators and IOM on the lack of trust between IOM and the NGO Counselling Against Family Violence – how to solve this, and how to be able to work together in a cooperation? The suggestions made by IOM related to more control of the Counselling Against Family Violence such as IOM being responsible for all the purchases etc. Another example was that IOM demanded that there should be a note on the wall in the shelter were it said exactly what the victims had the right to get when it comes to facilities, food etc. This cannot be seen as IOM has trust and confidence in the NGO they have chosen as partners. However, the NGO Admira from the Netherlands, who had provided training to the Counselling Against Family Violence had also noted the problem in the relationship and had offered to the parties a basic partnership and management training for finding a solution to the conflict. The proposal was under consideration.

### 5.3.5 Collaboration with international agencies

IOM further participates in the Stability Pact Expert Group together with other key international organisations. Also at country level they collaborate in interagency groups. Again the picture given by the different actors varies.

#### Interagency cooperation:

*"There is an informal working group of primarily international organisations, but not really a working group. More of discussions than actions. IOM is not active at all, but rather as a silent participant on these meetings. One big problem is that IOM repatriate women prior to their trials. And therefore their testimonies are useless (too quick repatriation). This issue has been discussed on many meetings, and IOM have been on them but they do not even comment it, let alone changed their own strategy."* (Katy Thompson, OSCE Sarajevo)

*"As regards IOM it depends a lot on the people out in a mission, and obviously their work varies. They are indeed doing well within their own field and more than what they are specialised or mandated to do. Good examples of their work are in the Check Republic, the shelter in Moldova. My overall impression of their work is good."* (OSCE Informal Gender and Trafficking Group, Danielle Del Marmol, Belgium)

Madeleine Rees at the UNHCHR in Sarajevo, who was one of the driving forces to initiate the work in supporting the victims of trafficking, summarises the development of IOM/Sarajevo as a team player to an independent actor:

*IOM/Sarajevo: From a team player to an independent actor according to Madeleine Rees, OHCHR, BiH*

- “Initially the co-operation with IOM was very good” (1999).
- “In the end of 2000 criticism against IOM started to be raised on meetings with ministries and INGOs (at the national commission on trafficking). The main criticism was that IOM received a lot of money but that there was no transparency as to how much, no information, no statistics and no analysis (the same could have been said, and was partly said, about UNMIBH). Earlier UNHCHR got monthly reports from IOM..”
- “During 2001 one can say that IOM stopped being a team player, they started to develop their own programmes and had little contacts with other actors. Still it must be said that the IOM personnel here in Sarajevo is committed. Then Geneva got hold of the issue and made it into a big thing. Their awareness raising campaigns have been pretty useless. They only tell what we all already know. NGOs have been very critical. Something must have happened in IOM HQ during 2001!”
- “At this point (2001) IOM was not learning by doing anymore.”

The role of IOM in the international collaboration was not discussed as much with IOM during the field visit. In Serbia the Head of Mission had the following reflection. “There has been occasions when it has felt that IOM has been marginalized, not included or invited to meetings and not easy to get in touch with other actors. This was really hard in the beginning of the work here but now it has become a bit better.” (Christopher Gascon, IOM Belgrade,)

### 5.3.6 Key issues

- IOM has good collaboration with governmental structures, particularly with law enforcement agencies.
- The collaboration with NGOs is unsatisfactory. There is a wide gap in the understanding from IOM’s side on the role and capacity of NGOs, as in the NGOs understanding of IOM’s mandate and operational structure. IOM however has the funding resources, which means that many NGOs have no other choice than to collaborate.
- The view on IOM differs when it comes to interagency collaboration. It seems that governmental authorities are more positive than international organisations.
- It seems that IOM rarely has been instrumental in the establishment of coordination mechanisms.

## 5.4. Result 3: Database with statistics on persons assisted and mapping of major trafficking routines will be produced

### 5.4.1 CTM Database

The IOM final report to Sida (p.30) informs that:

- By March 2002 the process of developing a regional Country trafficking Module Database has been successfully concluded;

- in May 2002 the CTM was integrated into the global IOM Database MIMOSA
- it has been implemented since July 2002 in all participating missions;
- the final version comprises six sections for case management: Screened Caseload, the Assisted Caseload (including Victim's Profile, Pre-Departure Assistance, Monitoring, Reintegration and Follow-up), Detailed Report, Statistical Report, Import and Export, and Caseload Snapshot; and
- based on above IOM has annexed information on the caseload to the Sida report.

The CT Database operates within the MIMOSA system as described in chapter 4.1.2. All information gathered comes from IOM missions. The missions use a standardised questionnaire as a basis for information gathering. (See Annex 17)

The database consists of three parts:

- Reconstruction of how trafficking occurred;
- assistance from IOM (shared between country of destination and country of origin); and
- monitoring reintegration follow-up (to be further developed). (IOM Geneva)

The work with the database was initiated at the Kosovo mission after a discussion on a regional meeting. Next year is the third phase when it is expected that also other actors will have access to part of the information on the database, the part looking at trends and movements.

The information is used for various purposes:

- To learn more about trafficking routes and *modus operandi*. This information is shared with the police locally. From the data base IOM is able to extract statistical reports which do not reveal any confidential information. These reports are shared with general public usually via the IOM website.
- To learn about the victims and to have a description of the women in order to meet their needs. On an aggregated level the statistics are used for reports and IOM material on trafficking. On an individual level the information is confidential and only shared between IOM offices. A special code for import/export of the victim profile is used as it is shared via e-mail (zip coded). This part will be further developed to ensure security. (IOM Geneva)

As the database was just recently finished it is still hard to say how it will be used.

*IOM Database:*

*"IOM has their database, but of course they hide it as that is the main way to protect the victim. IOM give aid and assistance to the victims, this is important as many of the victims do not want to have contact with the police. IOM gives us a lot of information and we give to them. There are reasons for IOM having their database. We respect that". (Dusan Zlokas, Department of Border Police, Serbia).*

*"The IOM database: It includes only the victims that IOM assists, that is not anything like the real numbers.(Helga Konrad, Chair, SPTF)*

*“IOM is setting up a database, but what do they do about it? Not only routes, more sensitive information, socio-economic analysis, what happens when they return home? What are the differences for minors? Where is the analysis? Is any done at all? One cannot collect data without having a strategy and analysis as to why one is doing this.” (Yulia Krieger, UNICEF, Bosnia)*

A central issue as regards the database is the way data is gathered as well as how the data is gathered, i.e. the interview and the interview situation. The women and girls who answer the questions are persons under extreme stress. These are very difficult to interview. During the field missions it became clear that the issue of the interview questionnaire, the interview situation as well as who does the interview are highly debated and are sensitive questions.

According to IOM HQ CT-Service the police or the NGO often make the first interview. Thereafter, when IOM comes in contact with the women and it has been defined that she is a victim of trafficking, the IOM questionnaire is used for information for the database. This is the case in Sarajevo (see chapter 4.3.3) where the police make a first interview with the questionnaire prepared by IOM, and thereafter IOM interview the person again with the same questions. As mentioned in chapter 4.4.3 the women are interviewed three times in Belgrade. It is primarily IOM who makes the interview, but also the police and the Counselling Against Family Violence do an interview all with different questions. In Belgrade it seems that it is the IOM interview that counts for defining the women and girls as victims. It may well be questioned how dignified it is for a woman who is traumatised to be interviewed three times. Further it may be asked how reliable the data may be given these circumstances as well as she may be unwilling to reveal much of the information as she may be scared, insecure, ashamed, ill etc. In the case of Sarajevo, where the interview is carried out by the police it may also be questioned how secure the women and girls may feel to provide reliable data, specially since the police has particular interest in data on the traffickers and bar owners. How can the woman be sure there will be no repercussions on her, wherever she is?

IOM staff have been trained to do the interviews. In November 2001 IOM staff was given psychological support training by the Sida grant. In December 2002 a training was conducted (with other funds than the Sida grant) on how to interview traumatised persons. It is interesting to note that the very first training was in November 2001, and the first time that IOM personnel were trained to interview traumatised persons was in December 2002, i.e. when the programme was finalised. Again this can be linked to the question of what type of information has been obtained earlier and fed into the database.

An important aspect of the database is the use of the data. IOM produces a considerable number of reports and the IOM statistics are very much used around the world to substantiate reports about trafficking. Many times the IOM statistics are used as “the” trafficking statistics. A reason for this is also the general lack of data when it comes to number of women and children being victims of trafficking. Given this, there is a clear risk that the data collected in the MIMOSA CT Database become the new “trafficking statistics”. The Database is truly seductive in its set-up and can be used to bring out much information. An example of this is the Annex to the IOM final Report to Sida that

presents figures without totals and with no reference to the countries involved. One distinct issue is to clarify that the data only covers women who have joined the IOM programme, and that there are many other women and children who for different reasons do not join the programme. Some of them may be assisted by IOM and their collaborating partners' services, some not. But they should be mentioned.

It is also of great importance that this clarification is made when presenting trends and movements, as is suggested to be parts of the data-base open for others, so that these wont become the “true” picture of the trafficking situation in the region.

#### **5.4.2 Key issues**

- A database has been set up which facilitates the documentation of IOM operations.
- The quality of the interview setting is crucial for the information given by the women. The examples from Sarajevo and Belgrade show that the interview setting is not satisfactory (interview made by the police in Sarajevo and then again by IOM and three different interviews in Belgrade) The fear and stress experienced by the women is not reliable ground for ensuring that they provide the interviewer with accurate data.
- The database is very seductive in that it easily provides a variety of information. Yet, how the data is used is important. There is a clear risk that the data is used by others as “The” statistics on trafficking, easily forgetting that these numbers only cover the women and girls willing to join the IOM programme and reached by IOM. Therefore it cannot be stressed enough that it is important that the limitations of the statistics that IOM can provide is clearly stated. This is particularly important as to what type of trends and movements than may be presented.

### **5.5. Result 4: Evaluation of the reintegration process**

#### **5.5.1 Reintegration components**

Initially integration components were just part of the programme of some of the countries involved. However, given differing caseloads from what was expected, IOM suggested to Sida to transfer some of the remaining funds for pure reintegration activities in Romania, Moldova and Ukraine. The IOM final report to Sida informs that this has been done to offer tailored assistance to victims returning home. The transfer of funds was also to provide some reintegration incentives for women to return.

The CTM-database and its reintegration component have been used to monitor the evolution of the process. The final report includes an Annex on data on the reintegration activities and the type of support given. The report in Section V in the Annex distinguishes between the titles as follows including the number of cases reported to have been assisted.

- Post-Arrival Assistance (medical assistance 89, transfer to final destination 196, overnight accommodation 527, custom clearance 504, border crossing 538) (fig 40 <sup>36</sup>)
- Next-Day Assistance Provided (transfer to final destination 293, referral for other services 313, medical care 234, accommodation 248, counselling 500, case needs assessment 407) (fig 41)
- Medical assistance provided after returning to home country (standard test 368, standard treatment 311, general medical check-up 278, general gynaecological check-

<sup>36</sup> Figure number in the Annex to IOM final report to Sida

up 385, HIV test 339, psychological counselling/therapy 365, psychiatric treatment 241, other 28) (fig.42 a & b)

- Reintegration assistance (vocational training 330, self-employment 325, job referral subsidised employment 56, grant scheme (*150 USD evaluators note*) 422, micro-credit 39, shelter 342, housing 38, education 23, family support 102, children care 44, legal counselling 275, other 255) (fig.43 a & b)

In the above information new numbers of victims assisted are provided, which do not correlate with the numbers given regarding returned women. The information does not specify in which countries the assistance is given. The written report (p24) informs of reintegration assistance to the main countries of origin, Moldova, Ukraine and Romania. It may be deduced that the number thus relates to women returning to these countries. The information is difficult to assess. No total of the numbers of women assisted is given, and there are gaps in the information as to whether all women and children are assisted, and if not the reasons for this. No specific data on the assistance to minors is provided. As the evaluation team did not visit any of the three mentioned countries a qualitative assessment cannot be done. Only the information from Serbia and interviews in HQ and Vienna serve as input.

### 5.5.2 Reintegration assistance

The definition of reintegration programme is: *“All the assistance provided in the process of return. The smallest is the pocket money given to the victims.”* (IOM Geneva)

According to the project documents as well as the interviews, the reintegration assistance is tailored as a package for each individual including the following components:

- The reinstallation grant of 150 USD,
- shelter,
- legal counselling,
- medical assistance,
- reproductive health,
- psychological assistance and
- other individual specific needs.

Whether the individual receives all these components depends on the possibility of leverage in the country. The reintegration programmes and its components seem to vary much between the different countries.

According to Irena Vojackova Sollorano and Anelise Araujo-Forlot at IOM Vienna *“What is normal for IOM to provide is to have a shelter where the woman stays at an average of two weeks. The rest of the programme is done within structures that are already in the country. The policy is to contract those who already give that type of assistance, primarily NGOs.”*

In the project description (p.3) return and reintegration are specifically de-linked as separate programmatic activities. The idea was to have a common approach on return and reintegration, but that each country of origin would have possibility to adapt it in accordance with local realities. The purpose was also to avoid inequalities for

reintegration activities within the same country for victims being returned under different return projects funded by different donors<sup>37</sup>. To avoid this, IOM de-linked the components as follows:

- Assisted return from countries of destination- including pre-departure assistance (information, medical screening, travel allowances, shelter), transport, escort, document and formalities.
- Reintegration assistance in countries of origin- medical and psychological assistance, security protection, vocational training, job referral, self-employment and micro-credits.

However, in the operations, the activities are difficult to de-link. At IOM Vienna the standpoint was clear: *”If we return women we have to reintegrate. You have to have a reception house, and there need to be an individual structure on the help and assistance for the women and girls.* They further illustrated the complexity of the reintegration process as follows: *”If a woman comes back to Moldavia she comes back to the same situation that she left, just worse off as she is now also a victim. The need is therefore to reconstruct the whole personality. It must focus on the individual.”*

The evaluation team found it very difficult to assess the reintegration programmes and its components. IOM Serbia has received some cases, and the reintegration components are presented in chapter 4.4 Serbia. IOM HQ CT-Service informed that an external evaluation on the reintegration programme in Moldova, praised by many such as the Regional Clearing Point, as the most comprehensive reintegration programme, is presently undertaken, funded by the Swiss government.

### **5.5.3 Reintegration problems**

There are a number of problems with the very complex reintegration component, which were highlighted by IOM CT-Service in Geneva:

- Some of the women and girls do not want to be part of the reintegration programmes, as they do not want to be recognised as victims of trafficking.
- There are a number of practical aspects that still need to be elaborated and unified. Therefore guidelines/manual for shelter managing will be completed soon. How to communicate, security, and contact with NGO’s etc will also be included here.
- So far it is difficult to evaluate reintegration component as it has just started – therefore the focus should rather be to monitor the process.

One statement that summarize the complexity:

*”How do you measure when a woman is fully reintegrated? How do you do that??? When she is fully empowered and then you are back at the root causes, which is in our mandate to empower migrants.”* (CTS Geneva).

In the field IOM representatives highlighted some lessons learned.

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<sup>37</sup> E-mail 2001-040-09 from Marco Gramegna to Per Byman

### Lessons learned regarding reintegration

*“A problem is the need of long term housing for some of the women and girls “half-way houses”, and income generating projects are needed for the women to have a future. A systematic regional approach is needed to have a successful programme”. (IOM, Vienna)*

*“It needs to be looked at carefully. Hoping that the Regional Clearing Point will come up with things here. They can help us to understand the region and to develop our work there. For the reintegration process – now we have 150 dollars as a reintegration package. Do not know what that means, is it good or not? But it is better than nothing. But maybe the Regional Clearing Point could get a better picture. The start-up fund – at least victims see it as an encouragement. But does it address the problem, to avoid that women seek the trafficking mechanisms again? Demobilisation programmes for instance are much more developed. Now we take them home, follow-up is done and that is mostly done with NGOs in the country. Here in Serbia the problem is that there is hard to find an NGO that wants to work with a concrete person – hard to find good help. (IOM Belgrade)*

### Other voices on return and reintegration:

*“IOM plays an important role as returning victims is almost the only solution right now (no legislation to deal with victims in other ways right now). They shift people around the world and victims of trafficking is one of the group. They run the shelters, we call them return-shelters as the women and girls do not stay a long time in them and the assistance programmes are not so developed.” (Helga Konrad, Chair of SPTF)*

*“Cost and time impacts on the result of the return and reintegration programmes. Most started 1,5 year ago. The women stay often two weeks in a shelter when returning – could be up to 3 months and a maximum is 6 months. One exception is the Romanian NGO Reaching Out where the women can stay for two years.”(Regional Clearing Point, Belgrade)*

*“It would be good if we could return them all safely back home to their countries, the only thing we can do now is to provide for three months in the shelter. That is maybe too short but still better than nothing. Italians have one more step; they give permission to work after one year. IOM provides everything for their safe return.” (Dusan Zlokas, Department of Border Police, Republic of Serbia)*

The discussion on reintegration also brought up the need for the country of origin to meet these problems. Various actors brought up the issue of state responsibility in this aspect, aware of the limits many of the states concerned have.

### Long term reintegration

*“Reintegration programmes here in Serbia – well there is no real work or plan from IOM. They give the women opportunity to go to hairdressing classes, pedicure, manicure etc – and do not realise that these women and girls might find it difficult to touch other people after their experiences. The question to be asked is: do we have possibilities to give real reintegration help?” (ASTRA)*

*“We have to force the countries of origin to deal with the reintegration, the involvement of the authorities is essential, not only the police but also others like social welfare etc. IOM has worked 4 years with reintegration in the region. (IOM Vienna)*

*“There is a need to have an indefinite stay, a key question for IOM is: At what point do we stop providing assistance and where do we then refer the women. There must be a distinction between victims and witnesses. We must start thinking about this and what to do beyond reintegration – what happens next. We do not have state institutions taking over”. (IOM Belgrade)*

*“How to really help Serbian women returning – well here Ministry of Social Affairs should be more involved. Looking at what kind of education the women can get and what kind of job that can lead to”. (Aleksandra Vidojevic, Assistant Anti trafficking Issues OSCE)*

#### **5.5.4 Re-trafficking and follow-up**

An important aspect of sustainability is whether the women who return are reintegrated successfully or if she ends up back in the trafficking business again. The numbers for how many women that are re-trafficked are impossible to establish. Yet it is an issue that has to be taken into account.

##### Re-trafficking:

*“Have not yet seen any re-trafficking. It is difficult to know; a few times the women did not appear in the airport in the country of origin, because they hid the IOM bag. There are rumours that women are trained by traffickers to say specific things in the interview. It is not a frequent. We are aware of the risk with people being fed into the system. The data-base is very useful here.” (IOM Belgrade)*

*“This is a never-ending circle. What happens with the women when they go home? No one really knows..” (Selma Hadzihalilovic, The Star Network of World Learning Zonta )*

*“According to the girls stories many of them have been in Serbia before (re-trafficked). That would be a key role of IOM to help them to find a job so that they do not return back to trafficking again.” (Counselling Against Family Violence, Belgrade)*

An important aspect of the reintegration programme is the follow-up of the women returned. Actually the only mechanism for follow-up of the women is whether they join any of the suggestions for activities proposed by IOM and implemented by local NGOs. The CTM database further aims at serving as follow-up of the women and girls and to assess the level of re-trafficking.

#### **5.5.5 Key issues**

- It is very difficult to assess the reintegration assistance and process as the evaluators did not visit any of the countries of origin.
- IOM mostly contract others to give the actual assistance i.e. do not have the capacity themselves – more of a channel of money.
- IOM is not yet evaluating the reintegration process – rather monitoring and that is done through the database despite that they have 4 years of experience in the region of reintegration programmes.
- A proper follow-up and evaluation cannot be done of the returned women as only those who join a programme or activity keep in touch.

- The reintegration programme in Serbia is not yet well functioning, which the IOM CoM is aware of.

## 5.6 Psychological support to IOM staff

### 5.6.1 Psychological training

In the IOM final report to Sida, another result stressed is the Psychological training of the IOM staff working with victims of trafficking. The need for psychological support for staff members is briefly mentioned in the Project Proposal, yet not foreseen as an expected result there. But as reported in the IOM Final Report to Sida it is seen as a major achievement. In the final report IOM thus stresses as important results:

- The Training for Psychological support for IOM staff working with victims of Trafficking organised in Rome in November 2001.
- The development of guidelines for training on Psychological support for IOM staff working with victim of trafficking. (These were developed during the above training)

According to the final report the purpose of this training was to support IOM staff to cope with the stress of working on irregular hours, to be on call on 24 hrs and the stress of identification of the victims. Yet, in Belgrade the police called the NGO Counselling Against Family Violence during weekends as the IOM staff were usually not available. In the contract with La Strada in BiH, it specifies that the shelter should be ready to receive women 24 hours a day, 7 days a week. The report from the psychological training (annexed to the IOM final report to Sida) does not specify whether the people working in the shelters were included in the training.

In interviews with IOM staff it seems that the awareness on the need for staff to be trained on these issues as well as the need to have continuous support on how to deal with so difficult situations and life stories, grew strong throughout the project period. *“We have psychological support for the victims but had not thought of the need of the same support to our staff.”* (Christopher Gascon IOM Belgrade)

One of the CT-officers in Belgrade goes to the psychiatrist, the same as the one for the victims. However, they have no professional guidance in their everyday work as regards these issues.

Another argument for the training is that IOM personnel are the only ones in contact with the victims *“We need to have specialised seminars as we have direct contacts with the victims, but as we are the only ones who have direct contact of course it is hard for someone else to organise it. But would be needed. More direct support to the team in different ways. There is a great need of one more staff member.”* (IOM Belgrade). However, other actors such as the police, shelter staff, NGO’s running hotlines and shelters etc. also have direct contact with the victims, and even if it is not the responsibility of IOM to provide training for these groups, the acknowledgement of their expertise and work is lacking in above statement.

In December 2002 another training on interview techniques (for interviews with traumatised persons) was organised for the IOM CT-Focal Points in the Balkans, in Rome, charged on a different project. (A capacity building project funded by Ireland and Italy).

Whether shelter staff were included is not clear, as this has not been reported to Sida.

It is noteworthy that IOM is not making use of the regional experience of dealing with traumatised person nor of dealing with women victims of gender based violence. After the war in the region many NGOs and other actors have been involved in activities in support for traumatised persons. It is also noteworthy that the specific training on how to interview the women was not planned earlier in the process. This indicates that the claimed expertise of IOM on interviewing, victim identification and in dealing with victims of trafficking rather should be labelled as a learning process.

### 5.6.2 Key issues

- The need for psychological support for staff involved in direct work with women and children victims of trafficking has grown important as an issue during the project year and is reported in the final report as a major achievement despite being referred to as a minor activity in the project proposal. This indicates that the awareness of the importance on this dimension has grown during the project year.
- The awareness on the specific interview techniques required in interviewing traumatised women and girls seems low. Otherwise this would have been planned and implemented at an early stage.
- The Sida grant has supported IOM internal staff training. The training seems not to have included other collaborators to IOM that are equally, or in some cases even more involved and in contact with the women victims, such as police officers and shelter managers.
- The capacity and knowledge of other actors in this field is not used and build upon.

## 5.7 Administrative and financial aspects

### 5.7.1 General aspects

All the IOM field missions send monthly financial reports to HQ.

The main changes in the Sida budget have been as follows:

- 1) Database started in Kosovo – money transferred.
- 2) There was a need for money for reintegration in countries not included initially in the proposal (Bulgaria, Ukraine, Romania)
- 3) A lot of money (150.000 USD) was lost in changes in exchange rate. Therefore the budget had to readjust accordingly and operational costs were deducted.
- 4) Serbia and Montenegro did not have as many cases as estimated, and some of that money was transferred to reintegration activities instead. (IOM Geneva)

According to Sida<sup>38</sup>, the transfer of funds for the database (1) was unproblematic as this amount was not geographically bound.

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<sup>38</sup> Interview with Per Byman

As regards the reallocation of funds for reintegration activities (2) IOM requested<sup>39</sup> to use part of the 50.000 USD budgeted for each mission (6 missions) to support the victims from Moldova, Ukraine, Romania and Bulgaria. Here the need for reintegration incentives for women to return is mentioned as an important reason to make the Sida funded programme successful. This was approved by Sida in November, 2001.<sup>40</sup> The exchange rate loss (3) was addressed by IOM in July 2002<sup>41</sup>. There was also a no-cost extension for activities until September 30, 2002, due to the lower caseload assisted, which was approved by Sida<sup>42</sup>. Referring to the exchange rate and the no-cost extension the budget was reviewed and a leftover of USD 283,111 (for Serbia) and USD 147,441 (for Montenegro) was identified. These funds were asked for to transfer to reintegration activities in Moldova, Ukraine, Bulgaria and Romania or for a law enforcement officer in IOM HQ. However Sida did not approve this transfer but rather suggested to use the funds for activities in Croatia.

In October 14, 2002 Sida approved the IOM proposal for Croatia, allowing funds to cover for activities until December 31 2002 and disbursed until January 31<sup>st</sup> 2003.

As regards the leftover from Serbia and Montenegro (4), according to the correspondence the funds were used for activities in Croatia.

Other financial comments by IOM HQ were:

- The length of presence of the IOM mission makes the costs vary, instalment costs are high, and a minimum must be kept even if there are no cases.
- Reintegration costs from this project is just a lump sum and part of a broader budget for the reintegration work.
- Reallocation of funds is coordinated with field missions and HQ, both as regards to over- as well as underspending budget lines. If it is something special that comes up in the work out in a mission (for example if an expensive operation is needed for one of the victims) it is the mission that will ask Geneva about the possibilities to use money for it. Geneva has saved a sum of the project money that is for emergencies and unforeseeable costs. Major shifts are coordinated with Sida.
- Auditing is made once a year for all of IOM by the end of March each year. Specific auditing can be done if is included in the budget for that specific project.

As the costs for reintegration is a lump sum part of a broader budget it is also difficult to assess how much reintegration costs.

Comments to changes in the country specific budgets are presented in Chapter 4.3 and 4.4 respectively.

As regards the financial independence the IOM missions seem to have different sharing policy:

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<sup>39</sup> E-mail 2001-10-19

<sup>40</sup> E-mail of the 2001-11-08

<sup>41</sup> E-mail 2002-07-22 from Mr.Gramegna to Per Byman

<sup>42</sup> Letter March 13, 2002

- *With the bilateral projects we inform Geneva about the grants we have received, but do not check with Geneva in advance.* (IOM Belgrade)
- *The Sarajevo office can look for funds themselves but all new ideas are coordinated with Marco Gramegna to see how it fits in the overall picture* (IOM Sarajevo).

### **5.7.2 Contacts with Sida and Sida visibility**

It is Sida's field representatives at the Embassies' responsibility to follow up the programmes. The embassy reports monthly to Stockholm about the programmes. All reports are forwarded centrally. Sida's responsible representative at the Swedish Embassy in Belgrade, Snezana Nenaodivic, has met IOM CT-staff but has not seen how they work or any of the activities during the 6 months she has been in office. All the contact is on Sida's initiative. To Snezana the programme seems big and expensive. She does not consider that the reports fully cover what is going on in the programme.

On the IOM web site where the CT-trafficking projects are listed there is no reference to which the funding agencies are.

### **5.7.3 Cost efficiency**

According to IOM calculations as per December 2002 (see Annex 18), the total cost per assisted woman is 3.202 (USD) . The estimated cost approved by Sida was 2.600 (USD) . Given that the estimated number of assisted women and girls was 294 less (1120-826, which includes the women who were given only assistance but who did not return from BiH) the average cost per woman has risen. To be considered is also the fact that the lower number of cases is during a longer period of time.

According to the calculations mentioned, the expenditure of the staff costs increased to 613,480 USD vis-à-vis the budget line 540,796 USD. Furthermore the last approved budget for staff costs was 644,586 USD. Thus the estimations for the office costs increased during the project period whereas the reported costs for the activities were lower than budgeted. Simply put this means that less money than expected reached the women whereas the IOM office costs increased.

It is difficult to say anything of an alternative price per assisted victim. Much of what IOM is doing presently is in other contexts done by a governmental actor in collaboration with an NGO. Whether this is a possible scenario in the region may be debated.

It is clear that the IOM programme is expensive, which was stressed by Sida's representative in Belgrade. *“About the effectiveness and list of resources – it can be questioned. They for sure are an extremely expensive organisation”*. (Snezana Nenadovic, Development Programme Section, Sida) An international organisation with international salaries and overhead-costs obviously is much more expensive than a local agency or NGO.

Cost-efficiency can also be discussed in terms of long- term sustainability. Here the issue of re-trafficking is very important. If the women return back and re-enter the trafficking business the efficiency of any kind of money used for her return may be questioned. The

opposite might be true if she is fully recovered. Yet this is impossible to assess, as the follow-up of the women is almost non-existent in the present programme. There are so many voices stating that the women end up in prostitution or are re-trafficked that it cannot be kept out of the scenario.

#### 5.7.4 Major changes in the new IOM proposal to Sida for 2003

The CT-Service at HQ announced the following changes to the new proposal to Sida:

- Countries of origin are included in addition to the previously included countries, and Croatia is included from the start.
- Training of staff – psychological support and interviewing traumatised people. New is that also NGO's would be included in this training.
- Database: to include it fully in Mimosa and to strengthen the reintegration part.
- The activities in the proposal are more or less the same, but bigger budget as the number of countries has increased as well as the overhead cost has increased to 12% as decided in the IOM Council.
- Funding for internally trafficked women is included. IOM argues this might help in the discussions about the women and girls that do not want to go home.

#### 5.7.5 Key issues

- IOM is an international organisation, which as such means that they are more expensive than local actors, however this is a choice that Sida has made in choosing partner.
- The cost per assisted woman/girl is higher than estimated as the number of cases is lower over a longer period than planned.
- The office costs for IOM have increased during the project period, whereas less money than expected has reached the women.
- In a sustainability perspective the IOM programme is very expensive given the lack of follow-up of the women and girls that return. For each woman that is re-trafficked the money is not efficiently spent.

## 5.8 Attainment of goal and objectives

As follows the attainment of the objectives and the overall goal of the programme is discussed.

### 5.8.1 Project objectives

The objectives of the programme are *to in cooperation with international organisation facilitate the orderly, safe and dignified return and reintegration of 1,120 trafficking victims stranded in the Balkan countries.*

The objective is to **co-operate with international organisations**, which as discussed above in chapter 4.3 is not perceived by all of the interviewed internationals as they do. It has been stressed, that there is good collaboration with governmental actors. Among international actors IOM is rather perceived as an independent actor, present at meetings, but not active in the strategic work. However, the objective is not specified to include the collaboration with governmental authorities nor local NGOs.

Secondly, the objective aims at the **orderly, safe and dignified return** of a very defined number of persons (1,120 women). As mentioned less women and girls than estimated have been returned through the programme (826 or 763) during a longer execution period. However, almost all informants stressed the expertise of IOM to return persons, i.e. the actual transportation of the women. The professionalism in this respect was highlighted and furthermore it was stressed that no other organisation could take on that role.

As regards the *safety* this is difficult to assess, yet a number of issues may question this aspect:

- The women are identified by the IOM plastic bag that they carry. The risk is that the traffickers would know this and thus the women can be easily picked up again as soon as IOM and/or their collaborating organisation stop having contact with the women.
- The fact that extensive and sensitive information is shared between IOM and governmental structures in both the country of origin and of destination. The question that all the actors involved would not leak the information is worth considering
- The fact that some of the women have been able to disappear by hiding the IOM bag when arriving at the airport of the country of origin (as reported by the IOM office in Belgrade).

A *dignified* return would mean to have a gender perspective on the situation of the women with full respect of their needs. This is not satisfactory in the programme:

- A system where the women and girls can be interviewed up to three times in a short timeframe cannot be regarded as dignified.
- The activities offered through the shelter programme are ad-hoc and not well considered in an integrated programme between the country of destination and the country of origin. There are also problems as regards type of occupational activities, as for instance diet cooking, pedicure and manicure training for women that may be too traumatised to even be touched.
- There is a clear risk of overlapping medical check-ups between the country of destination and the country of origin, hopefully this will be avoided with the use of the data-base.
- The lack of follow-up in the country of origin. The only follow up made is with those women who are willing to join any of the offers the IOM Mission in the country have.
- The inconsistency in the support to minors. The only special treatment identified was that IOM Bosnia gave escort throughout the journey to the home of the child.

As regards the number of women and girls returned, 826 or 763 women out of the estimated 1,120 were returned, despite a longer implementation period and despite including an extra country at the end of the project year.

### **5.8.2 The overall goal**

The overall goal state "*that the project will contribute to the regional counter-trafficking efforts in the Balkan region, through the coordinated assistance to women and children victims of trafficking. The project will alleviate humanitarian problems...*" A key

question is in what aspect this project is a counter trafficking project. Does returning women and children victims to their country of origin really diminish trafficking in women and children? The evaluating team would categorise it as a “Band Aid” operation. Assisting trafficked women and girls who come across the IOM programme and want to join it is necessary and complies with basic human right standards as well as with the UN Palermo Protocol from 2000 on Trafficking in Human Beings. The programme is further set in an international context and joint effort through the Stability Pact process of addressing trafficking and assisting its victims. IOM is a member of the interagency co-operation and collaborates in the assistance to the women with governmental actors and NGOs.

The most important problem though, as regards the goal attainment, is the lack of analysis and support to those **women and girls who do not want to return** to their country of origin. This is a sad aspect of what trafficking is about and cannot be ignored only by “that they are not our responsibility, we only deal with those who want to join our programme.” Even so, how does anybody know how many of the women that join the IOM return programme really want this? Is it the only option? What else could they do? This is clearly not only IOM’s problem; still it cannot be ignored by IOM if they really want to counter trafficking.

Another issue in the regional counter trafficking efforts is the development of what could be called an “**operational definition**” of who is a victim of trafficking, which means that those women that say that they want to return at the moment of the interview are the ones considered victims of trafficking. All those who do not say that they want to return are in practice not considered as victims of trafficking. This is not a definition that is spelled up, but it is used by key actors such as the police. This is **not** IOM’s definition but it is rather a definition that the team has identified during the evaluation, especially among governmental representatives. It seems to be a very unfortunate misunderstanding. It is connected with the evaluated IOM programme given the limitations of the programme where the focus is on assisting women and girls who voluntarily wants to return to their home country and where there are no real alternatives for the women who do not want to return. The main problem is that authorities are “*de facto*” using this definition, which makes it a dangerous one as it excludes a large group of women and children victims of trafficking from the analysis of the target group, and of finding suitable support for them. Therefore, IOM needs to be aware of this misunderstanding and ensure their collaborating partners understand the use of the Palermo definition.

### 5.8.3 Key issues

- The fulfilment of the project objectives of the IOM Return Programme is questioned as regards the co-operation with other actors given the tensioned relationship with NGOs, as regards the safe and dignified return as well as regards lower than estimated numbers of women and girls assisted.
- The IOM programme has contributed to the counter-trafficking efforts in the Balkan region by giving assistance to those women and girls who have said that they want to return, yet, without further analysis of why some women do not want to go home.
- The evaluation has found that key governmental actors, such as the police use what is here labelled an “operational definition” of who is a victim of trafficking, ie those who say that

they want to return home. This seems to be a misunderstanding. But it also seems to be linked to the IOM return programme as there are no real alternatives for support for those women and children unwilling to return home. IOM needs to be aware of this misunderstanding and ensure that their collaborating partners understand the use of the Palermo protocol.

## 6 CENTRAL ISSUES AND FINDINGS

As follows central issues are discussed as been specified in ToR.

### 6.1 Regional approach

The evaluated programme is an unusual programme for IOM due to its regional approach. According to the CT-Service in Geneva, the regional approach within the IOM structure is generally set up by regional strategies. There are no other regional programmes except for one in the Mekong Region in Asia. A further distinction is that the Head of the CT-Service is Overall Project Manager for the Programme. This was requested by Sida, normally the responsibility for project management lies with the country missions. Each CoM will manage the national portion of the programme. CTS at the HQ will take main oversight decisions only.

In an interview during the evaluation with the HQ CT-Service they could see both benefits and weaknesses with the regional approach.

Benefits:

- Standardised assistance in the region.
- Systematic collection of data.
- Has helped colleagues to think regionally: that the same case (a girl/woman) will move and be received by two different offices is still the same person.

Weakness:

- Every mission sees itself as one project. For instance it was not popular with the reallocations to support other missions.
- As IOM is a project driven organisation it is hard to have the project manager in Geneva that says yes or no to projects. At times the missions had difficulties in accepting the leadership from Geneva.

Regional contacts:

*“We mostly have contact with other missions on the specific cases. Chief of missions are in contact on and off. We count on each other, the network is buzzing. Aida also gets information through the Regional Clearing Point”.*

*“The Sida project is one of the very few centrally managed project which is actually functioning. We count on each mission to do our/their thing, but centrally co-ordinated. We must have a regional approach to have one direction”.*

(Christopher Gascon, IOM Belgrade)

An important aspect of a regional programme would be the transfer of know-how between the countries. An example in this aspect, given by the Head of the CT-Service, was that one of the officers in the Croatia mission had been to Macedonia and to Italy to see how the work is organised there. But that was on initiative from the person concerned, not something that is in the organisation itself. Another example was given in BiH, that when the IOM office in Moldova was started they were inspired by IOM

Sarajevo. The need for contacts with missions in countries of origin is foreseen, but not the need of exchanging procedures and encountered problems and solutions among the “sending missions” in the Balkan region. At the field missions the CT-staff informed that they had close contact with the other missions in relation to the individual cases, but not so much on sharing of experiences and methods. In Serbia the main contact on a regional basis is the Regional Clearing Point. Even though this is an SPTF initiative it is channelled through IOM and the project manager is an IOM staff member.

Thus the exchange of experiences and methods within the evaluated programme seems to be low.

During the project time IOM HQ has arranged one regional training for IOM Trafficking Focal Points (Rome 2001) and two co-ordination meetings for the Chiefs of Mission and the Trafficking Focal Points in the region. The co-ordination meetings, funded by first Sida grant, were organised in November 2001 in Rome taking advantage of the training attendance and the second in Vienna on December 2002.

The regional approach is appreciated by IOM, particularly as regards the possibility of transfer of funds adjusted to the changes during the implementation. Yet, the IOM has not made use of the advantages of the approach in terms of transfer of know-how and exchange of experiences as regards procedures and methods. Furthermore, despite that many of the IOM staff emphasise the need of linking return activities with reintegration, this does not seem to happen in the programme assessed. There does not seem to be a regional approach at the operational level.

### **6.1.1 Key issues**

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| <ul style="list-style-type: none"> <li>• The regional approach is appreciated by IOM. Yet, it remains a new way of working and still needs to be improved.</li> <li>• The regional transfer of know-how is not practised as regards procedures and solutions.</li> </ul> |
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## **6.2 Roles and responsibilities: IOM mandate and long term role**

### **6.2.1 Coordination and division of roles**

The coordination and division of roles is a key issue of counter trafficking work. In the Balkan region, and clearly in the visited countries, there are coordination mechanisms established within the NPAs, unlike many other regions of the world. The division of roles is further decided by the mandate of the organisations. Clearly there are problems as regards the implementation of the NPAs, which largely relates to a general instability in the countries, their governance and political will. The co-ordination mechanisms have been described in chapter 3 and 4.

Still, the division of roles and assumed roles of many of the actors is also discussed in the region. The role of IOM is within this context highly debated. As has been described above in chapter 4.3 on the establishment of coordination mechanisms and the relationship with different actors it is clear that there is a gap between what IOM define as their role and what other actors perceive as their role and responsibility.

As described in chapter 4.3 IOM has, within the context of this program, generally good working relationship with governmental authorities, but an “outsider” relationship with the international actors and an unsatisfactory relationship and modes of work with NGOs. This does not comply with what is stressed in the IOM Constitution, §2, where the close collaboration with international organisations, governmental and non-governmental organisations is stressed. *“Such cooperation shall be carried out in the mutual respect of the competence of the organisations concerned”*.

As regards the good relationship with law-enforcement authorities, this is indeed positive, and is in line with the Constitution, which stresses the collaboration, through arrangements between *“IOM and the States concerned”* (§1b) and §3, where IOM is limited by *“conforming to the laws, regulation and policies of the States concerned”*. It may have the drawback that focus is on implementing the migratory laws, rather than focusing on the needs and situation of the women and children. The way some of the authorities perceive IOM is as if IOM is the one they respond to instead of the national governmental structure.

The collaboration with NGOs is defined by contract of services. NGOs are not perceived as independent actors, which may build up a sustainable work, but rather as service providers that should be used as such. Many times NGOs were referred to as incompetent by IOM staff. Therefore IOM just “has to step in”. In the long run this creates problems as addressed by Gerda Theuermann, ICMPD *“If you want sustainability you have to work slowly, long term with nationals. It is not sustainable to do the work for them. However, many times there is a need for showing immediate and measurable results for a donor, which may be an obstacle for the long-term work”*.

The critique by primarily NGOs and international agencies interviewed, often relates to issues such as that IOM takes on the role as the “trafficking solver”, i.e. moving in to all the various spectra of activities required to counteract trafficking without respecting the roles and work of already existing actors. It is illustrated by the following comment of IOM Chief of Mission in Belgrade: *“IOM has a role of taking action when there is nothing done in a field, even if it could be counted as not within our mandate. If we see a need and no one is covering this then we cannot sit back and do nothing – we have to step in. Right now there is a need to have awareness raising campaigns in Serbia, have not done it so far but cannot just sit and see that nothing is done. Have never seen a campaign anywhere so far”* (Christopher Gascon, IOM Belgrade). According to the NPA of Serbia, the responsibility for the awareness work was assigned the NGO ASTRA, who also conducted a information campaign according to the plan. This, the IOM Chief had not seen despite being in the country. *“Serbia is the only country in the region where IOM have not had an information campaign but they are planning one now for Southern Serbia (ASTRA)*. It creates unnecessary frustration that IOM would take on this work despite that, real or/and perceived, this is not their role according to the NPA<sup>43</sup>.

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<sup>43</sup> The mass-information campaigns have met wide critique for their humiliating portrayals of the women and for not reaching the most vulnerable groups. The same concept is used in every country. (Yulia Krieger and Selma Hadzihalilovic)

The different perceived roles of IOM are problematic in various ways as summarised by the independent consultant Barbara Limanowska:

- As an implementing agency, many times taking over the role that local NGO's had.
- As a funding agency – gives money to local NGO's that make them also dependant of IOM (and which in turn creates frustration when it does not work, evaluators comment).
- As a monitoring and evaluation institution – which monitor its own programmes.

Yet, despite the critique from mainly the international agencies and local NGOs, there seems to be a unifying position that IOM should do the *repatriation* of the women and children victims of trafficking according to their mandate "...*make the arrangements for the organized transfer of migrants, for whom existing facilities are inadequate or would not otherwise be able to move without special assistance...*(§1 a)". Accordingly, no other organisation has the capacity and expertise of doing this.

*"IOM is perfect when it comes to documents and transport, NGO's better to take care of the victim, putting the individual in focus. NGO's are more ready to focus on the needs of the victim – IOM only can do what is legal in the country (within the legal framework)" (Helga Konrad, Chair of SPTF)*

The IOM mandate also includes that the IOM should provide at ...*"the request or in agreement with the states migration services, including recruitment, selection, processing, language training, orientation activities, medical examination, placement, activities, facilitation reception and integration, advisory services on migration..."*(§1c). These include a variety of aspects that may be understood and interpreted to cover many types of programmes. However, other actors could implement some of these. As seen in the present programme, for reception and integration, NGOs are sub-contracted.

As regards IOM's perception of their role, it varies somewhat depending on who is the respondent. Yet there is a sense that "nobody else" is capable of doing the job and meanwhile IOM must assume its responsibility, i.e. as a "trafficking solver". This also impacts on how the NGOs are perceived in the programme, which according to IOM should do for instance the operational shelter job, but are not professional enough of assuming the financial responsibility.

*IOM perception of their role:*

*"IOM's future role will be as "international connection-maker", that is to do the things that the state and the NGO's cannot handle. IOM is not starting to get to big but rather answering to needs". (IOM Vienna)*

*"We have a temporary role here, we should not be so operationally involved, but we have a role to fill while it is happening. Don't see us as an international that should do all here but rather to have an exit strategy. Here there are NGO's that are working well. The need for IOM is limited, our role should be return and reintegration." (IOM Belgrade)*

*“I do not want to run shelter but if nobody else does we would. We need to provide the administrative structures. There is still a need for this “in-between” role of IOM as donors would rather deal directly with IOM.” (Christopher Gascon, IOM Belgrade)*

*BOX 10. AREAS OF PRIORITY AND CHALLENGES FOR IOM ACCORDING TO IOM HQ*

**Areas of priority**

- IOM should not manage shelters. The objective is sustainability, and thus IOM should disappear, establish local know-how, and to leave shelter management with local NGO's. Maybe already in two years time. The high security risk for IOM staff is further an important reason for why IOM should avoid direct management.
- The reintegration activities should remain within the IOM responsibility. IOM should contract NGOs for their part, but continue to have the responsibility for the financial aspects of the work.
- To work in countries of origin is much harder work and in the return countries there is a need for IOM experience and knowledge. In the future the focus for IOM will therefore be on the countries of origin and the rehabilitation process.

**Main challenges:**

- To cope and coordinate well with other partners.
- To mark well one's mandate and not to compete with each other, to build a working relationship between the major actors.
- To strengthen the law enforcement side through training of law enforcement personnel.
- To get member states to ratify the Palermo Convention and Protocol from 2000 and to implement national legislation accordingly.
- To work with the countries of destination on the demand side.
- To address the root causes: Even though development is not our mandate, development and migration is our mandate. Transportation will remain our core activity.

It may be noted that from the HQ there is a will to coordinate with other actors and to follow the division of responsibilities. Yet, at the same time there is clear expression of will to enter other areas of counter trafficking work such as addressing the demand side, to lobby governments, training of law-enforcement and focus on reintegration and the situation in the country of origin. Also there is a will to address the root causes, which is to move into long-term development work. In all these areas there are other actors developing work of which many have a far longer track-record than IOM, and that furthermore may be more suitable and thus efficient in obtaining long-term and sustainable results.

The reintegration expertise within IOM could also be questioned as most IOM representative refers to the reintegration programme as one were NGOs and other actors are contracted to actually assist the women and girls.

The evaluators have found the following reasons as to why the role of IOM is so contested and how it has become such a big actor in the Eastern European region.

- IOM is project and donor driven

- IOM is primarily a humanitarian and migration organisation rather than a gender- and a rights-based organisation
- IOM is an operational organisation rather than an analytical and policy based organisation which advocates for change

### 6.2.2 IOM: project- and donor driven

IOM stresses that they are a project driven organisation. This is an explanation for problems in the work with NGOs: *“They (the NGOs) do not understand that IOM is donor driven and that we cannot use the money as we want”* (IOM, Vienna). It also causes other operational problems such as keeping a long-term work: *“Have had a four months project with IOM August – December 2002 for a hot-line”* (Fadila Hadzic, La Strada, Bosnia). Thereafter the funding ended and so did the hot-line. Much of the frustration in the relationship between IOM and the Counselling Against Family Violence in Belgrade also relates to the fact that IOM is project driven and that this is not explained clearly enough by IOM.

Apart from the purely operational problems of being project driven IOM also is clearly donor driven. For instance the information material is different for different donors according to individual requests as was informed at the IOM office in Bosnia. Another aspect is that this also is a reason for why IOM has become such a big actor. During the field visits the evaluators saw a pattern of how the amount of IOM CT-projects increased dramatically during 2001, and has remained so since. What could be the reasons behind the increase was discussed with IOM HQ in Geneva. It might have been a combination of several activities such as the Palermo Protocol enhancing governments interested in doing something about the problem; that Theodora Suter came to the department doubling the staff at IOM HQ CT-Service, and on question it might also relate to the SPTF collecting proposal and bidding for money for proposals. Finally the first US State Department Report was published for that pushed governments at the lower scale to improve the situation.

The pressure from donors to do something as a follow-up to the signing of the Palermo Protocol seems instrumental for the expansion of IOM projects. *“During 2001 there was pressure from Stability Pact and donors, and internationally IOM are setting the exclusivity of working with trafficking”* (Selma Hadzihalilovic, The Star Network of World Learning Zonta, Sarajevo). As it seems IOM had the capacity to quickly present project proposals. As a big organisation, well known to donors they obtained much of the trafficking funds available. The evaluators have also noted that at the IOM offices there is a pile of undated project proposals that easily can be presented to donors looking for trafficking projects.<sup>44</sup>

Another aspect is that IOM seems to be very aware on “what’s in” as regards funders’ anti-trafficking priorities. From doing a lot of information campaigns and developing return programs, and training of law-enforcement, now, as stated above, the focus is on

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<sup>44</sup> This also relates to other visits made by the evaluators in other capacity than for the present evaluation. For instance the IOM mission in Moscow.

reintegration, on the situation of minors, the demand and the root causes. Interestingly these are the same issues as stressed within the Stability Pact (see chapter 3).

*“IOM is reactive to the demands of the donors. My impression is that IOM thinks that there is no problem in getting funds – which lead up to that there is no real exit strategy either”.* (Snezana Nenadovic, Sida, Belgrade)

Other “donor driven” aspects is that Sida stressed the importance of IOM to collaborate with NGO’s within this programme which they have done, although with problems or that IOM HQ CT-Service may take on project management if required by donors (see chapter 4.1.2 the CT-Service).

IOM is not the only organisation funded by projects. To be funded by projects is a financial form, but it cannot be accepted as an excuse in the operational work nor in the relationship with other actors.

### **6.2.3 IOM: an operational organisation rather than an analytical and policy based organisation which advocates for change**

*“In all countries the work of IOM started out of demand – a reactive approach (the same for the NGO’s) – it has taken a couple of years to have standard operational structures. NGO’s and internationals need to sit back and get some standardised structures and common understanding. Now it is much more sharing of information between sending and receiving countries”.* (Regional Clearing Point.)

Other actors stress the need for backing up the work with analysis: *“What is the focus of this programme? It is now time to question what has been done and not always say YES to new projects “back up what you are doing with some thinking!”* (Jens Matthes and Yulia Krieger, UNICEF, Bosnia). Yet IOM has the tradition of humanitarian operations, of transporting people. As reflected earlier the pictures given by international actors and policy makers, is that IOM does not have a role in the policy development. For instance Ms. Konrad stressed that this also is reflected within their programmes: *“IOM train according to their organisational needs, if it is the police or the NGO’s, that is - the return. It is rather for others to further develop policies and meet other needs, IOM is not doing that as they are strictly working after the legal framework in the country they operate in”.*

### **6.2.4. IOM: a humanitarian and migration organisation rather than a gender- and rights based organisation**

*“IOM is involved in trafficking for purely humanitarian reasons.”* (IOM, Vienna).

The focus on operational activities rather than on policy and change is linked to the fact that IOM rather has a humanitarian mandate than a rights-based focus by where the work for change is at centre. Thus, even though IOM stresses the importance of protecting the rights of migrants, they are rather supporting those, whose rights have been violated than lobbying for increased rights of these. The lacking gender perspective in their activities means that in practice they do not have the women’s rights in focus.

The focus on humanitarian and migration aspects may also be a reason for why, as mentioned earlier, IOM has good relationships with the governments in the countries of operation. A thorough gender perspective is therefore important, which will be discussed below in chapter 6.5.

### 6.2.5. Key issues

- The IOM mandate stressed the organised transfer of migrants for whom other possibilities to move are restrained. This is further what other actors stress that IOM should do.
- The IOM mandate also state that IOM in agreement with states may provide a number of services of which some overlap with what other actors do and can do.
- There is a gap between what IOM at the operational level in the present programme perceive as their job and what other actors expect, which creates a lot of misunderstandings.
- The evaluation suggest three reasons for why IOM has become “The” CT organisation
  1. IOM is project and donor driven.
  2. IOM is primarily a humanitarian and migration organisation rather than a gender and a rights-based organisation.
  3. IOM is an operational organisation rather than an analytical and policy based organisation that advocates for change.

## 6.3 IOM and Stability Pact Task Force Against Trafficking

As a real evaluation of the SPTF’s role is well outside the scope of this evaluation, this is a concentration on how IOM sees the SPTF and their own role within the Task Force as well as other actors view on IOM’s role within this particular co-operation system.

The main role of the SPTF is to provide support at the political level to all the various actors involved in the Stability Pact. The questions prioritised in the Policy outline for 2003 for SPTF as well as a brief description of the work has been presented in chapter 3.1.2.

### 6.3.1 The Expert Team

The Chair of the SPTF, Ms. Helga Konrad, has a group of organisations to assist in the work, also called the Expert group. This group meets around 3-4 times a year.<sup>45</sup> There are also a number of working groups within the Expert group.

#### Different voices of the Expert team:

*“In terms of coordination they (IOM) are part of the team. The coordination is about negotiating priorities and share information. It is interesting because we are talking to each other! We have not developed a close collaboration within the Stability Pact as such. The Stability Pact has been essential for the National Action Plan and for the humanitarian visa”.* (Yulia Krieger, UNICEF, BiH)

*“A mechanism for coordination, were we coordinate and cooperate closely with UNHCR ILO, UNICEF, UNOHCHR. There have been some internal problem; our relationship is now extremely clear, passing by a period of misunderstanding, we are in very good terms now”.* (IOM)

<sup>45</sup> Members of the Expert team are: ODIHR, IOM, UNICEF, SECI, ICMPD, IMP, ICMC, CoE, UNHCHR, ILO, UNODC, UNIFEM and UNHCR

Geneva)

*“At times there has been some quarrels and difference of opinions, there are a lot of egos’ within the expert group. But it has really developed and is working more and more smoothly all the time”.* (ICMPD, Gerda Theuermann)

From the interviews with different actors involved in the Expert Team it seems that one of the main advantages is that all the major actors are involved and therefore it is seen and serves as an instrument for increased co-operation. As mentioned in chapter 3, the Stability Pact has also divided the priorities in different themes and the actors are divided within these themes.

SPTF has also been a coordination mechanism for funds. When the SPTF started its’ work it was to divide the actors into the different themes, but also to put together a package of proposals to then address donors with. *“In the beginning Helga Konrad wanted everyone to put together proposals. Immediately IOM presented proposals, they were very well mobilised while we all were discussing policy and long-term work. IOM put together a lot regarding almost everything, prevention, repatriation, shelters, and awareness raising. As donors want high visibility, IOM could give them that. The Stability Pact mobilised funds for shelters”* (Yulia Krieger, UNICEF, Bosnia).

### **6.3.2 IOM’s view of SPTF**

The view of the work of SPTF seems to vary some between the different IOM offices visited during the evaluation. Whereas the Vienna office (Ms. Irena Vojackova Sollorano of the Vienna office is the IOM representative in the Expert group) seems to see the advantages with the SPTF’s work in pressuring the governments, the HQ in Geneva seems to look upon the SPTF more like a coordinator of funds.

Mr Gramegna is not sure whether IOM needs this mechanism of co-ordination of funds (and maybe general co-ordination as well) *“just another layer between us and the donors. The co-ordination should be there anyway. The Stability Pact should instead be used to see who was mandated to do what in the field”* (IOM Geneva)

*“We have a lot of co-operation within the Trafficking Task Force. As we have all this special knowledge, and know more than the others we are really important for the Task Force. If the Task Force had not been there, governments would not have taken up the questions about signing the Palermo agreement, Focal Points appointed and starting to discuss National Plan of Actions. Another thing that would not have happened is that the different actors would not have been seated at the same table telling each other what they are doing now. Of course this is not easy work, it is a lot of big ego’s involved. But it is also helping in forcing NGO’s to be more professional in their work (as NGO’s Save the Children and ICMC was counted, evaluators’ remark). ICMC and Save the Children are supposed to be the voice of NGO’s in the Task Force, and ICMC is the biggest advocate for local NGO’s”.* (IOM Vienna)

It could be noted that, even if the IOM Vienna office sees the importance of the SPTF, they also see themselves as the main contributors to the discussions. They fail to see, or ignore, different actors roles and competence, competence that might be complementary

to that of IOM's such as gender awareness, minors, legal competence within the organisation etc.

Another thing to be noted is that the HQ in Geneva seemed to be more unaware of the political work that the SPTF are doing. Most of the informants during the evaluation were clear of SPTF's important role as to produce guidelines for writing the National Plans for Actions as well as pushing for that all countries should write one, and in doing so increased the co-operation within each country. This was not an issue that was addressed by IOM Geneva.

The Vienna office could see a real improvement since the work started three years ago, when there was nothing. Now it has impact. The advantage is that there is no lead organisation but rather several strong organisations working together.

Irena Vojackova Sollorano and Anelise Araujo-Forlot at IOM Vienna thought that the priorities for the future should be:

- To discuss questions like what can be seen as a information campaign? Just to give out some leaflet in your community can not be considered anything but awareness raising (not really info campaign)
- Achieve co-operation between NGO's and governments and include IOs to help in this process
- See that all governments and all actors should acknowledge the question, see it as a criminal aspect and make all governments committed to the question.

### 6.3.3 SPTF's view of IOM

The Chair of SPTF, Helga Konrad and Daja Wenke, Anti-Trafficking Officer at the office of SPTF in Vienna were clear on that IOM has a role within the SPTF; they are among other things the lead agency for Return and reintegration assistance (one of the seven main areas of concern).

*"The SPTF office collaborates closely with the IOM office on various issues, and IOM have a really high standard in their work. There are a number of working groups within the expert group, a division of labour. The OSCE informal group on gender and trafficking is very important. It is a strong basis for work where SPTF is very involved.*

*Overall the work of the SPTF office is to have contacts with governments, donors, do fundraising, keep up with networking, give information to the media and others, cooperation with OSCE etc."*(Daja Wenke, SPTF)

*"IOM plays an important role as returning victims is almost the only solution right now (no legislation to deal with victims in other ways right now). They shift people around the word and victims of trafficking is one of the group. They run the shelters, we call them return-shelters as the women and girls do not stay a long time in them and the assistance programmes are not so developed. Governments in the region like IOM as they take on responsibilities that should lie with the authorities. And then they think that the problem is solved. IOM has all the knowledge and expertise when it comes to transporting people, documents needed, contacts with air plane companies etc etc. They are very professional in this aspect of the issue".* (Ms. Helga Konrad, Chair of SPTF)

IOM is often involved in different projects initiated by SPTF, or commonly initiated from IOM and SPTF. An examples of a project is the Regional Clearing Point situated in Belgrade. Another project coming up was described by Helga Konrad: *“The Tirana agreement have open up for new policy strategies – there is now new projects of support to help implement it as well. Council of Europe (together with others) have one regional legislative project where the part of getting temporary visa for victims will be included and then there is a pilot project (together with IOM) that is meant to develop shelters for the victims who decides to stay in country. Then there is needed another type of programme in the shelter as well. Right now there is money for four countries and will be implemented in Albania, Bosnia, Macedonia and one more country yet to decide. In the pilot project the implementer is the governments (as the legal status of the victims have to be clarified), and then IOM and NGO’s”*.

#### 6.3.4 Key issues

- The view of SPTF seem to differ between the IOM offices were IOM Vienna sees the importance of the networking whereas Geneva is more focused on operational aspects such as fundraising.
- The SPTF stresses that IOM is an important actor and the key agency as regards return and reintegration.

## 6.4 Sustainability

In the context sustainability may include to plan for hand-over to the countries authorities’ and civil society, mechanisms set in place such as development of institutions as well as the collaboration with NGOs that will remain in the country after IOM leaves.

### 6.4.1 Development of institutions or taking the role of the institutions

As mentioned in chapter 5.3 IOM have often a good co-operation with the governments, and have always a Memorandum of Understanding signed with the authorities. This is in many ways the ground IOM always stand on in their work, and the evaluators only heard praise for IOM from the officials interviewed.

At the Regional Clearing Point in Belgrade it was stressed that in general there is a need for the state to show commitment, for instance in terms of space, health personnel, security or anything. It is important that the state feel ownership of the question. Yet, in BiH, the evaluators had to remind the IOM personnel that the police security that was provided for the shelters was indeed a contribution from the authorities.

Still it can be said that IOM have a continuing discussion about the state responsibility. In Bosnia and Herzegovina, for example, it is the issue of the shelter that is on the agenda.

In Belgrade IOM says *“There is a need to have an indefinite stay, a key question for IOM is: At what point do we stop providing assistance and where do we then refer the women. There must be a distinction between victims and witnesses. We must start thinking about this and what to do beyond reintegration – what happens next. We do not have state institutions taking over”*. A problem is that if there are no state institutions to take over, there is no sustainability in the long run. Snezana Nenadovic, Sida Belgrade, adds to the picture that everyone seems to be training law enforcement, but as of yet there is no one

training social workers<sup>46</sup> or health workers. Centre for Social Work is already there at municipal and community level and this is a network that could be better used.

IOM in Belgrade has chosen, after a lot of discussions, to use the IOM doctors for the victims that are included in the programme. The downside is, of course, that it is within the IOM structures rather than any sustainable structure.

Today it seems clear that some of the authorities and institutions rely on IOM rather than on domestic structures. IOM has access to the donors, and they are also the organisation that repatriates the victims, something that states like Serbia and BiH have no possibility to cover.

Voices from the authorities:

*“IOM is the most important international organisation when it comes to trafficking. The main partner is IOM. They agreed to tender for the running of the shelter. There is a need for funding and IOM has taken on to contact donors (USAID, Sida etc)”* (Enisa Abaspahic, MHRR, Sarajevo)

*“SBS and IOM are partners and this is how it should be. There is a great understanding as to their different roles in the work. We ask IOM for help. They can help more than state institutions.”* (Ismail Saric, SBS, Bosnia)

Mr Vranj is grateful that IOM is in Bosnia, but wants the day to come when there is no need for them – when it is clear that the responsibility is on the institutions on a state level. *“What would be without them? We have to be careful in how we do it, not to let some ”circles” take over that just want to be in it for their own profit”.* (Edin Vranj, Ministry of Interior, Sarajevo)

For sustainability reasons there is a need to further develop some of the institutions in the countries, as well as clarify IOM’s role and time frame for the support to the specific country. Even though IOM has, as mentioned, the collaboration with governments as a priority, that does not necessarily include development of institutions but rather to acknowledge the capacity already in place. There is a possibility that, because of the big part IOM has taken on when it comes to assisting victims of trafficking, the institutions and authorities might feel a bit inadequate, hesitant or even reluctant to take on any responsibility.

#### **6.4.2 Roles and co-operation between IOM and NGO’s**

Although co-operation with local NGO’s is always included as an important part of the IOM programme there is a lot of mistrust and misunderstanding between IOM and the local NGO’s. This has been elaborated earlier and the focus here will be the different roles the actors should have as well as the perception of collaboration from the NGO side.

Ms. Helga Konrad puts it in words: *“IOM focus strictly on the possibilities under the law. They are a service provider so the governments prefer IOM to the NGO’s (who want to*

<sup>46</sup> ASTRA has had trainings including social workers, evaluators remark

*discuss what is possible to do and how to change this). The cooperation with IOM is less complicated". To this picture can be added Snezana Nenadovic, Sida Belgrade's remark: "Local NGO's seems to be more proactive (than IOM) and therefore might have bigger success with lobbying and organising working groups, task forces etc. Our authorities are rather reactive; whatever should be changed takes a long time. They are also reactive to the demands of the international community. Therefore important with actors that are proactive". Of course these are the different roles that the actors should have, a NGO should work for changes in the society while IOM always should work together with the authorities. What is important is to understand the different roles so that there are room for both actors.*

#### **6.4.3 NGO as service provider**

Something that was expressed both by NGO's as well as from international actors; is the fact that NGO's are often seen merely as service providers, implementing parts of IOM's programme. This might be one reason for the misunderstanding between the actors.

*"We still have no agreement with IOM this year, we received it yesterday (for the time 1/1-31/3-03) but we are not at all satisfied with it. We think we received it now just because you would come to visit us today. This agreement has nothing to do with co-operation but we as NGO's should only do everything IOM tells us to do". (Counselling Against Family Violence , Belgrade)*

*"IOM's way of working with local NGO's is to ask them to implement bits of IOM's programme without giving any support to the local NGO's structures, and here you can now see a certain frustration among the NGO's". (UNICEF, BiH )*

One source of misunderstanding is that many NGO's looks upon IOM as a funder, and in doing so also look for funds for their own organisations core costs. IOM rarely has the money to support core costs of their partner organisations. The evaluators would suggest to IOM to be more clear on this point with their partner organisation and hopefully solve this misunderstanding that creates tension in the work relationship.

#### **6.4.4 Hand-over the shelter management?**

As stated above, IOM has said that their plan is to hand over the shelters to local NGO's or to the governments.

*"IOM should not manage shelters, NGO should be the manager, this might happen already in two years time. IOM is to recruit NGO's to become the managers, IOM will also provide their expertise – and help and assist the victims. The reintegration is also still to be within the IOM responsibility. IOM to contract NGOs for their part, and IOM will also continue to have the responsibility financial for the work. Shelters in country of destination is only places where women needs to be to feel safe before they return home, no real work can be done with them there". (IOM Geneva)*

The question is if this plan will lead to a real hand over or if it is more of contracted NGO's to do specific parts of IOM's programme? On question to IOM Geneva about if IOM gives any core support to the NGO's to build their capacity the answer was that what IOM can provide capacity building in terms of training, financial support to activities, within the IOM programme but not for core organisational support. During the

project period NGOs were not included in the training components (see discussion in chapter 5.6). However, one of the things included in the new project proposal to Sida is that NGO's will be part of the training on psychological support and interviewing traumatised people. It may be noted that many of the NGO's in the region have extensive experience of working with traumatised persons, both because of the wars and in terms of domestic violence.

*“IOM should not take over where the NGOs could do the job, they will be here in the country while we should leave. Better that NGO's should provide shelters, as it is a need that they are spread over the country – and if the government can ensure security”.* (Katy Thompson, OSCE Sarajevo)

#### **6.4.5 Exit Strategy**

The question of an exit strategy for the international community is something that is discussed in many organisations and is definitely part of the sustainability in the work of any organisation.

As mentioned IOM see themselves as the organisation that should cover the areas that no one else are committed to for the moment. With better co-ordination mechanisms this might not be needed in the future, so that IOM can focus on their work according to their mandate.

IOM in Geneva talked about the need to create best practice in legislation – to continue with the work of capacity building and develop this work. On question they answered that it was not necessary to create a legislation unit within IOM but they would do so as they had to answer to the demands of the member states. They have also asked for a person working on Law Enforcement and legal issues related to trafficking at the HQ. Again, collaborating with other international organisations, with large experience on legal issues would be an alternative and more sustainable way.

In Geneva the exit strategy was described as follows: *“IOM has looked at the National Plans of Action, but missions do not think it is possible to reduce IOM activities yet as governments are not ready to take over this actions, they have no money to cover it. An exit strategy for IOM would be: local capacity installed and ready to take over, and governments ready to face economical responsibility”.* (IOM Geneva)

One can but hope that the time frame in the exit strategy includes a down sizing of the missions before all of the above mentioned is in place.

#### *Voices from the International Community about IOM and exit strategies:*

*“A lot of discussion has taken place in the Task Force about all the international organisations exit strategies – it is not for IOM to develop further now but rather to have a plan to hand over. Within the Task Force there has been criticism that IOM monopolises their role and work. All international organisations must develop a clear exit strategy”.* (Helga Konrad, Chair of SPTF)

*“OSCE has an advisory role, wants to create national plan and structure, and think that this should always be the role of all international organisations and always include an exit strategy and a time frame. Even if the time frame has to be readjusted at least it means that the issue is*

*discussed. IOM strategy should be a clear hand-over of the projects. A clear standard with guidelines and a board to monitor it is needed – and then to monitor IOM offices, NGO's work etc – and it should include a clear exit strategy that also bear in mind how to make the process sustainable. The exit strategy of “do things that are needed to be done as long as we are needed” is not an exit strategy but rather to make yourself important!” (OSCE Aleksandra Vidojevic, Assistant Anti trafficking Issues)*

*“Last year a lot of the IC in BiH started to talk about streamlining and exit strategies, IOM was not interested in this discussion – or at least did not take active part. They have a life of their own – not connected to peace building and conflict resolution – would like to see that they defined their role in Bosnia, more coordinated and not duplicating, tailor what you do and share information”. (Katy Thompson, OSCE Sarajevo)*

As one of the main challenges foreseen at the CT-Service in Geneva is to “mark well one’s own mandate and not to compete with each other, build working relationships between major actors” a lot of the criticism might be solved and sustainability increase.

#### **6.4.6 Key issues**

- Although not necessarily IOM’s role, there is a need to further develop institutions for a swift hand over.
- There is a need to include new structures, as Centre for Social work, in the trainings as well as in the networking and collaboration.
- IOM and NGOs have different roles and expertise. These should be clarified. Also in relations to the countries authorities.
- IOM sees NGOs as service providers, a role that is not recognised by the NGOs themselves.
- There is a no clear definition of what a hand over of the management of the shelters is.
- A time frame for exit strategy, not only for the hand-over of shelters might be needed.
- With increased collaboration the sustainability could also be increased.

## **6.5 The IOM Programme in a gender- and a child perspective**

### **6.5.1 The link between gender and trafficking**

Chapter 2.2 introduces a framework for analysing anti-trafficking projects in a gender and development perspective. The discussion addresses the complexity of the issue of trafficking and its link to gender. It also relates to the collapse of social networks and of the social welfare, to lack of opportunities and a longing for another life. A distinction is made between short-term assistance to victims of trafficking, what is here called as “Band-aid”, and long-term sustainable changes addressing root causes.

It is easy to look upon the counter trafficking work as gender work as it generally addresses female victims. However, if women and girls are merely presented as victims without any empowering input, one cannot call it a gender sensitive work.

*Gender mainstreaming is now an integral part of IOM's work. It tries to ensure that women and men are provided with equal opportunities to develop and utilize their skills and to participate in decisions affecting their lives.*<sup>47</sup>

*"As regards the girls, who has asked the girl what do YOU want? How to bring ethics into trafficking programmes is a key issue". (Zene Zenama, Sarajevo)*

The link between gender and trafficking does not seem to be clear among some of the other actors. *"There is no direct link between gender and trafficking in the OSCE Informal Gender and Trafficking Working Group. It could be two separate groups, but many of the people are the same. The focus now however is on trafficking. Last year some work was done on gender"*. (OSCE Informal Gender And Trafficking Group, Danielle Del Marmol, Belgium). Ms Glasscock, Gender Advisor at IOM HQ also informed that the link between gender and trafficking was not particularly addressed in the inter-agency network on gender in which she took part.

Beatrix Attinger Colijn, Senior Advisor of Gender Issues, OSCE, Vienna, takes the issue one step further and says that because of the fact that the trafficking issue is "hot" right now, gender issues have taken several steps back. She reflects that most of the OSCE trafficking focal points are internationals whereas the gender focal points are nationals. *"The focus of gender is totally lost, even out in the field. There is no visibility of the issue at all"*. Her critique was confirmed by Ms. Danielle del Marmol, *"To deal with trafficking is one thing. Gender another"*.

For other actors the link is very clear. On a meeting with Jyothi Sanghera, UNHCHR, Geneva she brought up some crucial questions as to a gender perspective on anti-trafficking work: *"What is the role of the victim? How to include the beneficiaries as to empower them and take them out of the victim role? Dignified return, what is dignified? What are the implications of being dignified? Also the fact that women are migrating more now than before have to be put into the picture as not to restrain women's ability to move freely through the counter trafficking work."* One example of the latter is the fact that State Border Service in BiH stamps the "victims" travel papers with a deny entry stamp in order to keep the women from coming back and by doing so decrease the problem of trafficking (see chapter 3.2).

For some of the NGOs the link between gender and trafficking was clear. They generally addressed the link in relation to specific issues such as the portrayal of the women, in the activities discussed, what the women are offered to do in the programmes, the root causes to why they end up in trafficking as well as in addressing the full picture, including also the women that do not want to return home.

### **6.5.2 The IOM approach and activities in a gender- and empowerment perspective**

As highlighted in chapter 2 a gender and empowerment perspective entails to consider the full situation of the woman and girl as well as meeting her with respect, aware of her

<sup>47</sup> Page 2, Gender and Migration, IOM publication

background and supportive in her choices, not labelling her as an innocent and naïve victim, unable to make informed choices. Women and girls who have become victims of trafficking are no exception. These women need more than ever to be met with respect. The IOM programme as seen during this evaluation lacks a gender perspective and rather stigmatises the women, both as a group and on an individual level.

### **Portrayal of women as naïve victims**

One issue brought up by some actors were the IOM mass information campaigns. Selma Hadzihalilovic, The Star Network of World Learning Zonta, Sarajevo said *“Their (i.e. IOM’s) info campaigns just create prejudices of the women and of the “other” the “prostitute”*. She further added that the way they (IOM) show the women and girls who are victims creates prejudices against Russian speaking women – *“now they are all prostitutes”*. An example of information material, with photos from the shelter and of the women, as well as examples from one of the mass information campaigns, provided by IOM BiH is annexed (Annex 19).

Beatrix Attinger Colijn, at OSCE conducts gender training for OSCE staff together with an external gender expert. In the training they have used an IOM movie that takes up the issue of trafficking as an object of analysis in terms of gender, illustrating gender stereotypes and lack of an empowerment perspective. The movie takes up the poor and naïve victim, the focus is to change the victim: “don’t go abroad”, but there is no focus on changing the demand side, policing and other things. For many of the women it is important that their family back home do not know what has happened to them and what they have done abroad. In general, very few adult women want to be seen as victims. The women who have been trafficked are no exception.

### **The women who do not want to go home**

The issue of the women and girls who falls outside the IOM programme because they say they do not want to go home have been mentioned earlier. How big the group is, is hard to tell, but as this group of women were constantly mentioned through the evaluation one can at least assume it is a quite essential group. It can be said that this group is not homogenous, but as no real analysis have been made it is hard to tell why the women and girls do not want to go home. Some might be afraid to go back, some might be ashamed, and for some the option of going back to what they once fled is not very tempting.

As stated by the CT-Service *“Some of the women and girls do not want to be part of the reintegration programmes, as they do not want to be recognised as victims of trafficking”*. The CT-Service have also, in an email to Sida July 22<sup>nd</sup> 2002, brought up the problem of the smaller case load and say that one of the main factors for this is *“security issues back home and the difficulties of victims’ protection”* In connection with that problem the CT-Service foresees the need of a professional on law enforcement and trafficking to be recruited to the Geneva office, which out of a gender perspective may have limited results at the operational level. The problem as such link to the full situation of the women and is therefore part of the overall work in assisting victims of trafficking.

What is sure is that there are not many options for the women who do not want to go home. For the ones that just do not want to be repatriated through the IOM programme there could be options, some of the NGO's met during the evaluation have found other ways for the women to get home. This can of course not be made in any significant numbers. *“There have been 7-9 cases of women and girls that have not wanted to go home through the IOM programme, even if they have wanted to go home”* (Fadila Hadzic, La Strada Bosnia). There is also a small possibility to be resettled to third country through UNHCR. One case has been resettled from BiH. *“As regards the girls that do not want to return home we try to talk to them. We cannot deport them. Sometimes they are accommodates in the shelters for many months. There is a need for discussing the possibilities of settlement in third country”* (Enisa Abaspahic, MHRR, Sarajevo).

For most of the women, regardless of the reasons for not wanting to return, there is no or little option. As the possibilities to stay in the country, or to get resettled in third country, are slim at its best, what will happen is that the women and girls will be sent home no matter what they wish. One could also assume that this group of women and girls could be especially vulnerable to re-trafficking.

The NGO ASTRA, Belgrade, thinks that it could be a help if the women could get a temporary residence permit for 6 months. This would be good both for the women who want to go home that could start the reintegration process while in country of destination, and it would give the women who do not want to go home some more time to look into options. IOM's responsibility as regards this problem is to address the problem and to be very clear that their return programme only assists some of the victims.

Denise Glasscock, Gender Advisor at the IOM HQ in Geneva, stresses the fact that she does not have to work very closely with the CT-Service, as they are so good at the gender perspective. According to her and the IOM policy all of IOM's projects should be gender mainstreamed. Even the awareness of an existing gender policy was low at the operational level. IOM Bosnia did not have the IOM gender policy in the office, but referred to it as *“they have it in Geneva”*. In Geneva they referred to the web site, and this was the only place that the evaluators could gain the gender policy of the organisation. Yet, the Head of the CT-Service, Mr. Gramegna, stressed that there had been a shift in attitudes as concerned the sensibilisation of the staff. Earlier the approach towards the women victims of trafficking was in many cases *“she is a whore”*, whereas today this has changed.

At the operational level some issues and approaches may be questioned from a gender perspective.

### **“Operational Definition”**

In chapter 5.8 the problem with the “operational definition” that has been developed has been brought up. This is a problem linked to the situation of “the women who do not want to return home”. Although clearly not IOM's intention there is now a widespread acceptance among other actors that a victim of trafficking is a woman and girl who says that she wants to go home.

The evaluators and the IOM CT-Service had a discussion around the subject, where the evaluators pointed out the problem with the narrowed definition of who is a victim, and the fact that it has become the general perception of a definition even among police forces trained by, among other, IOM. When Marco Gramegna saw the problem he said that “*we will fix that – it is not the definition that IOM should work with. The Palermo definition is the one we are working with – and then it is the limitations made of the programme*”. This is in all senses true as IOM never have spelled this “operational definition” out, however since other actors have taken on this definition and as IOM is one of the key CT-actors IOM should be the one initiating a discussion about this. The evaluators suggests that IOM has to be even more clear with what the limitations within their programme are and to ensure the distinction between the Palermo definition and the so called “operational definition”.

Mara Radovanovic of the NGO Lara illustrated the problem: “*The Stop Team (in BiH) was trained to help every woman and girl who said that they want to go home. No others. This is/was a problem as the owners of the women and girls knew this and said to their “property” that if you say that you are a victim of trafficking they will send you directly home and you will never get the money that the owner owed them*”.

As the operational definition has become widespread in the two countries visited during this evaluation it is needed to have a broader discussion of the differences between the IOM programme and the definition of victims.

### **The IOM bag**

“*Have not yet seen any re-trafficking. It is difficult to know; a few times the women did not appear in the airport in the country of origin, because they hid the IOM bag*” (IOM Belgrade).

The problem of the IOM bag has been mentioned earlier. Out of a gender perspective it is stigmatising and may have consequences on the future of the women, both that they might easily be picked up by the traffickers, but also because back home they might be perceived as “a prostitute” and not be able to get a job, have less chances of marriage and thus be forced back into prostitution. So, women can very well feel stigmatised by the bag, as it is a well-known fact that IOM repatriates victims of trafficking. It could be one of the reasons that some women and girls do not want to return through the IOM programme. As can be seen from the statement above this is a problem also known to IOM officials. The evaluation team did not hear any suggestions to another system for recognising the women and girls. This system is used for other IOM programmes, but another system must be found for this Programme. As the women are also recognised in the transfer country by the bag this is also an easy way for traffickers to see when women and girls are on their way home, being in a vulnerable state.

### **IOM’s Questionnaire**

The questionnaire used by IOM is described and elaborated in chapter 5.4. During the evaluation some actors, including IOM employees, described some of the questions as not quite suitable, and even called some of the questions appalling and not respecting the

woman/girl who has to answer the questions. Although an important tool for the collection of facts for the database it seems like it is time to review the questionnaire, both concerning questions and length. In Belgrade the OSCE representative also stressed the fact that there is a need to streamline the interviews that the women and girls have to go through so that it is only one set of question they need to answer. This is yet to be developed.

### **Language**

The question about what language to use was a continuous discussion throughout the evaluation. Most women and girls that end up in the IOM programme originates from Moldova, Romania, Ukraine, Bulgaria, Russia and Belarus. It was argued that most of the women and girls know Russian and therefore have no difficulty to pick up Bosnian or Serbian language. The Bosnian NGO Lara described earlier situation when IPTF used SFOR soldiers as translators for the Russia speaking women – soldiers that might have been the clients. Not a victim friendly environment. A problem when it comes to language issues, could be the women from Romania and some from Moldova.

The documents used at IOM in BiH, of which several should be signed by the women and girls, are in English and translated sentence for sentence by translators in the victim's mother tongue if needed.<sup>48</sup> The exception for this is the "Declaration of Voluntary Repatriation" that is in both English and Romanian language. It is essential that all relevant documents are translated so that the woman can make an informed decision. It was also unclear whether psychological support talks were translated

### Some voices of the issue of languages:

*"Generally they speak Russian or they know some Bosnian. The girls themselves translate when it is needed. Some know some English. The doctor speaks Russian". (IOM Bosnia)*

*"La Strada have a volunteer that is professor in the Russian language; they have also had help from Olga with the Romanian language". (Fadila Hadzic, La Strada Bosnia)*

*"Language. Most women seem to pick up some of the language. But, obviously for deep interviews an interpreter is needed. The STOP teams had translators". (Yulia Krieger, UNICEF, Bosnia)*

*"Some girls came directly to the shelter and after some time they would realise that they were trafficked. The activists could spend nights with the girls, which had not slept a full night for a year and therefore could not sleep. Sometime it was possible to talk to them in Bosnian, sometime they must translate". (Mara Radovanovic, Lara, Bosnia,)*

*"Most speak Russian and can manage sometimes in everyday life in the shelter. But we also have translators. The girls from Romania is a problem as they need a translator all the time, even in everyday life". (Counselling Against Family Violence, Belgrade)*

<sup>48</sup> Examples of IOM document are: Consent to Participate in a Media Interview, rules for interviewing a trafficked woman, Voluntary Deferral of Repatriation Assistance from IOM, Voluntary Repatriation form

In a gender and empowerment perspective it is central that the women and girls understand what is happening and therefore the language issue is of vital importance.

### **HIV/AIDS, health and drugs**

*“Hiv/AIDS and STD prevention and assistance is an integral part of assistance programmes – to address a growing phenomenon among displaced and irregular populations, and avoid additional socio-economic costs for host countries at a further point. These projects will seek to support and strengthen national capacities in this field”*<sup>49</sup>. Tests for HIV/Aids and other STDs are elementary parts of any support to women and girls who have been involved in the trafficking business. Trafficked women are those who must endure unsafe sexual practice, and have little or no possibilities to negotiate the use of condoms. There is no excuse for not considering this in the programme. Despite that the overall picture is that the HIV/Aids prevalence is low.

The two field missions visited during this evaluation worked in two different ways when it comes to HIV/AIDS tests. Whereas the mission in Bosnia provided HIV tests for the women and girls that request it, the mission in Serbia does not provide tests as the IOM medical unit in Serbia have said that they cannot provide tests if they cannot secure treatment. In Serbia IOM uses their own medical unit for the women and girls staying in the shelter. However, the question of HIV tests will be discussed in a seminar in Budapest according to IOM Serbia.

During the evaluation the question of HIV/AIDS as well as the question of drug abuse was asked to all informants.

#### *HIV/AIDS and drug abuse:*

*International Forum of Solidarity implements an UNICEF project that includes HIV-testing. The trafficked women at the Forum have been offered the test and none have been HIV positive. However they seem unaware of what HIV/AIDS is. (Emir Nurkic, International Forum of Solidarity, Tuzla )*

*“Drugs and trafficking are closely linked, but not all women take drugs. We have had one woman that was HIV positive, lots of hepatitis C”. ( Fadila Hadzic, La Strada Bosnia)*

*“We do not have HIV tests, we have proposed that to IOM but it has not been accepted. Right now we have a Ukrainian woman who wants to take the test.*

*Drugs/alcohol: Yes we have a drug problem, do not know if they keep using it, but alcohol is a real problem. They have crisis in the beginning here in the shelter when they do not have access to alcohol anymore”. (Counselling Against Family Violence, Belgrade)*

On question about if there is a connection between the ones that traffick human beings and drugs Mr Zlokas said that there is not one without another – that is that often it is the same criminals behind this and it is also a fact that it is quite common to give the girls

<sup>49</sup> page 4 Strategic Approaches Trafficking in Persons: Update and perspectives MC/INF245, 22 November 2000 IOM document

and women ecstasy on a regular basis. It is the same organisations that have connection with trafficking in women, weapon and drugs. (Dusan Zlokas, Deputy Head of the Department of Border Police, Republic of Serbia)

### **Two different views on the medical checks in Serbia, gender perspective**

*“The Counselling Against Family Violence (NGO) was earlier offering a gynaecologist, but it was private and not done in a systematic way. After being hesitant at the beginning they are now using the IOM doctors, as they are general practitioners, have good contacts with specialists when needed and they are secure and safe and will not endanger the victims further. We also looked at the costs that varied so much with the doctors chosen by the NGO. The down side is that it is within the IOM structures rather than any sustainable structure. Most of the doctors are female with the exception of the psychiatrist. They had discussed the issue of having a male psychiatrist but do not believe in the feministic view that the girls should be isolated from all men” (IOM Belgrade).* Evaluators added that it might rather have something to do with the victim perspective.

*“There is no gender perspective- IOM takes the girls to male psychiatrist. One fell in love with him and some do not like him. “what one man can know about what a woman feel”. It is not free will to go to psychiatrist; it is IOM that decides that women have to go”. Milica Pejic has discussed with IOM that she thinks that it should be female doctors. (Counselling Against Family Violence, Belgrade)*

### **Vocational training or occupational activities**

To look at the vocational training offered to the women and girls from an empowerment and gender perspective might have its limitations. IOM staff, and other actors, emphasised the difficulties to have any real educational activities as the women and girls stay for a fairly short period of time in the shelter in the country of destination. Nevertheless, as some of the vocational activities could continue in country of origin in the IOM Reintegration Programme it could be worthwhile to assess what is offered. The key issue is of course if the activities are organised out of the need of the women and girl.

As described in chapter 4.3.3 in BiH the activities are mostly therapeutical, the real education usually starts when the woman have returned home. The same can be said for the mission in Serbia although they call it vocational training (and evaluators commented on that saying that a more correct term would be occupational activities) even though the Code of Conduct for shelter produced by OSCE more stress the fact of the need of “concurrent” activities.

The new course that will be offered in Belgrade is diet cooking (see chapter 5.8.1) as *“many of the girls and women gain weight during their stay in the shelter and then they get depressed so it would be really good for them to be able to go on a diet”* (IOM Belgrade) could be questioned. There are surely other reasons for the depression that most of the women and girls are feeling. Further it is questionable if this is the right activity to address the depression and empower the women and girls. The CT-staff in Belgrade also said that the interest in computer courses were not so high, and would be

pretty useless as “*there is really very little chance that they ever again will see a computer in their lives*”. This is indeed not an empowerment perspective.

### 6.5.3. Minors

IOM does not seem to have a policy document on minors. The IOM Return Programme does not address comprehensively the specific needs of minors. Whereas IOM mission in BiH follow all minors to the IOM mission in the country of origin, the mission in Serbia sees this as a waste of money. When asked about the special needs that a minor could have the CT-Service suggested that it might be needed to find another family for the child to be reintegrated to. As there is a chance that the child has been sold by it’s own family this can surely be a clear need. The question, raised by UNICEF in BiH, is if IOM have the capacity to assess the family situation of minors as well as questions of legal guardianship and if it is in the child’s best interest to return home. As the countries included in the IOM Programme all have ratified the UN Convention on the Rights of Children it should of course finally be the state’s responsibility to see to the child’s interest. An important factor though, is that girls under the age of 18 are told by their “owners” to say that they are adults.

At the SPTF meeting in Slovenia in March 2003 UNICEF presented a draft for guidelines for protection of the rights of children victims trafficking in Southeastern Europe, and in the report from the meeting it is stated that up to 30% of trafficking victims in Southeastern Europe are teenage-girls between 15 and 17. At the meeting it was also decided upon priorities for concrete action in the fight against trafficking in children based on the UNICEF Guidelines. This might be the base also for IOM’s work with minors, and contacts and collaboration has been started already between UNICEF and IOM in Macedonia.

### 6.5.4 Key issues

- The link between gender and trafficking does not seem to be clear for IOM.
- There are number of issues which point to IOM’s lack of a gender approach. For instance, the portrayal of the women as victims, approach to activities and other.
- There is a group of women and children who for different reasons do not want to return. One reason is the stigmatisation of the IOM bag used as identification upon arrival, and in transit.
- The IOM questionnaire is long and have some disempowering questions included.
- The women and girls have to go through several interviews, as the different actors have not one set of standard.
- Out of a gender- and empowerment perspective it is important that the women and girls fully understand what is going on, that they can read all documents they sign and have as much possibility as possible to use their mother tongue.
- The policy on HIV/AIDS tests differs between missions.
- It is unclear if the vocational/occupational activities are organised out of the needs of the women and girls, and with an empowerment perspective.
- IOM has adopted the UN definition of trafficking. Yet on an operational level the definition of IOM’s target group for this programme has become the “operational definition” on who is to be considered a victim that is “the women and girls who says they want to go home”. A discussion on this subject is important among the actors in the counter trafficking work.
- On an operational level, the issue of minors need are not comprehensively addressed.

## 7. CONCLUSIONS

### 7.1 Attainment of goal and objectives

IOM has through the programme:

- Assisted and returned women and girls willing to go home; and
- collaborated in the joint efforts of counter trafficking in the Balkan regions.

However, the programme has not fully attained its goal and objectives due to:

- The problematic relationship and collaboration with other actors, in particular with NGOs;
- that less cases of trafficking than estimated were returned without a full analysis of the reasons for this nor of the conditions needed in the context to fulfil the number; and
- that the conditions for a safe and dignified return are not satisfactory.

As regards administrative and management aspects, the regional approach of the programme has been appreciated by IOM and it has been positive as it meant a flexibility towards changes in the context as the programme evolved. However, the regional approach towards the transfer of know-how has been limited.

The reporting has been fulfilled according to the contract with Sida. However, the information provided is difficult to assess, as there are gaps in the data. The information on for example the minors is not satisfactory.

The office costs for IOM has during the project period increased whereas less money than expected has reached the women.

IOM is an international organisation with international salaries and over-head costs are obviously high.

### 7.2 The IOM programme in the counter trafficking work

While assessing the impact of the IOM regional return and reintegration programme in the Balkan region, as being a programme set up in a complex surrounding framed by the recent history of war and the huge international presence a key question that have emerged is: *What does it mean to counter trafficking?*

The basis for the questions is that trafficking as such is a complex problem relating to development in general, where poverty and gender inequality are at the roots of the problem. It is a strikingly real problem and the lives of hundreds of thousands of women and girls are wasted in this business. This is a terrible loss as regards development, both in the country of destination, but primarily in the country of origin. These women and girls will not take as active part in the development that would be needed to create a full democratic state where both women and men have a voice.

To counter trafficking is complicated, as it requires such a wide array of actors and measures. As has been stressed in so many documents and statements in all the international, regional and local conferences and seminars over the last 5-10 years it involves prevention, protection of the victims and prosecution of the criminals, as well as it involves legal measurements and change of law, social action, livelihood activities, change of attitudes, health programs etc. It involves the joint collaboration of different actors, of governments and institutions, civil society and international agencies. The actors have different roles and the comparative advantage of each and one would ideally be the “leading star” in this work.

The present evaluation is set in a analytical framework, where a distinction is made between long-term interventions, which aim at addressing the root causes, and short-term interventions which support the victims, here called “Band-Aid “ interventions. Both types are equally needed. The long term interventions may indeed lead to a change of the situation for the women, in which alternative means for surviving and better information may prevent women from being trafficked; and change of attitudes and law enforcement efforts will challenge the market of the traffickers. Still there will be many women and girls, which are exploited and used. They need to be supported back to a better life. Thus, both the long-term strategies as well as the short-term interventions are needed simultaneously.

It is clear that IOM is one of many actors needed to counter trafficking. The IOM evaluated programme, within this framework falls within the category of short term Band-Aid interventions.

In this context, the present evaluation concludes that there are **three main issues**, which cover the most important findings in analysing the IOM programme in the mentioned framework.

- 1) The **role of IOM** in counter trafficking activities;
- 2) The importance of **framing support to victims of trafficking in a gender and empowerment perspective**; and
- 3) The lacking of internal **analysis and on-going discussion** of the issue as well as of the methods and procedures used within IOM.

### **7.2.1 The role of IOM in counter trafficking work**

IOM has an important role in the counter trafficking work and has for example been assigned the coordinator for return and reintegration assistance within the SPTF. Yet, there are a number of issues related to the role of IOM:

- In the collaboration with other actors
- The gap between the own view of the IOM role and other actors perception

Firstly, as regards the collaboration between IOM and other actors the picture given during the evaluation is that there is good collaboration with governments and governmental authorities, in particular with law enforcement actors. Most of these actors met, praised the work and role of IOM. Yet, the less positive side of this is how some law enforcement actors at the field level saw IOM as a “stand in” for own governmental

structures. The risk is here that IOM assumes the role of the government, not by intention, but in practice. This may inhibit the development of national institutions, which in the long run are needed for sustainability.

In the collaboration with other international actors the picture is mixed, where some see IOM as an organisation working within its mandate, with a clear role. But again, a notable number argue that there is no real collaboration; that IOM participates in inter agency networks but rather independently, not working as team players building on the experiences and knowledge of other actors. A common critique is the lack of sharing of information and that IOM is taking over all sorts of projects, not respecting the division of responsibilities. IOM is becoming “The” counter trafficking organisation without having the expertise in all the fields required as to address trafficking in its complexity.

The most problematic relationship however, is the collaboration with NGOs. The evaluators are well aware of that there are collaborations, which work and work well, yet the critique raised by the NGOs in this programme is striking. Much of the problem seems to be grounded in a misunderstanding of each other’s roles, but it also relates to uneven power relations. Whereas NGOs sees themselves as independent actors aiming for change with an expertise of their own and with knowledge of the local context, IOM in this programme treat them as service providers. And even if IOM argues that they are partners with NGOs, IOM has the funds and sets the conditions of the collaboration. IOM can for instance choose to stop a collaboration and they can choose who to collaborate with, and they do not provide core funding. IOM’s role vis-à-vis NGOs has been summarized as follows<sup>50</sup>:

- As an implementing agency, many times taking over the role that local NGO’s had.
- As a funding agency (perceived as one) – gives money to local NGO’s, which make them also dependant of IOM.

The role’s of NGO’s versus IOM is different, as it should be. Whereas IOM is working within the legal framework of a country, NGOs usually pushes for changes within the society. This makes it easier for authorities to work with IOM. There is a great need for all actors to acknowledge the differences in roles for a more efficient work in the counter trafficking field.

Secondly, as regards the gap between what IOM perceives as their role and what other actors perceive, the picture that emerges is that IOM in many ways see themselves as the “trafficking solver” and as the “trafficking expert”. IOM sees it as necessary many times to step in “as nobody else does”, even though in fact there may be activities implemented by other organisations that are less visible.

This relates closely to the IOM self-defined role as an expert on trafficking. In this programme the expertise has been claimed in the fields of for instance reintegration, shelter management and interviewing. IOM has indeed long-term experience of counter trafficking, which they claim go back to 1991. Yet it is during the last three years that IOM has grown as an anti-trafficking actor, particularly in the Eastern European region.

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<sup>50</sup>By Barbara Limanowska, independent consultant

Given this track record it must be questioned why there is yet no overall evaluation of the reintegration programmes or that it was by the end of 2002 that the first training on interviewing traumatised persons was given to the CT-personnel. It was during the present programme that the need for psychological support for IOM staff was fully realised and addressed. One could question that this training and forms for debriefing for CT- staff had not been developed long time ago if drawing on other actors knowledge such as institutions and NGOs working with for instance war traumatised persons or domestic violence. As an expert organisation such training should have been institutionalised and linked to a clearer transfer of know-how between earlier programs to newly developed. Also the fact that IOM is an expert on shelters and reintegration may be discussed when in fact NGOs are subcontracted to perform many of these services and there is neither clear set-up nor guidelines for this yet. Thus this expertise is not in-house, but the expertise is in managing the program. IOM's main expertise is in the logistics of transportation, in the return of persons to their country of origin.

What may be concluded is that IOM perceives themselves as the expert without giving enough credit to other actors and do not recognise nor use them as complementary forces with their own expertise and know-how.

A consequence is that the NGO's that have been working with the issue, now have to compete with IOM for funding. As many donors want to work with a large international organisation, it will make it harder for the NGO's to get access to the funds. In the long run this has consequences on the sustainability of the work developed. IOM will leave the area and must question what capacity they will leave behind, if continuing to take on new "shares" of the CT-work- and thus the funds available.

### **7.2.2 Framing the support to victims of trafficking in a gender and empowerment perspective**

The second issue is the need for framing support to victims of trafficking in a gender perspective, which involves a number of aspects. As concluded above IOM victim assistance programme is a "Band-Aid" intervention addressing the needs of persons being victims of trafficking willing to return home. Within the programme all but one of the victims are female, yet this does not automatically state that the programme has a gender perspective.

In a gender perspective the full context of the target group is considered. That means in this context understanding the reasons why the women have been trafficked, what their options are, to understand their needs and wishes, and support them in their way back to a more normal life. It means seeing the woman, not the victim and not only the numbers. It means analysing why it is that many women do not want to return. As has been reviewed some feel stigmatised and do not want to be labelled by the "IOM bag". Others do not want to return as they once fled from what their home could offer. Of course the IOM cannot on its own solve the situation of women in the countries of origin, but it needs to be taken into account and planned for in IOM's programmes. In this context it may also be questioned if it should be IOM that takes on the role as interviewer as well as defining

whether the woman/girl is a victim of trafficking. It may take long time until the woman feels so secure that she tells the true story, she might be scared, threatened and uninformed what options she has. This obviously is very difficult to assess, but given the conditions presently, where the women are interviewed many times, and with a questionnaire that is even questioned by IOM officers, the reliability of the data and information given by the women must also be questioned.

Another aspect of the gender perspective is whether the return process can be called dignified. The IOM itself has no indicators of “dignified return” and the question is *what is dignified?* IOM provides its long-lasting expertise as regards transportation, the complicated issuance of documents and other travel related bureaucracy. Yet, out of a gender perspective, is it dignified to receive 150 USD as a reinstatement grant? To sign a voluntary return document in a foreign language? To carry an IOM bag as a “recognition mark”? Furthermore, can this be called empowering?

The evaluators answer to this is that it is neither dignified nor empowering. Yet, there are clear complexities and difficulties in implementing a programme, which is truly gender sensitive. However, in a learning process the expertise of others as regards gender, and human rights may well be recognised and used to improve these aspects.

### **7.2.3 The lack of an internal analysis and on-going discussion of the issue as well as the methods and procedures used within IOM**

Finally, the third main issue relates to the need for IOM of analysis, which has been mentioned also in the two above discussion. This relates to the analysis of the issue in a broad context, to analysis of the own role as well as analysis of methods and procedures.

It is here argued that the low level of analysis relates to firstly that IOM is primarily an operational organisation, rather than an analytical and policy based organisation, which advocates for change. Secondly it is primarily a humanitarian and migration organisation, rather than a gender –and rights-based organisation; and thirdly IOM is a project and donor driven organisation, which addresses the issues that are high on the political agenda and for which there are funds available.

**The present evaluation concludes that IOM has an important role to play in the anti-trafficking work and has done so in the programme evaluated. Yet, IOM needs to further elaborate on its role and co-operation with other actors, in particular NGOs, respecting and recognising the roles and expertise of others. Furthermore, the IOM return programme needs to assess its activities, procedures and approach out of a gender and empowerment perspective in order to secure the rights of victims and to comply with international human rights standards.**

## **8. RECOMMENDATIONS**

### **8.1 Recommendations to Sida**

Sida should require from IOM to comply with Sida policies as regards gender, human rights, children, HIV-Aids, collaboration with civil society and sustainable development.

Sida should analyse its support to counter trafficking measures as regards long-term as well as short-term interventions. The comparative advantage of different actors for the various aspects of the counter trafficking work should be assessed.

Sida should require IOM to provide better reporting and analysis of data. Quantitative data should be complemented with qualitative information. A gender- and child perspective should be mainstreamed in the reporting.

### **8.2 Recommendations to IOM**

1. IOM's has an important role and expertise as regards to transport and repatriation. IOM should continue and focus on this aspect of the work.
2. IOM needs to reconsider and clarify its role and responsibility within the counter trafficking work in the cooperation with other actors, respecting and recognising the roles and expertise of others to avoid overlap and a waste of funds.
3. As regards the collaboration with governmental actors it is recommended that IOM, who now have a focus on law-enforcement representatives, takes into account the social sphere (i.e. Social Ministry, Social Work Centres). Furthermore IOM needs to be attentive to the risk of that law enforcement actors see IOM as a replacement of governmental structures. Such perception may inhibit the development of local institutions.
4. In the collaboration with international agencies it is important that IOM recognises the expertise of these and builds on these and work together with in their work on counter trafficking, particularly as regards expertise on gender human rights, law enforcement, and minors.
5. In the collaboration between IOM and NGOs it is central to overcome the gap in terms of lack of trust, and set out clear roles and responsibilities, building on respect. In this respect the formulation of the contracts seen in this programme should be reviewed and reformulated. IOM should not take over where the NGOs are doing or could do the job.
6. In order to bridge the gap between IOM and NGOs it is suggested that IOM and partners receive basic partnership and management training. Another training which could breach the gap would be of violence against women for the CT programme

officers and assistants of IOM, which is an issue related to trafficking and one that most of the NGOs that IOM is working with have dealt with for many years.

7. The IOM return programme needs to assess its activities, procedures and approach out of a gender- and empowerment perspective. Furthermore IOM officers, both Chiefs of Mission and CT-officers should be offered gender training, including training on gender based violence.
8. The forthcoming review of IOM gender policy should include trafficking as an issue, not only as programmes addressing women, but also in terms of approaches, procedures and methods in the work.
9. An empowerment perspective would enhance the methods used in supporting the women. A key here is to give the women the possibility to decide over their lives instead of labelling them as victims. The portrayal of women in information material and presentation should therefore also be reviewed.
10. It is recommended that IOM set up standard policy as regards procedures concerning the special needs for minors. Here the newly drafted guidelines from UNICEF could be useful, or maybe even adapted by IOM.
11. IOM should reconsider their means of recognition and identification of the women and girls returning and in transit, avoiding the IOM bag, and find other ways of identification that will not stigmatise the victim, nor alert the traffickers.
12. There is a clear need to have a discussion with all involved actors about the differences between IOM Return Programme and its limitations and focus, and the definition of who is considered a victim in order to stop the misuse of the “operational definition” among key actors. It is recommended that IOM initiate a discussion about this both within the organisation as well as with other actors, particularly those working on law enforcement.
13. IOM is recommended to further evaluate the reintegration programme and do an overall assessment including lessons learned from well functioning programmes as the one in Moldova as well as the experiences from other missions where the work is less well developed.
14. IOM should develop a strategy for a clear hand-over of the projects as well as develop an exit strategy in order to make the process sustainable.
15. The IOM should always specify clearly the sources of their statistics in their database. They should be clear with that the numbers only cover the women that have agreed to join the IOM programme, but not those who do not want to join the programme, nor the girls and women never reached or assisted by IOM or other organisations.

16. All involved should have a standardised interview format so that the women and girls who have just come out of the trafficking circle do not have to answer almost the same set of questions over and over again. As IOM needs the information for their database it is important that the organisation take lead in this work, which will in itself benefit the women and girls.
17. A review of the questionnaire out of a gender- and empowerment perspective when it comes to what kind of questions as well as the length is further recommended.
18. The IOM should translate the forms used in the operational the women and girls to the most common languages of the victims encountered, to make sure that the girls and women understand what is happening to them, and to make them feel more in control of their choices.
19. It is recommended that IOM set up standard policy as regards HIV/Aids tests.
20. As regards shelter management and development of shelter guidelines it would be recommended that IOM comply with the Code of Conduct elaborated by OSCE Belgrade as part of the NPA, and after the guidelines of SPTF.
21. In the new proposal that IOM has submitted to Sida for 2003 IOM argues for the need for IOM to include activities for internally trafficked. The issue is problematic, as there are no comprehensive programmes to address the needs of these victims so far. Both international actors as well as NGOs stress that those who have the expertise on internal trafficking are the NGO and are those who should assume this work. These women generally are not migrants, but women forced into prostitution. Therefore, it is recommended that IOM does not start developing activities related to domestic trafficking and that Sida does not fund these activities within the IOM context.