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ACRONYMS

AKR	Aleanca Kosova e Re (New Kosovo Alliance)
CSO	Civil Society Organisation
EC	European Commission
EULEX	European Union Rule of Law Mission in Kosovo
ICTY	International Criminal Tribunal for the former Yugoslavia
LDK	Lidhja Demokratike e Kosovës (Democratic League of Kosovo)
MLSW	Ministry of Labour and Social Welfare
PDK	Partia Demokratike e Kosovës (Democratic Party of Kosovo)
STD	sexually transmitted diseases
UNDP	United Nations Development Programme

I. INTRODUCTION

This report summarises the findings from the study carried out as part of ANTICORP Package 9 activities in Kosovo and outlines the main trends in human trafficking and the potential links between trafficking activities and corruption.

A total of 28 cases of trafficking of persons were recorded in 2014 according to the annual report of the Kosovo Police. This is a decrease of over 26% of human trafficking-related cases as compared to 2013, when 38 such cases were reported by the police (Kosovo Police, 2014). The same document also indicates a reduction of identified and assisted victims of trafficking. While a total of 45 victims of human trafficking were recorded in 2014, as compared to 55 in the previous year, the number of assisted victims has also marked a decline from 48 to 42 persons (Ibid.). According to the Kosovo Police, the vast majority of victims are citizens of Kosovo, while the most foreign nationals trafficked in Kosovo originate from Albania. The declining trends in human trafficking have been recorded in the past several years.

The National Strategy for Combating Trafficking of Persons and its Action Plan expired in 2014. In May 2015, the new strategy against trafficking in human beings (2014-2019) was adopted. The strategy remains the primary document defining the approach towards combating trafficking of persons. The strategy and action plan adopt a multi-dimensional approach comprised of prevention, protection of victims and witnesses, investigation, detention and punishment of trafficking crimes, and protection of children. The document is based on several internationally recognised standards:

- government ownership of the strategy;
- participation;
- human rights based approach;
- interdisciplinary and inter-sectoral approach, and
- sustainability.

Corruption is also quite problematic in Kosovo. With local and international organisations raising flags of corrupt practices taking place at high levels of government, the European Union has made the prosecution of corruption at high government levels part of the criteria for including Kosovo in the White Schengen List. The European Commission's 2015 report on progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap sets out four key priorities for Kosovo to focus on in the remaining period of the visa liberalisation dialogue: transferring a sufficient number of judges to courts' serious crime departments; building up a track record of investigations, court rulings and confiscations in serious organised crime and corruption cases; ensuring the operational independence of the Public Procurement Review Body and Public Procurement Regulatory Commission; and demonstrating that the legislation on name changes has been implemented (European Union Office in Kosovo, 2015b). With regards to human

trafficking in particular, the European Commission in its 2015 Progress Report for Kosovo notes: “The rate of convictions in cases against human trafficking remains low, despite Kosovo being a source and transit country for trafficked women and children. Kosovo has worked closely with Europol on the dismantling of migrant smuggling networks” (European Commission, 2015a).

In addition to high level corruption related primarily to public procurement, nepotism and political patronage have also frequently been reported. CSOs have continuously reported on these phenomena and often evidenced links and political affiliation and patronage. A recently published open data platform maps corruption across private companies, individuals, political parties and institutions (Çohu, n.d.). In December 2015, the Kosovo Assembly appointed two dozen members of public boards or boards of public companies, the majority of whom were politically affiliated. In some cases, the newly elected members were even former mayors or party officials.

Public trust in the judiciary is also very low. Media and CSO report on delays in the proceedings, few convictions of high level officials, acquittals in several cases of corruption, or minimal punishment of those found guilty, “lax” or non-serving of sentences are some of the primary reasons for lack of public trust in the judiciary in Kosovo (Leposhtica, 2016). Corruption within the judiciary is particularly problematic. In 2015, the President of the Court of Appeals and the Chief Public Prosecutor of Gjakova, and a Public Prosecutor in Mitrovica faced corruption related charges. The EU Rule of Law Mission EULEX has also faced corruption scandals. In 2015, Maria Bamieh, former EULEX Prosecutor, blew the whistle on major corruption affairs involving senior officials in Kosovo and some of her superiors and colleagues at EULEX (Syal, 2015). Aside from overall negative impact in terms of low trust in the justice system, creation of impunity culture and general poor rule of law appear not to have any direct links to human trafficking. The US State Department Human Trafficking Report 2015 notes that government corruption creates an environment enabling some trafficking crimes. Several police officers, labour ministry officials, and other government officials have been charged or convicted of trafficking crimes (US Department of State, 2015).

II. METHODOLOGY

The purpose of this research was to identify patterns and phenomena related to trafficking and identify their potential links to corruption, particularly to high level corruption and other organised crime activities. The research had two main specific goals:

- to examine the links between corruption and trafficking of women;
- to examine the consequences and impact of this corruption on the victims of trafficking.

For the purpose of this study, the IKS team applied secondary literature review/desk research as well as face to face interviews with key informants. The research team conducted desk research (expert studies and books, media reports, legal proceedings) on connections between trafficking in women and corruption and a fieldwork and carried out fifteen in-depth semi-structured interviews with experts, NGO practitioners, law enforcement officers and public officials.

During the secondary sources review (desk research) existing knowledge about prostitution and trafficking in Kosovo was analysed, with special focus on the links between corruption and trafficking of women. This research stage outlined the general picture regarding the trafficking and prostitution situation in the country, and looked more closely into the corrupt involvement of public administration, law enforcement, judicial officials and politicians in the trafficking of women.

The fieldwork (interviews and life stories) aimed at obtaining specific and relevant information on connection between corruption and trafficking of women and on the consequences these connections have for the victims of trafficking in all stages of the trafficking process. A total of 10 face-to-face interviews were carried out with stakeholders by using the interview guidelines, designed specifically to achieve the objectives of the study. The interviews were then transcribed and analysed using the content analysis, which was the approach towards all sources of information. All data was scrutinised for relevance, reliability and application to the study and then contextualised with other information received from other sources. The scarcity of data, particularly with regards to human trafficking has been a major challenge to overcome. To this end, the research team was also persistent in obtaining official police data and other non-public information that was made available by the respondents.

III. CORRUPTION AND TRAFFICKING ASSESSMENT

1. Trafficking Assessment

Trafficking of persons in the Kosovo Criminal Code is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, mistakes, abuse of power or abuse of a position sensitive or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (Art. 171(6.1.). The "use" includes, but not is limited to, “the exploitation of the prostitution of others, pornography or other forms of sexual exploitation, begging, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs or cells” (Art. 171(6.2.).

Official data as well as feedback provided by interviewees testify to a decreasing trend of trafficking in Kosovo. While in the post 1999 war years the trend was alarming and the origin of trafficked persons for purposes of prostitution were primarily of former Soviet Union countries, in the last years it is predominantly a local phenomenon, with most victims being Kosovo nationals. A total of 28 cases of trafficking of persons were initiated by the Kosovo Police in 2014. In the preceding year, this figure was 26% higher, totalling 38 such cases initiated by the police (Kosovo Police, 2014). An improved performance has been recorded by the judiciary in 2014, whereby courts convicted 41 traffickers, an increase from 25 in 2013. However, the sentences were relatively weak and the majority of prison sentences were of less than two years or consisted only of modest fines. The backlog of trafficking cases grew during the reporting period; the courts inherited 83 trafficking cases from previous years and 93 prosecutions remained open at the end of 2014 (US Department of State, 2015).

The official reports issued by international organisations including the annual EC Progress Reports, indicate Kosovo to be a transit country for trafficking. While respondents interviewed state that this may be the case, they also stipulate that if such allegations are true, it also explains why it is so difficult to identify it in Kosovo, as it is virtually invisible. Kosovo used to be a place of origin, destination and transit for trafficking in human beings, it now remains primarily a place of origin and transit, for victims trafficked for sexual exploitation purposes and with an increasing number of under-age victims (National Authority against Trafficking in Human Beings, 2015). There have not been any kidnapping incidents involving internationals since independence. Trafficking of persons remains a problem despite government steps to address the issue (Overseas Security Advisory Council, 2015). While most of the trafficking cases are related to sexual exploitation, an increasing attention of institutions has been on the identification of other forms of trafficking, particularly those related to working/begging street children (US Department of State, 2015).

Cases of trafficking of children who are used as working/begging street children have also been reported. To this end, the 2014 US Department of State Human Trafficking Report states that “children from Kosovo and neighbouring countries, including Albania, were subjected to forced begging within the country” (US Department of State, 2014). Media have also reported cases of forced begging of children by organised criminal networks and the Kosovo Police have also been active in returning these children to their home countries. The 2015 Human Trafficking report continues to consider Kosovo as source and destination country for women, children, and men subjected to sex trafficking and forced labour, including in the restaurant industry (US Department of State, 2015). The report states that “women and girls are subjected to sex trafficking in private homes and apartments, night clubs, and massage parlours. Traffickers promise employment as dancers and singers in restaurants, and instead force victims into sex trafficking” (Ibid.).

Human trafficking is a severely punishable offence in the Kosovo Criminal Code. Participation in human trafficking is punishable by a fine and imprisonment of five to twelve years (Art. 171(1)). When such offense is committed within 350 meters of a school or other institution which is used by children or the offense is committed against a person under the age of eighteen years, the perpetrator can be punished by a fine and imprisonment of three to fifteen years (Art. 171(2)). Whoever organises a group of persons to commit the offense of human trafficking under the Kosovo Criminal Code can be punished by a fine up to €500,000 and by imprisonment of seven to twenty years (Art. 171(3)).

Prostitution is also illegal in Kosovo. The Criminal Code stipulates that “whoever recruits, organizes, assists or controls the other person for the purpose of prostitution is punished by a fine and imprisonment of up to three years” (Art. 241(1)). When such offenses take place within the perimeter of 350 meters of a school or another institution which is used by children, the perpetrator shall be punished by a fine and imprisonment of six months to five years. The Code also sanctions by fine and imprisonment of one to eight years all who by force or serious threat or by holding another person in a situation of personal or economic dependency compels such person to engage in prostitution. Up to ten years imprisonment is foreseen if victims of forced

prostitution are between 16 and 18 years of age, while in cases of victims being younger than 16 years of age, up to 20 years imprisonment is foreseen. For victims younger than 14 years, the Criminal Code foresees a minimum penalty of 10 years in prison.

The stakeholders interviewed agreed that the situation has improved significantly since the 1999 war, when it was considered to be problematic. Currently, there is an efficient legal system and improved control of border entries of foreign nationals, which has reduced the trafficking activity significantly. Stakeholders also state that numerous awareness raising campaigns of CSOs have also contributed to the reduction in human trafficking. Nevertheless, most stakeholders agree that more needs to be done in this direction. This holds true particularly for remote and distant areas, which are considered to be home of groups at risk of potential trafficking. Large families, distorted but yet strong kinship ties, lack of opportunities for personal and professional development and employment are some of the factors defining the population in these areas which appear to be particularly at risk of trafficking. Girls in these areas are often school dropouts, with very little prospects for the future and the authorities consider them to be mostly at risk of being trafficked. Urban centres can also involve risk of trafficking for young girls and women.

Services for victims of trafficking include shelter, legal, medical and psychosocial services. These services are offered by both public and non-governmental providers. While the public shelters rely exclusively on public funding for its activities, NGO shelters are organised on a regional basis and are able to fundraise part of the funding for their activities from international donor organisations. Nevertheless, they too are heavily reliant on public funding for their day-to-day operations. Given the high dependency of shelters on public funding, the increase of the government budget allocation for these services of over 50% in 2014 is very positive development. Nine regional centres exist across the country and they are all accredited by the Ministry of Labour and Social Welfare (MLSW) in offering the services for trafficked persons.

However, victims of trafficking can use the services of the regional centres only for a maximum of six months, which in most cases is not sufficient to overcome the trauma of being trafficked, let alone being able to find employment. In such cases, not wanting to leave these victims without support, centres refer victims to their colleagues in other regional centres. "Authorities could place child trafficking victims in one shelter designated solely for child victims of violence, and foster care was available for long-term care" (US Department of State, 2015: 2011). The key stakeholders interviewed report that a new law is expected to enter into force in 2016 that will provide monetary compensation to victims of trafficking. The law foresees the creation of a budget/fund from the penalties and fines issued by courts to convicted traffickers. This law aims to compensate victims who cannot always retain compensations from damages caused by their traffickers.

3.2. Corruption Assessment

Some of the most frequent cases of corruption in Kosovo are linked to political parties and high profile figures. Senior civil servants are also perceived to be corrupt or at least appointed because of their allegiance to a political party. Political parties themselves have been reported to be the link between public procurement, the private sector and individual donors. All generous

donors of political parties are rewarded through lucrative public contracts often awarded through irregular procedures. The open data platform of the anticorruption organisation Çohu linking and cross-referencing several publically available sources of information (Kosovo Business Registry, List of Political Party Donors available at Central Election Commission, and Public Procurement Database) reports PDK to have received €151,007 in donations from 52 individuals and legal persons (businesses) in the period 2009-2012 (Çohu, n.d.). These donors have in turn been rewarded by 325 public procurement tenders with a total amount of €162,517,080 (Ibid.). Second comes AKR, which has received €12,828 in donations from individuals and legal persons (businesses) in the period 2009-2012. These companies were awarded 42 public tenders totalling at €3,089,817. The second largest party — LDK, comes third with €10,400 donations from seven individuals and legal persons in the period 2009-2012. These entities have been awarded public contracts to the value of €419,631 (Ibid.).

As regards the judiciary, public satisfaction with its performance is very low. The UNDP periodic survey of public opinion states that the judiciary is the public institution attracting the highest dissatisfaction of citizens – only 13% of respondents have expressed satisfaction with the Prosecutor’s Office performance while 14% have expressed the same for courts (United Nations Development Programme, 2015). Perceived corruption within the judiciary is particularly problematic – courts are reported to be the second most corrupt institution in Kosovo with 46.9% of respondents in the survey reporting to perceive it as an institution where large-scale corruption takes place (Ibid.). Selective application of justice and noticeable application of double standards in similar cases have all contributed to large scale dissatisfaction among the citizens with the performance of the judiciary.

The perceptions of citizens have also been fuelled by corruption-related scandals within courts and the Public Prosecutor’s Office. In 2015, the President of the Court of Appeal and the Chief Public Prosecutor of Gjakova were charged with corruption and abuse of official position. Another Public Prosecutor in Mitrovica has also faced corruption related charges. Allegations by unsuccessful candidates for the position of Chief Public Prosecutor (elected in 2015) that there had been political interference in the selection procedure have also contributed to the degradation of the public image of the justice system.

The EU Rule of Law Mission EULEX, which has been made part of the judiciary in Kosovo primarily to deal with high profile cases of corruption and organized crime, has itself faced corruption scandals. Maria Bamieh, the former EULEX Prosecutor, was not the only whistleblower exposing corruption within EULEX. Andrea Capussela, Head of the Economic Unit at EULEX, suggested that the scandal was only a small part of much broader problems in the troubled mission (Borger, 2014). While there is now growing disillusionment in Kosovo with the performance of EULEX, “when the mission arrived promising to go after go after the “big fish” in the nexus of organised crime and politics that had a stranglehold on Kosovo it was met with euphoria” (Ibid.).

Aside from generic bad impact in terms of low trust in the justice system, creation of impunity culture and general poor rule of law implementation appear not to have any direct links to human trafficking. The US Department of State Human Trafficking Report 2015, states that government

corruption creates an environment enabling some trafficking crimes. Several police officers, labour ministry officials, and other government officials have been charged or convicted of trafficking crimes (US Department of State, 2015).

The only major trafficking case that received both the attention of local media in Kosovo and international ones regards human organ trafficking. Two major cases of such nature were recorded and they are linked to the same private clinic in Kosovo. Organ trafficking cases labelled as Medikus I and II have involved Kosovo and Israeli citizens, some of whom are currently facing charges in their own country for the crimes they are charged with in Kosovo. The indictment was published for seven persons charged with international organ trafficking and their illegal transplantation (I akuzuari për Medikus, 2015). The indictment for Moshe Harel, an Israeli doctor, also takes note of the indictment in Kosovo against him where he is described as the leader of an organised network of persons who have recruited organ donors and their buyers, primarily of Israeli origin (ibid.). The case has also involved 5 expertise procedures, 29 files and thousands of documents, inclusive of 30 requests for international legal aid (Fata, 2013). All persons indicted in the Medikus case for human trafficking, organized crime and illegal professional practice are physicians, except Mr. Arban Dervishi, who is an economist by profession (Ibid.). The case also involved corruption scandals in the Ministry of Health, related to issuing various licenses and permits illegally and is a good illustration of the threat that corruption poses.

Another worrying aspect of the functioning of courts in Kosovo relates to victim and witness protection. "In 2011, because of concerns that witnesses were not being given sufficient protection by EULEX, the EU set up a special investigative taskforce based in Brussels" (Borger, 2014). Leaking of confidential information in sensitive cases about victims and witnesses has often jeopardised the outcomes of court procedures. To avoid this, a Special Court will be set up in The Hague to deal with war crimes committed in the period 1999-2000. However, this requires an amendment to the Kosovo Constitution, which in the light of political instability and paralysis has been impossible to achieve. Even in high profile cases of war crimes at the ICTY leakages of information have occurred and people have been indicted on accusations of publishing information about witnesses and their intimidation. For example, former Kosovo Minister for Culture, Youth and Sport Astrit Haraqija was indicted on the grounds that upon learning of the identity of a witness in July 2007, instructed Bajrush Morina, an employee working as the political advisor to the Deputy Minister at the Kosovo Ministry for Culture to travel to the protected witness' country of residence in order to persuade him not to testify against Haradinaj (United Nations International Criminal Tribunal for the former Yugoslavia, 2008).

Given the policies on entry and employment in the country, the only way for foreign nationals to reside legally in Kosovo and work is through registering with the office for foreign nationals and obtaining the proper work permits. In the past reports of bribery have been made about suspicious foreign nationals being issued working permits. With the decreasing trend of inward trafficking of foreign nationals this is a declining issue but it is an important control point that should be paid particular attention. The key informants (KS-WP9-04) in this study also referenced this control point as being critical to combating trafficking of foreign nationals into

Kosovo. The law on employment of foreigners in Kosovo designates the Department of Labour and Employment within MLSW as the competent body for issuing work permits to foreign citizens. The Department of Labour and Employment is obliged to inform the Ministry of Internal Affairs within three working days of issuing and terminating work permits. Ministry of Internal Affairs also informs Department of Labour if the residence permit of an employed foreign national is terminated. Improved border control and improved efficiency of the Labour Inspectorate have also been envisaged as important points of intervention directly affecting trafficking levels in the country. Given that inbound trafficking has been in constant decline the issue also decreases in importance.

IV. CORRUPTION AND TRAFFICKING - IMPACT ON THE VICTIMS

The respondents involved in this study, regardless of their backgrounds and relevant experience with trafficking, agreed that there is no single scenario of how trafficking occurs. Each case has its own individual characteristics and there is no clear pattern applicable to all cases. With regards to inward trafficking, the most frequent scenario that has been reported by key informants is that of victims from poor countries being offered employment in Kosovo, usually in the hospitality industry. In some cases they are later forced to prostitution and held against their will. With regards to outward trafficking, victims are usually deceived through promises of better life abroad and, similarly to inward trafficking, are promised working contracts. Once they are trafficked (usually in Western European countries), they are forced into sex slavery and exploited by organised crime groups.

The victims are most often recruited by a trustworthy person. In some cases, this is a friend, boyfriend or distant relative. There are even reported cases of trafficking and forced prostitution exercised by spouses (husbands), and mothers trafficking their daughters. Some respondents (KS-WP9-05) indicate that most often the problem has economic roots: with widespread poverty and extreme poverty across the country, promising income abroad is an opportunity not to be missed by many young women, who later become victims of trafficking. Once in the destination country, the person accompanying the victim usually leaves her in the care of organised crime networks which operate effectively across most major cities in Europe.

For inbound trafficking, the entry into Kosovo is mainly done through official border crossings and is done legally. Until 2006, the entry of trafficked persons was predominantly illegal, but now most of trafficked persons enter Kosovo through official entry points (KS-WP9-04). Kosovo does not apply visa regimes for many countries and access is relatively easy if accompanied or invited by a Kosovo national or business.

As stated above, there has been a decreasing trend of inbound trafficking particularly from low income countries from the former communist bloc. One of the explanations provided by respondents (KS-WP9-01) for the reduced inflow of sex workers and trafficked persons from former communist countries is the recently liberalised visa regimes that these countries enjoy with the EU. With free movement to countries of higher living standards opened up to them, their interest to come to Kosovo has dropped significantly. Similarly, it can be expected that once visa

regimes are liberalised for Kosovo, there will be increased outbound trafficking particularly to EU countries. Given that the European Commission has already issued a positive opinion of liberalising visa policies towards Kosovo, pending some final criteria (including fighting corruption), this aspect should be particularly taken into consideration. Stricter border controls and closer monitoring of the travel abroad of at-risk social groups are among the tools necessary for preventing outbound prostitution and trafficking.

For outbound trafficking victims, travel is usually illegal and often paid for by the traffickers, which is also often used as pressure on victims to enter the sex industry. Threats against families and physical violence are also a common form of pressure to force victims into prostitution; victims are often abused and forced to work even while having health problems.

Health aspects have also been stressed by one of the NGO representatives interviewed who states that HIV, hepatitis B, C and syphilis tests should be offered by public hospitals free of charge. However, currently only some donor-funded initiatives provide such services. Hospitals do not offer treat patients adequately and usually fail to protect their confidentiality. When dealing with complex STD's like Hepatitis C, the referral system connect the victim/patient to the regional hospital, which makes it difficult to protect the confidentiality of patients' identities. There are many cases of victims being treated for various STDs like hepatitis, chlamydia, and syphilis (KS-WP9-05), but the biggest challenge remains the protection of personal information.

Most inbound trafficking victims who have entered Kosovo legally – by being issued an invitation (or visa in cases when such apply) – are provided employment documentation by a local employer and obtain work and residency permits at the MLSW and Ministry of Internal Affairs respectively. In the case that the country of origin of the trafficked persons has visa requirements for entering Kosovo, they are issued by the Foreign Ministry's consular service, upon receiving an invitation from a Kosovo citizen or company. Their work documentation is usually for jobs as retail workers, waitresses, service/restaurant managers or singers.

Interviewees reported that procedures for obtaining these documents are standard—they need to apply for a work and stay permit in Kosovo. This is where corruption comes into play as government officials are usually bribed to issue such permits to these women. Some women do start working in the promised positions at the beginning of their stay and later are forced into prostitution or other form of forced labour (KS-WP9-05). This has been the story of numerous women and girls who in the post-1999 years have been trafficked to Kosovo. Given the requirement for coordination and cooperation between the MLSW and the Ministry of Internal Affairs, it is very difficult to obtain work permits and residency permits without proper documentation or without bypassing these procedures through corruption practices.

Evading control points and procedures foreseen for the employment of foreign nationals in Kosovo is a violation of the law and the prosecutor interviewed for the purpose of this study confirmed to have investigated corrupt officials who were found guilty of abusing these procedures. The law in Kosovo states that if a person sells her body for a profit it is considered a misdemeanour, but if a person coerces another person to prostitute it is a criminal offence (KS-WP9-01). Given such definitions, the handlers in most cases have the victims negotiate the

deals with clients directly, thus making it very challenging to evidence their involvement in the sexual exploitation of trafficked women. Despite the existence of a support line where victims of trafficking can be reported, this communication channel is far from being utilised effectively for the purpose it was set up. The support line should be more actively promoted and the general public should be informed of channels through which they can report suspected victims of trafficking.

With respect to money laundering, the Directorate for Investigation of Economic Crimes and Corruption within Kosovo Police has not recorded a single case of money laundering in 2014. In the previous year, the Kosovo Police reported four such cases but there is no clear link between the decline in cases of trafficking and those of money laundering, as there is no information on the nature of the 2013 cases. The European Commission Progress Report 2015 assessed that “the action plan for the national risk assessment on money laundering and combating financial terrorism was mostly implemented on time. With regard to the criminal offence of money laundering, Kosovo’s legal framework is largely in compliance with the Vienna and Palermo Conventions. However, certain gaps, for instance on the declaration of assets by senior public officials and on market manipulation, remain” (European Commission, 2015a: 58). The 2015 report also recommended improved interaction and cooperation between the Financial Intelligence Unit in the Ministry of Finance and key bodies in the anti-money laundering chain. The report also called for improved cooperation and interaction between the police and the prosecution, which was considered particularly vital. In terms of laundering money from illegal activities (including trafficking and prostitution), all relevant institutions should be supported and their capacities increased. To this end, central bank monitors in charge of overseeing the transactions in the financial system should be particularly empowered and trained adequately.

In several instances public officials – including police, prosecutors, judges and officials from local and central institutions – have been linked to cases of trafficking or have had charges brought against them. Some have even been suspended from their jobs pending the outcome of the cases (KS-WP9-01). With the financial power of organised crime groups and widespread corruption practices in Kosovo, even the cases that reach the courts are not very likely to receive harsh punishments as foreseen in the law (Ibid.). When these risks are added to already problematic personal data protection and handling of trafficking cases, it discourages civic engagement in reporting and eliminating crime.

In terms of geographic patterns of trafficking and prostitution, Gjakova, Pristina, Ferizaj and Prizren have been reported to be most problematic. Interviewees reported that in the past few years most of the cases identified and assisted in Kosovo come from these regions. While there are no definitive explanations of this distribution pattern, interviewees were able to provide some reasons behind it. Gjakova and Prizren are border regions with Albania, which has been one of the few remaining countries of origin of trafficking into Kosovo. On the other hand, the activity in Ferizaj and Prishtina is believed to have prospered because of the vast presence of internationals and being along major transit routes.

As regards the social aspects of trafficking of women, cultural attitudes in Kosovo make it difficult for these women to go back to their villages after working in the sex industry as they will be stigmatised, publicly ashamed or humiliated by their community. The prevalent opinion and popular perception is that trafficked women are women with no morals and are treated as villains instead of victims. Given the increased prevalence of locally trafficked women, working with communities out of which the victims were trafficked is also essential in building sustainable social safety nets that would enable full reintegration of victims.

V. POLICY RECOMMENDATIONS

Based on the findings from the study, the following recommendations can be made with regards to the improvement of the design of anti-trafficking policies and their implementation:

The implementation of the newly adopted National Strategy against Trafficking in Human Beings in Kosovo 2015-2019 should include close monitoring and periodical assessment of the achievement of objectives and results. The previous strategy (2011-2014) was considered to be lagging in implementation.

Stricter enforcement of laws and particularly the Criminal Code provisions on anti-trafficking is of utmost importance. Improved quality of handling and efficiency of processing of trafficking and corruption cases are two most important aspects. They are in fact pre-conditions for any policy to be effective and for the trust of the general public in the judiciary to be restored. In terms of enforcement, the specific recommendation can be to vigorously investigate, prosecute and convict traffickers, including officials assisting them to carry out the trafficking of victims and arranging their stay in Kosovo.

Government institutions should fully implement the provisions of the 2013 law on Preventing and Combating Trafficking in Human Beings and Protection of Victims of Trafficking, which also foresees the establishment of a victim compensation fund. Given the financial difficulties faced by victims of trafficking, this measure is particularly important.

Capacity development for relevant institutions in handling trafficking cases is also needed. This should include provision of advanced anti-trafficking training to judges, prosecutors, and law enforcement. Particular attention should be given to privacy aspects and protection of personal data, as this has been a major cause of concern in the past.

Particular attention should be given to combating trafficking of children and their forced labour since this has been an issue of concern and has increased in frequency of occurrence. The measures to this end should be tailored to identify and assist children forced into begging.

Increased control of border crossings and movement of persons from and to Kosovo, and greater monitoring of institutions issuing work permits and companies sponsoring those documents is needed for the effective combating of inbound human trafficking.

In terms of victims who are foreign nationals, the recommendation is to extend temporary residence permits to foreign victims of trafficking and witnesses in trafficking cases. As their

residence permits are linked to their employment providing sponsorship of residency, their permits also expire with their discontinuation of work and should be placed in safe houses.

The capacities of public health providers should be increased and they should be enabled to offer more user-friendly and full-confidentiality for testing for HIV and other STDs. The health of trafficked persons is particularly critical to ensure, and these services for the trafficked persons should be provided in confidentially.

Psycho-social and shelter services offered at the regional centres for the support of victims of trafficking and domestic violence are often inadequate or insufficient. Capacity development for these organisations and development of their infrastructure to offer high quality services for their tenants is required. Given the scarcity of psycho-social services in Kosovo, offering these services within centres/shelters is considered to be of utmost importance for the successful reintegration of victims in society.

The stay of trafficking victims in shelters should be extended for longer than 6 months, ideally until full reintegration. The six months' period that is currently foreseen as a transition period in the shelters is considered to be insufficient for the full rehabilitation of trafficked victims and their reintegration in society.

Another recommendation with regards to the sheltering and support for victims, is increasing the number of trainings, employment courses and programmes offered at shelters or other affiliate organisations, and where possible raise internal capacities of shelters to offer self-employment or employment trainings for their tenants.

Education and awareness are crucial to the prevention of human trafficking and should therefore be enhanced among social groups at risk as well as among the general public. Given that the significant drop in the official statistics is partly attributed to past campaigns by local and international organisations, it is recommended that these should be carried out regularly. Awareness raising and education for the purpose of prevention can also be organised as part of extra-curricular activities in primary and secondary schools.

Youth programmes which engage young people in extra-curricular and social activities are also a key prevention tool. Lack of alternatives for youth engagement and lack of programmes for their professional development are some of the conditions fostering trafficking and trafficking activities. Offering such programmes to young people particularly in remote and rural areas where social life and entertainment opportunities for youth are particularly limited is a highly recommended prevention tool.

Proactive screening for trafficking among individuals engaged in prostitution, migrants, and other at-risk populations has also been recommended as a policy measure parallel to allowing the victims of trafficking the freedom to come and go in all shelters (US Department of State, 2015). Proactive measures are very much in line with the strategy for intelligent policing that the Kosovo Police has adopted and can be most effective measure for early identification of trafficking practices.

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Annex: Codes and details of interviewees

Code	Position	Place of work	Age	Gender	Comments
KS-WP9-01	Special Prosecutor	Special Prosecution of the Republic of Kosovo	n/a	M	n/a
KS-WP9-02	Project Officer	UNDP	n/a	W	n/a
KS-WP9-03	Human Rights Officer	OSCE	n/a	M	n/a
KS-WP9-04	Former Investigator	Directorate of Human Trafficking of Kosovo Police	n/a	M	n/a
KS-WP9-05	Social Worker	Center for Protection and Rehabilitation of Women and Children Liria	n/a	W	n/a
KS-WP9-06	Executive Director	KOPF (Kosovo Population Foundation)	n/a	M	n/a
KS-WP9-07	Director	Social Services Division of MLSW	n/a	M	n/a
KS-WP9-08	Executive Director	COHU	n/a	M	n/a
KS-WP9-09	Project Manager	BIRN	n/a	W	n/a
KS-WP9-10	Psychologist	Foundation Together Kosova	n/a	W	n/a



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Project profile

ANTICORRP is a large-scale research project funded by the European Commission's Seventh Framework Programme. The full name of the project is "Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption". The project started in March 2012 and will last for five years. The research is conducted by 20 research groups in fifteen countries.

The fundamental purpose of ANTI-CORRP is to investigate and explain the factors that promote or hinder the development of effective anti-corruption policies and impartial government institutions. A central issue is how policy responses can be tailored to deal effectively with various forms of corruption. Through this approach ANTI-CORRP seeks to advance the knowledge on how corruption can be curbed in Europe and elsewhere. Special emphasis is laid on the agency of different state and non-state actors to contribute to building good governance.

Project acronym: ANTI-CORRP

Project full title: Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption

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