



Government of the Republic of Macedonia

**NATIONAL COMMISSION TO COMBAT
TRAFFICKING IN HUMAN BEINGS AND ILLEGAL
MIGRATION IN THE REPUBLIC OF MACEDONIA**

**NATIONAL STRATEGY
FOR COMBATTING TRAFFICKING IN
HUMAN BEINGS AND ILLEGAL MIGRATION
IN THE REPUBLIC OF MACEDONIA**

**NATIONAL ACTION PLAN FOR
COMBATTING TRAFFICKING IN HUMAN
BEINGS AND ILLEGAL MIGRATION IN THE
REPUBLIC OF MACEDONIA**

**ACTION PLAN FOR COMBATTING
TRAFFICKING IN CHILDREN IN THE
REPUBLIC OF MACEDONIA**

2009-2012



Government of the Republic of Macedonia
National Commission to Combat Trafficking in Human Beings and
Illegal Migration in the Republic of Macedonia

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IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

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do not necessarily reflect the views of ICMPD.



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technical support by the UNICEF Office Skopje.

Respected,

You have in front of you the National Action Plan for the period 2009-2012 of the National Commission to combat trafficking in human beings and illegal migration. Together with the first NAP whose implementation lasted from 2006 to 2008, the National Commission together with its partners has been systemizing continuously the activities for prevention, protection and prosecution of trafficking in human beings within the time frame of six years.

The new NAP and the new Strategy for combat against trafficking in human beings are a result of the need for a different approach of the society to this type of organized crime. The geopolitical and social changes on the territory of Eastern Europe and the Balkans since the beginning of the new millennium up until today has influenced also the profile of the victims of trafficking in human beings which have been registered in the Republic of Macedonia. The integration in the EU of the states of origin of the victims of trafficking in human beings has contributed to a continuous increase of the domestic victims of trafficking in human beings from the socially vulnerable and fairly integrated in the processes of the society.

The Republic of Macedonia has quickly adjusted to the newly-established trends with a complex approach to the reducing of the vulnerability of the potential groups from which the traffickers in persons recruit their victims.

The reforms of the Criminal Code through the introducing of new criminal acts and the drastic increase of the imprisonment sentences for acts connected with organized crime, the increase of the capacities of the investigation organs with the possibility of implementation of special investigative measures and the international police cooperation, institutionalizing the mechanism for victim referral and free legal aid are just a part of the crucial processes which enabled the Republic of Macedonia to be in line with the new rules of action but also the sanctioning of trafficking in human beings.

The partner approach which the Commission has with the relevant non-governmental organizations, the responsible international institutions and our friends from the United States of America have enabled a thorough evaluation, development and creation of this Plan in whose implementation we put joint forces.

Decreasing of trafficking in human beings, increased awareness and its identification are the crucial goals in front of us and through their realization we are going to contribute to a fewer number of human dreams played with and lives destroyed.

Respectfully,

Violeta Andonovska

National Coordinator for combat against
trafficking in human beings and illegal migration

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NATIONAL
Strategy for
Combating
Trafficking in
Human Beings and
Illegal Migration
in the Republic of
Macedonia

2009-2012

Glossary of Terms and Working Definitions ¹

1. Trafficking in human beings	<p>Pursuant to Article (a) of the UN Protocol on the Prevention, Suppression and Punishment of Trafficking in Human Beings and Particularly in Women and Children (the Palermo Protocol), which supplements the UN Convention on Combating Trans-national Organised Crime (2000), “trafficking in human beings” shall be recruiting, transporting, transfer, keeping or receiving a person, by using means such as threats or using force or other forms of coercion, abduction, deceit, abuse of force or abuse of a position of vulnerability or of giving or receiving payments or benefits in order to obtain consent by a person who has control over another person, with the purpose of exploitation. Exploitation shall include a minimum exploitation of prostitution of other persons or other forms of sexual exploitation, forced labour or services, slavery or other actions similar to slavery, servitude or removal of organs.</p> <p>Pursuant to Article 3 (b) of the UN Palermo Protocol, recruiting, transporting, transfer, keeping and receiving a child with the purpose of exploitation, shall be deemed as “trafficking in human beings” even in cases when the means as referred to in paragraph (a) are not included.</p> <p>Pursuant to Article 3 (d) of the UN Palermo Protocol, “a child” shall be any person who has not reached the age of 18.</p>
2. Forced labour	<p>Pursuant to the ILO Convention on Forced Labour no. 29 (1930) the term “forced labour” shall mean any work or service which is forced from a person under the threat of some punishment and for which that person has not offered him/herself willfully.</p>
3. Slavery	<p>Pursuant to Article 1 of the UN Convention on Slavery (1926), slavery shall be a status or a state of a person over whom power is demonstrated as a right to ownership.</p>
4. Smuggling	<p>Pursuant to the UN Protocol on Smuggling Migrants over Land, Sea and Air, which supplements the UN Convention on Combating Trans-national Organised Crime (2000), “smuggling of migrants” shall mean acquiring, directly or indirectly, financial or other material gain through an illegal entry of a person into a country of which the person is not a citizen or a permanent resident.</p>

¹ Sources used: IOM Glossary of Terms; ICMPD, “Guide for Development and Implementation of a Comprehensive Combat against Trafficking in Human Beings”, European Program for Strengthening the Combat against Trafficking in Human Beings in South-East Europe, 2006 available at <http://www.anti-trafficking.net>; National Commission for Combating Trafficking in Human Beings and Illegal Migration, Standard Operating Procedures for Treatment of Victims of Trafficking in Human Beings, 2008.

Glossary of Terms and Working Definitions

5. Illegal migration	Pursuant to the International Organization for Migration (IOM), illegal migration shall refer to the most frequent forms of irregular migration, particularly illegal entry, stay and illegal work, and it shall be defined as a movement which occurs outside of the regulation norms of the countries that send, which are used for transit and which receive migrants.
6. Crime victim	Pursuant to the UN Declaration of 1985 on the basic principles of justice for crime victims, "a victim" shall be a person who has, individually or collectively, suffered damage, including physical or mental injury, emotional suffering, economic loss or significant violation to his/her fundamental rights, through acts which violate the criminal laws valid in the member states, including those laws that regulate the criminal abuse of power.
7. Victim of trafficking in human beings	Persons who are determined as victims of trafficking in human beings pursuant to Article 3 of the UN Protocol or the national anti-trafficking legislation and persons who are legally identified as victims of trafficking in human beings by the respective authorities.
8. An assumed or potential victim	Persons who are assumed to be victims of trafficking in human beings (who fulfill the criteria under the UN Protocol on Trafficking in Human Beings), but who are not formally recognized by the respective authorities.
9. National Referral Mechanism	<p>A system of co-operation through which the state institutions fulfill their responsibilities regarding the protection and promotion of human rights of victims of trafficking in human beings. This relates to establishing mechanisms on the national level, so that an efficient system of identification, referral, reception and protection of victims could be provided.</p> <p>The office of the National Referral Mechanism has been functioning within the Ministry of Labour and Social Policy since September 2005.</p>
10. Trans-national Referral Mechanism	Mechanisms and systems which have been prepared for the purpose of comprehensive assistance and trans-national support for victims. The trans-national referral mechanisms connect the entire referral process, starting from the initial identification to the return and assistance in the countries of transit, countries of destination and countries of origin, including co-operation among different government agencies and non-governmental entities.

Glossary of Terms and Working Definitions

11. Standard Operating Procedures	<p>SOP have been laid down with the purpose of providing support and protection for all victims of trafficking in human beings through an encompassing approach, based on human rights and focused on the victims by means of institutionalised framework for cooperation.</p> <p>The SOP measures include the following areas:</p> <ul style="list-style-type: none"> ■ Identification of victims of trafficking in human beings; ■ Legal status of victims of trafficking in human beings; ■ Assistance to victims of trafficking in human beings before they return as well as measures for integration in the destination country; ■ Criminal proceedings which include the victims of trafficking in human beings as witnesses; ■ Compensation.
12. Protection and assistance	<p>Measures, programmes and services which are aimed at rehabilitating the victims, pursuant to Article 6 of the UN Palermo Protocol. These measures may be offered by non-governmental, governmental or international organisations in the countries of destination, transit and origin. These measures may include – but are not limited to – accommodation, medical care, psychological assistance, education, professional training, employment, legal assistance and transport.</p>
13. Reintegration	<p>The reintegration of victims focuses on their reuniting with their families or communities or their integration into a new community. In addition to the very act of return, this also includes integration of the victim into the social environment and that should be a long-term social and economic solution.</p>
14. Return	<p>The return of a person to his/her country and/or community of origin. In the context of the anti-trafficking activities, the return does not only mean physical transport of the victim, but also mechanisms that provide for his/her safe and dignified return.</p>
15. Service providers	<p>Organisations and institutions, which provide services and assistance to victims, including social workers, psychologists, staff at the shelters, medical workers or lawyers from non-governmental and governmental organisations.</p>
16. Shelters and accommodation	<p>Rooms and premises which provide temporary accommodation for victims. Shelters can be of an open or closed type and they can offer short-term or long-term accommodation.</p>
17. Witness protection	<p>Security measures necessary for providing safety for victims during legal proceedings. Witness protection may be offered before, during and/or after the completion of criminal proceedings and it may include one or more measures, as provided for in the Law on Witness Protection.</p>

List of Abbreviations

ZELS	Association of the Local Self-government Units
CoE	Council of Europe
CTHB	Combating Trafficking in Human Beings
CSW	Centre for Social Work
EC	European Commission
EU	European Union
EULCU	European Union Legal Co-operation Unit
EP/EUROPOL	European Police
FRONTEX	European Agency for Managing Operational Co-operation and the Outside Borders of the European Union Member States
ICMPD	International Centre for Migration Policy Development
IM	Illegal migration
INTERPOL	International Police
IO	International organisation
IOM	International Organization for Migration
MEI	Ministry of European Issues
MES	Ministry of Education and Science
MFA	Ministry of Foreign Affairs
MH	Ministry of Health
MIA	Ministry of Internal Affairs
MJ	Ministry of Justice
MLSP	Ministry of Labour and Social Policy
MU	Memorandum of Understanding
NAP	National Action Plan
NC	National Commission to combat Trafficking in Human Beings and Illegal Migration
NGO	Non-governmental Organisation
NRM	National Referral Mechanism
OSCE	Organization for Security and Co-operation in Europe
RM	Republic of Macedonia
PPO	Public Prosecutor's Office
THB	Trafficking in Human Beings
TRM	Trans-national Referral Mechanism
TWG	Thematic Working Group
ICSEE	Initiative for Co-operation in South-East Europe
SEE	South-East Europe
SEPCA	South-East European Police Command Association
SOP	Standard Operating Procedures
UNICEF	United Nations International Children's Fund
USAID	United States Agency for International Development
VTHB	Victims of trafficking in human beings

I. Introduction

1. Objective and Development Methodology of the 2009-2012 National Strategy and Action Plan for Combating Trafficking in Human Beings and Illegal Migration

■ Mission and Tasks

The preparation of the 2009-2012 National Strategy and Action Plan for Combating Trafficking in Human Beings and Illegal Migration is an activity that derives from the long-term dedication of the Government to a functional and effective response to trafficking in human beings and illegal migration. In addition, the National Strategy and the appropriate Action Plan are in full compliance with the obligations undertaken by the Government in its efforts to combat organised crime and provide for gender equality, which includes a particular focus on combating trafficking in human beings². The Government of the Republic of Macedonia has obliged to a successful implementation of the strategic objectives and tasks of the National Strategy, because they are essential steps towards the country's accession to the European Union.

In spite of the advancement of Macedonia in the strengthening of the rule of law, security and institutional reforms, trafficking in human beings remains a form of organised crime which represents danger to the security and stability of the Republic of Macedonia which is currently a country of origin, transit and destination. Trafficking in human beings also represents one of the worst forms of violation of human rights, jeopardising the lives of hundreds of thousands of persons throughout the world.

As recognised by the Council of Europe, trafficking in human beings constitutes a huge problem in Europe today, especially in the countries of Central and East Europe. "Annually, thousands of people, mostly women and children, become victims of trafficking in human beings for the purpose of sexual exploitation or other purposes, either in their own countries or abroad. All indicators point to the increase in the number of victims. Trafficking in human beings constitutes a modern form of the old type of trade in slaves in the world. It treats people as goods that can be bought and sold, forced to work, usually in the sex industry, but also in the agricultural sector, in registered or unregistered beauty salons, for a very low remuneration or no remuneration at all. The majority of identified victims of trafficking in human beings are women, but, men are also victims of trafficking in human beings. Furthermore, many of the victims are young people, sometimes even children. All of them are desperate in their effort for a better life, and their lives are being destroyed due to exploitation and greed"³.

Therefore, the objective of this latest, comprehensive Strategy for Combating Trafficking in Human Beings is to promote mutual understanding of the key tasks and essential values of human rights in combating trafficking in human beings in the Republic of Macedonia. Its mission is to determine strategic priorities for combating trafficking in human beings, to define specific tasks of the responsible institutions, as well as to synchronise the inter-institutional activities

² Law on Equal Opportunities for Women and Men, Official Gazette of the RM no. 66/06, published on 29th May 2006; National Action Plan for Gender Equality, May 2007.

³ Council of Europe, Report on the Convention on Combating Trafficking in Human Beings for 2005.

Introduction

for achieving the determined objectives, both on local and regional levels. The mission is also to ensure improvement of quality of the services which are provided for the victims, and to intensify the investigation, criminal prosecution and conviction of perpetrators. The National Action Plan is aimed at planning coordinated activities of all the parties and stakeholders concerned, but, also, to provide extensive political and financial support for the implementation of the activities as envisaged in the Plan⁴. In addition to this general document, a separate Action Plan for Combating Trafficking in Children was also prepared.

■ Methodology of Preparation

The 2009-2012 National Strategy and the Action Plan were prepared by a working group established by the National Commission to combat Trafficking in Human Beings and Illegal Migration, consisting of representatives from competent national institutions, international organisations – IOM, ICMPD and OSCE – and non-governmental organisations⁵. A separate 2009-2012 Action Plan for Combating Trafficking in Children was prepared by experts of the Sub-group for Combating Trafficking in Children, which is part of the National Commission to combat Trafficking in Human Beings and Illegal Migration. Such a participatory approach ensures the commitment by all relevant stakeholders which are involved in the support of the implementation of the activities for combating trafficking in human beings at the national level.

The 2009-2012 Strategy for Combating Trafficking in Human Beings and Illegal Migration was prepared according to the experiences and the lessons learnt by all national institutions, international organisations and non-governmental organisations, responsible for the implementation of the 2006-2008 National Strategy and the Action Plan for Combating Trafficking in Human Beings and Illegal Migration⁶.

It should be mentioned that the legal reforms and activities planned by the Government of the Republic of Macedonia, were generally successfully implemented. On the basis of these positive steps, the 2008 Report prepared by the State Department of the United States of America, provided the entrance of the country into the TIER 1 group of countries that fulfill the necessary conditions for successful combat against trafficking in human beings⁷. However, progress is yet to be achieved and the Government of the Republic of Macedonia is fully aware of the necessity for further improvement of the anti-trafficking activities.

In addition to the lack of extensive research and data on trafficking in human beings, there is a wide consensus by all parties concerned about the strategic objectives and priority policy measures which are to be undertaken in the forthcoming period. Their identification occurred following the extensive assessment by the Macedonian Centre for International Co-operation of the existing policies and measures undertaken with the 2006-2008 National Action Plan for Combating Trafficking in Human Beings and Illegal Migration and the 2006-2008 National Action

⁴ See Annex III.

⁵ See Working Group members in Annex II.

⁶ See National Workshop for a New Action Plan for the Suppression of Trafficking in Human Beings and Illegal Migration, 4th -5th December 2008, supported by the OSCE Mission to Skopje.

⁷ According to the methodology used in the TIP Report, countries can be categorised into either Tier 1, Tier 2 (a review list) or Tier 3. The ranking of a country is based on three cumulative criteria: (1) the extent to which the country is a country of origin, transit or destination for severe forms of trafficking in human beings; (2) the extent to which the country is a country of origin, transit and destination for severe forms of trafficking in human beings; (3) the resources and possibilities for the Government to deal with and eliminate the severe forms of trafficking in human beings.

Plan for Combating Trafficking in Children⁸. The analysis and recommendations included in the EU Country Progress Report for 2008 and the 2008 State Department Report on Trafficking in Human Beings, were taken into consideration together with the technical expertise provided by IOM, ICMPD and OSCE⁹.

The recommendations by domestic and international evaluations were used as key points (benchmarks) for determining the priorities and methodology for the preparation of the 2009-2012 National Strategy and the Action Plan.

2. Key Innovative Features of the 2009-2012 National Strategy and the Action Plan

■ Focus on operational instruments in order to cover all the forms of trafficking in human beings

The 2009-2012 National Strategy and the respective Action Plan consolidate the progress achieved since the approval of the previous National Strategy and Action Plan, at the same time developing *new legal and institutional approaches* for achieving continuity in the monitoring of the volatile nature of trafficking in human beings and for covering unresolved issues. It is also aimed at increasing the success and effect of the activities of the Government of the Republic of Macedonia by means of an adequate monitoring system.

Even though up until now, the combat against trafficking in human beings has primarily been focused on trafficking in human beings for the purpose of sexual exploitation, the Government of the Republic of Macedonia has perceived the need for a wider scope of anti-trafficking activities, in order to cover other of its forms, particularly the exploitation of the workforce. All strategic objectives and tasks included herein refer to all forms of activities of trafficking in human beings pursuant to Article 3 (a) of the UN Protocol on Prevention, Suppression and Punishment of Trafficking in Human Beings, Particularly in Women and Children, which supplements the UN Convention on Combating Trans-national Organised Crime (2000). It should be noted that all activities that are going to be carried out in the forthcoming period will be in full compliance with the 2005 Council of Europe Convention on Anti-Trafficking Action, which has been recently ratified by the Parliament of the Republic of Macedonia¹⁰. Particular attention ought to be paid to the issue of *trafficking in children*, because the coordination between the National Commission and the Sub-group for Combating Trafficking in Children has been considerably enhanced.

While the previous National Strategy and the previous National Plan were aimed at developing the basic legal framework covering 3 areas of anti-trafficking activities (prevention, protection, criminal prosecution) and the institutions for combating trafficking in human beings, the focus of the 2009-2012 National Strategy and the respective Action Plan is to improve the

⁸ Macedonian Centre for International Co-operation, External Evaluation of the National Action Plan for Suppression of Trafficking in Human Beings and Illegal Migration in the RM, November 2008;

⁹ European Commission, Progress Report, SEC (2008) 2695, 5th November 2008; US State Department, TIP Report 2008.

¹⁰ Council of Europe, Convention on Combating Trafficking in Human Beings, Warsaw, 16.V.2005, Council of Europe Series of Agreements no. 197; Law on Ratification adopted on 14th April 2009, Official Gazette no. 49/2009.

Introduction

implementation of the existing mechanisms, but at the same time to develop additional operational and practical tools in accordance with the international and the EU standards.

The focus of operational development will be particularly achieved by means of the following innovative tools:

■ **Enhanced flexibility in combating trafficking in human beings by means of adopting annual operational plans**

Adhering to the several-year cycle of planning which has been used before, the 2009-2012 National Action Plan will be completed by annual operational plans. Indeed, the Government of the Republic of Macedonia believes that the practice of preparing annual operational plans in the context of the overall strategic and operative framework is the most effective manner of a flexible response to the emergence of trafficking in human beings, because the current financial crisis and the increased political instability in Asia and the Middle East will probably have a significant effect on the trends of trafficking in human beings in the countries of South East Europe in the forthcoming period.

A flexible and proactive approach is part of the governmental obligation to put an end to the trafficking in human beings and illegal migration in Macedonia.

■ **Providing effective implementation of the National Action Plan through systematic monitoring and evaluation policy**

Impartial monitoring and assessment of the proper implementation of the activities planned will be an integral part of the strategy and a key part of its success. In order to compensate for the current lack of authentic statistical data, two data bases will be developed with the assistance of ICMPD so as to obtain a realistic image of the trends in trafficking in human beings and illegal migration in Macedonia¹¹. Furthermore, the National Rapporteur will be responsible for collecting and analysing the data related to trafficking in human beings. This new stakeholder has recently been established within the Secretariat of the National Commission and it shall enforce its mandate pursuant to international standards. The National Rapporteur shall submit annual reports to the National Commission and the wider public. The reports shall include a review, assessment and evaluation of the governmental anti-trafficking measures and they shall document the scope of the problem on the basis of a quantitative and qualitative information analysis.

¹¹ The first data base managed by the Office of the NRM Coordinator registers the identity of victims, and the second data base managed by the Unit for Combating Trafficking in Human Beings and Illegal Migration within the Sector for Organised Crime at the Ministry of Internal Affairs registers the identity of smugglers and traffickers.

3. Enhancing the Already Existing Instruments and Policies

■ **Enhanced coordination among the central institutions for combating trafficking in human beings and the local / regional stakeholders**

Another key feature of the new National Action Plan is to achieve proper co-operation between the central and local levels.

The improved coordination includes all the relevant stakeholders involved in the anti-trafficking activities, particularly, through the establishment of eight local councils for coordinating the anti-trafficking activities.

In addition, the Government strives towards further enhancement of the bilateral and regional co-operation with the neighbouring countries – especially among the law enforcement institutions and the judicial authorities – since any efficient strategy on combating trafficking in human beings primarily relies on a solid operational and strategic international co-operation.

■ **An enhanced focus on the identification and individually adjusted patterns to assist the prevention of secondary victimization**

The activities provided for in the 2009-2012 National Action Plan will improve the existing procedures for identification particularly through training competent local stakeholders to identify forms of trafficking in human beings (such as workforce exploitation) and new profiles of potential victims. A research will be conducted in order to identify the vulnerable groups and the reasons for trafficking in human beings. The research results will enable the development of prevention and protection programmes.

The Government makes efforts for further improvement in the protection of victims in the forthcoming period, which will enable every victim to obtain free legal assistance, free health care and institutional protection in a shelter run by the state. The individual assistance schemes will be adjusted to the needs of each victim, so as to ensure a successful process of rehabilitation and to bring to an end the cycle of trafficking in human beings. Moreover, the compensation mechanisms will be fully effective by means of establishing a compensation fund. Foreign victims will systematically be offered conditions for a safe return to their native countries.

Bearing in mind that the social rehabilitation of victims is a continuous process, the Government obliges to implement practical programmes for economic recuperation of the victims with support from the international partners. In that respect, possibilities will be developed for legal migration by means of bilateral agreements signed with traditional destination countries, with the aim to regulate the seasonal hiring of Macedonian workers.

Introduction

■ Promoting investigative procedures and criminal prosecution efforts

The anti-trafficking legislation has been constantly developing during the last years and it offers a sophisticated framework for efficient combat against trafficking in human beings. In addition, the Government has undertaken measures to promote the criminal prosecution efforts through the special Basic Prosecution for Combating Organised Crime and Corruption, in order to coordinate all judicial proceedings for trafficking in human beings and to refer those cases to a single court.

These measures will be further improved as a result of the ongoing reforms in the Criminal Code and the Law on Criminal Procedure, whereby significant improvements to the legal system are being introduced. These novelties in the legislation will provide further improvement of the investigative procedure and criminal prosecution of perpetrators, particularly by consolidating the public prosecution reform and through further more successful employment of the special investigative measures – such as communication monitoring, secret surveillance, using people with undercover identities and the like.

Activities for sustainable capacity building are envisaged in the new National Action Plan within the competent training institutions – such as the Academy for Training of Judges and Prosecutors – in order to overcome the existing logistical shortcomings and the inadequate use of the existing legal provisions, especially regarding the use of the already existing special measures for investigation and witness protection¹². The new Action Plan also includes key measures whereby the victim's status is improved in the course of the court proceedings.

¹² See 2008 EU Progress Report; Coalition All for Fair Trial, "Trafficking in Human Beings and Illegal Migration as Seen by the Key Stakeholders in the Criminal Procedure", December 2008.

II. Leading Anti-trafficking Principles and Principles for Combating Illegal Migration of the National Strategy and the Action Plan

The 2009-2012 National Strategy and the Action Plan are in full compliance with the key principles that regulate the implementation of the governmental 2009-2014 Resolution on Migration Policy of the Republic of Macedonia¹³.

Furthermore, the 2009-2012 National Strategy and Action Plan follow the structure based on the international and EU standards¹⁴. They are particularly based on a model of comprehensive anti-trafficking activities developed by the ICMPD¹⁵. The leading principles mentioned below are reflected through the strategic objectives and activities, as defined according to the four basic components of anti-trafficking activities, i.e. the framework for support, prevention, protection and criminal prosecution.

■ Principle 1. Governmental responsibility for the Strategy

The Government of the Republic of Macedonia undertakes full responsibility and competence for the determining of the objectives, implementation of the activities and achievement of the results from the activities of the national response to the issue of trafficking in human beings.

The responsibility of the Government is additionally highlighted with the *allocation of funds* for covering health care and social and legal services. The Government should entirely predict the decrease in the financial support by the international organisations in the forthcoming period. Therefore, it should ensure a timely sustainability of the anti-trafficking activities by means of an increased mobilisation of human and financial internal resources. The participation of the relevant training centres will provide sustainability of knowledge which will be used within the competent institutions.

The Government remains fully committed to a successful and effective use of the support which will still be provided by the international community in the following years.

¹³ Pursuant to this Resolution, the domestic migration policy is managed according to the following key principles:

- Consistency – harmonisation of specific policies (a policy of managing migration processes, a policy concerning the diaspora; immigration policy; policy of protection of refugees; political asylum, policy of integration) among themselves and with the migration policy in its broader sense;
- Compatibility – harmonisation of the migration policy with the economic, social, demographic and cultural policy of the Republic of Macedonia. Verification of the harmonization among the objectives of the above mentioned policies, the efficiency of the measures adopted, the influence of the migration policy and adjustment of the modifications to the migration processes;
- Transparency – in the implementation of the given policies and the overall migration policy of administrative procedures and public fees, with the purpose of acquiring public trust and support;
- Sustainability – in the sense of drafting, preparation and monitoring of the implementation of the migration policy.

¹⁴ EU Action Plan for Best Practices, Standards and Procedures for the Suppression and Prevention of Trafficking in Human Beings, OJ C 311, 9th December 2005, p.1.

¹⁵ ICMPD, "Guide for Development and Implementation of a Comprehensive Fight Against Trafficking in Human Beings", European Programme for Strengthening the Combat against Trafficking in Human Beings in South-East Europe. 2006 available at <http://www.anti-trafficking.net>.

Leading Anti-trafficking Principles

■ Principle 2. Participation of the civil society

The combat against trafficking in human beings is not an exclusive responsibility of the institutions of the Government. The Government of the Republic of Macedonia confirms that both the development and the implementation of the anti-trafficking programmes and measures must include the concerned parties which are independent from the state, and which are outside the governmental and public administration. Non-governmental institutions play an active role in the implementation of the research and analyses, as well as in providing assistance for the victims. Their views should be adequately expressed in the design and implementation of the anti-trafficking activities.

The Government of the Republic of Macedonia undertakes to build partner relations with the non-governmental organisations which demonstrate safety and professionalism.

■ Principle 3. Treatment of victims based on human rights

The National Strategy for Combating Trafficking in Human Beings is normatively and operationally based on international human rights standards, particularly those which are included in the European Convention on Protection of Human Rights and Fundamental Freedoms, as well as the respective protocols.¹⁶

- The right to live (Article 2);
- The right not to be tortured, and subjected to inhumane and degrading treatment (Article 3);
- Prohibition of slavery and forced labour (Article 4):
- The right not to be kept in illegal imprisonment (Article 5)
- The right to a fair trial (Article 6)

The Government of the Republic of Macedonia confirms that the national mechanisms for identification, protection and referral of victims, as well as the entire judicial procedure, are in full compliance with this approach to human rights. The Government is aimed towards further improvement of the protection of the victims' rights with a view to providing legal information, physical and legal protection, material aid and redress which lead to ensuring their sustainable integration and rehabilitation in the society.

Furthermore, the Government has developed specific strategic and operating tools – incorporated in the special National Action Plan for Trafficking in Children. *The prevention of trafficking in children and adequate protection are constant priority of the Government and they have been identified as one of the key challenges in the forthcoming period.*

¹⁶ Convention on the Protection of Human Rights and Fundamental Freedoms, drafted in Rome, 4. XI.1950, Council of Europe Series of Agreements no. 44.

■ Principle 4. Interdisciplinary coordination and participatory approach

The measures included in the 2009-2012 National Action Plan cover numerous areas – such as internal security and crime prevention, economic and social policies, asylum and migration policy.

The Government of the Republic of Macedonia believes that each of these sectors contributes to the identification of victims and perpetrators. Any knowledge and expertise in various disciplines must be combined through a successful information system, in order to develop appropriate anti-trafficking activities. *The Government is responsible for the promotion and coordination of interdisciplinary and comprehensive efforts.*

■ Principle 5. Sustainability

The Strategy has been conceptualised as a platform of clear, well defined and realistic objectives and tasks which lead towards active participation of all concerned parties in its implementation.

The Government ought to be responsible for the development of a monitoring system which will assess the implementation of the NAP, both from the quantitative and the qualitative perspectives. That will ensure that *the structures and tools will endure throughout the period by means of distributing adequate financial and human resources, but at the same time, they can be adapted to the variable conditions.* In that respect, the National Commission will adopt and enact annual operative plans for the enforcement of the National Action Plan which will reflect the variable conditions in the country and ensure sustainable means *under* the leading Principle 1.

III. Analysis of the Situation and Assessment of the Existing Institutional Framework

1. Data and trends regarding trafficking in human beings and illegal migration in the Republic of Macedonia

■ Analysis of the situation on a national level

The analysis of the current situation is directed towards providing a comprehensive image of the trends in migration and trafficking in human beings in the Republic of Macedonia. However, it is very difficult to present precise data on the total number of victims of trafficking in human beings identified in the country, because collecting and organising the data which refer to the significance of the phenomenon of trafficking in human beings in the Republic of Macedonia has not been consolidated yet. According to the Migration Profile, published in 2008, "various concerned parties, including international agencies, institutional partners and non-governmental organisations, apply different techniques of collecting data and use diverse indicators. This results in a decreased coherence of data and, to some extent, in an untruthful display of reality"¹⁷.

In spite of this methodological problem, the extensive research conducted by national and international concerned parties, constantly evaluates that trafficking in human beings causes greatest concerns in the countries with social vulnerability of victims as a main factor. The vulnerability derives from economic and social factors, such as poverty, gender discrimination, domestic violence and other personal states of the victim (such as age, health condition, special needs).

Statistics and research point out that the country is currently faced with evolution with respect to the nature and trends in trafficking in human beings. Contrary to the situation in the country until 2004 when the majority of victims were foreign citizens, after the Kosovo crisis there may be noticed a reduced number of victims with foreign citizenship and an increase in the number of Macedonian women and children who are internally trafficked, most often from the eastern rural areas to the urban regions in western Macedonia¹⁸. Indeed, the situation has changed after 2007 with the decrease in the attractiveness of Macedonia as a desired destination with the EU integration of some countries which were known as "traditional sources" (Romania and Bulgaria) and the economic development of some other eastern European countries.

The statistics included in *Table 1* disclose an increased exposure of the locally vulnerable groups to illegal migration and trafficking in human beings.

¹⁷ See the Government of the Republic of Macedonia, Migration Profile of the Republic of Macedonia, 2008, p. 3.

¹⁸ IOM, Regional Report, second Annual Report on Victims of Trafficking in Human Beings from the South-East European Countries, 2005.

Table 1

Detected Crime and Perpetrators and Identified Victims of Trafficking in Human Beings and Smuggling of Migrants in the Period from 2004 to November 2008

Total of all Articles	Total for Article 418-a	Trafficking in human beings Article 418-a					Total for Article 418-d	Trafficking in juveniles Article 418-d					Total for Article 418-b	Smuggling of migrants Article 418-b					Total for Article 418-c	Organised criminal groups – trafficking in human beings and smuggling of migrants Article 418-c				
		2004	2005	2006	2007	2008		2004	2005	2006	2007	2008		2004	2005	2006	2007	2008		2004	2005	2006	2007	2008
Crimes committed (199)	29	19	4	3	3	/	9	/	/	/	/	9	143	21	35	23	32	32	25	3	2	3	6	11
Criminal perpetrators (468)	55	42	6	4	3	/	21	/	/	/	/	21	299	28	61	54	64	77	138	4	23	21	27	63
Victims / migrants (758)	34	14	10	4	6	/	10	/	/	/	/	10	714	72	196	122	176	148	The total number of victims in Articles 418-b and 418-c is shown in Article 418-b					

Source: Documentation of the Ministry of Internal Affairs , Sector for Analysis and Research

At the moment, the National Referral Mechanism Coordination office provides assistance and protection to the victims of trafficking in human beings in co-operation with the centres for social work, the Anti-trafficking Unit at the Ministry of Internal Affairs and the non-governmental organization "Otvorena Porta" (Open Gate).

According to the research conducted by the National Referral Mechanism Coordination office in 2006 with regard to the profile of the domestic victims and the potential victims of trafficking in human beings, it was concluded that 91% of the victims originate from dysfunctional families. Although the victims in the 15-18 age group prevail, (44% of the victims), it should be pointed out that a significant percentage of victims or potential victims (20%) were at the age of 10-14 at the moment when the research was being conducted. A large number of the victims and the potential victims are women with a low educational level and without financial sources. In the period from 1st January to 30th December 2008, the National Referral Mechanism Coordination office, has helped a total of 11 Macedonian victims (10 juveniles), and 3 foreign victims/juveniles. Four of the Macedonian victims were referred to the centre for taking care of domestic victims managed by the non-governmental organisation "Otvorena Porta" and criminal charges were pressed against the traffickers, whereas the criminal proceedings for the rest of the victims is ongoing in other countries.

Foreign victims of trafficking in human beings are assisted by IOM in co-operation with the non-governmental organisation Za Srejkno Detstvo (For happy childhood). In the course

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of 2007, the Macedonian police undertook several operations and identified a considerable number of foreign citizens (mainly women) with illegal residence in this country and involved in the entertainment industry. Most of them originate from the countries which are known as "traditional sources" (Moldova, Albania and Bulgaria), but for the first time in Macedonia, there were also victims from China and the Dominican Republic who have been registered.

As regards the profile of the foreign victims who were assisted by the IOM in the course of 2007 – the first element which emerged was that, in accordance with the tendency in the region, the number of persons trafficked for purposes other than sexual exploitation has been growing, especially among children.¹⁹ Although sexual exploitation remains a dominant form of trafficking in human beings, the rise of other forms of trafficking in human beings is also evident in respect to the domestic victims assisted by the NRM.²⁰

■ Strategic orientations which refer to the improvement of the prevention, protection, safe return to their native countries and the rehabilitation of the victims of trafficking in human beings and illegal migration according to the 2009-2012 National Action Plan

The trends stated above, show that Macedonia is faced with significant changes in the number and profile of the persons trafficked in/across and from the Macedonian territory. These changes show that certain attention needs to be paid to the clarification of these "new" categories of trafficking in human beings, including forced labour, juvenile delinquency and forced marriages. A significant number of victims are juveniles; exploitation of children such as street begging ought to be permanently addressed. The new National Action Plan envisages an adaptation of the existing Standard Operating Procedures to the end of further improvement of the identification process. The development of an adequate system of a data base and a methodology of collecting data, also constitute a strong priority taking into account the current state of shortcomings of the statistical system and the deficit of appropriate knowledge regarding the phenomenon of trafficking in human beings.

Moreover, a research will be developed for acquiring more profound knowledge about the reasons and the profile of victims of trafficking in human beings, with a particular focus on the reasons and risks which lead to trafficking in children. The result of this research will be used for improving the tools for prevention and protection. _

The campaigns for prevention and the citizen education activities will be focused on the "new" dimensions of trafficking in human beings so as to become more effective and to prepare potential victims. Appropriate material means will be allocated in order to increase the visibility of the phenomenon and to particularly more dramatically increase public awareness regarding trafficking in children. The prevention will include specific measures for economic enhancement of victims through gender-sensitive labour migration policies and assistance to dysfunctional and adoptive families.

¹⁹ In the course of 2007, IOM Skopje assisted a total of 15 foreign victims who were referred for direct assistance to the Shelter for foreigners; 12 were female and 3 male; out of the total number of assisted victims, five were juveniles; sexual exploitation was present in 3 cases, whereas labour exploitation in 8 cases. Source: IOM Skopje Statistics on Assisted Victims of Trafficking in Human Beings.

²⁰ In the course of 2007, the NRM assisted a total of 37 domestic victims of trafficking in human beings; among them, 29 were trafficked for the purpose of sexual exploitation, 13 of them for the purpose of beggary, 10 for the purpose of servitude, 9 for other types of forced labour and 2 cases for the purpose of pornography. Source: NRM Data Base 2007.

Improved protection – including free access to health care institutions – and continuous social rehabilitation of victims of trafficking in human beings, also constitutes a high priority with the purpose of prevention against secondary victimisation and successful disruption of the cycle of trafficking in human beings. Pursuant to the new Law on Social Protection, the state shall establish a centre for taking care of victims with special conditions for accommodation and protection of children. The activities for capacity building will be directed to the improvement of the quality of the protection offered to the victims and they will focus on the specific needs of children. The non-governmental organisations will be the key stakeholders in the provision of these services.

Bearing in mind that the prevention and protection activities may be successfully implemented only with highly qualified social workers and other stakeholders involved, great efforts will be made in the further development of the activities for capacity building.

Even though the social inclusion of domestic victims constitutes a high priority, special attention will be paid to the safe return of foreign victims to their native countries with the assistance of international organisations.

2. Institutional Framework for Combating Trafficking in Human Beings

■ Existing government agencies and services provided by the non-governmental organisations

Since 2001 in the Republic of Macedonia there have been developed specialised anti-trafficking institutional mechanisms. They are directed towards ensuring high coordination of the diverse stakeholders involved and an approach in which the victim is in the foreground of the combat against trafficking.

- National Commission to Combat Trafficking in Human Beings and Illegal Migration

The National Commission was established by the Government in 2001²¹, with the assigned duties of:

- Monitoring and analysis of the situation regarding trafficking in human beings and illegal migration;
- Coordinating the activities of the competent government agencies and non-governmental organisations;
- Co-operation with relevant international governmental and non-governmental organisations;

The National Commission is an inter-ministerial body composed of higher representatives from the following ministries: the Ministry of Internal Affairs, the Ministry of Labour and Social Policy, the Ministry of Foreign Affairs, the Ministry of Education and Science, the Ministry of

²¹ Decision published in the Official Gazette of the Republic of Macedonia, no. 18/2001.

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Justice, the Ministry of Health, the Office of the State Public Prosecution, Primary Court 1 in Skopje and the Customs Administration.

- Secretariat of the National Commission

In 2003, the National Commission established a Secretariat – an executive body that works under the jurisdiction of the National Commission and which is responsible for accepting and implementing the decisions made by the National Commission. The structure of the Secretariat has constantly advanced in terms of its members and since December 2007 it has had 17 representatives from the institutions, the international scene and the civil society²².

- Sub-group for Combating Trafficking in Children

The Sub-group for Combating Trafficking in Children was established in 2003 within the National Commission. The activities of this body are focused on the prevention of trafficking in children and the improvement of the protection of juvenile victims, as well as coordination of the co-operation among the relevant entities. The Sub-group members are representatives of the Ministry of Internal Affairs, the Ministry of Education and Science, the Ministry of Labour and Social Policy, the Ombudsman, UNICEF, IOM, OSCE, the International Centre for Migration Policy Development, the non-governmental organisation "Za Srejkno Detstvo" and the non-governmental organisation "Otvorena Porta – La Strada Macedonia".

- Office of the National Coordinator

The Office of the National Coordinator began its work in April 2007. The Office of the National Coordinator provides technical assistance and logistical support to the National Commission. A data base was established within the office on the employees in the Macedonian public administration who were trained in the area of anti-trafficking in human beings and illegal migration. The Office is located in the premises of the Ministry of Internal Affairs.

A specialised library for trafficking in human beings has been established within the Office of the National Coordinator which is located in the premises of the Ministry of Internal Affairs. It contains publications on trafficking in human beings and illegal migration, such as books, studies, reports, magazines, brochures, pamphlets as well as CDs and video materials which refer to the issue of trafficking in human beings and illegal migration. The publications refer to the situation in Macedonia, the South-East European countries, as well as the countries throughout the world. The publications are in Macedonian, Albanian and English languages, and have been provided by donations by a large number of government agencies, as well as by international and non-governmental organisations.

²² IOM, OSCE, ICMPD, UNICEF, UNHCR, MARRI, the US Embassy, the UK Embassy, the Swedish Embassy. The following NGOs are members of the Secretariat: Otvorena Porta – La Strada Macedonia, Za Srejkno Detstvo, Semper Bitola, Coalition All for Fair Trial, Centre for Citizen Initiative Prilep, Union of Women's Organizations of Macedonia, experts from different government agencies such as representatives of the Ministry of Internal Affairs, the National Referral Mechanism and the Agency for Youth and Sport.

By the end of 2008, the new office and the library for anti-trafficking were supported by the International Organization for Migration – IOM Skopje, with support by the Government of Finland.

- National Referral Mechanism (NRM)

The basis of the anti-trafficking mechanisms is the National Referral Mechanism for referring victims of trafficking in human beings which was established in 2005 with the support by the OSCE Mission to Skopje and it operates under the auspices of the Ministry of Labour and Social Policy.

The overall mandate of the National Referral Mechanism is to provide adequate identification, assistance and protection, based on the international human rights standards, for all the victims of trafficking in human beings, particularly juveniles and regardless of their nationality, ethnicity, age or gender. The National Referral Mechanism encompasses the Coordinating Office and a total of 58 professionals from 27 centres for social work throughout Macedonia. The professionals of the National Referral Mechanism closely co-operate with the law enforcement agencies, with relevant representatives of non-governmental organisations and other concerned parties in the process of referral and assistance to the victims of trafficking in human beings. The successful co-operation of all the parties involved ensures a referral system without any shortcomings²³. In January 2008, the Standard Operating Procedures were developed under the jurisdiction of the Office of the National Referral Mechanism, which were adopted by the Government, with the purpose to define the principles, stakeholders and their responsibilities in the entire process of assistance together with the co-operation instructions among the stakeholders on the local, national and trans-national level. The Macedonian National Referral Mechanism is considered to be a model of the best practice in the South-East European region and this model can be taken as an example in the future study visits by competent responsible bodies from the neighbouring countries.

■ Facilities / Shelter Centres for Victims

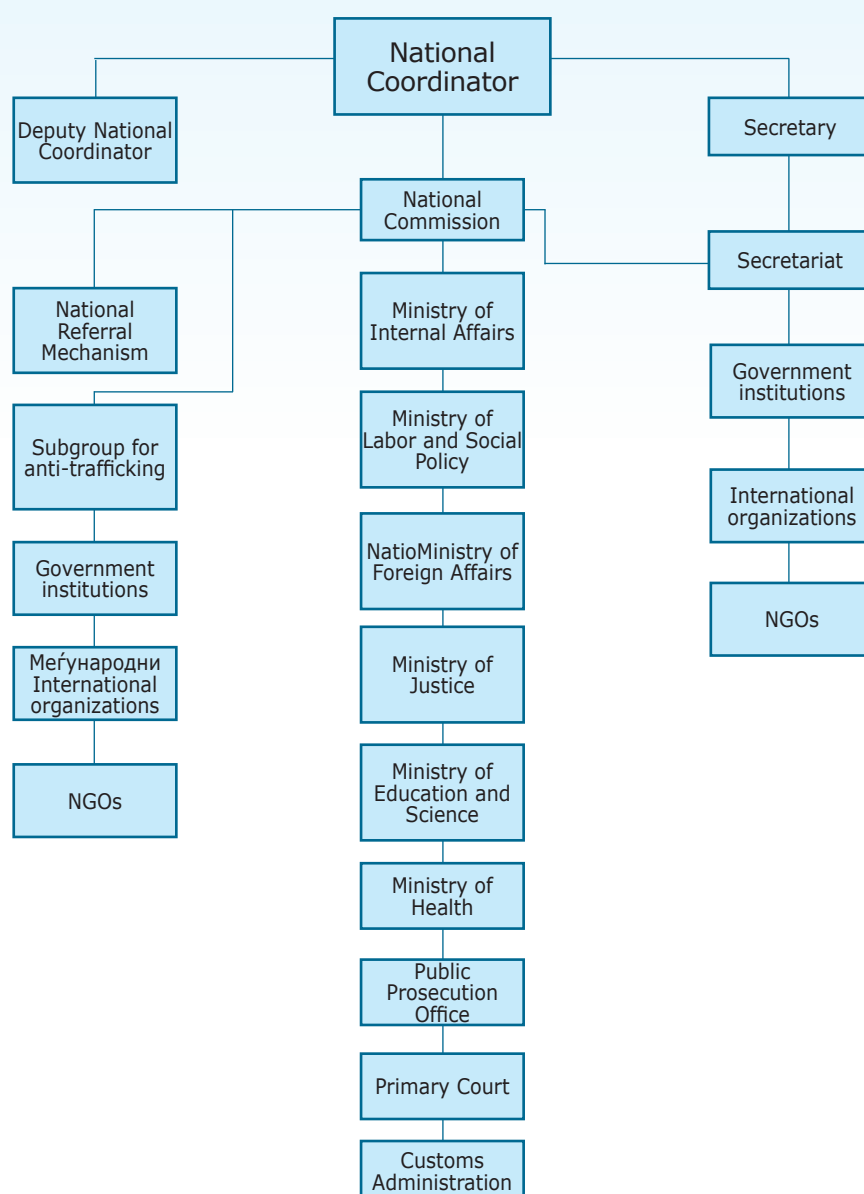
Currently there are two shelter centres in Macedonia which provide accommodation to the victims: the Shelter Centre for Foreigners mainly dedicated to accommodating foreign victims and the Shelter for victims who are Macedonian citizens.

The Shelter for receiving victims of trafficking in human beings – Macedonian female citizens is managed by the non-governmental organisation "Otvorena Porta – La Strada" where direct assistance is provided for the victims and potential victims of trafficking in human beings. The Shelter has been opened since June 2005 and until today it has taken care of 57 dependants. The Shelter offers specialised services for the beneficiaries, such as safe accommodation, nourishment, clothes, psycho-social support, medical treatments, legal assistance, craft courses, education and additional education. The team of professionals which includes social workers and psychologists is available 24 hours a day.

²³ Ministry of Labour and Social Policy of the Republic of Macedonia, National Referral Mechanism Project, Final Progress Report, 15th January 2008.

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The Shelter centre for foreigners is a facility owned by the Government managed by the Ministry of Internal Affairs / Sector for Border Affairs which has been functioning since April 2001. The shelter centre for foreigners, in co-operation with and with support by the IOM and the non-governmental organisation "Za Sreknio Detstvo" offers a large number of activities and services. It is important to stress that the Government supports this facility by covering the costs for 24-hour security, public services, maintenance and basic daily needs of the persons who are staying there. IOM, directly or through its partners, provides medical assistance and care, legal counseling and representation, psycho-social support, as well as services for return and reintegration. Since 2001, IOM has provided direct assistance to a total of 669 victims of trafficking in human beings, out of which 660 foreign citizens and 9 Macedonian citizens.²⁴



²⁴ Source: IOM Skopje Statistics on Assisted Victims of Trafficking in Human Beings.

- *Strategic orientations which refer to the improvement of the institutional and operational framework within the 2009-2012 National Action Plan*

In accordance with the above mentioned principles of the responsibility of the Government and the need for sustainability of the anti-trafficking activities, the Government will provide adequate human resources for the Offices of the National Coordinator and the National Referral Mechanism, which have been thus far alternatively supported by international organisations. In addition, as previously mentioned, the protection of victims will be institutionalised through the establishment of a shelter managed by the state.

Whereas the anti-trafficking institutions fulfill the international standards regarding professionalism and efficiency, the Government obliges itself to further develop the coordination with the local authorities in the forthcoming period, so as to improve the anti-trafficking capacities in the Republic of Macedonia. Eight local coordinative councils will ensure a better communication between the central and local authorities. At the same time, the Standard Operating Procedures will be revised for a better implementation on the local level.

Furthermore, the overall anti-trafficking activities will be supervised by the National Rapporteur. This body will be responsible for the collection and analysis of data (qualitative and quantitative information) on wider subjects related to trafficking in human beings in the context of the prevention, protection and criminal prosecution. As far as the quantitative monitoring is concerned, the Government also obliges itself to make up for the current lack of accurate statistical data by means of developing data bases with the support by ICMPD, perceiving that trends and figures regarding trafficking in human beings and migration ought to be systematically collected and compared²⁵. It should be mentioned that within the ICMPD project, the criterion and methodology need to be regionally harmonised with a view to improving the operational co-operation.

The annual reports will be addressed to the National Commission to combat Trafficking in Human Beings and Illegal Migration and to the wider public. The annual reports ought to include a review, assessment and evaluation of the measures of the Government for combating trafficking in human beings, as well as to document the scope of the issue on the basis of a qualitative and quantitative analysis of information. The report, moreover, will contain an assessment of the implementation of the Standard Operating Procedures (SOP). Giving recommendations in the areas where improvement and supplementing is needed, constitutes an integral part of the work of the National Rapporteur. The annual reports will include a special focus on children on the basis of the monitoring carried out by the Sub-group of the National Commission to Combat Trafficking in Children.

²⁵ ICMPD and the Ministry of Foreign Affairs of the Netherlands, Programme for Strengthening the Combat against Trafficking in Human Beings in South-East Europe: Data Collection and Information Management – Second Phase of Data Processing, Maintenance and Analysis (SPUI Phase 2), commenced in September 2008.

Legal Framework for the Combat against Trafficking in Human Beings and the Criminal Prosecution Policy

■ Analysis of the development of the legal framework for the combat against trafficking in human beings and the criminal prosecution policy

In the 2002-2008 period, the Republic of Macedonia created a wide legal framework for combating trafficking in human beings with a special focus on children²⁶. The paragraph below provides a general overview of the principal legal instruments adopted in the course of this period.

The criminal act of trafficking in human beings was introduced in the Macedonian legislation with amendments and modifications to the Criminal Code (25th January 2002) as part of Article 418-a. With the introduction of this crime, Macedonia – a signatory of the Palermo Protocol to the United Nations Convention against Trans-national Organised Crime and of the two additional Protocols – has harmonised its national legislation with the international standards.

Article 418 which defines the crime of trafficking in human beings was amended in March 2004. The amendments from 2004 refer to paragraph 1 of Article 418-a, and offer a more extended list of the forms of exploitation than those prescribed with the Palermo Protocol as *"exploitation by means of prostitution or other forms of sexual exploitation, pornography, forced labour or servitude, slavery, forced marriages, forced fertilisation, illegal adoption, or similar relationships or illegal transplant of human organs"*.

In case if the victim is a child or a juvenile person, the minimum punishment shall be increased and the perpetrator shall be sentenced to imprisonment in the duration of a minimum of eight years. In addition, the amendments also criminalise the involvement of any legal entity – in case the latter has committed the crime, and they also prescribe the confiscation of facilities and means of transport whereby the criminal act has been committed.

The amendments from 2004 to the Criminal Code of Macedonia, as an addition to the introduction of the criminal act of trafficking in human beings in Article 418-a, also introduce two new criminal acts - *Smuggling of migrants* in Article 418-b and *Organising groups and inciting trafficking in human beings and smuggling of migrants* in Article 418-c. With the modifications to the CC of the RM in January 2008, a new criminal act of *Trafficking in juveniles* was introduced in Article 418-e, which puts a particular stress on the protection of juvenile victims of trafficking in human beings and the prosecution of perpetrators where the minimum punishment stipulated for this criminal act amounts to eight years of imprisonment. The new articles criminalise and determine the basic forms of trafficking in human beings and smuggling of migrants, the forms of crime which may cause more serious and severe consequences, as well as the punishment for the acts of organising and inciting as such.

The criminal legal framework was enhanced in 2005 with the adoption of the *Law on Witness Protection* whereby the domestic legislation was harmonised with the provisions of the second additional protocol of the European Convention on Joint Assistance in Criminal Matters²⁷.

²⁶ See Annex 1 List of Domestic and International Instruments for Combating Trafficking in Human Beings which are Legally Binding in the Republic of Macedonia.

²⁷ Council of Europe Convention prepared in Strasbourg, on 8 XI 2001, Series of Agreements no. 182.

In 2007 the Ministry of Justice carried out analyses of compatibility of the national legislation with the provisions of the *Council of Europe Convention on Action against Trafficking in Human Beings* and it compiled a report with recommendations for all the legal and legislative interventions which are to be undertaken before the ratification of the Convention²⁸. On the basis of the analyses, the legal framework for combating trafficking in human beings was significantly modified towards meeting the Convention standards of 2005. Particularly, the Criminal Code and the Law on Criminal Procedure were modified with the aim of supplementing and improving the existing measures for *identification and protection of children (potential) victims of trafficking in human beings*.

In 2008, the new Law on Foreigners was presented as a *protective policy of prevention of illegal migrations and trafficking in children* through an order for stricter measures / requests for entry of unaccompanied juvenile persons on the territory of the Republic of Macedonia. In addition, the new Law on Foreigners, provides a decision period in a duration of up to two months for the foreign victims, which allows the victims more time to obtain assistance and to decide whether they will testify against the traffickers. After the decision period the victim is issued a temporary residence permit in the duration of six months with a possibility of renewal should the criminal proceedings continue. The Council of Europe Convention on Action against Trafficking in Human Beings was ratified on 14th April 2009²⁹.

As confirmed in the 2008 State Department Report on Trafficking in Human Beings, the level of harmonisation of the legal framework has been developed and it reaches full compliance with the minimum standards. These strong improvements to the legal framework allowed the Government to strengthen its criminal prosecution efforts.

In 2007, the Government initiated criminal proceedings for 55 cases connected to trafficking in human beings and it convicted 70 perpetrators of the criminal act of trafficking in human beings in 30 cases, a considerable progress considering the number of 54 convicted persons in 18 cases in the previous year. Out of 70 convicted perpetrators of the criminal act of trafficking in human beings, 52 were sentenced to imprisonment of one or several years. While 39 out of 70 perpetrators were convicted under the charges of smuggling, which resulted in sentences of eight months to two years imprisonment, and the sentences for 31 perpetrators convicted pursuant to Articles 418a and 418c varied between two and nine years of imprisonment³⁰. These efforts were also confirmed in 2008 when the Government initiated criminal proceedings for 11 cases pursuant to Articles 418 (a) and (d), including 28 suspects of trafficking in human beings, and which resulted with convictions of 17 perpetrators of this crime. The average punishment in these cases was five years of imprisonment. In addition, the Government initiated criminal proceedings for three cases of trafficking in human beings with the purpose of labour exploitation, which resulted in eight convictions.³¹ As part of the entire restructuring of the legal system, the Government has undertaken measures so as to treat adequately the cases of trafficking in human beings by means of creating a new central office which shall coordinate all the criminal proceedings regarding trafficking in human beings throughout the country and it shall allocate the cases of trafficking in human beings to an independent court. In May 2007, the Government, following an appeal, confirmed the sentences for two police officers for criminal acts connected with trafficking in human beings in 2006. In March 2008,

²⁸ Tanja Kikerkova, Pre-ratification Analysis of the Council of Europe Convention on Anti-trafficking Activities, 2007.

²⁹ Official Gazette no. 49/2009.

³⁰ State Department Report on Trafficking in Human Beings 2008 (TIP Report 2008).

³¹ State Department Report on Trafficking in Human Beings 2009 (TIP Report 2009).

Analysis of the Situation

the Government initiated the prosecution of five police officers for a case in January 2007, and of one official at the Ministry of Justice accused of complicity in smuggling.³²

■ Strategic orientations as regards the improvement of the legal framework and criminal prosecution in accordance with the 2009-2012 National Action Plan

Whereas the current legal framework offers an extensive basis for the protection of victims, investigation and criminal proceedings for criminal acts connected with trafficking in human beings, the Government would like to extend further the protection of victims in the forthcoming period through ensuring free legal assistance for every victim. Furthermore, the compensation mechanisms ought to be entirely successful by means of establishing a compensation fund.

As elaborated in accordance with the National Action Plan for Combating Trafficking in Children, the legal protection of children will be enhanced should it strive to be fully compliant with the standards of the Convention on the Rights of the Child, the Optional Protocol to the Convention on Trafficking in Children, Children's Prostitution and Pornography and other international documents that define the mechanisms and obligations for the protection of children against trafficking in human beings.

Although the criminal legal framework was significantly modified throughout the past years, it is necessary for the reactions of the judiciary regarding trafficking in human beings and organised crime to be additionally improved. Particularly, the benefits of the existing legal measure of security for the witness protection ought to be enhanced³³. The Government of the Republic of Macedonia is obliged to further enhance the proactive investigation procedure and criminal prosecution of the perpetrators owing to the current reforms of the Criminal Code and of the Law on Criminal Procedure which introduce enormous improvements in the domestic legal system. These new parts of the legal regulations will provide a further development of the proactive investigation procedure and criminal prosecution of perpetrators, particularly by consolidating the reforms in the public prosecution and by further developing the benefits of the particular investigation techniques. The rights of victims, will also be promoted by allowing access to free legal assistance, appointing legal representatives in case the victim is a juvenile person, but also by developing activities for capacity building and training of judges and prosecutors.

The Government, moreover, strives towards further *enhancement of the regional and international co-operation* precisely because the efficient anti-trafficking strategy is primarily based on a solid operative and strategic international co-operation with third countries. The efforts in the investigation procedure and criminal prosecution will be enhanced on a regional level through a complete implementation of the Vienna Convention on Police Co-operation in South-East Europe (Vienna Convention, 2006). The international referral mechanism will be promoted further with the implementation of the Standard Operating Procedures. The international legal co-operation will be continuously promoted through study visits and regional seminars.

³² State Department Report on Trafficking in Human Beings 2008 (TIP Report 2008).

³³ See EU Progress Report 2008; Coalition All for Fair Trial, "Trafficking in Human Beings and Illegal Migration as Seen by the Key Stakeholders in the Criminal Procedures, December 2008.

IV. Strategic Objectives

Chapter I – Supporting Framework

1. STRATEGIC OBJECTIVE 1. IMPROVEMENT OF COORDINATION STRUCTURES

Specific tasks:

- a) Strengthening the coordinating role of the National Commission and improvement of the transparency in the implementation of the activities;
- b) Strengthening the executive capacities in the Secretariat of the National Commission;
- c) Coordination of the activities of the Sub-group for Combating Trafficking in Children with the activities of the National Commission;
- d) Improved coordination of the anti-trafficking measures, both on the local and central levels.

Expected results:

- a) By the end of 2010, active and regular participation of the state institutions, non-governmental and international organisations in the activities of the National Commission and other bodies competent in the field of combating trafficking in human beings and illegal migration;
- b) From 2010, preparation of annual operating plans;
- c) Complete and continuous implementation of the activities laid down by the National Commission. By the end of 2009 the Office of the National Commission should be institutionalised;
- d) By the end of 2012, complete enforcement of the measures laid down in the Action Plan for Combating Trafficking in Children;
- e) By the end of 2012, establishment of eight local councils for coordination of the anti-trafficking activities.

Parties and partners concerned: National Coordinator, Secretariat of the National Commission, Ministry of Internal Affairs and other relevant ministries, Chairman of the Sub-group for Combating Trafficking in Children, local self-government units.

Financial implications: Ministry of Internal Affairs, National Commission, institutions competent for enforcing the Action Plan for Combating Trafficking in Children, local self-government units and donations.

Strategic Objectives

STRATEGIC OBJECTIVE 2. LEGAL AND NORMATIVE FRAMEWORK

Specific tasks:

- a) Ensuring complete harmonisation of the legislation with the international standards;
- b) Establishing a compensation fund for the victims;
- c) A guarantee that the institutionalised protection and taking care of the victims of trafficking in human beings has been regulated;
- d) Revision and harmonisation of the Standard Operating Procedures in accordance with the legislation and the existing practice;

Expected results:

- a) By the end of 2010, conducting an extensive analysis of the existing legal regulations, which refers to prevention, protection and criminal prosecution;
- b) By the end of 2012, revision and supplementing of the legal regulations regarding prevention, protection and criminal prosecution;
- c) By the end of 2010, a procedure for the compensation fund for victims of trafficking in human beings initiated in accordance with the new Law on Criminal Procedure;
- d) Establishing a shelter for victims managed by the state by the end of 2010;
- e) By the end of 2010, the revised Standard Operating Procedures are to be adopted and fully operational.

Parties and partners concerned: National Commission, Ministry of Internal Affairs , Ministry of Justice, Ministry of Labour and Social Policy, other relevant ministries, the Government and the Parliament of the Republic of Macedonia, non-governmental organisations and international organisations.

Financial implications: Ministry of Justice, Ministry of Labour and Social Policy, Ministry of Internal Affairs , Government of the RM, National Commission and donations.

STRATEGIC OBJECTIVE 3. DEVELOPMENT OF INTERNATIONAL CO-OPERATION

Specific task:

Enhanced and improved international co-operation and coordination in combating trafficking in human beings and illegal migration.

Expected results:

- a) By 2010, full implementation of the Vienna Convention on Police Co-operation as of May 2006;
- b) By 2012, enhanced international legal co-operation;

- c) Successful implementation of the international referral mechanisms for victims of trafficking in human beings;

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Justice, Public Prosecutor's Office, the judiciary, Ministry of Labour and Social Policy and NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Justice, Public Prosecutor's Office, the judiciary, International Centre for Migration Policy Development, USAID.

Strategic Objective 4. Establishment of a System for Information Management, Monitoring and Evaluation

Specific task: Establishment of a system for information management, monitoring and evaluation.

Expected results:

- a) Establishment of a functional data base for trafficking in human beings by the end of 2009;
- b) Establishment of an institutionalised form of monitoring and evaluation of all the activities connected with trafficking in human beings and illegal migration.

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Justice, Ministry of Labour and Social Policy and National Commission.

Financial implications: International Centre for Migration Policy Development, National Commission, Government of the Republic of Macedonia, donations.

Chapter II - Prevention

STRATEGIC OBJECTIVE 1. IDENTIFICATION OF THE REASONS FOR THE EMERGENCE OF TRAFFICKING IN HUMAN BEINGS AND ILLEGAL MIGRATION

Specific task: Identification of the risk groups and reasons for the emergence of trafficking in human beings and illegal migration

Expected results:

- a) By the end of 2010, developing full awareness of the reasons for trafficking in human beings and illegal migration;
- b) By the end of 2010, establishing priority activities for prevention based on the results of the research conducted.

Parties and partners concerned: Ministry of Labour and Social Policy and NGOs.

Financial implications: Ministry of Labour and Social Policy and donations.

Strategic Objectives

STRATEGIC OBJECTIVE 2. STRENGTHENING THE CAPACITIES FOR IMPLEMENTATION OF THE PREVENTION ACTIVITIES

Specific task: To strengthen the capacities of the governmental and non-governmental organisations for the prevention of trafficking in human beings and illegal migration.

Expected results:

- a) By the end of 2010, establishing priority target groups composed of professionals from relevant organisations and institutions for the implementation of the prevention activities;
- b) Strengthening the capacities for prevention of the professionals who work with risk groups by the end of 2012;
- c) Strengthening the capacities for prevention of the NGO sector with regard to trafficking in human beings and illegal migration by the end of 2012.

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health and NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health and NGOs with support of donations.

STRATEGIC OBJECTIVE 3. RAISING PUBLIC AWARENESS AND EDUCATION

Specific task:

Building a system of continuous education and raising citizen awareness regarding subjects such as trafficking in human beings and illegal migration.

Expected results:

By the end of 2012, to increase the information and public awareness as regards the issue of trafficking in human beings and illegal migration.

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, National Commission and NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, NGOs with support of donations.

STRATEGIC OBJECTIVE 4. REDUCING VULNERABILITY

Specific task: Creating mechanisms for reducing the reasons for trafficking in human beings and illegal migration.

Expected results:

- a) Including topics of labour issues in the curricula for the primary and secondary schools by the end of 2012.
- b) Enhancing the economic situation of the vulnerable groups;
- c) Developing bilateral agreements which regulate the seasonal hiring for work.

Parties and partners concerned: Ministry of Labour and Social Policy, Ministry of Education and Science, Employment Agency, the local municipal authorities, Ministry of Foreign Affairs and NGOs.

Financial implications: Ministry of Labour and Social Policy, Ministry of Foreign Affairs, the local municipal authorities with support of donations.

Chapter III – Support and Protection of Victims of Trafficking in Human Beings and Migrants

STRATEGIC OBJECTIVE 1. IDENTIFICATION AND REFERRAL OF VICTIMS

Specific task: To provide successful implementation of the Standard Operating Procedures (SOP) and the National Referral Mechanism (NRM) throughout the country.

Expected results:

- a) The identification criteria pursuant to the Standard Operating Procedures are to be fully implemented by 2010;
- b) All the victims of trafficking are to be referred – **assisted** – in accordance with the National Referral Mechanism and the Standard Operating Procedures by the end of 2012;
- c) The criteria for co-operation and involvement of NGOs in terms of assistance and protection of victims are to be in place by the end of 2010.

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Foreign Affairs, Ministry of Health and the Secretariat of the National Commission, NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, National Commission, NGOs, and the Ministry of Foreign Affairs with the support by international organisations.

Strategic Objectives

STRATEGIC OBJECTIVE 2. DIRECT ASSISTANCE AND PROTECTION OF VICTIMS AND MIGRANTS

Specific task: The direct assistance provided to the victims of trafficking in human beings and illegal migration is to be fully compliant with the international standards.

Expected results:

- a) By 2012, the conditions for acceptance mainly in the shelters for victims of trafficking in human beings and illegal migration are to be fully compliant with the international standards;
- b) By the end of 2009, an information package will have been provided for the victims of trafficking and illegal migrants regarding their rights, obligations and possibilities from the moment of their identification.
- c) By the end of 2012, free medical care is to be provided to the victims of trafficking in human beings and illegal migrants, in accordance with their individual needs;
- d) By the end of 2012, psychological assistance and care is to be provided to the victims of trafficking in human beings and illegal migrants, in accordance with their individual needs.

Parties and partners concerned: Secretariat of the National Commission, Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Health, NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Health, Secretariat of the National Commission, and NGOs with the support by international organisations.

STRATEGIC OBJECTIVE 3. LEGAL ASSISTANCE FOR VICTIMS AND MIGRANTS

Specific task: The victims of trafficking in human beings and illegal migration are to have access to free legal assistance.

Expected results:

Guides for the implementation of the provisions which refer to free legal assistance are to be adopted by 2010.

Parties and partners concerned: Ministry of Labour and Social Policy, Office of the National Referral Mechanism, Ministry of Justice, NGOs.

Financial implications: Ministry of Labour and Social Policy, Office of the National Referral Mechanism, Ministry of Justice with the support by international organisations.

STRATEGIC OBJECTIVE 4. REPATRIATION AND REINTEGRATION / SOCIAL INCLUSION OF VICTIMS AND MIGRANTS

Specific task: Establishing institutional mechanisms which will guarantee a safe repatriation and successful reintegration / social inclusion of the victims of trafficking in human beings and illegal migration

Expected results:

- a) By the end of 2012, the victims of trafficking in human beings and illegal migration are to be provided with conditions for safe return;
- b) By the end of 2012, conditions for successful reintegration and social inclusion of the victims of trafficking in human beings are to be ensured;
- c) By 2012, adoption of a Resolution by the Government which shall regulate the issues of compensation of costs for returning to their native countries;

Parties and partners concerned: Ministry of Internal Affairs , Ministry of Education and Science, Ministry of Labour and Social Policy / National Referral Mechanism, the business sector, local self-government, Ministry of Health, Secretariat of the National Commission and NGOs and international organisations.

Financial implications: Ministry of Internal Affairs , Ministry of Education and Science, Ministry of Labour and Social Policy / National Referral Mechanism, local self-government and international organisations.

STRATEGIC OBJECTIVE 5. RESEARCH AND EVALUATION

Specific task: Carrying out evaluation and research into the existing protection programmes.

Expected results:

- a) By the end of 2012, at least two studies on the sustainability of the protection programmes are to be completed;
- b) By 2012, the assistance and protection programmes are to be evaluated and put into effect.

Parties and partners concerned: Ministry of Labour and Social Policy / National Referral Mechanism, National Commission, Sub-group for Combating Trafficking in Children and NGOs.

Financial implications: Ministry of Labour and Social Policy / National Referral Mechanism and NGOs with the support by international organisations.

Strategic Objectives

STRATEGIC OBJECTIVE 6. TRAINING AND CAPACITY BUILDING

Specific task: Enhancing the capacities of human resources in the process of protection.

Expected results: By 2012, highly specialised staff are to provide protection for the victims and migrants.

Parties and partners concerned: Secretariat of the National Commission, Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health and NGOs.

Financial implications: Ministry of Internal Affairs , Ministry of Labour and Social Policy, Ministry of Education and Science and NGOs with the support by international organisations.

Chapter IV – Investigation and Criminal Prosecution of Trafficking in Human Beings and Smuggling of Migrants

STRATEGIC OBJECTIVE 1. PRE-INVESTIGATION PROCEDURE (PROACTIVE AND REACTIVE INVESTIGATION)

Specific tasks:

- a) Giving priority to the applications for proactive investigation;
- b) To identify and disband the international criminal networks.

Expected results:

- a) Successfully conducted proactive investigations;
- b) Trained staff for successful conducting of pre-investigation procedures;
- c) Successfully conducted international investigations;

Parties and partners concerned: Ministry of Internal Affairs and Public Prosecution Office.

Financial implications: Ministry of Internal Affairs and Public Prosecution Office.

STRATEGIC OBJECTIVE 2. CRIMINAL PROCEDURE

Specific tasks:

- a) Reducing the presence of organised crime;
- b) Improving the status of victims in the criminal procedure;

Expected results:

- a) Successfully conducted criminal procedures
- b) Guaranteed rights of victims in the criminal procedures

Parties and partners concerned: Ministry of Internal Affairs , Public Prosecution Office, Academy for Training of Judges and Prosecutors, courts, Ministry of Labour and Social Policy, centres for social work, NGOs.

Financial implications: Ministry of Internal Affairs , Public Prosecution Office, Academy for Training of Judges and Prosecutors, courts, Ministry of Labour and Social Policy, centres for social work, NGOs with the support of donations.

Annex I – References

A. National Legal Instruments for Combating Trafficking in Human Beings (a selection)

1. Criminal Code of the Republic of Macedonia, Official Gazette of the Republic of Macedonia no. 37/96, with laws on amendments and modifications to the Criminal Code, Official Gazette of the RM no. 88/99, 4/2002, 43/2003, 9/2004 and 139/08
2. Laws on Amendments and Modifications to the Law on Criminal Procedure, Official Gazette of the Republic of Macedonia no. 74 as of 22nd October 2004 and Official Gazette of the Republic of Macedonia no.83 as of 10.07.2008:
3. Law on Witness Protection, Official Gazette no. 38/05 adopted on 26.5.2005 with the Law on Amendments and Modifications to the Law on Witness Protection, Official Gazette of the RM, no. 58/5 as of 19.7.2005, and commenced implementation on 1.1. 2006;
4. Law on Foreigners, Official Gazette of the RM no. 35 as of 23.03.2006; entered into force on 23.03.2007;
5. Law on Employment of Foreigners, Official Gazette of the RM no. 70/2007; and the Law on Amendments and Modifications to the Law on Employment of Foreigners, Official Gazette no. 5 as of 13.1.2009;
6. Law on Equal Opportunities for Women and Men, Official Gazette of the RM theme 66/06, 29th May 2006; National Action Plan for Gender Equality, May 2007;
7. Protocol on Prevention, Suppression and Punishment of Trafficking in Human Beings, Particularly Women and Children, supplement to the United Nations Convention against International Organised Crime, G.A. Res. 25, Annex II, OH GAOR, no. 55 Sess., Addendum no. 49, of 60, OH Doc. A/45/49 (Edition I) (2001), entered into force on 9th September 2003. (Signed in 2000, and ratified by the Macedonian Government in 2004).
8. Law on Ratification of the Convention on Freezing Assets and Confiscation of Crime Proceeds as of 2006, Official Gazette no. 55/2007;
9. Law on Ratification of Police Co-operation in South-East Europe, 22nd June 2007, Official Gazette no. 74/2007;
10. Law on Ratification of the Council of Europe Convention on Combating Trafficking in Human Beings as of 2005, 14th April 2009, Official Gazette no. 49/2009.
11. Decree by the Minister of Interior for Treatment of Foreigners who Are Victims of Trafficking – Ministry of Internal Affairs , March 2006 (was in force until the new Law on Foreigners which entered into force on 23.3. 2007);
12. Decree by the Ministry of Internal Affairs Concerning the Issue of Granting Visas to Foreigners, Extension of the Visa Validity, and Withdrawal of Visas, 1.10. 2007
13. Decree by the Ministry of Internal Affairs on Travelling and Other Documents for Foreigners, 2.4.2008;
14. Decree by the Ministry of Internal Affairs on the House Rules at the Shelter Centre, 1.10. 2008;

15. Standard Operating Procedures – SOP for Assistance to Victims of Trafficking in Human Beings, 2008, National Commission to combat Trafficking in Human Beings and Illegal Migration, Ministry of Internal Affairs ;
16. Agreement between the European Commission and the Republic of Macedonia on the Readmission of Persons who Are Staying without Permits, 8th November 2007, Official Gazette no. 141/2007;
17. Resolution of 2009-2014 Migration Policy of the Republic of Macedonia, December 2008, Official Gazette no. 9/2009.

B. List of International Legal Instruments Relevant for Designing the National Strategy for Combating Trafficking in Human Beings (a selection)

1. Council of Europe Convention on the Anti-Trafficking Activities, Warsaw, 16.05. 2005, Series of Agreements no. 197;
2. Council of Europe Recommendations R(2000) 11 of the Commission of Ministers of the Member Countries on the Anti-Trafficking Activities for the Purpose of Sexual Exploitation, 19th May 2000;
3. Council of Europe Recommendations R(97) 13 of the Commission of Ministers of the Member Countries Regarding Intimidation of Witnesses and the Right to Defence, 10th September 1997;
4. Council of Europe Recommendations R(85) 11 of the Commission of Ministers of the Member Countries on the Position of Victims within the Criminal Law and Procedure, 25th June 1985;
5. Council of Europe Convention on Protection of Human Rights and Fundamental Freedoms, held in Rome, on 4. 11. 1950, Council of Europe, Series of Agreements no. 44;
6. Council of Europe Convention on Compensation for Victims of Violent Actions, 1983;
7. Second Additional Protocol of the European Convention on Extradition, 1975
8. Council of Europe, European Convention on Extradition, 1957.
9. Proposal of the Council for a Framework Decision on Prevention and Combat against Trafficking in Human Beings and Protection of Victims, COM(2009) 136 inclusive, 25th March 2009.
10. Proposal of the Council for a Framework Decision on the Combat against Sexual Abuse, Sexual Exploitation of Children and Children's Pornography, annulment of the Framework Decision 2004/68/JHA, COM(2009) 135 inclusive, 25th March 2009
11. Advice on Framework Decision on Combating Organised Crime, OJ L 300, 11th November 2008, p.42.
12. EU Action Plan on Best Practices, Standards and Procedures for Combat and Prevention of Trafficking in Human Beings, OJ C 311, 9th December 2005, p.1
13. Council Directive 2004/81/EC as of 29th April 2004 on stay permits intended for citizens of third countries who are victims of trafficking in human beings or who were subject to

References

- action for illegal migration, who co-operate with competent responsible bodies, OJ L 261, 6th August 2004, p. 85;
14. Council Directive 2004/80/EC as of 29th April 2004 concerning compensation for victims of trafficking, OJ L 261, 6th August 2004, p. 15
 15. Advice on Framework Decision 2002/69/JHA as of 19th July 2002 on Combating Trafficking in Human Beings, OJ L 203, 1st August 2002, p.1.
 16. Advice on Framework Decision as of 13th June 2002 on the European Guarantee for Detention and the Procedure of Delivering among the Member Countries, OJL 190, 18th July 2002.
 17. Advice on Framework Decision as of 15th March 2001 on the Dignity of Victims in the Criminal Procedure 92001/220/JHA, OJ L 82, 22nd March 2001, p.1.
 18. OSCE Action Plan for Combating Trafficking in Human Beings, 24th July 2003.
 19. UN Protocol on Prevention, Suppression and Punishment of Trafficking in Human Beings Particularly Women and Children (Palermo Protocol), supplement to the UN Convention against International Organised Crime (2000);
 20. UN Protocol against Smuggling of Migrants over Land, Water or Air, supplement to the UN Convention against Trans-national Organised Crime (2000);
 21. UN Convention against Trans-national Organised Crime (2000).
 22. Optional Protocol to the UN Convention on the Rights of the Child, Trafficking in Children, Children's Prostitution and Children's Pornography, 2000;
 23. UN Convention on Protection of the Rights of All Migrant Workers and their Family Members, adopted with the General Assembly Resolution 45/158 on 18th December 1990, entered into force on 1st July 2003;
 24. UN Convention on the Rights of the Child, adopted and opened for signing, ratification and assessment by the General Assembly Resolution 44/25 as of November 1989;
 25. UN Declaration on the Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985;
 26. UN Convention on Elimination of All Forms of Discrimination against Women, 1979;
 27. United Nations, 1950 Geneva Convention on Refugees and its Additional Protocol 1967;
 28. ILO, Convention on the Worst Forms of Exploitation of Children's Labour, 1999;
 29. ILO, Convention on Private Employment Agencies, 1997;
 30. ILO, Convention on Migrant Workers, 1975;
 31. ILO, Convention on Forced Labour no. 29 (1930)

Annex II – List of members of the Working Group appointed by the National Commission for the preparation of the 2009-2012 National Action Plan for Combating Trafficking in Human Beings and Illegal Migration.

1. Sande Kitanov, Chairman of the Working Group, Head of the Unit for Combating Trafficking in Human Beings and Smuggling of Migrants – Department for Organised Crime, Ministry of Internal Affairs
2. Elena Grozdanova, State Advisor, Ministry of Labour and Social Policy
3. Ljubica Karamandi, Junior Associate, Ministry of Justice
4. Jasmina Rajkovska Dimiskovska, President, NGO Otvorena Porta
5. Verica Stamenkova Trajkova, President, NGO Za Srekjno Detstvo
6. Melita Gruevska Graham, National Representative of ICMPD, International Centre for Migration Policy Development
7. Aleksandar Lazovski, National Rule of Law Officer, OSCE Mission to Skopje
8. Ivona Zakoska, Counter Trafficking Focal Point, IOM Skopje
9. Ivona Paunovic Bisevac, Project Development Assistant, IOM Skopje

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Ms. Daphne Bouteillet-Paquet, engaged as an external expert by IOM Skopje, has authored the text of the National Strategy for Combating Trafficking in Human Beings and Illegal Migration in the Republic of Macedonia.

List of members

List of members of the Working Group appointed by the National Commission for the preparation of the 2009-2012 Action Plan for Combating Trafficking in Children

1. Sanija Burageva, Chairperson of the Working Group, Chief Inspector, Unit for Combating Trafficking in Human Beings and Smuggling of Migrants, Ministry of Internal Affairs
2. Lidija Velkovska, Advisor on Border Co-operation and Illegal Migration, Border Police, Ministry of Internal Affairs
3. Elena Grozdanova, State Advisor, Ministry of Labour and Social Policy
4. Vesna Torbovska, Ministry of Education and Science
5. Nevenka Krusarovska, Deputy Ombudsman for Protection of Children's Rights
6. Jasna Dobricik, National Rule of Law Officer, OSCE Mission to Skopje
7. Biljana Lubarovska, Manager of the Sector for Children's Protection, UNICEF
8. Melita Gruevska Graham, National Representative of ICMPD, International Centre for Migration Policy Development
9. Ivona Zakoska, Project Assistant, Contact person for anti-trafficking, IOM Skopje
10. Irina Nikolovska, Assistant Manager for Direct Support, NGO Otvorena Porta
11. Ivan Trajkovski, Project Coordinator, NGO Za Srejkno Detstvo

**NATIONAL
Action Plan
for Combating
Trafficking in
Human Beings and
Illegal Migration
in the Republic of
Macedonia**

2009-2012

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
1. SUPPORTING FRAME						
1.1 Coordinating Structures						
Enhanced coordinative role of the National Commission and improved transparency in the implementation of activities	By the end of 2010, state institutions, non-governmental and international organizations to have active and regular participation in the National Commission and in the bodies competent for combating THB and IM	Review of the membership of the National Commission and the working bodies and nomination of representatives from respective institutions.	National coordinator	continuously	Decision on Appointment of Members, published in the Official Gazette	no implications
		Regular participation of all the nominated members in the work of the National Commission and its working bodies	NC Secretary		Records on the presence from the meetings' minutes	no implications
		Establishment of a reporting system between the National Commission and the relevant institutions / organizations on the planned and undertaken activities	NC Secretary	continuously	Number of received and forwarded reports	no implications
		Review of the existing memorandums for co-operation between the relevant institutions and organizations and signing new ones.	Line ministries, institutions and non-governmental organizations	continuously	Number of reviewed memoranda. Number of newly signed memoranda.	no implications
		Regular reporting by the National Commission to the Government of the RM on the activities undertaken under the NAP.	National coordinator	continuously	Information to the Government of the RM twice a year	no implications
		Institutionalization of the office of the National Coordinator.	Ministry of Interior	2010	A person engaged in the office of the National Coordinator	Ministry of Interior
		Establishing a working group for the preparation of the operational plans	National Commission	once a year, continuously	Operational plan prepared by the end of March	Национална комисија, донации
	Starting from 2010, regular preparation of operational plans on the implementation of this NAP					

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
Enhanced executive capacities of the Secretariat	Continuous implementation of activities set by the NC	Distribution of responsibilities among the Secretariat members.	Secretariat	continuously	number of allocated and implemented activities	no implications
	By the end of 2009, institutionalization of the office of the National Commission	Hiring a person for technical support to the National Commission and its bodies	National Commission and the Mol		Engaged person	Mol
Coordinated activities of the anti-trafficking sub-group in children with the NC activities	By the end of 2012, full implementation of the provisions of the Action Plan on Anti-trafficking in Children	Implementation of the specific activities of anti-trafficking in children as envisaged in the Action Plan for Children.	Chairperson of the sub-group	continuously	Percentage of implemented activities from the Action Plan on Anti-trafficking in Children	competent institutions and organizations for the implementation of the Action Plan on Anti-trafficking in Children
	By the end of 2012 establishment of eight local councils for coordination of the activities in combating trafficking in human beings	Identification of target municipalities	National Commission and ULSG	continuously	Number of identified municipalities	no implications
Improved coordination in the undertaking of anti-trafficking measures combating trafficking in human beings at local and national level		Communication with the respective local bodies on the promotion and realization of the idea of local councils	National Commission	continuously	number of established local councils	National Commission, local self-government and donations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
1.2 Legal and Regulatory Framework						
full harmonization of the legal regulations with the international standards	By the end of 2010, an analysis conducted of the existing laws which provide for measures of prevention, protection and criminal prosecution	Preparation of an analysis of the existing legislation in accordance with the new trends, international standards and the situation with the trafficking in human beings and illegal migration in the country	MJ, MLSP, NGO, other line ministries, international organizations	continuously	An analysis of the existing laws already completed	Ministry of Justice and donations
	By the end of 2012, preparation of draft changes and amendments to the existing laws and passing new laws that provide for measures of prevention, protection and criminal prosecution	Establishment of working groups within the ministries responsible for the preparation of legislative proposals and new laws	MJ, MLSP, NGO, other line ministries, international organizations	2010	% of the proposed legal amendments adopted by the Government and the Parliament	Ministry of Justice and donations
		Organizing working meetings, public debates and workshops for the review and finalization of proposed laws	MJ, MLSP, NGO, other line ministries, international organizations			
		Submission of draft laws to the Government and the Parliament of the RM for review and adoption	MJ, MLSP, NGO, other line ministries, international organizations	2009/2010 and continuously		
	Legislation harmonized with the international standards.	Ratification of the Council of Europe Convention on the Action against Trafficking in Human Beings.	Ministry of Justice	2009	Convention ratified	no implications
Established fund for compensation of victims	By the end of 2010, initiated procedure for the establishment of a fund for compensation of victims, in accordance with the solutions envisaged in the new Law on Criminal Procedure	Preparation of an adequate legal framework for the establishment of the fund	Ministry of Justice	2010	Existence of a legal framework for the establishment of the fund	Ministry of Justice and donations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
Institutional solution provided for the accommodation and protection of THB victims	Establishment of a state shelter for THB victims by the end of 2010	Adoption of a decision by the Government of the RM on determining a facility - a shelter for protection and accommodation	Ministry of Labour and Social Policy, Ministry of Interior	2009/2010	A decision by the Government on the determining of a facility adopted	Government of the RM, Ministry of Labour and Social Policy, donations
		Adoption of a new law on social protection providing for the establishment of a state shelter	Ministry of Labour and Social Policy, the Government and the Parliament of the RM	2009	A new Law on Social Protection adopted	no implications
		Signed memoranda of understanding with the non-governmental organizations involved in the work with THB victims	Ministry of Labour and Social Policy, Ministry of Interior, NGOs	2009	Signed memoranda	no implications
		Adoption of a Rulebook on the work of the shelter	Ministry of Labour and Social Policy, Ministry of Interior, NGOs	2009/2010	Rulebook adopted	Ministry of Labour and Social Policy and Ministry of Interior
		Establishment of a working group for the review of SOP's	NC for CATHBIM	2009	SOP adopted	NC and donations
	Revision and adoption of SOP's by the end of 2010	Submission of a draft revised SOP to the Government of the RM	National Commission	2010		
SOP's harmonized with legal regulations and the existing practice						

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
1.3. International Co-operation						
Promoted and improved co-operation and coordination at the international level	By 2010, established mechanism for the implementation of the Vienna Convention on Police Work	Preparation of a protocol for the enforcement of the Vienna Convention	Ministry of Interior	continuously	Protocol prepared	Ministry of Interior
	By 2012, enhanced international co-operation in the area of the judiciary	Participation in regional meetings and study visits	MJ, Public Prosecution Office, the Judiciary	continuously	Number of regional meetings and study visits participated in	MJ, Public Prosecution Office, the Judiciary and donations
	By the end of 2009, established co-operation with the SEE and EU countries within the projects: TMU SEE and TMU EU EY	Systematic application of the SOP measures that refer to transnational cooperation	MoI, MLSP, PPO, NGOs	2009	% of cases where TMU measures from the SOP have been applied	ICMPD and USAID
		Participation in regional meetings and study visits	MoI, MLSP, PPO, NGOs	2009-2010	Number of regional meetings and study visits participated in	ICMPD and USAID
1.4. Information Management, Monitoring and Evaluation						
Established system for information management, monitoring and evaluation	By the end of 2009, functional data bases on THB established	Operationalisation of the data base on perpetrators and judicial proceedings	Ministry of Interior, Ministry of Justice	2010	Number of entered applications from cases worked on	ICMPD
		Operationalisation of the data base on victims of trafficking in human beings	Ministry of Labour and Social Policy	2010	Number of entered applications from cases worked on	ICMPD
	By the end of 2009, an institutional form of monitoring and evaluation of activities related to THB and IM established	Establishment of a body - National Rapporteur	National Commission	2009	National Rapporteur appointed; Annual report prepared	National Commission, donations
		Preparation of methodology and instruments for monitoring and evaluation of the implementation of the standard operating procedures and other activities for combating THB and IM	National Commission	continuously	Prepared instruments for monitoring and evaluation	National Commission, Government of the RM, donations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
2. PREVENTION						
2.1. Identification of the Reasons for the Emergence of the Trafficking in Human Beings and the Illegal Migration						
Determined risk groups and reasons for the emergence of THB and IM	A clear knowledge of the risk groups and the reasons for the emergence of THB and IM established by the end of 2010	Conducting research on the identification of risk groups of trafficking in human beings and illegal migration	MLSP, NGOs	continuously	Conducted research on the identification of risk groups for determining the reasons for the emergence of trafficking in human beings and illegal migration	MLSP, NGOs, donations
	By the end of 2010, priority prevention activities established, on the basis of research conducted	Analysis of the results obtained through the research and design of a draft plan for prevention activities			Draft plan for the prevention activities prepared	
2.2. Strengthening the Capacities for the Realization of Prevention Activities						
Strengthening of the capacities of governmental and non-governmental entities for carrying out prevention activities for THB and IM	By the end of 2010, establishment of the priority target groups of professionals from the relevant institutions and organizations for the implementation of prevention activities	Analysis of the education needs for the professionals who are directly involved in trafficking in human beings	MLSP, Mol, NGOs	2009-2012	Analysis conducted	MLSP donation
	By the end of 2012, adequate training provided for the professionals who work with risk groups on the work on prevention programs	Organizing training for professional from: prevention departments within the SIA, police stations, centers for social work, councils for prevention in the local self-government, ZELS, educational and instructional institutions, health care institutions, the media,	Mol, MLSP, MES, NGOs	2009-2012	Number of conducted trainings. Percentage of trained professionals from the respective institutions.	Mol, MLSP, MES, Local self-government, NGOs, donation
	By the end of 2012, strengthened capacities of the NGO sector for preventive action regarding CTHB and illegal migration	Organizing continuous training for the NGOs for prevention action	Mol, MLSP, MES, NGOs	2009-2012	Number of conducted trainings. Number of trained representatives of the NGO sector.	Mol, MLSP, MES, NGOs, donation

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
2.3 Raising Public Awareness and Education						
Established system of continuous education and raising awareness regarding trafficking in human beings and illegal migration	By the end of 2012, increased public informing and awareness of the THN and IM problem	Organizing campaigns for raising public awareness of the problem with trafficking in human beings and migration	Mol, MLSP, MES, NGOs	continuously	Number of campaigns conducted	Mol, MLSP, MOS, NGO donation.
		Celebrating 18th October - the European day of combating trafficking in human beings	NC on CTHB and Secretariat NGOs	continuously	Number of events carried out	
		Celebrating the Week of combating trafficking in human beings in the Republic of Macedonia (2nd - 9th December)	NC on CTHB Secretariat	continuously	Number of organized events	
		Supplementing the curricula and syllabi by introducing teaching subject matters on the combating trafficking in human beings and illegal migration	MES	2010	A handbook prepared or other teaching aid containing subject matters which refer to prevention of trafficking in human beings and illegal migration for the purposes of the primary and secondary education	MES donation
		Organizing prevention activities for vulnerable groups	MES, MLSP, NGOs	continuously	5 prevention lessons 3 forum theatres 3 peer educations annually	MES MLSP NGOs donation
		Continuous functioning of an SOS line for information and assistance to victims of trafficking in human beings and migration	NGOs	continuously	Number of realized calls	NGOS and donations

Objective	Expected results	Activities		Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
		2.4 Reduction of Vulnerability					
Established mechanisms for the reduction of the reasons for the emergence of trafficking in human beings and illegal migration	By the end of 2012, subject matters on the gender concept to be included in the primary and secondary education curricula	Preparation of curricula and syllabi for the introduction of subject matters on the gender concept	MLSP MES	continuously	Prepared gender sensitive curricula and syllabi	MLSP donation	
		Organizing training of teachers for implementation of curricula on the gender concept in the education	MLSP MES	continuously	Number of trainings held. Number of teachers trained.	MLSP donation	
	Vulnerable groups economically strengthened	Establishment of migration centers	MLSP - Employment Agency, Local Self-government	continuously	Number of open migration centers	MLSP, Local self-government donation	
		Facilitating the access to the labour market (additional training, retraining, employment)	MLSP - Employment Agency, Local Self-government, NGOs	continuously	Number of economically strengthened vulnerable group members	MLSP, Local self-government donation	
	Regulated seasonal hiring of workers for work in other countries	Concluding bilateral agreements for the regulation of seasonal hiring of workers	MLSP, MFA	continuously	Number of concluded bilateral agreements	MLSP, MFA	

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
3. SUPPORT AND PROTECTION OF VICTIMS AND MIGRANTS						
3.1. Victim Identification and Referral						
Effective implementation of SOP and NRM throughout the territory of the entire country	By the end of 2010, complete implementation of the identification criteria according to the SOP	Organizing trainings for professionals involved in the identification process	Mol, MLSP, MES, MFA, NGOs	continuously 2009-2012	Number of trainings held. Number of persons trained.	Mol, MLSP, MES, MFA, with support by the international organizations
		Application of a standardized questionnaire in the process of identification	Mol, MLSP, MES, MFA, NGOs	continuously 2009-2012	Number of standard identification questionnaires filled in	Mol, MLSP, MES, MFA, with support by the international organizations
	By the end of 2012, referral of all identified victims of trafficking in human beings according to NRM and the SOP	Organizing trainings for stakeholders at the local level in order to improve the co-operation with the central level	Mol, MLSP, NGOs	continuously	Number of organized training events	Mol, MLSP, NGOs, donations
		Referring victims to the respective service providers pursuant to the SOP	Ministry of Labour and Social Policy, NGOs, Mol	continuously 2009-2012	Number of victims referred.	MLSP, Mol with the support by the international organizations
	By the end of 2010, established criteria for co-operation and inclusion of the NGO sector in the work with victims and offering assistance in accordance with the SOP	Preparing criteria for the involvement of the NGOs in the protection of the victims of trafficking in human beings	National Commission and MLSP	June 2009	Prepared and adopted criteria	MLSP, National Commission, with the support by the international organizations
		Preparation of a list of NGOs which fulfill the above mentioned criteria	National Commission and MLSP	June 2009	Number of NGOs involved in the protection of victims of trafficking in human beings	MLSP, National Commission, with the support by the international organizations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
3.2. Direct Assistance and Protection of Victims and Migrants						
Improved direct assistance and protection of victims and illegal migrants in accordance with the minimum international standards	By 2012, bringing the capacity of the shelter centers for care for victims of trafficking in human beings and illegal migrants up to the international standards	Establishing a state shelter centre for the victims of trafficking in human beings	MLSP, Mol, NGOs	continuously 2009-2012	A shelter centre established	MLSP, Mol, NGOs with support by the international organizations
		Organizing training for the staff at the shelter centers	MLSP, Mol, NGOs, international organizations		Number of organized trainings and trained persons	MLSP, Mol, NGOs with support by the international organizations
		Providing technical equipment for the shelter centers	MLSP, Mol, international organizations		Technical equipment provided	MLSP, Mol, international organizations
	By the end of 2009, provision of a package of information materials for the victims and migrants with regard to their rights, duties and possibilities from the moment of identification	Preparation of a unified information material in several languages and its distribution	NC - the Secretariat	continuously 2009-2012	Material prepared Material distributed to all stakeholders by the end of 2009, continuously in 2010-2012 Number of distributed materials to the ultimate beneficiaries	NC - the Secretariat with support by the international organizations
		Establishing mechanisms for providing general and specialized, medical care and hospitalization of victims of THB	MH, Mol, MLSP, NGOs	continuously 2009-2012	Number of medical examinations conducted in comparison with the number of requested examinations and care	MH with support by the international organizations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
	By the end of 2012, providing each victim with psycho-social assistance and care for the victims of trafficking in human beings and illegal migrants	Preparation of a program for psycho-social assistance to victims of THB	MLSP, NGOs	continuously 2009-2012	Prepared psycho-social program	MLSP, NGOs with support by the international organizations
		Organizing training for the staff at the shelter centers	MLSP, NGOs		Number of organized trainings and trained persons	MLSP, NGOs with support by the international organizations
3.3. Legal Assistance for Victims and Migrants						
Access to legal assistance free of charge to all identified victims	Clear instructions for the provision of free of charge legal assistance by 2010	Preparation of instructions. Establishing a list of trained persons / lawyers Availability of the list to all persons / organizations involved in the protection of victims and illegal migrants	MLSP / NRM, MJ, NGOs	continuously 2009-2012	Instructions prepared. A list of minimum 5 lawyers drafted, involved in the protection of victims and migrants until June 2009 Delivery of the list to all persons / organizations involved in the protection of victims and migrants by the end of 2009 Number of persons who received legal advice, legal assistance and representation	MLSP / NRM, MJ with support by the international organizations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
Establishment of institutional mechanisms for safe repatriation and successful reintegration/social inclusion	3.4. Coordination of the activities of the subgroup for combating trafficking in children with the activities of the NC.					
	By the end of 2012, providing the victims and illegal migrants with conditions for safe return	Continuous implementation of the procedures for voluntary repatriation of victims of trafficking in human beings and illegal migrants	MLSP, Mol, IOM and NGOs	continuously 2009-2012	Number of safely returned victims and migrants	MLSP, Mol, IOM and other international organizations
	By the end of 2012, providing the necessary conditions for successful reintegration and social inclusion of victims	Preparation of individual programs for reintegration and social inclusion of victims of trafficking in human beings	MLSP, NGOs		Number of programs prepared	MLSP
		Organizing trainings and additional training	MLSP, NGOs, the business sector		Number of organized trainings; Number of participants	MLSP, donations
		Mediation in the process of inclusion in the labour market	MLSP, the business sector, NGOs, local self-government	by the end of 2009 continuously in 2010-2012	Number of persons who have been referred to the inclusion in the labour market	MLSP, donations, local self-government
	By 2012, successful implementation of the provisions of the Law on Foreigners regarding the issuance of residence permits to foreigners - victims of trafficking in human beings	Providing information to the identified victims on their rights and obligations	Mol, MLSP, MH, MES, NGOs	continuously 2009-2012	Number of issued temporary residence licenses in the period 2009-2012.	Mol, MLSP, MH, MES, with support by the international organizations
	By 2012, adoption of a decision by the Government of the RM on the resolution of the problem regarding compensation of victim repatriation costs	Initiative by the NC to the Government of the RM for the establishment of a state fund and appointing competent institutions	NC, MLSP, and Mol	2009-2010	Enacted decision by the Government of the RM on the establishing a state fund	

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
3.5. Research and Evaluation						
Research and evaluation of protection programs conducted	By 2012, at least two re-searches conducted on the purposefulness of the protection programs	Preparation of research methodology	MLSP, NRM, NGOs		Methodology prepared	MLSP, NGOS with support by the international organizations
		Conducting research	MLSP, NRM, NGOs		Conducted research	MLSP, NGOS with support by the international organizations
	By 2012, evaluation and adaptation of the programs for victim assistance and protection	Evaluation and adaptation of the programs in accordance with the results obtained from the research	National Commission, the Secretariat and the Subgroup on Combating Trafficking in Children		Adapted programs	MLSP, National Commission, with support by the international organizations

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
3.6. Trainings and Capacity Building						
Enhanced capacities of human resources included in the process of protection	By 2012, ensuring the existence of a highly specialized staff (in the relevant vocations) for protection of victims and migrants	Determining the needs for training and continuous expertise	Secretariat, Mol, MLSP, MES, NGOs	continuously 2009-2012	Established training needs	Mol, MLSP, MES, with support by international organizations
		Organizing trainings and activities for capacity building	MLSP, NGOs, Mol		Number of organized trainings; Number of trained persons	MLSP, NGOs, Mol with support by international organizations
4. INVESTIGATION AND CRIMINAL PROSECUTION OF TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS						
4.1. Pre-investigation Procedure (Proactive and Reactive Investigation)						
Proactive investigations have a priority in the conducting of (pre)investigation procedures	Successfully conducted proactive investigations	Updating of operational bases	Mol	continuously	Entered data	no implications
		Collection of intelligence information	Mol		-	no implications
	Trained staff for the successful implementation of SIMs	Profiling criminal groups	Mol		Successfully profiled criminal groups	no implications
Identification and dissolution of international criminal groups	Continuous successfully conducted international investigations	Continuous training on the application of SIMs	Mol	continuously	Number of persons trained	Mol
		Initiating, participation and managing international investigations and measures and activities	Mol and PPO	continuously	Number of initiated and conducted international investigations	Mol and PPO
				continuously		

Objective	Expected results	Activities	Competent institutions/ organizations	Timeframe	Indicators	Budget/ Budget holders
4.2. Criminal Proceedings						
Reduced amount of organized crime	Efficiently conducted criminal proceedings	Organizing training for judges and prosecutors	MoI, PPO, ATJP	continuously	Number of convictions	MoI, Academy for Training of Judges and Prosecutors and donations by international organizations
		Providing quality evidence in the criminal proceedings	MoI, PPO and court	continuously		
Improved status of victims in the criminal proceedings	Protection of the rights of the victims in the criminal proceedings	Informing victims of their rights in the criminal proceedings	PPO, the Court, NGOs and a social worker	continuously	Number of victims informed	PPO, the Court, NGOs and a social worker
		Appointing a legal guardian and a legal counsel	MLSP, centers for social work and NGOs	continuously	Number of appointed legal guardians and legal counsels	MLSP, centers for social work and NGOs
		Training of judges and prosecutors on the treatment of victims	ATJP	continuously continuously	Number of persons trained	ATJP and donations

ACTION PLAN
for Combating
Trafficking in
Children in the
Republic of
Macedonia

2009-2012

INTRODUCTION

The Action Plan for combating trafficking in children³⁴ is a document that fully reflects the efforts of the Republic of Macedonia in the combat against trafficking in children, which are commitments of the country as a UN member and signatory of the Convention on the Rights of the Child, the international documents on human rights and especially the Optional protocol on the sale of children, child prostitution and child pornography to the Convention on the Rights of the Child, UN Convention against Transnational Organized Crime and the Protocol on prevention, preclusion and punishment of human trafficking, especially women and children and the World Action Plan.

The aim of this Action Plan is to protect children in the Republic of Macedonia from illegal trafficking and exploitation, giving priority to the rights and interests of children.

The Action Plan is based on four basic principles, taken from the Convention on the Protection of the Child:

- I. Protection of rights** - including protection from discrimination and all forms of abuse, neglect and exploitation;
- II. Right to survival and development** - including the right to stay in shelters by providing access to health facilities, educational institutions, protection of rights against economic exploitation and protection of the physical, psychological and mental development of children;
- III. Participation of children in the decision making concerning their rights and interests and their influence in all matters relating to their rights and interests** - including the right to form and present their views and opinions and the right to receive information that is accessible and understandable to them, which contributes to their welfare, as well as their protection from any harmful effects of various information, materials and contents;
- IV. The best interests of children** have to be an absolute priority in the creation of government policies and in the decision making of every individual, institution or legislative authority.

The Action Plan is based on the international experiences in this area and it covers all the important elements: the legal framework, estimates of the conditions, prevention, and protection of victims, rehabilitation / reintegration / repatriation and coordination of the relevant stakeholders.

³⁴ The first Action Plan for combating trafficking in children was adopted by the National Commission in March 2006, as part of the Strategy and Action Plan of the National Commission for Combating Trafficking in Human Beings and Illegal Migration. This plan (2009 - 2012) represents a modified and supplemented version of the first Action Plan.

General Goals, Directions and Priorities

The Action Plan aims to provide the Republic of Macedonia with resources and mechanisms for implementation of the commitments for combating trafficking in children and development of the coordination among all institutions and organizations involved in the fight against trafficking in children.

The implementation of the Action Plan should provide for appropriate mechanisms and good practices to overcome problems with trafficking in children including prevention, protection and reintegration of child victims of trafficking and criminal prosecution of the perpetrators of this crime.

The Action Plan for prevention of trafficking in children is aimed towards:

- promoting the policy of the Republic of Macedonia regarding the combat against trafficking in children and their exploitation;
- creating the legal solutions and government policies for the combat against trafficking in children on the basis of relevant data obtained from research and / or relevant databases;
- taking preventive measures to reduce the causes and risks that lead to the emergence and increase of trafficking in children and exploitation of children;
- establishing a package of minimum standard services that would provide for assistance, protection, rehabilitation and reintegration of child victims of human trafficking.

The Action Plan for combating trafficking in children incorporates all the tasks and goals that are to be achieved by the Republic of Macedonia so as to prevent trafficking in children and to protect child victims of trafficking, based on the principles of equality, accessibility, quality and efficiency.

In order to achieve the aims of the Action Plan, the following guidelines and priorities have been established:

- Observance of the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Sale of Children, Prostitution and Pornography of Children and other international documents that determine the mechanisms and commitments to protect children from trafficking and other forms of violence and abuse;
- Compliance with the standard operational procedures for referral of victims of trafficking and the program for re-socialization and reintegration of child victims of trafficking;
- Establishment of appropriate mechanisms for coordination of the entities involved in the implementation of legislation and government policies.

Chapter 1: Legal Reforms

Objective: The national legislation provides for comprehensive measures for prevention, protection and criminal prosecution.

Expected results:

- By the end of 2010, an analysis of the existing laws that provide for measures for prevention, protection and criminal prosecution will have been conducted.
- By the end of 2012, draft changes and amendments to the existing laws will have been prepared and new laws that provide for measures for prevention, protection and criminal prosecution in accordance with the international standards will have been adopted.

Activities:

- Preparation of an analysis of the existing legislation in terms of trafficking in children in accordance with the new trends, international standards and the current situation with respect to trafficking in children in the country.
- Creation of working groups within the ministries responsible for preparation of draft laws and new laws.
- Organizing working meetings, public hearings and workshops for reviewing and finalization of law proposals.
- Distribution of draft law proposals to the Government and the Parliament for a review and adoption.
- Ratification of the Convention of the Council of Europe on action against trafficking in human beings.

The subgroup has identified part of the changes that are to be made in certain laws. They are listed below. This list is not exhaustive and comprehensive and the analysis of the existing legislation will show whether there is a need for other legislative changes and eventually for drafting new laws.

Criminal Code of the Republic of Macedonia

- To provide for a penalty for an attempt to commit an offence - trafficking in minor persons;
- To provide for trafficking in children, as a qualified form of the crime, if the offence is committed by parents and officials.

Law on Criminal Procedure

- Child victims of trafficking who are willing and able to testify in the proceedings against persons involved in the chain of trafficking in children have the right to be escorted by a person who will assist and accompany them in all proceedings and in before all bodies and institutions.

Law on Social Protection

- Creating a legal obligation to establish shelters for the victims of trafficking in human beings with special conditions for accommodation and protection of children.

Legal Reforms

Laws on Primary and Secondary Education

- Introduction of human rights as compulsory content in the curricula and programs at all levels of primary and secondary education;
- Including children in the schools in the decision making process concerning their rights and interests.

Law on Foreigners

- To provide for a special provision regulating the accommodation of juvenile victims of trafficking, as well as foreign citizens in special departments in the Shelter Centre for Foreigners.

Law on Free Legal Aid

- To provide for compulsory provision of free legal aid in the criminal proceedings, where the victims of trafficking are children.

Implementing Agency and Partners: The Ministry of Justice (MoJ) and the Ministry of Labour and Social Policy (MLSP) in partnership with other line ministries, domestic NGOs and international organizations.

Bearer of financial expenses: Ministry of Justice with support from international organizations.

Deadline: By the end of 2012.

Chapter 2: Assessment of the Situation

Objective: Established system for monitoring of the situation, collection and processing of data on trafficking in children.

Expected Results:

- By the end of 2010, the established methodology for collecting data on trafficking in human beings in the Ministry of Internal Affairs (MIA) and MLSP will have taken into account the specific needs and interests of the child.
- By the end of 2012, the established and operational databases on trafficking in human beings at the MIA and MLSP will have taken into account the specific needs and interests of the child.
- By the end of 2012, three reports on the phenomenon of trafficking in children will have been published.

Activities:

- Establishment of a working group, which will develop a unique methodology for collecting, processing and exchange of data related to trafficking in children.
- Field testing of developed instruments through selected centres for social work and police stations.
- Conducting specialized training for the representatives of the MIA and MLSP on collection, processing and use of data on trafficking in children.
- The databases should contain elements, which will provide for a separate record of children perpetrators and child victims.
- Conducting specialized training for persons responsible for entering data into databases.
- Generation and use of statistical reports from the databases.
- Development of instruments for data collection.
- Development of studies, printing and distribution.

Implementing Agency and Partners: MIA, MLSP in partnership with other institutions and international and nongovernmental organizations and academic institutions.

Bearer of financial expenses: Relevant ministries, NGOs, academic institutions, with possible support from international organizations and the private sector.

Deadline: Continuously by the end of 2012.

Chapter 3: Prevention

Objectives:

Strengthening of human and institutional capacities to implement preventive activities of trafficking in children, education of children and raising public awareness about the problem.

Expected Results:

- Employees in CSW and MIA who are involved in the fight against trafficking in children to be trained to implement preventive activities.
- By the end of 2012, at least 6 day care centres to be opened for street children in Macedonia.
- By the end of 2012, strengthening the capacities of the non-governmental organizations working with children to implement preventive programs.
- By the end of 2012, sensitising the journalists (from the press and television media) to properly report on trafficking in children.
- Raising the public awareness among children and parents and the beneficiaries of services for victims of trafficking in children to a higher level.

Activities:

- Organizing specialized training for professionals from CSW and MIA for prevention.
- Identifying the facilities and providing equipment for the day care centres.
- Identification and training staff to be hired at the day care centres.
- Organizing training for representatives from the NGO sector for creation and implementation of preventive programs.
- Training of media representatives in order to introduce them to the problem of trafficking in children and more appropriate case presentation through the media.
- Preparing a Guide for media reporting of cases of trafficking in children.
- Holding preventive lectures in the primary and secondary schools as well as in other educational institutions, in order to inform the students and school personnel about the problem / trend of trafficking in children.
- Introducing trafficking in children in the curriculum of the formal primary and secondary education.
- Organizing three media campaigns in order to raise public awareness at national and local level.
- Promotion and support of an SOS telephone line for assistance in human trafficking and provision of information and counselling.

Implementing Agency and Partners: MLSP, MIA, MoE, units of the local self-government (ULSG), and NGOs with other relevant institutions and international organizations.

Bearer of financial expenses: relevant ministries and ULSG with possible support from international organizations and the private sector.

Deadline: Continuously by the end of 2012.

Chapter 4: Identification

Objective:

Strengthening of the human and institutional capacities for identification of children at risk and child victims of trafficking.

Expected Results:

- Employees in CSW and MIA who work with children at risk to have the necessary skills and knowledge to perform the identification.
- Establishing a system for identification, registration and monitoring of children at risk.
- By the end of 2012, establishment of a national system for monitoring of the implementation of the SOPs.
- Increased capacity of the border police for identification and referral of trafficking in children cases.

Activities:

- Organizing specialized training for the professionals from CSW, MIA, NGOs and the schools for identification and referral of children at risk.
- Establishing instruments for identification, registration and monitoring of children at risk.
- Training on the use of those instruments.
- Appropriate and efficient implementation of the relevant measures contained in the standard operating procedures (SOPs).
- Training for the representatives of the border police on the identification and referral of cases of trafficking in children.
- Establishment of a working group for changes and amendments of the SOP (including the SOP of the border police for border control and surveillance of the inside green border line).
- Submission of any revised SOPs to the Government for adoption.

Implementing Agency and Partners: MIA, MLSP, NGOs, and ULSC in cooperation with international organizations.

Bearer of financial expenses: MLSP, MIA, NGOs, ULSC with possible support from international organizations and the private sector.

Deadline: Continuously by the end of 2012.

Chapter 5: Assistance And Protection

Objective:

Establishing minimum standards for assistance, treatment and protection of child victims of trafficking and child witnesses.

Expected Results:

- By the end of 2012, establishment of a national system for monitoring of the implementation of SOPs.
- A national system for monitoring the implementation of the reintegration and re-socialization program to be established and monitored in every CSW.
- By the end of 2012, identification and training provided for at least 10 specialized foster families.

Activities:

- Appropriate and efficient implementation of SOPs.
- Organization of training for representatives of all institutions responsible for implementation of SOPs on the implementation of special measures for protection of child victims of trafficking during all stages.
- Organization of training on the application of specific techniques for interviewing child victims.
- Appropriate and efficient implementation of the program for re-socialization and reintegration of MLSP
- Organization of training for the application of special interviewing techniques for child victims.
- Training of representatives of CSW on the identification and engagement of foster families.
- Development of training modules for specialized foster families.
- Development of standards for specialized foster families.
- Training of foster families.

Implementing Agency and Partners: MLSP, MIA, MJ, other line ministries, NGOs, in cooperation with international organizations.

Bearer of financial expenses: MIA, MLSP, NGOs, in cooperation with international organizations.

Deadline: Continuously by the end of 2012.

Chapter 6: Reahabilitation, Reintegration and Repatriation

Objective: Established system for rehabilitation and reintegration and safe repatriation of child victims.

Expected Results:

- By the end of 2012, establishment of a national system for monitoring the implementation of SOPs.
- Establishment of a National system for monitoring the implementation of the reintegration and re-socialization program, monitored in every CSW.
- National repatriation system established and operational.

Activities:

- Appropriate and efficient implementation of relevant measures contained in the SOPs.
- Implementation of training for capacity building of staff in the Reception Centre for Foreigners.
- Creating a program for psycho-social support for children accommodated in the Shelter Centre
- Establishment of centres for rehabilitation and development and implementation of appropriate programs to prepare child victims for reintegration in the community.
- Creating a training program and implementation of training for NGOs to support the CSW in the implementation of the program for reintegration and re-socialization.
- Establishing a mechanism for cooperation with the country of origin of victims and their participation in the elaboration of the plan for reintegration.
- Creation of minimum standards that are to be met for the safe and secure return of child victims who are foreign citizens.

Activities:

- Appropriate and effective implementation of relevant measures contained in the standard operating procedures.
- Organization of trainings for representatives of all institutions responsible for implementation of SOP for implementation of special measures of protection of children victims of trafficking at all stages.
- Organization of trainings for application of specific techniques for making conversation with the children victims.
- Appropriate and effective implementation of the program for re-socialization and reintegration of MLSP.

Rehabilitation, Reintegration and Repatriation

- Organization of trainings for application of specific techniques for making conversation with the children victims.
- Training of Members of CSR for identification and engagement of foster families.
- Development of training modules for specialized foster families.
- Development of standards for specialized foster families.
- Training of foster families.

Implementing Agency and Partners: MLSP, MIA, MJ, other line ministries, NGOs, in cooperation with international organizations.

Bearer of financial expenses: MIA, MLSP, NGOs, in cooperation with international organizations.

Deadline: Continuously by the end of 2012.

Chapter 7: Coordination and International Co-Operation

Objective:

Established and promoted co-operation and coordination at national and international level.

Expected Results:

- Established mechanisms for co-operation among institutions and organizations at national level.
- Established mechanisms for co-operation among institutions and organizations at international level.

Activities:

- Signing memorandums for cooperation between government institutions and NGOs, taking into account the specific needs and best interests of child victims.
- Holding regular meetings of the Subgroup.
- Monitoring the implementation of the Action Plan and regular reporting to the National Commission.
- Signing of bilateral and multilateral cooperation agreements with the countries from which and in which the children are victims-witnesses of trafficking and their safe return.
- Improvement of cross-border cooperation through enhanced information exchange.
- Further implementation of the TRM to expand cooperation with countries outside the region of SEE.
- Organizing and conducting study visits in order to exchange experiences.

Implementing Agency and Partners: The National Commission to combat Trafficking in Human Beings and Illegal Migration and the Subgroup for combating trafficking in children, relevant ministries and international organizations.

Bearer of financial expenses: Relevant ministries and international organizations with donations.

Deadline: Continuously by the end of 2012.

Chapter 8: Monitoring and Evaluation of the Implementation of the Action Plan For Combating Trafficking in Children

The monitoring of the implementation of the Action Plan for combating trafficking in children will be conducted by the National Commission to combat Trafficking in Human Beings and Illegal Migration in the Republic of Macedonia via its Subgroup.

In order to facilitate the monitoring of the progress in the achievement of the results, the Subgroup will prepare information on the initial state with regards to each of the anticipated results. This information will represent an integral part of the Action Plan and it will be a tool that will help monitor to which extent the anticipated results have been achieved. Each of the relevant institutions will be responsible for providing data on the initial state of affairs.

All institutions and organizations involved in the implementation of the Action Plan shall be obliged to notify the Subgroup in writing, about any activities undertaken, at least twice a year.

For the purpose of implementation of the Action Plan, the Subgroup shall report to the National Commission twice a year, and there shall be regular reporting on the activities that are being conducted.

The National Commission to combat Trafficking in Human Beings and Illegal Migration shall inform the Government and the Parliament of the Republic of Macedonia about all activities conducted, as provided for in this Action Plan.

**Tabular presentation
of the action plan
for combating
trafficking in children
in the Republic of
Macedonia**

2009-2012

Addendum 1: Tabular presentation of the action plan for combating trafficking in children in the Republic of Macedonia 2009-2012

CHAPTER 1: LEGAL REFORMS					
Objective	Expected results	Activities	Indicators	Competent Institutions	Budget Holders
1. National legislation that provides comprehensive measures for prevention, protection and criminal prosecution	1.1. By the end of 2010, an analysis will have been conducted of the existing laws that provide measures for prevention, protection and criminal prosecution	1.1.1. Preparing an analysis of the existing legislation in terms of trafficking in children in accordance with the new trends, international standards and the situation regarding trafficking in children in the country	1.1.1 Completed analysis of the existing laws	MJ, MLSP, NGOs, other line ministries, international organizations	MJ with support from international organizations
	1.2. By the end of 2012, draft changes and amendments on the existing laws will have been prepared and new laws will have been adopted which provide for measures of prevention, protection and criminal prosecution in accordance with the international standards	1.2.1. Establishing working groups within the ministries responsible for preparation of draft laws and new laws 1.2.2. Organizing working meetings, public discussions and workshops for review and finalization of law proposals 1.2.3. Submission of draft laws to the Government and the Parliament for review and adoption 1.2.4. Ratification of the Convention of the Council of Europe on Action Against Human Trafficking	% of proposed legislative changes adopted by the Government and the Parliament Ratified Convention of the Council of Europe		

CHAPTER 2: ASSESSMENT OF THE SITUATION					
Objective	Expected Results	Activities	Indicators	Competent Institutions	Budget Holders
2. Established system for monitoring of the situation, collecting and processing of data on trafficking in children	2.1. By the end of 2010, the established methodology for collecting data on human trafficking in the MIA and MLSP will have taken into account the specific needs and interests of the child.	2.1.1. Establishment of a working group to develop a unique methodology for collecting, processing and exchange of data related to trafficking in children. 2.1.2. Field testing of developed instruments through selected centers for social work and police stations 2.1.3. Conducting specialized training for the representatives from the MLSP and MIA on collection, processing and use of data on trafficking in children	Existence of special instruments for collecting data on children. Conducted pilot testing for validation of the prepared instruments. Number of people trained for application of the instruments.	MIA, MLSP, NGOs, international and academic institutions.	Relevant ministries, NGOs, academic institutions with possible support from international organizations and the private sector.
	2.2. By the end of 2012, the established operational databases on human trafficking in MLSP and MIA will have taken into account the specific needs and interests of the child.	2.2.1. Databases should contain elements that will provide a separate record of children perpetrators and children victims. 2.2.2. Conducting specialized training for persons responsible for input of data into databases. 2.2.3. Generation and use of statistical reports from the databases.	Databases that contain special records for children. Number of people trained to work with the databases. Annual number of statistical reports.		
	2.3. By the end of 2012, three reports on the phenomenon of trafficking in children will have been published	2.3.1. Preparation of instruments for collecting data. 2.3.2. Preparation of studies, printing and distribution.	Number of printed and distributed studies.		

CHAPTER 3: PREVENTION

Objective	Expected Results	Activities	Indicators	Competent Institutions	Budget Holders	
3. Strengthened human and institutional capacities to implement preventive activities of trafficking in children, educating children and raising public awareness about the problem.	3.1. The employees in the CSW and the MIA who work in the fight against trafficking in children to be trained in implementation of preventive activities.	3.1.1. Organizing specialized training for professionals from CSW and MIA for prevention.	Number of specialized training events for the employees in CSW and MIA. % of the employees in CSW and MIA who attended at least one specialized training a year.	MLSP, MIA, ME, ULSCG, NGOs, with the relevant institutions and international organizations.	Relevant ministries and ULSCG with possible support by the international organizations and the private sector.	
	3.2. By the end of 2012, at least 6 daycare centers to be opened for street children in Macedonia.	3.2.1. Identifying the facilities and providing equipment for the daycare centers. 3.2.2. Identification and training of staff to be hired at the daycare centers.	Number of new daycare centers.			
	3.4. By the end of 2012, strengthening of the capacity of the non-governmental organizations working with children to implement preventive programs.	3.4.1. Organizing training for representatives of the NGO sector for creation and implementation of preventive programs.	Number of participating NGOs in the training.			
	3.5. By the end of 2012, sensitization of the journalists (from the press and television media) about the reporting on trafficking in children.	3.5.1. Training of media representatives in order to introduce them to the problem of trafficking in children and more appropriate case presentation through the media. 3.5.2. Preparing a Guide for media reporting of cases of trafficking in children.	Number of journalists who attended training. Producing a guide for media coverage of cases of trafficking in children.			
	3.6. Raising the public awareness among children and parents and users of services to victims of trafficking in children to a higher level.	3.6.1. Holding preventive lectures in the primary and secondary schools, as well as in other educational institutions, in order to inform the students and the school personnel about the problem / trend of trafficking in children. 3.6.2. Introducing curriculum content on trafficking in children in the formal primary and secondary education. 3.6.3. Organizing three media campaigns in order to raise the public awareness on national and local level. 3.6.4. Promotion and support of the existing SOS telephone line for assistance in human trafficking and provision of information and counseling	Number of schools that held preventive lectures. Curriculum content introduced. Number of media campaigns. Number of referred persons through the SOS line.			

CHAPTER 4: IDENTIFICATION

Objective	Expected Results	Activities	Indicators	Competent Institutions/ organizations	Budget Holders
4. Strengthening of the institutional and human capacities for identification of children at risk and children who are victims of trafficking.	4.1. The employees in CSW and MIA who work with children at risk to have the necessary skills and knowledge to perform the identification.	4.1.1. Organizing specialized training for the professionals from CSW, MIA, NGOs and the schools for identification and referral of children at risk.	Number of specialized training events.	MIA, MLSP, NGOs, ULSC in cooperation with international organizations.	MLSP, MIA, NGOs, ULSC with possible support from international organizations and the private sector.
	4.2. Establishing a system for identification, registration and monitoring of children at risk.	4.2.1. Establishing instruments for identification, registration and monitoring of children at risk. 4.2.2. Training on the use of those instruments.	Established system for identification, registration and monitoring of children at risk.		
	4.3. By the end of 2012, establishment of a national system for monitoring of the implementation of the SOP.	4.3.1. Proper and effective implementation of the relevant measures contained in the standard operating procedures (SOP).	Number of persons trained for proper implementation of the SOP.		
	4.4. Increased capacity of the border police for identification and referral of trafficking in children cases.	4.4.1. Training for representatives of the border police for identification and referral of trafficking in children cases. 4.4.2. Establishment of a working group for changes and amendments of the SOP (including the SOP of the border police for border control and surveillance of the inside green border line). 4.4.3. Submission of the revised SOP to the Government for adoption.	Existence of revised SOPs.		

CHAPTER 5: ASSISTANCE AND PROTECTION

Objective	Expected Results	Activities	Indicators	Competent Institutions/ organizations	Budget Holders
5. Establishing minimum standards for assistance, treatment and protection of child victims of trafficking and child witnesses.	5.1. By the end of 2012, establishment of a national system for monitoring of the implementation of SOPs.	5.1.1. Appropriate and efficient implementation of relevant measures contained in the standard operating procedures (SOPs). 5.1.2. Organization of training for representatives of all institutions responsible for implementation of SOPs for implementation of the special measures for protection of child victims of trafficking during all stages. 5.1.3. Organization of training for application of special techniques for interviewing child victims.	Number of persons trained for proper implementation of the SOPs. Number of persons trained on special interviewing techniques.	MLSP, MIA, MJ, line ministries, NGOs in cooperation with international organizations.	MIA, MLSP, NGOs, in cooperation with international organizations.
	5.2. A National system for monitoring of the implementation of the reintegration and re-socialization program established and monitored in every CSW.	5.2.1. Appropriate and efficient implementation of the program for re-socialization and reintegration of MLSP. 5.2.2. Organization of training for the application of special interviewing techniques for child victims.	Number of persons trained for proper implementation of the program. Number of persons trained on the special interviewing techniques.		
	5.3. By the end of 2012, identification and training provided for at least 10 specialized foster families.	5.3.1. Training of representatives of CSW on the identification and engagement of foster families. 5.3.2. Development of a training module for specialized foster families. 5.3.3. Development of standards for specialized foster families. 5.3.4. Training of foster families.	Number of specialized foster families.		

CHAPTER 6: REHABILITATION, REINTEGRATION AND REPATRIATION					
Objective	Expected Results	Activities	Indicators	Competent Institutions	Budget Holders
6. Established system for rehabilitation and reintegration and safe repatriation of child victims	6.1. By the end of 2012, establishment of a national system for monitoring the implementation of SOPs.	6.1.1. Proper and efficient implementation of relevant measures contained in the standard operating procedures (SOPs). 6.1.2. Implementation of training for capacity building of staff in the Reception Center for Foreigners. 6.1.3 Creating a program for psycho-social support for children placed in the Reception Center.	Number of persons trained for proper implementation of the SOPs. Number of conducted trainings for the Reception Center. Support program developed.	MLSP, MIA, MJ, line ministries, NGOs in cooperation with international organizations.	MIA, MLSP, NGOs, in cooperation with international organizations
	6.2. Establishment of a National system for monitoring the implementation of the reintegration and re-socialization program and monitored in every CSW.	6.2.1. Establishment of centers for rehabilitation and preparation and implementation of appropriate programs to prepare child victims to reintegrate in the community. 6.2.2. Creating a training program and implementation of training for NGOs to support CSW in the implementation of the program for reintegration and re-socialization.	Number of rehabilitation centers. Number of NGOs trained.		
	6.3. National repatriation system established and operational.	6.3.1 Establishing a mechanism for cooperation with the country of origin of victims and their participation in the elaboration of the plan for reintegration. 6.3.2. Creation of minimum standards which should be met for safe and secure return of child victims -foreign citizens.	Number of countries that mechanisms for cooperation have been established with.		

CHAPTER 7: COORDINATION AND INTERNATIONAL COOPERATION					
Objective	Expected Results	Activities	Indicators	Competent Institutions	Budget Holders
7. Established and promoted cooperation and coordination at national and international level.	7.1. Established mechanisms for cooperation among institutions and organizations at national level.	7.1.1. Signing memorandums for cooperation between government institutions and NGOs taking into consideration the specific needs and best interests of child victims. 7.1.2. Holding regular meetings of the Subgroup 7.1.3. Monitoring of the implementation of the action plan and regular reporting to the National Commission.	Number of memorandums signed. Number of reports	National Commission, Subgroup, relevant ministries and international organizations.	Relevant ministries and international organizations with donations.
	7.2. Established mechanisms for cooperation among institutions and organizations at international level.	7.2.1. Signing of bilateral and multilateral cooperation agreements with the countries from which and in which children are victims-witnesses of trafficking and their safe return. 7.2.2. Improvement of cross-border cooperation through enhanced information exchange. 7.2.3 Further implementation of the TRM to expand the cooperation with countries outside the region of SEE. 7.2.4. Organizing and conducting study visits in order to exchange experiences.	Number of agreements. Number of meetings to exchange information. Number of cases of joint action with foreign countries. Number of study visits.		

