

COUNTER-TRAFFICKING ASSESSMENT AND PROPOSALS FOR COUNTER-TRAFFICKING CAPACITY BUILDING IN THE KALININGRAD OBLAST

Main findings of the assessment

Olga is a 20-year-old woman from Sovetsk. She was offered a well-paid job as a waitress in a Polish resort. Yet, when she arrived, the owner of the bar explained to her that he had paid 1,000 euros for her and that now she had to work as a prostitute to repay her “debt”. When she tried to run away, they beat her and, with forged documents, re-sold her to Great Britain where she again had to work as a prostitute. She was found during a police raid only a few months later.

A team of sailors from Kaliningrad was hired for a ship to transport and freeze fish with promises of good pay. Instead, the ship moored near a factory processing fish waste off Norway. The sailors were defrauded and forced to work at the factory in shifts every eight hours. After another owner came to the factory the sailors were turned out without pay. Food and fuel ran out. The team had no electricity or sustenance. They fell ill with no medications. Only three months later did the ship return to Kaliningrad. Attempts to find the perpetrator and to recover at least the money that was due to the sailors according to the initial arrangements (about 1.5 million rubles or 30-60,000 rubles apiece) have failed so far.

Thirteen workers from a provincial town in Belarus were offered a well-paid job (about \$500 a month) at construction sites in Kaliningrad and Baltisk. When they arrived, their passports and return tickets were seized by the “owner” – a trafficker in human beings. Although the workers sometimes worked 14 hours a day, they did not receive any wages. They were subjected to physical and psychological violence, lived in inhuman conditions and did not eat well. Most of these people were re-sold several times for various construction works. In order to “buy back” their passports, they had to pay \$150. They did manage to buy them back and to get free but they did not have money to return home.

Those are just a few examples of today’s slavery in the Kaliningrad Oblast. As a rule, such crimes remain “invisible” and are never exposed. People are sold, exploited, and denied freedom and it all happens “on the quiet.” The international community and IOM in particular are exerting huge efforts in order to stop these horrible violations of basic human rights and to make these crimes visible and actionable.

Trafficking in human beings is a modern crime that is growing at a particularly fast rate. The Protocol “On Prevention and Curtailment of Trafficking in Human Being, Especially Women and Children, and Punishment for It” that is a supplement to the UN Convention on Transnational Organized Crime, defines *trafficking in human beings* as recruitment, transportation, transfer,

hiding or obtaining people for the purpose of exploitation through kidnapping, fraud, abuse, etc. *Exploitation* includes, as a minimum, prostitution of other persons or other forms of sexual exploitation, forced labor or services, slavery or customs similar to slavery, subjugation or taking of organs. The Russian definition contained in the Russian Penal Code is basically in line with the UN Protocol but has certain restrictions.

An international definition of trafficking in human beings is broad enough. Yet, in public perception it is often reduced to only one form – trafficking in human beings with the purpose of sexual exploitation. However, this report shows that other forms of trafficking and exploitation are widely spread in the Kaliningrad Oblast. In particular, it applies to the use of forced labor by illegal migrants. That is why the report treats trafficking in human beings from a broader perspective and looks at different forms.

Trafficking in human beings is a multifaceted and complex crime. It can take different forms of human exploitation and control that can quickly change in response to economic modifications, the emergence of new vulnerable groups and regional features.

Like the whole of Russia, the Kaliningrad Oblast is a source, transit and destination region for various categories of migrants. According to experts, trafficking in human beings is effected in all the aforesaid directions and includes transfer of people inside Russia and inside the Oblast with the purpose of their exploitation. The Oblast's districts are not developing in an even way. A particularly unfavorable situation can be seen in Baltisk and the eastern districts of the Oblast (Krasnoznamensk, Slavsk, Pravdinsk). The population in these districts, where effective employment opportunities are very limited, are especially vulnerable to all kinds of dubious proposals.

THE RESEARCH HAS IDENTIFIED THE FOLLOWING FORMS OF TRAFFICKING IN THE KALININGRAD OBLAST:

1. ***Export of people, especially women, including minors, for sexual exploitation from the Kaliningrad Oblast to foreign countries.*** The countries of destination are mainly EC countries: Poland, Germany, Greece, and also Turkey. The most vulnerable groups in this trafficking are young girls and women from socially disadvantaged families, girls and women who are poor, unemployed, engaged in local sex industries or subjected to family violence.

2. ***Sexual exploitation of women, including minors, in the sex business in the Oblast.*** Victims of this exploitation are both local women and children and migrants from other regions of Russia, as well as from other countries, above all countries of the Commonwealth of Independent States (CIS), including Ukraine, Belarus, Moldavia, and Uzbekistan.

3. ***Exploitation of slave labour, mainly of migrants, in the Oblast in certain sectors of the economy*** (construction, trade at markets, manufacturing of counterfeit products at underground enterprises, work in private households, including in villages). Victims of this form of trafficking are mainly migrants from CIS countries, recently from Central Asia in particular.

4. An oblast-specific form of trafficking for the Kaliningrad Oblast includes ***criminal deals with sailors and persons who seek employment on transport, fishing or other ships*** to work at sea. This area reveals large-scale deception and violation of human rights up to trade in human beings and slavery.

Despite economic improvements, the Oblast has ***numerous groups of people that run a higher risk of getting involved in human trafficking situations*** both in the Oblast and outside it.

Those are poor people (18% of the population in 2005 according to World Bank criteria), including people who are out of work, receive low wages, are homeless, orphans and children from disadvantaged families, single mothers, etc. Besides these groups there are many young women who want to find employment (over 50%) or a husband (over 30%) abroad. Experts also point out the vulnerability of young people who have received secondary or even higher education and are not able to use their abilities in the local labor market. Women find themselves in particularly unfavorable conditions in this respect since education in liberal arts enjoys less and less demand in the market.

In the past few years, a shortage of manpower has become obvious in the Oblast. The Kaliningrad Oblast is gradually becoming one of the biggest importers of manpower in Russia. The Oblast has a large number of *labour and forced migrants most of whom (about 90%) reside or work on the territory of the Oblast illegally and, therefore, constitute one of the largest risk groups in terms of wider trafficking in human beings and slavery practices*. They have no access to the legal system and many social services, above all medical and utility services, and they are not able to defend their rights. The preservation of their illegal status is helped by numerous administrative barriers to their legalization and employment. However, due to the migrants' illegal situation and "forced consent" to any working conditions, *cases of slave labor and criminal exploitation remain latent and, as a rule, are not exposed*. Cases of labor exploitation and slavery in relation to migrants can be found in construction and at markets where most migrants work, as well as in sexual or para-sexual services, at enterprises manufacturing counterfeit products, in farming and in private households.

Small and medium-size private businesses are actively developing in the special economic zone in the Kaliningrad Oblast. Yet, conditions often compel businessmen, especially at early stages of business development, to use cheap labor of illegal workers (often migrants), including the use of various forms of exploitation and *criminal control over workers (seizure of passports, use of indebtedness, fraud, coercion to perform work that is not specified in contracts, etc.)*.

Thus, the research has revealed in the Kaliningrad Oblast, like in other regions of Russia, powerful root causes and risk groups for trafficking in human beings. One feature of the Oblast is that its geopolitical position as an exclave can both exacerbate trafficking risks (proximity to destination countries, relaxed visa procedures, etc. make it simpler for traffickers to perform their criminal activities) and, under certain conditions, reduce them (active inter-state efforts to promote integration and counter criminal movements of people, more legal provisions for legal migration, employment, etc.). Although the latter measures are being taken in the Oblast, *its geopolitical position is still a risk factor*.

The research has identified a conflict where most experts in the Kaliningrad Oblast are aware of trafficking in human beings but only very few are ready to discuss this issue in public – its roots, risk groups, forms of exploitation, treatment of victims, etc. with the use of examples that would reflect the situation in the Kaliningrad Oblast. In other words, *while being generally aware of the problem, experts, above all representatives of decision-makers, have very little knowledge based on local realities*, concrete situations, criminal proceedings, complaints from victims, etc. The general awareness of the problem by the experts is based on data obtained at various conferences, from international documents, and other similar sources. This primarily applies to representatives of state bodies but sometimes also to NGO members. That is why a survey conducted during this research did not reveal much specific information about examples and forms of trafficking in human beings in the Kaliningrad Oblast. For the same reason, these issues *have not reached the level of public and political debate as a social problem*.

Countering human trafficking by law enforcement bodies in the Kaliningrad Oblast is weaker than in many other regions: crimes related to human trafficking are virtually not exposed or investigated. This is shown by the absence of criminal proceedings related to this type of crimes. ***Victims of trafficking are not identified as such even if they “appear” for other crimes*** and do not receive necessary the support and protection.

In many cities of the Kaliningrad Oblast there are crisis centres and confidential telephone numbers aimed to help certain groups of the population but also accessible to all people who have found themselves in a difficult situation. Yet, these centres do not offer any practical help to trafficking victims because, on the one hand, centres employees have no special knowledge and skills to identify victims (and/or potential victims) and ***the victims themselves or their relatives are not aware of opportunities to get help***. Unstable financing continues to be a general problem of non-governmental organizations that offer such help, which does not make it possible to conduct long-term projects.

Thus it is obvious that identification of trafficking cases and awareness of this problem are still rather low in the Kaliningrad Oblast. Yet, certain documented cases and situation assessments conducted during this research show that there is a considerable risk and potential for more trafficking cases in the Kaliningrad Oblast. Experience of other countries demonstrates that identification of trafficking cases and knowledge of the problem are key to combating this phenomenon successfully. Unless this problem reaches the level of public debate and officials, experts, victims themselves and society learn to identify cases of trafficking in human beings, steps for better documenting and combating this phenomenon will be impossible. Thus, ***better awareness of the problem of trafficking and an ability of various entities and society as a whole to identify such cases constitute first and foremost steps*** to be followed by other comprehensive measures to counter trafficking in “live commodities”.

The research has revealed a need for comprehensive actions to improve counter-trafficking actions both by key state bodies and NGOs.

TO INFORM AND TRAIN PEOPLE AND STUDY THIS PROBLEM, WE NEED:

1. A campaign aimed at ***providing information to the public at large*** and fostering a civil attitude of intolerance towards human exploitation and trade in people. Such a campaign should be preceded by (a) a series of consultations with the participation of competent state bodies, representatives of the media, and NGOs; and (b) training sessions for journalists.

2. A number of targeted information and ***training actions for vulnerable groups*** (including the use of “participation strategy”) – graduates of secondary schools and other educational establishments, children without parents who live in orphanages, children from socially vulnerable families, persons who seek employment, including abroad; clients of marriage, model and other such agencies, migrants.

3. ***Information and training for experts:*** (a) for law enforcement agencies (particularly about crime identification techniques, victim treatment rules); (b) for workers of social services, including services dealing with minors; (c) for employees of the Russian Ministry of Labor (employment services, state labor inspection); (d) for representatives of agencies belonging to the Ministry of Foreign Affairs; (e) migration and border authorities, passport and visa services; (f) regional administration; (g) sailors’ trade unions and other organizations that protect sailors’ rights; (h) teachers.

4. **Research**, particularly in the following areas: determination of scale and extent of incidence of various forms of exploitation associated with trafficking in human beings; identification, documenting and analysis of extreme cases of slavery and trafficking in human beings; analysis of demand for cheap labor by industries and sexually-colored services in the Kaliningrad Oblast, etc.

A full-scale study will require steps to strengthen the research capability and to prepare a research team that would be able to conduct such a study.

TO INVIGORATE THE EFFORTS OF LAW ENFORCEMENT BODIES TO COUNTER TRAFFICKING IN HUMAN BEINGS, WE NEED TO:

1. **Make work related to this problem a high priority** with corresponding changes in reporting (e.g. by way of signing a declaration of intent or an agreement, initiating a directive from “above”, etc.).

2. **Hold a conference** – exchange of opinions between the Kaliningrad Oblast and other Russian regions with more advanced criminal prosecution practices in this area about the best ways of organizing operative activities aimed at exposing crimes (raids, inspections in target sectors and “risk territories”: markets, construction sites, leisure facilities, places of prostitutes’ operation, etc.).

3. **Invigorate international interaction** in respect to this problem, which is particularly important for the Kaliningrad Oblast, with Poland, Lithuania, Germany and other EC countries as well as with the main region supplying migrants to the Kaliningrad Oblast. Such interaction should be performed on the level of law enforcement bodies, other key state bodies and NGOs.

IN TERMS OF ADMINISTRATIVE MEASURES WE NEED TO:

1. **Develop and adopt a Plan of Action against trafficking in human beings** (or a program) and a referral mechanism for trafficking victims on the Oblast level. To develop a draft plan of actions, we need establish an inter-agency task force comprising representatives of key agencies and NGOs that are dealing with trafficking issues.

2. Develop, for the purpose of on-going **monitoring**, a model of including anti-trafficking actions into annual reports of key agencies.

3. **Introduce regulations that counter the spread of trafficking in human beings**, exploitation and slavery into various bills, state and other programs, national projects and other regional strategic documents in the field of social policies, migration, business social responsibility, combating shadow economy, etc. (mainstreaming principle).

IN TERMS OF DEVELOPING THE NGO SECTOR AND NETWORKING, WE NEED TO:

1. Develop, for the purpose of the sustainable and continuous work of NGOs, a model **program of supporting NGOs** that are engaged in the field of countering violence and trafficking in human beings, and include this program in the Oblast Plan of Actions against trafficking in human beings.

2. Develop on the basis of crisis centres or confidential telephone lines **an infrastructure to help victims and risk groups**, including information services, psychological support, legal guidance and provision of information for group risks about the accessibility of such services.

3. ***Training seminars*** for social workers and NGO representatives to raise their awareness and capabilities for identifying cases of trafficking in human beings and counter activities.

4. Promote cooperation/***build networks between social services, NGOs and law enforcement agencies*** in order to counter trafficking in human beings.

Recommendations developed during the research are based on a comprehensive approach to countering trafficking in human beings that calls for concerted actions at the level of the state and society. As experience and best practices in other countries show this is the most effective method of combating human trafficking.