



Government of the Republic of Macedonia

**NATIONAL COMMISSION FOR COMBATING  
TRAFFICKING IN HUMAN BEINGS  
AND ILLEGAL MIGRATION**

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

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

2013-2016







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The content of this publication does not necessarily represent the views of the GIZ Programme or the Donor.

**Respected,**

The National Strategy for Combating Trafficking in Human Beings and Illegal Migration is a document providing measures and activities of the competent institutions directed towards detecting and persecution of perpetrators, as well as a complex approach in the improvement of the status of victims of trafficking in human beings and illegal migration in the Republic of Macedonia.

The National Strategy and Action Plan for Combating Trafficking in Human Beings and Illegal Migration 2013-2016, is the third consecutive strategic document developed by the National Commission based on the needs in the field, and it presents the current trends in the Republic of Macedonia.

The activity of the Commission for preparation of the documents also rises from the dedication of the Government of the Republic of Macedonia to providing an efficient answer to trafficking in human beings and illegal migration.

These two documents are the national response to the international obligations of the Republic of Macedonia and an effort to unit all opinions, activities and resources in a coherent framework and uniform approach for the sustainable development in the promotion of human rights of victims of trafficking in human beings.

The partnership approach of the National Commission with the relevant institution, citizens' associations and international organization is important in the creation of content in the NAP 2013-16. When developing the recommendations also taken into account were the recommendations of the National Coordinator, National Rapporteur, the recommendations from the report of the US State Department ranking the Republic of Macedonia among the TIER 1 countries in 2011, the EU Strategy against Trafficking in Human Beings 2013-2016, the recommendations of the evaluation conducted for NAP 2009-2012 and other relevant documents.

The new NAP offers a complex approach in the reduction of the vulnerability of high risk groups and potential victims of trafficking in human beings, which is also the aim of the National Commission in its program activities. At the same time, NAP offers appropriate mechanisms for overcoming the problems of trafficking in human beings and illegal migration, a good approach, respecting the rights of victims of human/children trafficking and illegal migrants and predicts an appropriate and efficient protection, establishing a systematic approach in the managing of data, keeping statistics and building of good practices.

In order to see and monitor the specific needs of children/victims as a particularly vulnerable category and to realize their protection, in the frames of NAP 2013-16 the activities related to children victims of trafficking in human beings have been separated in a special tabular representation.

The creation of NAP 2013-2016 has been supported by the German Society for International Cooperation (GIZ).

**Sincerely,**

***Violeta Jankovska***

National Coordinator for Combating  
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NATIONAL STRATEGY FOR  
COMBATING TRAFFICKING IN  
HUMAN BEINGS AND ILLEGAL  
MIGRATION IN THE  
REPUBLIC OF MACEDONIA



## GLOSSARY OF TERMS AND WORKING DEFINITIONS<sup>1</sup>

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1. Trafficking in human beings	<p>According to Article 3 (a) of the UN Protocol to prevent, suppress and punish trafficking in human beings, especially women and children (Palermo Protocol), supplementing the United Nations Convention against transnational and organized crime (2000), “trafficking in human beings” shall mean the recruitment, transportation, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of their exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.</p> <p>According to Article 3 (b) of the UN Palermo Protocol the recruitment, transportation, transfer, harboring or receipt of a child shall be considered “trafficking in human beings” even if it does not involve any of the means set forth in paragraph (a).</p> <p>According to Article 3 (d) from the UN Palermo Protocol, “child” shall mean any person under 18 years of age.</p>
2. Forced labor	<p>According to the ILO Convention on Forced Labor No. 29 (1930) the term “forced labor” shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.</p>
3. Slavery	<p>According to Article 1 of the UN Convention on Slavery (1926), slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.</p>
4. Smuggling	<p>According to the UN Protocol against smuggling of migrants by land, sea and air, supplementing the UN Convention against transnational organized crime (2000), “smuggling of migrants” shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.</p>
5. Illegal migration	<p>According to the International Organization on Migration (IOM), illegal migration shall be the most frequent forms of irregular migration, and in particular illegal entry, residence and illegal work, and is defined as a movement occurring outside of the regulated norms of the countries that send or receive migrants and transit countries.</p>

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<sup>1</sup> **Sources used:** IOM Glossary on Migration; ICMPD, “Guidelines for the development and implementation of a comprehensive national anti-trafficking response”; European program for strengthening the fight against human trafficking in Southeast Europe, 2006 available at <http://www.anti-trafficking.net>; National commission for combating trafficking in human beings and illegal migration, Standard operational procedures for treatment of human trafficking victims, 2010.



6. Risk groups	Socially excluded persons: materially insecure, persons from various ethnic communities, labor exploited persons/children, persons/children begging, persons/children with family problems, children excluded from the education process, children living without parents/designated guardians, children from institutions, minors with neglected upbringing/perpetrators of criminal acts, victims of family violence.
7. Victim of crime	According to the 1985 UN Declaration of basic principles of justice for victims of crime, "victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.
8. Victim of trafficking in human beings	Persons designated as victims of trafficking in human beings in accordance with Article 3 of the UN Protocol or the national legislation for fight against human trafficking and persons who are legally identified as victims of trafficking in human beings by the relevant authorities.
9. Presumed victim	Person for whom there are indications of being a victim of trafficking in human beings, but which has not formally been identified by the competent bodies (fulfills the criteria of the UN Protocol on trafficking in human beings).
10. National referral mechanism	<p>System of cooperation through which the state institutions fulfill their responsibilities for protection and promotion of human rights of victims of trafficking in human beings. This is related to establishing national mechanisms to provide an efficient system for identification, referral, receiving, assistance and protection of the victims.</p> <p>The office of the National referral mechanisms functions in the frames of the Ministry of Labor and Social Policy since September 2005.</p>
11. Transnational referral mechanism	Mechanisms and systems created for comprehensive help and transnational support for victims. Transnational referral mechanisms connect the entire process for referral, from the initial identification to return and assistance in countries in transit, countries of destination and countries of origin, including the cooperation between different government institutions and non-government actors.





12. Standard operating procedures	<p>SOP for working with victims of trafficking in human beings regulate the procedures and means for providing assistance and protection to all victims of trafficking in human beings through a comprehensive approach based on human rights and focus on the victims in the form of an institutionalized cooperation framework.</p> <p>The SOP measures cover the following areas:</p> <ul style="list-style-type: none"> <li>– Identification of victims of trafficking in human beings;</li> <li>– Legal status of victims of trafficking in human beings;</li> <li>– Assistance to victims of trafficking in human beings before their return, as well as measures for integration in the destination country;</li> <li>– Return of victims of trafficking in human beings;</li> <li>– Assistance and reintegration of victims of trafficking in human beings after returning to their place of origin;</li> <li>– Criminal procedures including victims of trafficking in human beings as witnesses;</li> <li>– Compensation for damage</li> </ul>
13. Protection and assistance	<p>Measures, programs and services aimed at rehabilitation of victims, according to Article 6 of the UN Palermo Protocol. These measures may be offered by non-governmental, governmental or international organizations in the countries of destination, transit or origin. These measures may include – but are not limited to – accommodation, healthcare, psychological assistance, education, professional training, employment, legal aid and transport.</p>
14. Reintegration	<p>Reintegration of victims is the reunification with family, community or their integration in a new community. In addition to the act of the return itself this also includes integration of the victim in a social environment with a long-term social and economic solution</p>
15. Return	<p>Return of a person to his/her country and/or community of origin. In the context of the activities for fighting trafficking in human beings, return does not only mean physical transport of the victim, but also mechanisms providing for a safe and dignified return.</p>
16. Service providers	<p>Expert personnel in competent institutions and organizations providing services to victims of trafficking in human beings (social workers, psychologists, pedagogues, lawyers, healthcare workers and others).</p>
17. Accommodation center	<p>Objects providing temporary accommodation of presumed victims and victims of trafficking in human beings of open and closed type offering long and/or short term accommodation.</p>
18. 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 end of criminal proceedings and may include one or more measures provided in the Law on Witness Protection.</p>



## LIST OF ABBREVIATIONS

BDE	Bureau for Development of Education
CA	Citizens' Association
CC	Criminal Code
CDO	Consular-Diplomatic Offices
CE	Council of Europe
CSW	Center for Social Work
CVTHB	Centre for Victims of Trafficking in Human Beings
EU	European Union
GIZ	German Society for International Cooperation
ICMPD	International Center for Migration Policy Development
IOM	International Organization for Migration
IPA	Instrument for Pre-accession Assistance
LSGU	Local Self-government Units
MARRI	Migration, Asylum and Refugees Regional Initiative
MES	Ministry of Education and Science
MF	Ministry of Finance
MFA	Ministry for Foreign Affairs
MH	Ministry of Health
MJ	Ministry of Justice
MLSP	Ministry of Labor and Social Policy
MOI	Ministry of Interior
NAP	National Action Plan
NC	National Commission
NR	National Rapporteur
NRM	National Referral Mechanism
OIMPK	Unit for Illegal Migration and Cross-border Crime
OSCE	Organization for Security and Co-operation in Europe
PCS1	Primary Court Skopje 1
PPO	Public Prosecutors Office
PRO	Public Revenue Office
RM	Republic of Macedonia
SBAM	Sector for Border Affairs and Migration
SEA	Secretariat for European Affairs
SEE	Southeast Europe
SLI	State Labor Inspectorate
SOP	Standard Operating Procedures
TRM	Transnational Referral Mechanism
UKIM	Ss. Cyril and Methodius University
UN	United Nations
UNICEF	United Nations International Children's Fund
UTHBSM	Unit for THB and Smuggling of Migrants



## INTRODUCTION

### Purpose of and methodology for development of the National Strategy and Action Plan for combating trafficking in human beings and illegal migration 2013-2016

#### Mission and tasks

The preparation of the National Strategy and Action Plan for combating trafficking in human beings and illegal migration 2013-2016 is an activity arising from the dedication of the Government towards a functional and efficient answer to trafficking in human beings and illegal migration.

The Government of the Republic of Macedonia is committed to the successful implementation of the strategic goals and tasks of the National strategy because they are essential steps for accession of the country to the European Union.

Besides the progress of the Republic of Macedonia in strengthening the rule of law, security and institutional reforms, trafficking in persons remains a form of organized crime that is a danger to the safety and stability of the Republic of Macedonia, which is currently a country of origin, transit and destination.

Thus, the goal of this National strategy for combating trafficking in human beings is to achieve a common understanding on the key tasks and essential values of human rights in combating trafficking in human beings in the Republic of Macedonia. Its mission is to establish strategic priorities in the fight against trafficking in human beings, to define specific tasks of the relevant institutions/ organizations, and to harmonize inter institutional activities for achieving the set goals locally and nationally.

Its mission is also to provide improvement in the quality of services provided for the victims and to intensify the investigation, criminal persecution and conviction of the perpetrators. The National action plan has the goal of planning coordinated activities by all stakeholders and actors, but also to provide wide political and financial support for the implementation of the activities predicted in the plan.

The National action plan contains four areas: **support framework, prevention, support and protection of victims and migrants and pre-investigative and criminal procedure of trafficking persons and smuggling of migrants.** It contains the set goals, expected results, determined priority activities of the



institutions/organizations in the fight against trafficking in human beings and illegal migration, the set implementation timeframe, and it provides indicators and predicted fiscal implications. The aforementioned will be used to actively implement policies and finding directions for efficient responses to the different modalities and trends of trafficking in human beings and illegal migration.

## 1. Methodology and preparation

The National strategy 2013-2016 and the National action plan were prepared by the joint working group made by the National Commission for Combating Trafficking in Human Beings and Illegal Migration and comprised of representatives of government institutions, citizen and international organizations<sup>2</sup>, on the basis of the previously conducted evaluation of the fulfillment of the National strategy and National action plan 2009-2012 by an independent evaluator.

It should be mentioned that the legal reforms and activities planned by the Government of the Republic of Macedonia were, in general, successfully implemented. Based on these positive steps, the Report for 2009, 2011 and 2012 prepared by the State Department of the United States of America enabled the entry of the country in the TIER 1 group of countries that fulfill the necessary conditions for successful combating trafficking in human beings<sup>3</sup>. However, further progress is needed and the Government of the Republic of Macedonia is fully aware of the need for further improvement of the activities for combating trafficking in human beings.

This National strategy is used to implement the motion of the European Commission focusing on concrete measures to support the implementation of the Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims<sup>4</sup> 2011/36/EU. The Directive, amongst other things also predicts a more severe sanctioning of the criminal act trafficking in human beings, by seizing proceeds from illegal activities for persons with a standing verdict for the criminal act of trafficking in human beings.

The National strategy for combating trafficking in human beings and illegal migration 2013-2016 has also been prepared based on the experience accumulated in the implementation of the previous policies and measures in the fight against trafficking in human beings and illegal migration by the national institutions, international organizations and citizens' associations responsible for

<sup>2</sup> See members of the Working Group in Annex II.

<sup>3</sup> According to the methodology used in the TIP report, the countries can be divided into Tier 1, Tier 2 (overview list) or Tier 3. Tier 1 countries the governments of which fully satisfy international standards for eradication of trafficking in human beings, Tier 2 countries the governments of which do not fulfil the international standards, but invest significant efforts in fulfilling them, Tier 3 countries the governments of which do not meet the minimum standards and do not undertake any efforts in meeting them.

<sup>4</sup> Directive 2011/36/EU on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, OJ 15.04.2011, L 101.



implementation. Application of the principles of transparency and participation of all stakeholders responsible for implementation is exceptionally important in the efforts for achieving results in the field of trafficking in human beings in the Republic of Macedonia. The joint participation in the drafting of the Strategy and NAP enables and obliges their active participation in the implementation of the activities in combating trafficking in human beings.

Also were taken into account the analysis and recommendations from the EU Progress Report for the country for 2011 and the Report from the State Department for trafficking in human beings from 2011, The EU Strategy for combating trafficking in human beings 2013-16, the Recommendations of the National Coordinator and National Rapporteur, the recommendations received from the conducted evaluation of the NAP for combating trafficking in human beings and illegal migration for 2009-2012 and the NAP for combating trafficking in children and the accepted good practices in drafting the document by the members of the Working Group with technical expertise provided by the GIZ<sup>5</sup>.

A contribution to the drafting of the National strategy and NAP was also provided by the comprehensive systematic research and analyses conducted with the support of GIZ in 2012 related to: the international and national legal framework for overcoming poverty with a special focus on trafficking in human beings, evaluation of poverty and mapping of vulnerable groups with a focus on trafficking in human beings and national programs and benefits in the system of social protection in the Republic of Macedonia. They define the key points for determining strategic priorities, policies, activities and methodology for preparation of the National strategy and the National action plan.

## **2. Key innovative characteristics of the National strategy for 2013-2016 and the National Action Plan for combating Trafficking in Human Beings and illegal migration**

The focus of the National strategy and Action plan for 2013-2016 is in line with the EU Strategy for eradication of trafficking in human beings 2012-2016.

The EU Strategy identifies five priorities on which the National strategy should focus in order to fight the problem of trafficking in human beings. It aims at joint action of all actors, including international organizations, the civil society and the private sector. In this direction it sets the following priorities:

- Identification, protection and assistance to victims of trafficking in human beings

<sup>5</sup> European Commission, Progress Report, SEC (2008) 2695, 5 November 2008; USA State Department, TIP Report 2008.



- Strengthening the prevention of trafficking in human beings
- More severe criminal persecution of traffickers in human beings
- Increased coordination and cooperation between the key actors and policy harmonization
- Better knowledge and effective response to newly arisen problems related to all forms of trafficking in human beings.

The National strategy 2013-2016 and the Action plan of the Republic of Macedonia use an already established policy that provides good practices in the implementation of the National strategies and Action plans, and at the same time provides directions for developing *new legal and institutional approaches* in following the changeable nature of trafficking in human beings.

## 2.1 Key innovative characteristics in the National strategy and National Action Plan

Although until now the fight against trafficking in human beings was primarily focused on trafficking in human beings for purposes of sexual exploitation, the Government of the Republic of Macedonia understands the need for a wider range of activities in combating trafficking in human beings, in order to cover all its norms and especially *labor exploitation, begging and forced marriages*.

*Special attention has been dedicated to the issue of trafficking of children in accordance with the recommendations received by the Sub-group for combating trafficking in children.*

In the frames of the **Support framework**, the key innovative characteristics are:

- *Establishing Local commissions for trafficking in human beings in cooperation with the local self-government units*
- *Establishing of mobile teams on the local level for identification, assistance and support of potential victims and risky groups;*
- *Providing free healthcare and free legal aid to victims of trafficking in human beings;*
- *Establishing a state fund for indemnification of victims;*
- *Identification of potential victims of trafficking in humans among the illegal migrants;*
- *Establishing a centralized database for victims and perpetrators with data provided on the gender dimensions of the trafficking in human beings.*

In the frames of **Prevention** key innovative characteristics are:



- *Organizing campaigns for reducing the demand for usage of services by victims of trafficking in human beings/children;*
- *Economic strengthening of vulnerable groups by facilitating the access to the labor market (additional training, retraining, employment).*

In the frames of **Support for victims and migrants** innovative characteristics are:

- *Increased efficiency in identification, referral and protection, by preparing indicators for identification of victims of trafficking in human beings/children by types of exploitation.*

In the frames of **Pre-investigative and criminal procedure of trafficking in person and smuggling of migrants** innovative characteristics are:

- *Successful implementation of international investigations by creating JIT (joint investigative teams) for trafficking in human beings and illegal migration.*

Objective monitoring and evaluation of the adequate implementation of the planned activities is an integral part of the strategy and a key component of its success.

### 3. Strengthening already existing tools and policies

#### **Strengthened cooperation between the institutions for combating trafficking in human beings at the central and local level and strengthening regional and international cooperation**

The key characteristic of the NAP for combating trafficking in human beings and illegal migration 2013-2016 is the cooperation between the institutions for fighting trafficking in human beings on the central and local level.

Strengthened coordination role of all relevant actors involved in the activities for fighting trafficking in human beings and illegal migration with improved coordination at the central and local level. Local councils have been established for coordination on the local level. Better coordination includes getting involved in the activities for combating human trafficking on the local level of all stakeholders, by strengthening the role of the National commission for combating trafficking in human beings and illegal migration by forming local commission for trafficking in human beings in cooperation with the local self-government units.

The Government is also striving towards further strengthening of bilateral and regional cooperation with the neighboring countries – especially between law enforcement institutions and judicial authorities – because an efficient strategy



for combating trafficking in human beings primarily is based on a strong operational and strategic international support. In this direction protocols will be concluded between the signatory countries of the Vienna convention, readmission agreements and implementation protocols, as well as regional meetings and study visits for exchange of good practices.

### **Increased focus on identification and custom made programs for prevention of secondary victimization**

The activities predicted in NAP for 2013-2016 will improve the existing procedures for identification of victims of trafficking in human beings and illegal migrants through **trained competent professionals**.

The capacities will be strengthened on the local level and the coordination between the institutions including the civil sector by establishing mobile teams at the local level for identification, assistance and support of potential victims and risk groups.

The Government shall work towards further improvement of the protection of the victims in the forthcoming period, by enabling every victim to receive **free legal aid and health care, as well as institutional protection**.

Individual assistance plans will be adjusted to the needs of every victim in order to enable a successful process of rehabilitation and reintegration.

The compensation mechanisms will be fully effective with the adoption and implementation of the Law on the state fund for indemnification of victims.

The Government is obliged to realize practical programs for **economic strengthening of the victims** by facilitating the access to the labor market through additional training, retraining and employment of representatives of vulnerable groups.

### **Improving of the investigative procedure and efforts for criminal persecution - MOI**

The legislation for combating trafficking in human beings is being constantly developed and in the last years offers an efficient framework for combating trafficking in human beings. In addition to this the Government has undertaken measures for strengthening the capacities of the institutions competent for persecution of the perpetrators. By amending the Law on the Public Prosecutors a Basic Public Prosecutors Office for persecution of organized crime and corruption was formed, and with the amendments to the Law on Courts the competence for persecution of criminal acts in the field of trafficking in human beings was assigned to Primary Court Skopje 1, which enables greater specialization and efficiency in conducting the procedures. By adopting the new Law on criminal procedure in November 2010 the investigative procedure is assigned





to the Public Prosecutors Office, and a Judicial Police is formed, which is competent for detecting criminal acts and perpetrators and has functionally been subordinated to the competent Public Prosecutors Office.

These essential changes are expected to improve the quality of investigations implemented by the Judicial Police in direct cooperation with the competent Public Prosecutors Office.

Special investigative measures as a legal tool in conducting investigations of the Public Prosecutors Office and the Judicial Police will enable the securing of quality evidence against the perpetrators.

Activities for sustainable building of capacities are provided in the new National action plan in frames of the institutions competent for training – such as the Academy for Training of Judges and Public Prosecutors – in order to overcome existing logistical shortcomings and inappropriate usage of the existing legal provisions, especially with regards to the use of special investigative measures and witness protection<sup>6</sup>. The new Action plan also includes key measures for strengthening the status of the victim during the court proceeding.

#### **4. Strategic orientations related to improving the prevention, protection, safe return to country of origin and rehabilitation of victims of trafficking in human beings and illegal migration according to the National action plan for 2013-2016**

The trend in human trafficking in the Republic of Macedonia in the past period has shown significant changes in the number and profile of persons trafficked in/through the territory of the Republic of Macedonia. Attention should be paid to studying the “new” types of trafficking in human beings, including labor exploitation, begging and forced marriages, because a large number of the identified victims are victims of the “new types” of trafficking in human beings, and they are minors at the same time.

The strategic orientations related to improving prevention are focused at: identifying the reasons for occurrence of trafficking in women/children and illegal migration, and in this direction research and analysis will be developed for identifying risks and risk groups for trafficking in human beings and illegal migration with a focus on children, which will set priorities for improving the prevention activities. Increasing public awareness regarding trafficking in children and strengthening the capacities of the competent institutions/organizations and the media for implementation of preventive activities will be conduc-

<sup>6</sup> See EU Progress Report for 2008; Coalition All for Fair Trials, “Trafficking in human beings and illegal migration seen by the key actors in the criminal proceeding”, December 2008.



ted through trainings. Raising of public awareness will be conducted through campaigns for reducing the demand for using of services of victims of trafficking in human beings/children. Prevention will also include specific measures for economic strengthening of vulnerable groups regarding the access to the labor market and further training, retraining and employment.

Protection of victims and migrants will be improved by providing and implementation of a legal basis for free legal aid to victims of trafficking in human beings and provision of continuous social services to victims of trafficking in human beings, as well as adoption of a Law on the state fund for indemnification of victims.

Direct assistance and protection of victims and migrants will be provided in the Center for persons' victims of human trafficking and the Reception Center for Foreigners, where a standard package of services will be provided for basic needs, legal and medical aid, psychosocial aid and inclusion in the education process.

Integration of victims of trafficking in human beings/children in the social environment will be realized by preparing a unified program for assistance, support and reintegration of victims of trafficking in human beings and revision of the program for reintegration and resocialization of children, as well as by developing alternative forms of protection.

In the context of protecting victims and illegal migrants funds will be provided for their repatriation. Safe return of foreign victims of trafficking in human beings is realized with the assistance of international organizations in their domicile countries.

Criteria will be prepared for selection of citizens' associations that will be included in the protection of victims of trafficking in human beings/children and they will be partners of the institutions in providing the aforementioned services.



# I. GUIDING PRINCIPLES OF THE NATIONAL STRATEGY AND ACTION PLAN FOR COMBATING TRAFFICKING IN HUMAN BEINGS AND ILLEGAL MIGRATION

The National strategy and NAP for 2013-2016 are fully in accordance with the key principles regulating the implementation of the Government Resolution for migration policy of the Republic of Macedonia 2009-2014<sup>7</sup>, and follow the structure based on international and EU standards<sup>8</sup>, the EU strategy for 2013-2016 and Models for comprehensive activities in the fight against trafficking in human beings developed by ICMPD<sup>9</sup>.

The guiding principles are reflected in the strategic areas and goals defined according to the four basic components of activities for combating trafficking in human beings, i.e. **support framework, prevention, support and protection of victims and migrants and pre-investigative and criminal procedure for trafficking in human beings and smuggling of migrants.**

## Principle 1. Government accountability for the Strategy

The Government of the Republic of Macedonia **shall be fully accountable and competent** in determining the goals, implementing the activities and achieving the results of the conducted activities as the national response to the issue of trafficking in human beings and illegal migration.

The Government is also accountable to in the next period allocate finances for covering legal, healthcare and social services for victims of human trafficking. It is also necessary to predict the reduction of financial support by the international community and timely securing of sustainability in implementing activities in combating trafficking in human beings.

Thus, it is necessary to provide sustainability of the activities in combating trafficking in human beings by increased mobilization of human and financial resources, as well as continuous training that will enable the increase and sus-

<sup>7</sup> According to this resolution the domestic migration policy is led according to the following key principles:

- Consistency - harmonization of specific policies (policy for management of migration processes; policy concerning the Diaspora; immigration policy; policy for protection of refugees; political asylum, policy of integration) among which migration policy in the wider sense;
- Compatibility - harmonization of the migration policy with the economic, social, demographic and cultural policy of the Republic of Macedonia. Verification of the harmonization between the goals of the aforementioned policies, influence of the migration policy and adjustment to the changes in the migration processes;
- Transparency - in the implementation of the given policies and overall migration policy of administrative procedures and public fees, with the aim of getting public confidence and support;
- Sustainability - in the sense of drafting, preparation and monitoring of the implementation of migration policy.

<sup>8</sup> EU plan on best practices, standards and procedures for combating and prevention of trafficking in human beings, OJ C 311, 9 December 2005, p. 1.

<sup>9</sup> ICMPD, "Guide to the development and implementation of a comprehensive fight against trafficking in human beings", European program for strengthening the fight against trafficking in human beings in Southeast Europe, 2006, available at <http://www.anti-trafficking.net>.



tainability of knowledge, which will strengthen the capacities of the competent institutions/organizations for implementation of the activities.

## Principle 2. Participation of the civil sector

The fight against human trafficking is not the sole responsibility of the government institutions. The Government of the Republic of Macedonia confirms that the development and implementation of programs and measures for combating trafficking in human beings must include stakeholders independent from the state and outside of the government and public administration. Citizen associations play an active role in the *implementation of research and analysis, conducting preventive activities, providing assistance and support to victims in the Accommodation center and in the process of reintegration in the social environment.*

The Government of the Republic of Macedonia is obliged to build a partnership relationship with the citizen associations that show security and professionalism, by preparing criteria for selection of citizen associations that will be included in providing assistance and protection to victims of trafficking in human beings.

## Principle 3. Treatment of victims based on human rights

The National strategy for combating trafficking in human beings is **normatively and operationally** based on the international standards for human rights, especially the ones included in the European Convention for the protection of human rights and fundamental freedoms, and the relevant protocols<sup>10</sup>.

- Right to life (Article 2);
- Right not to be subjected to torture, inhuman or degrading treatment (Article 3);
- Prohibition of slavery and forced labor (Article 4);
- The right not to be illegally held in captivity (Article 5)
- 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 court procedure, are fully in line with this approach to human rights. The Government aims at **further improving of the protection of rights of victims** with the aim of providing legal information, physical and legal protection, material aid and compensation, which lead to their sustainable integration and rehabilitation in society.

<sup>10</sup> Convention for the protection of human rights and fundamental freedoms, prepared in Rome, 4.XI.1950, Series of treaties of the Council of Europe No. 44.



*Prevention of trafficking in children and adequate protection is the constant priority of the Government and is identified as one of the key challenges in the forthcoming period.*

#### **Principle 4. Inter-disciplinary coordination and participative approach**

The measures included in the National action plan 2013-2016 are conducted through active participation of all stakeholders in its implementation.

For successful realization of the planned measures it is necessary to have **inter-disciplinary coordination by combining the knowledge and expertise provided with a participatory approach between various fields. The Government is responsible** *for promotion and coordination of the multi-institutional and comprehensive efforts* and active participation of all stakeholders in its implementation.

#### **Principle 5. Sustainability**

The National strategy has been conceptualized as a platform with clear, well defined and realistic goals and tasks that lead to the active participation of all stakeholders in its implementation.

The Government is responsible for developing a monitoring system evaluating the implementation of NAP, in regards to both quantity and quality.

This ensures that the *structures and tools will persevere through the entire period by allocating appropriate financial and human resources, adjusted to the changeable conditions.*



## II ANALYSIS OF THE SITUATION AND EVALUATION OF THE EXISTING INSTITUTIONAL FRAMEWORK

### 1. Trends of trafficking in human beings and illegal migration in the Republic of Macedonia

#### Analysis of the situation

The analysis of the current situation is directed towards securing a comprehensive picture of the trends with trafficking in human beings and illegal migration in the Republic of Macedonia. According to the research conducted thus far by national and international stakeholders, it is constantly assessed that trafficking in human beings is most dire in countries with social vulnerability of the victims as the main factor. The vulnerability comes from economic and social factors, such as poverty, gender discrimination, family violence and other personal conditions of the victim (such as age, health condition, special needs).

Statistics and research show that the country is currently facing an evolution regarding the nature and trends of human trafficking. In opposition to the condition in the country until 2004 when the largest number of victims were foreign citizens, after the crisis in Kosovo we can see a reduced number of foreign victims and increase in the number of domestic victims and children internally trafficked, mostly recruited in the eastern rural areas with purposes of their exploitation in the urban areas in western Macedonia<sup>11</sup>. The situation truly changed after 2007, as the attractiveness of Macedonia as a wanted destination diminished with the EU integration of certain countries that were accounted as “traditional sources” (Romania and Bulgaria) and the economic development of certain other East European countries.

Analyzing the period 2008-2012 regarding detected cases of trafficking in human beings and smuggling of migrants we can conclude the following characteristics:

Regarding trafficking in human beings characteristics is internal trafficking, and victims are mostly minors aged 14-17. The manner of recruiting is by way of deceit and false promise for legal employment in catering facilities. Victims most frequently come from the eastern and central part of Macedonia. The exploitation is conducted in catering facilities in the western part of Macedo-

<sup>11</sup> IOM, Regional report, second Annual report on victims of trafficking in human beings from the countries of Southeastern Europe, 2005.



nia, in Tetovo, Gostivar and Kichevo. The traffickers are in most cases also the owners of the catering facilities or their associates. The exploitation is done by forced prostitution and labor exploitation in the catering facilities themselves.

Characteristic is the new trend of trafficking in human beings by forced or arranged marriages. The victims are exclusively of Roma ethnicity, which is connected to the traditional customary law between Roma on arranging marriages or, so-called order brides, and it includes exclusively minors aged 14-17 from all regions of the Republic of Macedonia. The traffickers or orderers of brides are most frequently from Serbia or from the Republic of Macedonia temporarily working in the EU.

After the arrival of the victim to the country of destination she is subjected to rape, torture and physical punishment by the members of the husband's family, and is later subjected to sexual and labor exploitation.

There is also a rising trend of trafficking for labor exploitation of male juvenile and adult victims from the Republic of Macedonia and Albania, as shepherds in the western part of the Republic of Macedonia. Cases of labor exploitation have also been identified of our construction workers on construction sites outside of the Republic of Macedonia (a case in Azerbaijan).

In the part of illegal migration we can conclude the following trend:

The Republic of Macedonia with its geographic position, connecting the east to the west, remains a country of transit for illegal migrants. The countries of origin are most frequently Afghanistan, Pakistan, countries of the Middle and Far East and North Africa.

The entry of illegal migration is exclusively from Greece, and most frequently in the region of Gevgelija and its surroundings. The exit is most frequently towards Serbia through illegal crossing points in the area of the municipality of Lipkovo, and the villages Vaksince and Lojane are illegal accommodation centers before leaving illegally the territory of the Republic of Macedonia. Lately a new route has been opened to Kosovo, which then goes on to Montenegro, Bosnia and Herzegovina and Croatia. The transit through the Republic of Macedonia is organized by criminal groups that most frequently come from the region of Skopje, Kumanovo and Gevgelija. A new trend is transiting organized by guides from Afghanistan and Pakistan who are illegal migrants forced by criminal groups due to monetary debts to work as guides for a certain period. The transport is mostly conducted with automobiles, regular buses on the line Gevgelija – Skopje – Kumanovo and the regular lines of Macedonian railways.



## 2. Institutional framework for combating trafficking in human beings

The cooperation between the different factors can best be provided through formalized mechanisms and procedures that create dedication and clear allocation of roles and tasks of the involved institutions.

### 2.1 Supporting government institutional mechanisms

Since 2001, the Republic of Macedonia has developed specialized institutional mechanisms for combating trafficking in human beings. They are aimed at providing high coordination of different stakeholders and an approach where the victim is primary in combating trafficking in human beings.

#### **National commission to Combat Trafficking in Human Beings and Illegal Migration**

The National Commission is an inter-ministerial body comprised of representatives from the: Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labor and Social Policy, Basic Public Prosecutors Office for persecution of organized crime and corruption, Judge from Primary Court Skopje <sup>12</sup>, Ministry of Justice, Ministry of Education and Science, Ministry of Health, Customs Administration of the Republic of Macedonia.

The National Commission was established by the Government in 2001<sup>13</sup>, with the task of:

- Monitoring and analysis of the situations regarding trafficking in human beings and illegal migration;
- Coordination of activities of the competent governmental institutions;
- Cooperating with relevant international organizations and citizens associations.

#### **Secretariat of the National Commission**

It was established in 2003 by the National Commission and is its executive body working under the competence of the Commission and is responsible for receiving and implementation of the decisions of the National Commission.<sup>14</sup>

<sup>12</sup> Changes to the members of the National Commission published in the Official Gazette of RM no. 32/2011

<sup>13</sup> Decision published in the Official Gazette of RM no. 18/2001

<sup>14</sup> The Secretariat has members representatives of international organizations, citizens associations and experts from government institutions: MOI-UTHBSM, MLSP-NRM, American Embassy, ICMPD, OSCE, GIZ, UNICEF, IOM, Regional Center - MARRI, Citizen Associations: "Otvorena porta", "Za sreknjo detstvo", "Semper", "Ezerka" - Struga and the Red Cross of the Republic of Macedonia.





## Sub-group for Combating Trafficking in Children

The Sub-group for combating trafficking in children was established in 2003 in the frames of the National Commission. The activities of this body are focused on the prevention of trafficking in children and improving the protection of adolescent victims, as well as coordination of the cooperation between the stakeholders.<sup>15</sup>

## National Rapporteur for the Republic of Macedonia

In the Republic of Macedonia the **National Rapporteur for trafficking in human beings** was established on proposal of the National Commission and appointed by the Government in 2009<sup>16</sup>.

According to his mandate the National Rapporteur is responsible for:

- Monitoring of the overall activities in the fight against trafficking in human beings;
- Collecting and analyzing data (quality and quantity data) from the relevant partners;
- Monitoring and evaluation of implemented activities according to NAP;
- Adopting conclusions and providing recommendations for improvement and enhancement of combating trafficking in human beings regarding the implementation of laws, policies for better institutional response and recommendations for revision of strategic goals, and
- Preparing an annual report.

Thus far the National Rapporteur has prepared reports for 2009, 2010 and 2011 related to the situation with combating trafficking in human beings and illegal migration, which have been submitted to the National commission for combating trafficking in human beings and illegal migrations and the wider public.

## Office of the National Coordinator

The Office of the National Coordinator is a part of the Ministry of Interior and it began operating in April 2007 with the support of the OSCE mission in order to provide technical and logistical support of the National Commission.

The Office of the National Coordinator has specialized literature/library containing publications on trafficking in human beings and illegal migration for the Republic of Macedonia, the countries of Southeast Europe and countries from all over the world.

<sup>15</sup> The Sub-group is chaired by an Advisor for protection and prevention of human trafficking from MLSP-NRM, and the members are: MOI-UTHBSM, MOI-SBAM, US Embassy in Skopje; ICMPD, OSCE, GIZ, UNICEF, IOM, Citizen Associations: "Otvorena porta", "Za sreknjo detstvo", "Ednakov pristap" and a deputy Ombudsman in the role of external member/observer.

<sup>16</sup> (Government decision published in the Official Gazette of RM no. 23 from 19 February 2009).



In 2009 the Office of the National Coordinator has been institutionalized, which has strengthened the capacities of the National Commission and National Rapporteur for combating trafficking in human beings and illegal migration.

### **National Referral Mechanism (NRM)**

The basis of the mechanisms for combating trafficking in human beings is the National mechanism for referral of victims of trafficking in human beings, which was established in 2005 with the support of the OSCE mission in Skopje, and is operating under the Ministry of Labor and Social Policy.

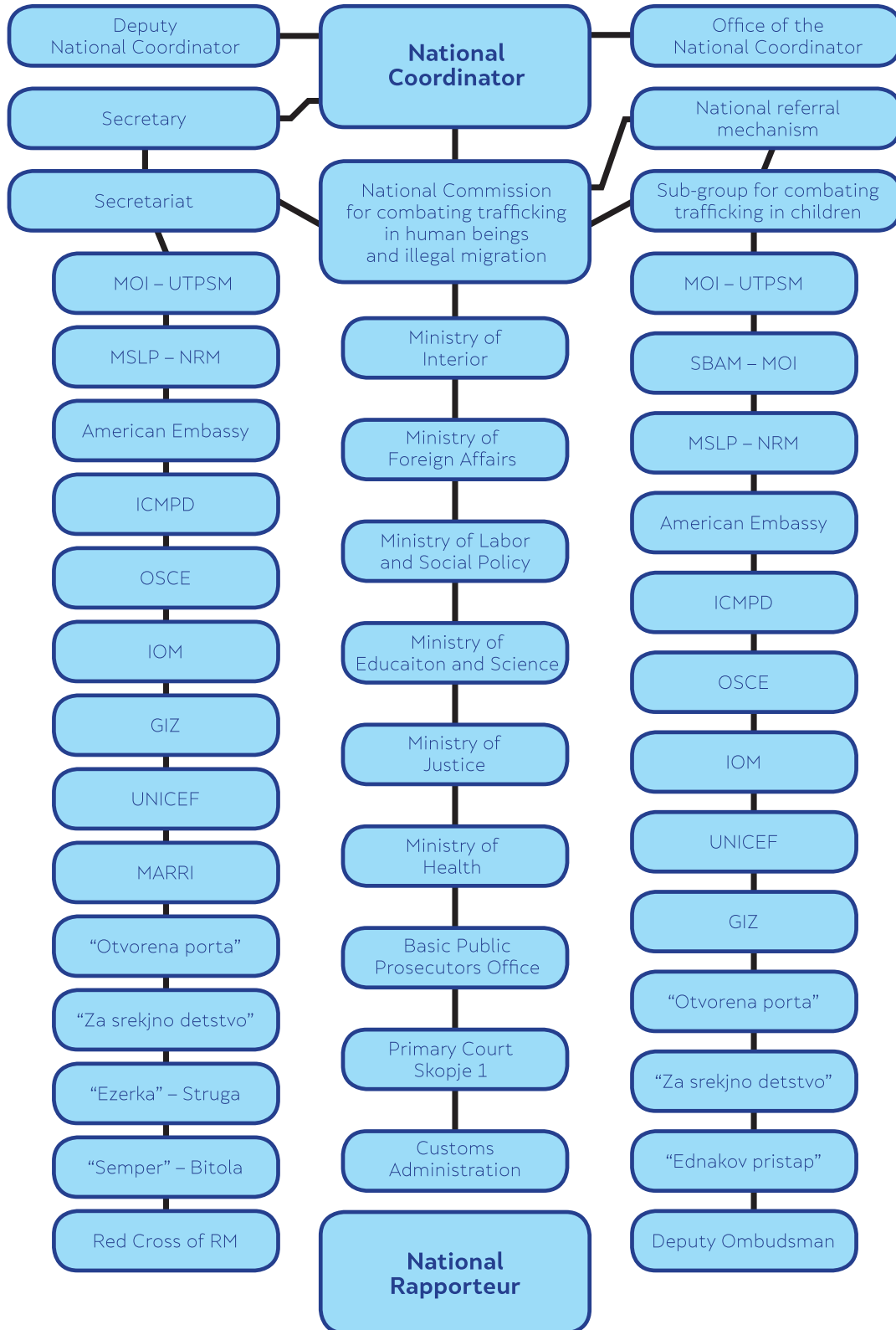
The mandate of the National referral mechanism is to provide adequate identification, assistance and protection based on international standards for human rights of victims of trafficking in human beings, especially minors, without regard to nationality, ethnicity, age or gender. The National referral mechanism covers the Coordination Office and a total of 61 professional in 30 centers for social work in Macedonia, as well as one representative from the Institute for social activities. The professionals from the National referral mechanism closely cooperate with MOI/UTHBSM, with relevant representatives from citizen associations and other stakeholders in the process of referral and assistance of victims of trafficking in human beings. The successful cooperation provides a system for referral without shortcomings<sup>17</sup>.

In January 2010, Standard operating procedures were developed under the competence of the office of the National referral mechanism, which were adopted by the Government, in order to define the principles, actors and their responsibilities in the overall assistance process, together with guidelines for cooperation of the actors on the local, national and transnational levels.

<sup>17</sup> Ministry of Labor and Social Policy of the Republic of Macedonia, project National mechanism for referral, final progress, 15 January 2008.



## Schematic representation: Supporting governmental institutional mechanisms



## 2.2 Government institutions and services provided by citizen associations

### Reception Center for Foreigners / Center for victims of trafficking in human beings

In the Republic of Macedonia there are two facilities providing reception and accommodation of foreign and domestic victims of trafficking in human beings/children:

**Reception Center for Foreigners** is a facility owned by the Government of the Republic of Macedonia, managed by the Ministry of Interior/Sector for Border Affairs, and it has been operational since April 2001 and is intended for accommodation of foreign citizens presumed victims and victims of trafficking in human beings and illegal migrants.

In the Reception Center for Foreigners, the expert team<sup>18</sup> provides accommodation, medical assistance and healthcare, legal advice and representation and psychosocial support, as well as services for return and reintegration.

Since 2001 година, IOM provides direct assistance to victims of trafficking in human beings<sup>19</sup>.

**Center for victims of trafficking in human beings (CVTP)**<sup>20</sup> is a state accommodation center opened on 28.01.2011 by the MLSP in accordance with the obligations from the Law on Social Protection<sup>21</sup>.

In the Center domestic victims of trafficking in human beings are accommodated, as well as foreign victims that have received temporary stay permits. In the Center for victims of trafficking in human beings direct assistance and support is provided by two associations of citizens with which the MLSP has signed memoranda of cooperation:

- social support by the citizen association “Otvorena porta”, and
- psychological support by the citizen association “Za sreknjo detstvo”.

It is important to mention that the Government supports this structure by covering the costs for 24 hour security, public services and meeting the basic everyday needs of the persons accommodated there.

*Strategic orientations related to improving the institutional and operational framework in the frames of the National action plan 2013 - 2016*

<sup>18</sup> The expert team in the Reception Center for Foreigners has been strengthened in 2011 by employing a psychologists and a social worker.

<sup>19</sup> Source: IOM Skopje, statistics fro assisted victims of trafficking in human beings – direct assistance to a total of 785 victims of trafficking, of which 776 foreign and 9 Macedonian citizens.

<sup>20</sup> Source: MLSP/NRM: from the opening until August 2012 in the Center for victims of trafficking in human beings a total of 10 persons are accommodated.

<sup>21</sup> Official Gazette of RM No..79/09 Article 26, Article 31 and Article 132



In accordance with the principle of responsibility of the Government and the needs for sustainability in the activities for combating trafficking in human beings, the Government shall provide:

Adequate human and technical capacities and financial support for improving the area of combating trafficking in human beings and smuggling of migrants;

- The Government is obliged to develop the coordination with local governments, in order to improve the capacities for combating trafficking in human beings in the Republic of Macedonia;
- The Government is obliged to compensate the current lack of accurate statistical data by establishing a centralized database of victims and perpetrators.

The overall activities of combating trafficking in human beings shall be monitored by the **National Rapporteur** who is responsible for systematic collection and analysis of data received with the developed methodology (quality and quantity information), as well as monitoring and evaluating the implementation of activities under NAP.

### 3. Legal frame for combating trafficking in human beings and the policy of criminal persecution

#### **Analysis of the development of the legal framework for combating trafficking in human beings and the policy of criminal prosecution**

The criminal act trafficking in human beings was introduced in the Macedonian legislation with an amendment to the Criminal Code (25 January 2002) as part of Article 418-a. The Republic of Macedonia has ratified the United Nations Convention against transnational organized crime and the two additional Palermo Protocols (2000), as well as the Council of Europe Convention against trafficking in human beings, with which it has harmonized its national legislation with the international standards and created a wide legal framework for combating trafficking in human beings, with special focus on children<sup>22</sup>.

Article 418 defining the criminal act of trafficking in human beings was amended in March 2004 regarding paragraph 1 of Article 418-a, and offers an expanded list of forms of exploitation than the ones provided in the Palermo Protocol, such as “*exploitation through prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced insemination, illegal adoption or similar relations or illegal transplanting of human organs*”.

<sup>22</sup> See Annex 1, List of domestic and international instruments for combating trafficking in human beings in force in the Republic of Macedonia.



In case the victim is a child or a minor, the minimum sentence is increased and the perpetrator shall be given a sentence in prison no less than eight years. Additionally, the amendments criminalize the engagement of a legal entity – in case the latter has perpetrated the criminal act, and they also provide for confiscation of facilities and transport means used to perpetrate the crime.

The amendments from 2004 of the Criminal Code of Macedonia, in addition to the introduction of the criminal act trafficking in human beings in Article 418-a, also introduce two new criminal acts – *Smuggling of migrants* in Article 418-b and *Organizing groups and soliciting trafficking in human beings and smuggling of migrants* in Article 418-c.

The criminal legal framework was strengthened in 2005 with the adoption of the *Law on Witness Protection* with which the domestic legislation was harmonized with the provisions of the second additional protocol to the European Convention on mutual assistance in criminal matters<sup>23</sup>.

In 2007 the Ministry of Justice conducted analysis on the compatibility of the national legislation with the provisions of the Convention of the *Council of Europe for combating human trafficking* and compiled a report with recommendations for all legal and legislative interventions that need to be undertaken before the ratification of the Convention<sup>24</sup>. The Criminal Code and the Law on Criminal Procedure were amended in the direction of upgrading and improving the existing measures for *identification and protection of children (potential) victims of trafficking in human beings*.

In 2008, the new Law on Aliens was presented as a *protection policy for prevention of illegal migration and trafficking in children* by regulating stricter measures/conditions for entry of unescorted minors on the territory of the Republic of Macedonia. The new Law on Aliens also provides a decision period of two months for foreign victims, which provides the victims more time to receive help and decide whether to testify against the traffickers in human beings. The victim, after the decision period, is issued with a temporary stay permit in the duration of six months, with the possibility to extend it if the court proceeding is longer. The Convention of the Council of Europe for combating trafficking in human beings was ratified on 14 April 2009<sup>25</sup>.

With the amendments to the CC, the Republic of Macedonia in January 2008 introduced a new criminal act *Trafficking in minors* with Article 418-d, which gave a special emphasis to the protection of minor victims of trafficking in human beings and persecution of perpetrators, where the minimum penalty predicted for this criminal act is eight years. The new articles criminalize and determine the basic forms of trafficking in human beings and smuggling

<sup>23</sup> Convention of the Council of Europe prepared in Strasbourg, 8 XI 2001, series of treaties no. 182.

<sup>24</sup> Tanja Kikerekovska, pre-trafficking analysis of the Convention of the Council of Europe for activities against trafficking in human beings, 2007.

<sup>25</sup> Official Gazette 49/2009.



of migrants, the forms of crime that can cause more serious and severe consequences, as well as punishment for the acts of organization and soliciting as such.

If we look at the legislative reforms in 2009, we can see that the Law on Family for the first time in the Republic of Macedonia sets the question of protecting children victims of trafficking in human beings, and it provides a new chapter C-a – “Custody over minors victims of trafficking in human beings” with sixteen new articles.

In September 2009 amendments were adopted to the Criminal Code in Articles 418-a, b and f. They are to sanction the liability of official persons when conducting acts related to trafficking in human beings, and with at least eight years in prison, i.e. ten years if the victim is a minor.

The strengthening of the protection of victims of trafficking in human beings in the legislative framework, continued in June 2009 with the adoption of the Law on Social Protection, which has a provision (Article 31) for protection of victims of trafficking in human beings.

In the amendments to the Law on Protection of Children in 2009, in Article 9, are forbidden all forms of sexual use and sexual abuse of children (child pornography, child prostitution), forced soliciting, sale or trafficking in children, psychological or physical violence and abuse, punishment or other inhuman behavior, all types of exploitation, commercial exploitation and abuse of children, which violate the fundamental human rights and freedoms and the rights of the child.

In accordance with the obligations arising from the Law on Social Protection, Article 26 and Article 31, the protection of victims of trafficking in human beings is provided by the Center for victims of trafficking in human beings (Article 132). On 28.01.2011 a state accommodation facility for protection of victims of trafficking in human beings was opened, i.e. the Center for victims of trafficking in human beings. For the functioning of this Center, according to the international standards for human rights, internal documents have been developed related to the procedures for referral, accommodation, rules of conduct of the engaged staff, the protocol for protection etc.

Development of the legal frame for protection of victims of trafficking in human beings is also seen in the revision of the content of the SOP for assisting victims of trafficking of persons, adopted by the Government of the Republic of Macedonia in 2010.

The Government of the Republic of Macedonia completely fulfills the minimum standards for eradication of trafficking in persons. The Government implemented important steps in its efforts for implementing the laws in combating trafficking in human beings, criminally persecuting a large number of perpetrators



and pressing charges and convicting persons for being accomplices to trafficking in human beings in 2011.<sup>26</sup>

### **Strategic orientations related to improving the legal framework and criminal persecution in accordance with the National action plan 2013-2016**

The existing legal framework offers a comprehensive basis for protection of victims, pre-investigative procedure, investigation and criminal procedure for criminal acts related to trafficking in human beings. The Government will continue to improve the protection of victims in the forthcoming period by improving the legal basis for protection of the rights of victims by *securing free of charge: healthcare and legal aid for every victim*. Amendments are planned for the Law on Social Protection in Article 145 with the aim of *extending the deadline for accommodation of victims of trafficking in human beings in the Center for victims of trafficking persons*. Realizing of compensation mechanisms will be successful with the adoption of the Law on the *state fund for indemnification of victims*.

The criminal legal framework for trafficking in human beings and illegal migration was improved, but work will be done on its improvement in the future as well.

The new Law on Criminal Procedure the competent institutions for investigations and criminal prosecution (MOI and PPO) will enable efficient pre-investigative procedure by securing quality evidence for successful conducting of criminal proceeding against the perpetrators, with convicting verdicts.

***The rights of the victims***, will be improved by securing free legal aid, appointing of legal representatives in case the victim is a minor, but also developing activities for capacity building and training of judges and prosecutors.

The Government is striving towards further *strengthening of the regional and international cooperation and coordination* exactly because an efficient strategy for combating trafficking in human beings is based on a strong operational and strategic international cooperation with third countries.

The efforts of the investigative procedure and criminal persecution will be strengthened regionally through the full implementation of the Vienna Convention (2006) on police cooperation in Southeast Europe.

International legal cooperation will be continuously promoted through study visits, trainings and seminars.

<sup>26</sup> Report of the State Department on trafficking in human beings for 2011, Macedonia in TIER 1.





### III. STRATEGIC AREAS

#### 1 – SUPPORT FRAMEWORK

##### **Strategic goal 1. Coordination structures**

###### ***Specific goals:***

- a) Strengthening the coordination role of the National Commission and improved transparency in conducting activities;
- b) Strengthening the role of the National Commission on the local level;
- c) Improving coordination and cooperation between the institutions on the central and local level for identification, assistance and support of potential victims and risk groups;

###### ***Expected results:***

- a) Provided regular and active participation of the members of the National Commission and its working bodies;
- b) Improved flow of information from the members of the National Commission to their institutions/organizations;
- c) Better informing of the members of the Secretariat on the activities of their institutions/organizations;
- d) Created local commissions for trafficking in human beings and conducted activities pursuant to NAP on the local level;
- e) Strengthened capacities on the local level and coordination between the institutions including the civil sector.

***Stakeholders and partners:*** National Coordinator, National Rapporteur, National Commission and Secretariat, competent ministries, institutions and associations of citizens, government institutions on the local level, local self-government units, Ministry of Labor and Social Policy, Ministry of Interior.

***Financial implications:*** Ministry of Interior and Ministry of Labor and Social Policy.



## **Strategic goal 2. Legislative and regulatory framework**

### ***Specific goals:***

- a) Harmonization of the national with the international legislative framework;
- b) Improving the national legislation in the direction of protecting victims' rights;
- c) Establishing an indemnification fund for victims, pursuant to the decisions provided in the Law on Criminal Procedure;
- d) Establishing mechanisms for identification and acting with potential victims of trafficking in human beings among the illegal migrants;

### ***Expected results:***

- a) Harmonized national with the international legislative framework
- b) Improved legal basis for protection of victims' rights
- c) Provided legal basis for establishing a fund for indemnification of victims
- d) Identified potential victims of trafficking in human beings among the illegal migrants

***Stakeholders and partners:*** Ministry of Justice, Ministry of Labor and Social Policy, Ministry of Interior, Ministry of Foreign Affairs and SEI.

***Financial implications:*** Ministry of Interior.

## **Strategic goal 3. International cooperation**

***Specific goal:*** Strengthening international cooperation and coordination between relevant institutions in the field of trafficking in human beings and illegal migration.

### ***Expected results:***

- a) Strengthened international cooperation in the field of trafficking in human beings and illegal migration
- b) Improved cooperation with the SEE and EU Countries

***Stakeholders and partners:*** Ministry of Interior, Ministry of Justice, Ministry of Labor and Social Policy, Judiciary, Public Prosecutor and Citizen Associations.

***Financial implications:*** Ministry of Interior, Ministry of Justice, Ministry of Labor and Social Policy, Judiciary, Public Prosecutors Office, Citizen Associations and donations.



## **Strategic goal 4. Managing information, monitoring and evaluation**

**Specific goal:** Improving the system for information management, monitoring and evaluation.

**Expected results:**

- a) Until the end of 2016 established centralized database of victims and perpetrators
- b) Strengthened capacities of the National Rapporteur
- c) Established system of information and records

**Stakeholders and partners:** National Commission, Office of the National Coordinator and National Rapporteur.

**Financial implications:** National Commission, Ministry of Interior, and IPA-funds and donations.

## **2 - PREVENTION**

### **Strategic goal 1. Identification of reasons for occurrence of trafficking in human beings/children and illegal migration**

**Specific goal:** Determining risks and risk groups for occurrence of trafficking in human beings and illegal migration in the Republic of Macedonia.

**Expected results:** Identified risks and risk groups for trafficking in human beings and illegal migration

**Stakeholders and partners:** Ministry of Labor and Social Policy, Ministry of Education and Science/Bureau for Development of Education and Citizen Associations.

**Financial implications:** Ministry of Labor and Social Policy, Ministry of Education and Science/Bureau for Development of Education, Citizen Associations and donations.

### **Strategic goal 2. Strengthening the capacities for implementation of preventive activities**

**Specific goals:**

- a) Strengthening the capacities of the education personnel and expert services: in primary and secondary schools and public institutions for social protection and citizen associations for prevention of human trafficking.
- b) Strengthening the capacities with the aim of preventing labor exploitation of institutions and citizen associations.



- c) Increasing the responsibility of the media representatives when reporting on trafficking in human beings/children.
- d) Strengthening the capacities of healthcare workers and associates in human trafficking.
- e) Increasing the information of students in primary and secondary schools for trafficking in human beings.
- f) Strengthening the capacities of the Consular-Diplomatic Offices of the Republic of Macedonia (CDO).

***Expected results:***

- a) Strengthened capacities of the educational institutions and public institutions for social protection and citizen associations for prevention of human trafficking.
- b) Strengthened capacities of all institutions and citizen associations for prevention of labor exploitation
- c) Raised awareness on the manner of informing for trafficking in human beings/children.
- d) Increased information of healthcare workers and associates for trafficking in human beings.
- e) Increased information of students in primary and secondary schools on trafficking in human beings.
- f) Increased information of employees in Consular-Diplomatic Offices.

***Stakeholders and partners:*** Ministry of Interior, Ministry of Foreign Affairs, Ministry of Health, Ministry of Labor and Social Policy/State Labor Inspectorate, Ministry of Education and Science/Bureau for Development of Education, National Commission, media, Association of Journalists, Associations of Citizens and Unions.

***Financial implications:*** Ministry of Education and Science/Bureau for Development of Education, Ministry of Health, Ministry of Foreign Affairs, Ministry of Labor and Social Policy/State Labor Inspectorate, National Commission, Синдикати, Associations of Citizens and donations.

### **Strategic goal 3. Raising public awareness and education**

***Specific goals:***

- a) Raising public awareness on trafficking in human beings/children and illegal immigration
- b) Increasing the awareness of vulnerable groups on the issue of trafficking in human beings.



**Expected results:**

- a) Increased information and awareness of the general public regarding the problem of trafficking in human beings and illegal migration.
- b) Increased awareness of vulnerable groups on trafficking in human beings.

**Stakeholders and partners:** National Commission, Ministry of Interior, Ministry of Labor and Social Policy, Ministry of Education and Science/Bureau for Development of Education, Secretariat and Associations of Citizens.

**Financial implications:** Ministry of Interior / National Commission, Ministry of Labor and Social Policy, Ministry of Education and Science/Bureau for Development of Education, Associations of Citizens and donations.

#### **Strategic goal 4. Reducing vulnerability**

**Specific goal:** Improving mechanisms for reducing the reasons for occurrence of trafficking in human beings and illegal migration.

**Expected results:**

- a) Implemented content on trafficking in human beings and illegal migration in the curricula in higher education
- b) Economically strengthened vulnerable groups.

**Stakeholders and partners:** Ministry of Education and Science, University of Ss. Cyril and Methodius, Ministry of Labor and Social Policy, Employment Agency, Association of Employers, Local self-government and Associations of citizens.

**Financial implications:** Ministry of Education and Science, University of Ss. Cyril and Methodius, Ministry of Labor and Social Policy, Units of local self-government and donations.

### **3 – SUPPORT AND PROTECTION OF VICTIMS AND MIGRANTS**

#### **Strategic goal 1. Identification and referral of victims**

**Specific goal:** Improving the process of identification and referral of victims of trafficking in human beings.

**Expected results:**

- a) Increased efficiency in identification, referral and protection.

**Stakeholders and partners:** Ministry of Interior–UTHBSM, National Commission, Ministry of Labor and Social Policy–NRM and Associations of Citizens.

**Financial implications:** Ministry of Interior, Ministry of Labor and Social Policy, National Commission, Associations of Citizens and donations.



## **Strategic goal 2. Direct assistance and protection of victims and migrants**

### ***Specific goals:***

- a) Providing protection of victims and illegal migrants in accordance with international standards
- b) Integration of victims of trafficking in human beings in the social environment
- c) Providing means for repatriation of illegal migrants

### ***Expected results:***

- a) Safe location for accommodation, assistance and protection of victims of trafficking in human beings.
- b) Strengthened capacities of professionals in both centers: Center for victims of trafficking in human beings and Reception Center for Foreigners,
- c) and the Reception Center for Foreigners.
- d) Victims and illegal migrants are informed of their rights and obligations.
- e) Prepared and continuously implemented programs for assistance, support and reintegration of victims of trafficking in human beings.
- f) Selected associations of citizens for protection of victims of trafficking in human beings in accordance with the selection criteria
- g) Procured funds for repatriation of illegal migrants and victims of trafficking in human beings.

***Stakeholders and partners:*** Ministry of Labor and Social Policy, Ministry of Interior, Ministry of Justice, Ministry of Education and Science, Ministry of Health, Associations of Citizens, Local self-government and international organizations.

***Financial implications:*** Government of the Republic of Macedonia, Ministry of Interior, Ministry of Labor and Social Policy, Ministry of Health, Ministry of Justice, Ministry of Education and Science, Associations of Citizens, Local self-government and donations.



## 4 – PRE-INVESTIGATIVE AND CRIMINAL PROCEDURE OF THE TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS

### **Strategic goal 1. Pre-investigative procedure (proactive and reactive investigations)**

#### ***Specific goals:***

- a) Strengthening the capacities of the Ministry of Interior regarding the detection of perpetrators of criminal acts of trafficking in human beings and illegal migration.
- b) Promoting inter-institutional cooperation regarding the exchange of information and coordinated conducting of investigations on trafficking in human beings and illegal migration.
- c) Improving international police cooperation in the part of conducting investigations.

#### ***Expected results:***

- a) Trained police officers
- b) Successfully conducted investigations
- c) Strengthened inter-institutional cooperation in conducting investigations
- d) Successfully conducted international investigations.

***Stakeholders and partners:*** Ministry of Interior, Ministry of Labor and Social Policy, Ministry of finance and Public Prosecutors Office.

***Financial implications:*** Ministry of Interior, Ministry of Labor and Social Policy, Ministry of finance and Public Prosecutors Office.

### **Strategic goal 2. Criminal procedure**

#### ***Specific goals:***

- a) Improving the quality of criminal procedures
- b) Realizing the rights of the victim in the criminal procedure, with special attention to the rights of children.

#### ***Expected results:***

- a) Strengthened capacities of judges and public prosecutors
- b) Rights of victims/children in the criminal procedure are secure.



**Stakeholders and partners:** Academy for Judges and Prosecutors, Ministry of Justice, Ministry of Interior, Ministry of Labor and Social Policy, Public Prosecutors Office, Courts and Associations of Citizens

**Financial implications:** Academy for Judges and Public Prosecutors, Ministry of Justice, Ministry of Interior, Ministry of Labor and Social Policy, Public Prosecutors Office, Courts and Associations of Citizens, Defendants or Budget of RM.





## ANNEX I – REFERENCES

### A. National legal instrument for combating trafficking in human beings

1. Criminal Code of RM, Official Gazette of RM no. 37/96, with Laws on Amending the Criminal Code, Official Gazette of RM no. 88/99, 4/2002, 43/2003, 9/2004 and 139/08, Official Gazette 49/2009, Official Gazette of RM 51/2011;
2. Amendments to the Law on Criminal Procedure, Official Gazette of RM no. 74 from 22 October, 2004 and Official Gazette of RM no. 83 from 10.07.2008, Official Gazette of RM no. 150 from 18.11.2010;
3. Law on Witness Protection, Official Gazette of RM no. 38/05 adopted on 26.5.2005 with Law on Amending the Law on Witness Protection, Official Gazette of RM no. 58/5 from 19.7.2005, and being implemented from 1.1.2006;
4. Law on Foreigners, Official Gazette of RM no. 35 from 23.03.2006; came into power on 23.03.2007;
5. Law on Employment of Foreigners, Official Gazette of RM no. 70/2007; and Law on Amending the Law on Employment of Foreigners, Official Gazette no. 5 from 13.1.2009;
6. Protocol for prevention, combating and punishing trafficking in human beings, especially women and children, addition to the Convention of the United Nations against international organized crime, G.A. Rez. 25, Annex II, UN GAOR, No. 55 Cecc., Addition No. 49, of 60, UN Doc. A/45/49 (Issue I) (2001), came in to power 9 September, 2003. (Signed 2000, and ratified from the Macedonian Government in 2004).
7. Law on ratifying of the convention for freezing of assets and confiscation of proceeds from crime from 2006, Official Gazette no. 55/2007;
8. Law on ratifying of the Police Cooperation Convention for Southeast Europe, 22 June 2007, Official Gazette no. 74/2007;
9. Law on ratifying the Convention of the Council of Europe on combating human trafficking from 2005, 14 April 2009, Official Gazette 49/2009.
10. Order of the Minister of Interior for actions with foreigners, victims of trafficking – Ministry of Interior, March 2006 (was in power until the new Law on Foreigners came into power on 23.3. 2007);
11. Order of the Ministry of Interior on the issue of approving visas for foreigners, prolonging the visa validity and visa withdrawal, 1.10. 2007



12. Order of the Ministry of Interior for travel and other documents for foreigners, 2.4.2008;
13. Order of the Ministry of Interior for house rules in the Accommodation Center, 1.10. 2008;
14. Standard operating procedures – SOP for assisting victims of trafficking in human beings, 2010, National Commission for combating trafficking in human beings and illegal migration, Ministry of Interior;
15. Agreement between the European Commission and RM for readmission of persons staying without permit, 8 November 2007, Official Gazette 141/2007;
16. Resolution of the migration policy of RM 2009-2014, December 2008, Official Gazette 9/2009.
17. Law on Family, Official Gazette of RM no. 80/1992, no. 9/1996, no. 38/2004, no. 33/2006, no. 84/2008 and no. 67/2010.

## **B. List of international legal instruments relevant for designing the national strategy for combating trafficking in human beings**

1. Convention of the Council of Europe on Actions against Trafficking in Human Beings, Warsaw, 16.05. 2005, series of treaties no. 197;
2. Council of Europe Recommendations P(2000) 11 of the Committee of Ministers of Member States on the activities against trafficking in human beings for purposes of sexual exploitation, 19 May 2000;
3. Council of Europe Recommendations P(85) 11 of the Committee of Ministers of Member States on the position of victims in the frames of criminal law and procedure, 25 June 1985;
4. Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, held in Rome, 4. 11. 1950, Council of Europe, series of treaties no. 44;
5. Council of Europe Convention for Compensation of Victims of Violent Crimes, 1983;
6. Second additional protocol to the European Convention on Extradition, 1975
7. Council of Europe, European Convention on Extradition, 1957.
8. Council for framework solution for combating organized crime, OJ Л 300, 11 November 2008, p. 42.



9. Proposal of the Council for framework solution for combating trafficking in human beings and protecting victims, COM(2009) 136 end, 25 March, 2009.
10. Proposal of the Council for framework solution for combating sexual abuse, sexual exploitation of children and child pornography, annulling Framework solution 2004/68/JHA, COM(2009) 135 end, 25 March 2009
11. Council Directive 2004/81/EC from 29 April 2004 for permits for stay intended for third country national victims of trafficking in human beings or who were subjects of actions for leading illegal migration, who cooperate with the competent bodies, OJ L 261, 6 August 2004, p. 85;
12. Council Directive 2004/80/EC from 29 April 2004 regarding compensation to victims of trafficking, OJ L 261, 6 August 2004, p. 15
13. Council for framework decision 2002/69/JHA from 19 July 2002 for combating trafficking in human beings, OJ L 203, 1 August 2002, p. 1.
14. OSCE Action plan for combating trafficking in human beings, 24 July 2003.
15. UN Protocol to prevent, suppress and punish trafficking in human beings especially women and children (Palermo Protocol), addition to the UN Convention against international organized crime (2000);
16. UN Protocol against smuggling of migrants by land, sea and air, addition to the UN Convention against transnational organized crime (2000);
17. UN Convention against transnational organized crime (2000).
18. Elective Protocol to the UN Convention on the rights of children, trafficking of children, children prostitution and child pornography, 2000;
19. UN Convention on the protection of rights of all immigrant workers and members of their families, adopted with the resolution of the General Assembly on 45/158 on 18 December 1990, came into power on 1 July 2003;
20. United Convention on children's rights, adopted and open for signing, ratification and evaluation at General Assembly 44/25 from November 1989;
21. UN Declaration on the basic principles of justice for victims of crime and abuse of power, 1985;
22. UN Convention on eliminating all forms of discrimination against women, 1979;
23. United Nations, 1950 Geneva Convention on Refugees and its additional Protocol 1967;
24. ILO, Convention on worst forms of using of child labor, 1999;
25. ILO, Convention on private employment agencies, 1997;



26. ILO, Convention on migrant workers, 1975;
27. ILO, Convention on forced labor no. 29 (1930);
28. EU Strategy for eradicating trafficking in human beings 2012-2016;
29. Action plan for unescorted minors (2010–2014); European Commission, SEC(2010)534, Brussels, 6 May 2010
30. Comparative review of legislation in the Republic of Macedonia and the Convention on the rights of the child; Ministry of Justice of the Republic of Macedonia, supported by UNICEF, May 2010
31. Trafficking in Person Reports 2009, 2010, 2011, US Department of State
32. Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing and combating trafficking in human beings and protecting victims, repealing Framework Decision 2002/629/JHA Brussels, 29.3.2010



## **ANNEX II – List of members of the Working Group nominated by the National Commission for preparation of the National Action Plan for Combating Trafficking in human beings and Illegal Migration 2013-2016.**

1. **Sande Kitanov**, Ministry of Interior, UHTSM – Head of Working Group
2. **Ana Burageva**, Ministry of Interior
3. **Blagica petkovska**, Ministry of Interior, UHTSM
4. **Elena Grozdanova**, Ministry of Labour and Social Policy
5. **Svetlana Cvetkovska**, Ministry of Labour and Social Policy /NRM
6. **Vesna Dimishkova**, General Court Skopje I, Skopje
7. **Julija Gligorova Trajanoska**, Ministry of Education and Science/BDE
8. **Sanja Dimovska**, Ministry of Justice
9. **Fatmir Aliu**, Ministry of Health
10. **Ivona Todorovska**, IOM Skopje
11. **Melita Gruevska Graham**, ICMPD
12. **Tatjana Temelkovska Miloenkovic**, OSCE Mission in Skopje
13. **Irina Nikoloska**, Citizens' Association "Otvorena Porta"
14. **Ivan Trajkov**, Citizens' Association „Za Srekno Detstvo"
15. **Vlatko Aleksovski**, GIZ

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Ph.D. Prof. Sunchica Dimitrijoska, engaged by GIZ for conducting an external evaluation of NAP 2009-2012 and Sanija Burageva, consultant.



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





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>1. SUPPORT FRAME</b>						
<b>1.1 Coordinating Structures</b>						
Strengthening the coordination role of the National Commission, improved transparency in implementation of activities	Secured regular and pro-active attendance of the members of the NC and its working bodies  Improved information flow from the NC members to their home institutions/ organisations  Increased level of information of the Secretariat members on the activities of their institutions/ organisations	Extending NC/ Secretariat membership to members of the State Labour Inspectorate (SLI), the Organisation of Employers and to trade unions	NC	2013	Decision on appointing new members published in the Official Gazette of Republic of Macedonia	No implications
		Review and analysis of existing memoranda of cooperation and protocols on the national level and assessment of the needs for new ones	Line ministries, institutions and Citizens' Associations (CA)	2013	Number of reviewed and new memoranda and protocols	No implications
		Reviewing and signing new memoranda of cooperation and protocols	Line ministries, institutions and CA	2013-2014	Number of reviewed and signed memoranda and number of protocols	No implications
		Submitting the NC Annual Report to the Government of Republic of Macedonia	National Coordinator	Once annually	Annual Report	No implications
		Drafting of the Annual Report by the National Rapporteur	NR	Once annually	Annual Report	No implications
		Regular working sessions of the NC, the Secretariat and the Subgroup for Combating Trafficking in Children (CTC)	NC and Secretariat	Continuous	Four working sessions annually for each working body and minutes of the sessions	No implications

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Strengthening the role of the NC on the local level	Local committee on human trafficking established and activities in line with the NAP implemented on the local level	Identifying target municipalities for the establishment of local commissions	NC, government institutions on the local level, citizens' associations and local self-government units LSGU	2013	Number of local commissions established	No implications
		Determining competencies and membership criteria for the local commissions		2013		
		Establishing local commissions in cooperation with LSGU		2013-2016		
Improving coordination and cooperation between institutions on the national and on the local level, with the aim of identifying, assisting and supporting potential victims and groups at risk	Strengthened capacities on the local level and coordination between institutions, including civil society	Establishing mobile teams on the local level with the aim of identifying, assisting and supporting potential victims and groups at risk	MLSP, MOI, CA, LSGU	Continuous	Number of mobile teams established;	MLSP, MOI
					Number of persons/groups at risk that received assistance and support;	
<b>1.2 Legal and Regulatory Framework</b>						
Harmonising national legislation with the international legal framework	National legislation harmonised with the international legal framework	Following international documents and harmonising national legislation with the international legal framework on human trafficking and migrant smuggling	MJ, MLSP, MOI, MFA and SEA	Continuous	Number of documents analysed	No implications
		Legislation analysis from the aspect of harmonisation with international regulations on the protection of victims who are children			Number of draft amendments to national legislation	







Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Improving national legislation with the aim of protecting victims' rights	Legal basis for protection of victims' rights improved	Amendments to Art. 84 of the Social Protection Law (SPL) with the aim of securing free healthcare to human trafficking victims Adoption and implementation of a legal basis for free legal assistance to victims of human trafficking Amendments to Art. 145 of the Social Protection Law with the aim of extending the period in which victims are sheltered	MLSP MJ MLSP	2013 Continuous 2013	Amendments to Art. 84 SPL Systematic solutions adopted Amendments to the Social Protection Law	No implications No implications No implications
Establishing a Victims' Compensation Fund pursuant to the provisions of the new Criminal Procedure Code (CPC)	Legal basis for the establishment of a Victims' Compensation Fund secured	Adopting a Law on the National Victims' Compensation Fund	MJ	2013-2016	Victims' Compensation Fund established	No implications
Introducing mechanisms for identification and treatment of potential human trafficking victims among illegal migrants	Identified potential human trafficking victims among illegal migrants	Developing SOP on identification and treatment of potential human trafficking victims among illegal migrants	MOI, MLSP	2013-2014	SOP developed	MOI and donations
		Specialised trainings in SOP implementation for employees in the Sector for Border Affairs and Migration (SBAM)	MOI, MLSP	2013-2014	2 trainings for 25 persons annually Number of trainings and of trained persons	MOI and donations

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>1.3. International Co-operation</b>						
Strengthening international cooperation and coordination between relevant institutions in the area of human trafficking and illegal migration	Strengthened international cooperation in the area of human trafficking and illegal migration	Signing of protocols between the signatories to the Vienna Convention	MOI	Continuous	Number of protocols signed	No implications
		Participation in regional meetings and study visits for the purpose of exchanging good practices	MJ, PPO, judiciary, MOI, MLSP, CA	Continuous	Number of regional meetings and study visits; Number of reports submitted to the NC	MJ, PPO, judiciary, MOI, MLSP, CA and donations
		Signing readmission agreements and implementation protocols	MOI	Continuous	Number of agreements and protocols signed; Number of persons readmitted on the basis of readmission agreements	No implications
		Implementing the monitoring form for the transnational referral of VHT	MOI, MLSP	Continuous	% of cases in which the form was used	No implications
		Regular National Coordinators' meetings	MOI	Continuous	2 meetings annually; Number of reports submitted to the NC	MOI и донации





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>1.4. Information Management, Monitoring and Evaluation</b>						
Improving the information management, monitoring and evaluation system	Centralised victims and perpetrators database established until the end of 2016	Developing a protocol on collection and processing of information for the centralised data base	NC	2013	Protocol developed	NC
	Capacities of National Rapporteur strengthened	Establishing a centralised victims and perpetrators database	National Coordinator's Office	2016	Number of applications entered	MOI and IPA funds
		Establishing cooperation and coordination with other National Rapporteur from SEE and EU countries	NR	Continuous	Number of established cooperations	MOI and donations
	Information and records system established	Implementing instruments for monitoring and evaluation of SOP and other activities for combating human trafficking and illegal migration	NC	Continuous	Monitoring and evaluation instruments developed	NC and donations
		Establishing an information and records system for implemented activities / trainings and persons trained/ study visits with a single form	NC	Continuous	Number of reports received and forwarded	NC
<b>2. PREVENTION</b>						
<b>2.1. Identifying the Root Causes behind Human Trafficking / Trafficking in Children and Illegal Migration</b>						
Determining the risks and groups at risk of human trafficking and illegal migration in Republic of Macedonia	Risks and groups at risk of human trafficking and illegal migration are identified	Research and analysis for the purposes of identifying the risks and groups at risk of human trafficking and illegal migration , with focus on children and prioritising	MLSP, MES/ BDE, CA	2013/15	2 research projects implemented	MLSP, MES/ BDE, CA, donations

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>2.2 Strengthening the Capacities for Realisation of Preventive Activities</b>						
Strengthening the capacities of educational staff and professional services: in elementary and secondary schools, public institutions for social protection and CA for prevention of human trafficking	Capacities in educational institutions, public institutions for social protection and CA for prevention of human trafficking are strengthened	Training in prevention of human trafficking / children for professional staff and teachers from elementary and secondary schools	MES/BDE	Continuous	120 teachers annually in 6 one-day trainings Number of trainings and of trained persons	MES/BDE, MLSP and CA
		Training regarding children at risk for professional staff from PI for social protection and CA for prevention of human trafficking	MLSP and CA	Continuous	34 professional staff from PI and 10 persons from CA annually in 2 one-day trainings; Number of trainings and of trained persons	MLSP and CA
Strengthening the capacities of institutions and CA with the aim of preventing labour exploitation	Capacities of all institutions and CA responsible for preventing labour exploitation are strengthened	Training in the prevention of HT for the purposes of labour exploitation and forced labour for institutions and CA	Trade unions, CA, MOI, MLSP/SLI	2013-2014	2 trainings for 15 persons annually; Number of trainings and of trained persons	MLSP/SLI, trade unions, CA, donations





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Improving responsible reporting of information on human trafficking/ children to the media	Awareness on the way in which information on human trafficking/ children are reported is raised	Trainings on respecting the rights and protecting the identity of victims when reporting information to the media	NC, media, CA, Journalists' Association	Continuous	2 trainings for 25 persons annually; Number of trainings and of trained persons	NC, CA and donations
Strengthening the capacities of healthcare professionals in the area of human trafficking	Increased level of information of healthcare professionals in the area of human trafficking	Trainings in prevention of HT for healthcare professionals and development and distribution of information materials on human trafficking/ trafficking in children	MH and CA	Continuous	2 one-day trainings for 25 persons annually; Number of trainings and of trained persons	MH and CA
Improving the level of information on human trafficking for elementary and secondary school pupils	Improved level of information on human trafficking in elementary and secondary school pupils	Education on prevention of human trafficking for elementary and secondary school pupils	MES/BDE, CA	Continuous	Number of lectures held	No implications

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Strengthening the capacities of consular and diplomatic missions of the Republic of Macedonia (DCM)	Improved level of information in DCM employees	Development and Distribution of information materials on human trafficking for the DCM	MFA and NC	2013	400 copies of the information materials	MFA
<b>2.3 Raising Public Awareness and Education</b>						
Raising public awareness of human trafficking / trafficking in children and illegal migration	Increased level of information and awareness of the problem of human trafficking and illegal migration in the general public	Celebration of the 18 October – European Anti-Trafficking Day	NC, Secretariat, CA	Continuous	Number of events held	MOI, NC, MLSP, MES/ BDE, CA, donations
		Celebrating the Week of the Fight against Human Trafficking in the Republic of Macedonia (2 – 9 December)	NC, Secretariat, CA	Continuous	Number of events organised	
		Organising public awareness campaigns on the problem of human trafficking/ trafficking in children and illegal migration	NC, MOI, MLSP, MES/ BDE, CA	Continuous	1 campaign annually, 500 copies of information materials printed and distributed	
		Organising campaigns aimed at reducing the demand for services offered by victims of human trafficking / children	MOI, MLSP, MES, CA	Continuous	Number of campaigns implemented, 500 copies of information materials printed and distributed	





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Raising awareness on the problem of human trafficking in vulnerable groups	Increased awareness on human trafficking in vulnerable groups	Organising preventive activities for vulnerable groups/ children on the local level	MES, MLSP, CA	Continuous	5 preventive lectures, 3 forum theatres, and 3 peer education events annually	MES, MLSP, CA, donations
		Operation of the SOS information and support lines for vulnerable groups / potential human trafficking victims	MLSP and CA	Continuous	Number of calls received	MLSP, CA and donations
<b>2.4 Reduction of Vulnerability</b>						
Improving the mechanisms aimed at reducing the root causes for human trafficking and illegal migration	Content on human trafficking and illegal migration introduced in higher education curricula  Economically strengthened vulnerable groups	Introducing content on human trafficking and illegal migration in higher education curricula and implementing them	MES and UKIM	2013	Number of curricula and lectures	MES, UKIM
		Facilitating access to the labour market (qualification, requalification, employment)	MLSP – Employment Agency, Employers' Organisation, local self-government, CA	Continuous	Number of qualified, re-qualified and employed members of vulnerable groups	MLSP, LSGU, donations

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>3. SUPPORT AND PROTECTION OF VICTIMS AND MIGRANTS</b>						
<b>3.1. Victims Identification and Referral</b>						
Improving the process for identification and referral of victims of human trafficking	Increased efficiency of identification, referral and protection	Developing indicators for identification of victims of human trafficking/ children according to the type of exploitation	NC (MOI-UTHBSM ; MLSP-NRM, CA)	2013	Indicators developed, adopted by the NC and distributed to competent authorities in 1000 copies	NC and donations
		Reviewing the standardised questionnaire in line with the developed identification indicators	NC (MOI-UTHBSM ; MLSP-NRM, CA)	2013	Revised standardised questionnaire	NC and donations
		Trainings for professionals involved in SOP implementation on the regional and local level	MOI, MLSP and CA	Continuous	Minimum of 4 trainings for 25 persons annually; Number of trainings and of trained persons	MOI, MLSP, CA, donations







Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>3.2. Direct Assistance and Protection of Victims and Migrants</b>						
Providing protection to victims and illegal migrants in line with international standards	Safe location for sheltering, assisting and protecting VHT	Continuous operation of the Centre for VHT and the Foreigners Accommodation Centre	MLSP, MOI, CA	Continuous	Number of victims sheltered; number of staff and earmarked budget	Government of RM, MLSP, MOI, CA and donations
	Strengthened capacities of professional staff in the CVHT and the Foreigners Accommodation Centre	Adapting the existing institutional capacities of the CVHT for accommodation of domestic victims of human trafficking/ children of both genders	MLSP, MOI	2014	Conditions for accommodation and protection of persons/children of both genders secured	Government of RM, MLSP, donations
		Procuring technical equipment for the CVHT and the Foreigners Accommodation Centre	MOI, MLSP, international organisations	Continuous	Technical equipment secured	MOI, MLSP and donations
	Victims and illegal migrants are informed about their rights and obligations	Organising trainings for the staff in the CVHT and the Foreigners Accommodation Centre	MLSP, MOI, CA, international organisations	Continuous	One training for 10 persons annually; Number of trainings and of trained persons	MLSP, MOI, CA, donations
		Organising trainings for guardians of children who are victims of human trafficking and illegal migration	MLSP	2013-2014	2 trainings for 60 persons annually; Number of trainings and of trained persons	MLSP, donations
		Developing and distributing multilingual information materials on the rights and obligations of victims of human trafficking and illegal migration	MLSP, MOI and CA	Continuous	500 copies of information materials developed and distributed to end users in 6 languages	MLSP, MOI, CA, donations

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Integrating victims of human trafficking in their social environment	Programmes for assisting, supporting and reintegrating victims of human trafficking developed and continuously implemented	Developing a unified programme for assisting, supporting and reintegrating victims of human trafficking	MLSP, CA	2013-2014	Programme developed	MLSP, CA and donations
		Revising the programme for children reintegration and re-socialisation	MLSP, CA	2013	Programme revised	MLSP, CA and donations
		Securing a standard services package, including basic needs, legal assistance, healthcare, psycho-social assistance and inclusion in education	MLSP, MH, MJ, MES, local self-government CA	Continuous	Number of persons that received the standard services package	MLSP, MH, MJ, MES, local self-government and CA
		Developing alternative forms of protection	MLSP, CA	Continuous	Number of foster and guardian families	MLSP and donations
Securing funding for the repatriation of illegal migrants	CA for protection of human trafficking victims selected according to the selection criteria	Developing selection criteria and selecting CA to be involved in protection of victims of human trafficking	MLSP	2013-2015	Number of selected CA	MLSP
		Allocating funding for the repatriation of illegal migrants	MOI	Continuous	Repatriation funding secured	MOI, donations





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>4. PRE-INVESTIGATION AND CRIMINAL PROSECUTION OF TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS</b>						
<b>4.1. Pre-investigation Procedure (Proactive and Reactive Investigation)</b>						
Strengthening the capacities of the MOI for detection of perpetrators of human trafficking and illegal migration	Trained police officers  Successful investigations	Specialised trainings for police officers from the Unit for THB and Smuggling of Migrants and SBAM OIMPK	MOI	Continuous	2 trainings for 25 participants annually; Number of trainings and of trained persons	MOI and donations
		Basic and specialised training in recognising/ identifying and referring potential victims of human trafficking/children for police officers from SBAM and SIA, especially for inspectors for juvenile delinquency	MOI	Continuous	4 trainings for 25 participants annually; Number of trainings and of trained persons	MOI and donations
		Strengthening the human resources and technical capacities of the Unit for THB and Smuggling of Migrants	MOI	Continuous	Number of newly employed police officers and quantity of equipment procured	No implications
		Increasing the number of pro-active investigations of cases of human trafficking and illegal migration	MOI and PPO	Continuous	Number of pro-active investigations	MOI and PPO

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Improving inter-institutional cooperation regarding information exchange and coordinated investigations of cases of human trafficking and illegal migration	Inter-institutional cooperation in investigations strengthened	Protocol(s) (memoranda) for joint action between the MOI, the PRO and the State Labour Inspectorate (SLI) drafted	MOI, MLSP and MF	2013	Number of drafted protocols (memoranda)	MOI, MLSP and MF
		Organising joint trainings in joint actions	MOI, MLSP and MF	2013, 2015	2 trainings for 20 participants annually; Number of trainings and of trained persons	MOI, MLSP, MF and donations
Improving international police cooperation in investigations	Successful international investigations	Initiating, participating in and carrying out international investigations of cases of human trafficking and illegal migration	MOI and PPO	Continuous	Number of international investigations initiated and carried out	MOI and PPO
		Initiatives for the establishment of JIT (Joint investigation Teams) on human trafficking and illegal migration	MOI and PPO	Continuous	Number of JIT established	MOI and PPO





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>4.2. Criminal Proceedings</b>						
Improving the quality of criminal proceedings	Capacities of judges and prosecutors strengthened	Organising trainings for judges and prosecutors	Academy for Judges and Public Prosecutors	Continuous	Number of trainings and of trained persons	Academy for Judges and Public Prosecutors and donations
		Specialised trainings on the treatment of victims, with special emphasis on children, for judges and public prosecutors	Academy for Judges and Public Prosecutors	Continuous	Number of trainings and of trained persons	Academy for Judges and Public Prosecutors and donations
Exercising victims, rights in criminal proceedings, with special emphasis on children's rights	Victims' / children's rights in criminal proceedings are secured	Providing authorised court translators and interpreters for the languages of victims and illegal migrants	MJ	Continuous	Number of authorised court translators and interpreters	Accused persons or budget of RM
		Finding methods of determining the identity of migrants and victims of human trafficking	MOI	Continuous	Number of persons identified	MOI, accused persons or budget of RM
		Informing victims about their rights in criminal proceedings	MLSP, CA, PPO and courts	Continuous	Number of victims informed	MLSP, CA, PPO and courts

**EXCERPT FROM THE NATIONAL ACTION PLAN FOR  
COMBATING TRAFFICKING IN HUMAN BEINGS AND IL-  
LEGAL MIGRATION PERTAINING TO THE ACTION PLAN  
FOR COMBATING TRAFFICKING IN CHILDREN IN THE  
REPUBLIC OF MACEDONIA 2013-2016**





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>1. SUPPORT FRAME</b>						
<b>1.1 Coordinating Structures</b>						
Strengthening the coordination role of the National Commission, improved transparency in implementation of activities	Improved information flow from the NC members to their home institutions/ organisations	Regular working sessions of the Subgroup for combating trafficking in children	Subgroup for combating trafficking in children	Continuous	four working sessions annually, working session minutes annual report	No implications
Improving coordination and cooperation between institutions on the national and on the local level, with the aim of identifying, assisting and supporting potential victims and groups at risk	Strengthened capacities on the local level and coordination between institutions, including civil society	Establishing mobile teams on the local level with the aim of identifying, assisting and supporting potential children victims and groups of children at risk	MLSP, MOI, CA, LSGU	Continuous	Number of mobile teams established Number of persons/groups at risk that received assistance and support; Number of potential victims referred	MLSP, MOI

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>1.2 Legal and Regulatory Framework</b>						
Harmonising national legislation with the international legal framework	National legislation harmonised with the international legal framework	Legislation analysis from the aspect of harmonisation with international regulations on the protection of victims who are children	MJ, MLSP, MOI, MFA and SEA	Continuous	Number of documents analysed; Number of draft amendments to national legislation	No implications
<b>2. PREVENTION</b>						
<b>2.1. Identifying the Root Causes behind Human Trafficking / Trafficking in Children and Illegal Migration</b>						
Determining the risks and groups at risk of human trafficking and illegal migration in RM	Risks and groups at risk of human trafficking and illegal migration identified	Research and analysis for the purposes of identifying the risks and groups at risk of human trafficking and illegal migration , with focus on children and prioritising	MLSP, MES/ BDE, CA	2013/15	2 research projects implemented	MLSP, MES/ BDE, CA, donations







Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>2.2 Strengthening the Capacities for Realisation of Preventive Activities</b>						
Strengthening the capacities of educational staff and professional services: in elementary and secondary schools, public institutions for social protection and CA for prevention of human trafficking	Capacities in educational institutions, public institutions for social protection and CA for prevention of human trafficking are strengthened	Training in prevention of human trafficking/children for professional staff and teachers from elementary and secondary schools	MES/BDE	Continuous	120 teachers annually in 6 one-day trainings; Number of trainings and of trained persons	MES/BDE, MLSP and CA
Strengthening the capacities of institutions and CA with the aim of preventing labour exploitation	Capacities of all institutions and CA responsible for preventing labour exploitation strengthened	Training regarding children at risk for professional staff from public institutions for social protection and CA for human trafficking/children prevention	MLSP and CA	Continuous	34 professional staff from PI and 10 persons from CA annually in 2 one-day trainings; Number of trainings and of trained persons	MLSP and CA
		Training in the prevention of HT for the purposes of labour exploitation and forced labour for institutions and CA	Trade unions, CA, MOI, MLSP/SLI	2013-2014	2 trainings for 15 persons annually; Number of trainings and of trained persons	MLSP/SLI, trade unions, CA, donations

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Improving responsible reporting of information on human trafficking/ children to the media	Awareness on the way in which information on human trafficking/ children are reported is raised	Trainings on respecting the rights and protecting the identity of victims when reporting information to the media	NC, media, CA, Journalists' Association	Continuous	2 trainings for 25 persons annually; Number of trainings and of trained persons	NC, CA and donations
Improving the level of information on human trafficking for elementary and secondary school pupils	Improved level of information on human trafficking for elementary and secondary school pupils	Education on human trafficking prevention for elementary and secondary school pupils	MES/BDE, CA	Continuous	Number of lectures held	No implications
<b>2.5 Raising Public Awareness and Education</b>						
Raising public awareness of human trafficking / trafficking of children and illegal migration	Increased level of information and awareness about the problem of human trafficking and illegal migration in the general public	Organising public awareness campaigns on the problem of human trafficking/ trafficking of children and illegal migration	NC, MOI, MLSP, MES/ BDE, CA	Continuous	1 campaign annually, 500 copies of information materials printed and distributed	MOI, NC, MLSP, MES/ BDE, CA, donations





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
Raising awareness about the problem of human trafficking in vulnerable groups	Increased awareness about human trafficking in vulnerable groups	Organising preventive activities for vulnerable groups/ children on the local level	MES, MLSP, CA	Continuous	5 preventive lectures, 3 forum theatres, and 3 peer education events annually	MES, MLSP, CA, donations
		Operation of the SOS information and support lines for vulnerable groups / potential HT victims	MLSP and CA	Continuous	Number of calls received	MLSP, CA and donations
<b>2.4 Reduction of Vulnerability</b>						
Improving the mechanisms aimed at reducing the root causes for human trafficking and illegal migration	Content on human trafficking and illegal migration introduced in higher education curricula	Introducing content on child victims of human trafficking and illegal migration in higher education curricula and implementing them	MES and UKIM	2013	Number of curricula and lectures	MES, UKIM

Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>3. SUPPORT AND PROTECTION FOR VICTIMS AND MIGRANTS</b>						
<b>3.1. Victim Identification and Referral</b>						
Improving the process for identification and referral of VHT	Increased efficiency of identification, referral and protection	Developing indicators for identification of victims of human trafficking/ children according to the type of exploitation	NC (MOI-UTHBSM ; MLSP-NRM, CA)	2013	Indicators developed, adopted by the NC and distributed to competent authorities in 1000 copies	NC and donations
<b>3.2. Direct Assistance and Protection of Victims and Migrants</b>						
Providing protection to victims and illegal migrants in line with international standards	Strengthened capacities of professional staff in the CVHT and the Foreigners Accommodation Centre	Adapting the existing institutional capacities of the CVHT for accommodation of domestic victims of human trafficking/ children of both genders	MLSP, MOI	2014	Conditions for accommodation and protection of persons/children of both genders secured	Government of RM, MLSP, donations
		Organising trainings for guardians of children who are victims of human trafficking/ children and illegal migration	MLSP	2013-2014	2 trainings for 60 persons annually; Number of trainings and of trained persons	MLSP, donations
		Revising the programme for children reintegration and resocialisation	MLSP, CA	2013	Programme revised	MLSP, CA and donations





Objective	Expected Results	Activities	Competent institutions / organisations	Timeframe	Indicators	Budget / Budget holders
<b>4. PRE-INVESTIGATION AND CRIMINAL PROSECUTION OF TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS</b>						
<b>4.1. Pre-investigation Procedure (Proactive and Reactive Investigation)</b>						
Strengthening the capacities of the MOI for detection of perpetrators of human trafficking and illegal migration	Trained police officers	Basic and specialised training in recognising/ identifying and referring potential victims of human trafficking/ child for police officers from SBAM and SIA, especially for inspectors for juvenile delinquency	MOI	Continuous	4 trainings for 25 participants annually; Number of trainings and of trained persons	MOI and donations
<b>4.2. Criminal Proceedings</b>						
Improving the quality of criminal proceedings	Capacities of judges and prosecutors strengthened	Specialised trainings on the treatment of victims, with special emphasis on children, for judges and public prosecutors	Academy for Judges and Public Prosecutors	Continuous	Number of trainings and of trained persons	Academy for Judges and Public Prosecutors and donations
Exercising victims' rights in criminal proceedings, with special emphasis on children's rights	Victims'/ children's rights in criminal proceedings are secured	Providing authorised court translators and interpreters for the languages of victims and illegal migrants  Informing victims about their rights in criminal proceedings	MJ  MLSP, CA, PPO and courts	Continuous	Number of authorised court translators and interpreters  Number of victims informed	Accused persons or budget of RM  MLSP, CA, PPO and courts

