

Contact with victims of trafficking in human beings and prostitution

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Abstract

Contact with victims of trafficking in human beings and prostitution in Kosovo represents one of the highest standards of legal, regulatory and phenomenon worth studying for a number of reasons, as academic as it is practical. From the standpoint of academic / professional, the phenomenon is intriguing for three reasons; study represents a high growth in the academic sphere, then the legislative implications of international organizations are EU regulation of this issue, as well as the impact of the international legal aspects of regulation. From a practical standpoint, the study of legal aspects of human trafficking and prostitution in Kosovo worth it for two reasons, one reason has to do with the importance of trafficking and prostitution in the focus of their fight for the citizen phenomenon and integration of a country as and the right to respect for human rights as the core of social organization and social functioning has to state.

This study has been focused on the contact with victims of trafficking in human beings and prostitution from the academic standpoint. legal aspects and European and international imlikimive using analiktike methods, descriptive, empirical.

Kay words: Prostitution, trafication, human rights, legitimacy, Kosovo, Juridical.

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Introduction

In 2006 the Government of Kosovo with the European Integration Office of the UNMIK have drafted the Action Plan for Implementation of European Partnership for Kosovo paying special attention to the Fight against Organized Crime and Terrorism with special emphasis on the action plan against trafficking in Human beings.²

Also create Standard Operating Procedures (SOPs) for direct assistance and support (DAS) for victims of internal trafficking (VKT)³ Principles conform to Riyadh⁴

In this project they are involved: UNMIK Police / KPS (Unit investigation of trafficking in human), Ministry of Justice (unit for protection and assistance to victims), IOM in Kosovo (anti-trafficking unit) OSCE, Department of human None should inhabit and rule of law, the Ministry of Labour and Social Welfare, local and international NGOs. The purpose of this body of përbashët is coordination of actions and activities to be undertaken in the identification of victims and assistance that have approached them with full respect for their privacy. On the basis of these procedures identified VT and sent to temporary safe Facility. Accommodation is done in conformity with the age and gender and supervised 24 hours by Social Welfare Centre.

² Implementation Action Plan for Kosovo Evropae Partnership 2006, UNMIK Office for European Integration and the Office of the Prime Minister -The ot European Integration, August 2006, page 114 no. 81 EPP. Regarding this phenomenon even UNMIK and knowledge on this issue is also informed his European Commission. In European Commission report recognizes that the Serbian MUP in Kosovo operates as a parallel body which issues various documents including passports Kosovars to find their free movement in Serbia after Serbia does not recognize UNMIK documents!

³ Standard operating procedures have been approved in 17 February 2006.

⁴ UN Guidelines for the Prevention of Youth Crime, approved by the General Assembly on the UN to rezlutën No.45 / 112 dated 14 larger state-owned 1990. Under this guideline is devoted to adoption care and accommodation of children, family, education, social policy, legislation which seeks youth, should give assistance to young people Mass media etc.

Measures aimed at combating and preventing trafficking in human beings

Against the perpetrators of the crime of trafficking are being implemented various measures and tools, which vary from one country to another. Among the important measures in the process of combating and preventing trafficking in persons are criminal sanctions, which are distinguished by their nature coercive and repressive. Besides criminal sanctions, to combat and prevent this dangerous criminal phenomenon they are also implementing measures and numerous other actions prevention.

Under the provisions of the Criminal Code of Kosovo, for the offense of trafficking is punishable with imprisonment from 2 to 12 years.⁵ As for severe forms of this offense foreseen sentences greater height limits. Thus, if the criminal offense committed against a person under 18, the offender can be punished with imprisonment from 3 to 15 years.⁶ Meanwhile, the organizers of groups of people to commit such acts may be imposed even higher penalties. Thus, under paragraph 3 of Article 139 of the Code, "Whoever organizes a group of persons to commit the offense in paragraph 1 of this Article shall be punished by a fine of up to 500,000 euro and by imprisonment of seven to 20 years."⁷ Also, during the course of criminal proceedings against the perpetrators of this criminal act, they can adopt some covert and technical measures of surveillance and investigation provided for in Chapter XXIX of the Criminal Procedure Code of Kosovo.⁸ These measures are innovation in Kosovo procedural legislation and their implementation aims at increasing the efficiency of criminal proceedings against serious crime, organized crime and to corruption.⁹ Under the provisions of this code, the implementation of some measures gives the order of the public prosecutor,

⁵ See Article 139 paragraph 1 of this code.

⁶ See paragraph 2 of Article 139 of the Code.

⁷ See paragraph 3 of article 139 of this code.

⁸ See Article 256 of the Criminal Procedure Code of Kosovo. This code promulgated by UNMIK Regulation no. 2003/26 and entered into force on 6 April 2004.

⁹ E. Sahiti, the Criminal Procedure Law, Pristina, 2005 fq.126.

while for some other pre-trial judge at the request of the public prosecutor, and the implementation of these measures makes the judicial police.¹⁰

Contact with victims

Contacts between victims of trafficking in this secure facility are free but under the direct supervision of CSW fully respecting their will. Also in this project it is also envisaged semi-independent life and managed by five girls over 17 years old who have experienced sexual violence, trafficking or have been abused in the family. In this form it can be set only people who do not have access to family reunification, care or adoption and may stay up to two years. Such intention of this accommodation is the reintegration of victims of trafficking in society. (See figure 1)

According to the operating procedures in relation to the assistance to be given to the Trafficking Victims Kosvare there is a good cooperation between all institutions in Kosovo and NGOs to found nearby and to help new VT social integration. All this starts with the statement of the victim before the unit for investigation of human beings who are forced to grumbulojnë all data and notify the Centre for Social Work related to whether the VT is about human beings or not.

If it comes to VT shall proceed in accordance with article 206 of the Provisional Criminal Procedure of Kosovo on the protection of victims and to be carried out forensic examination in Pristina imposed on Safe Object which is under surveillance by CSA full 24 hours . In this object is allowed Safe rehabilitation of VT whether juvenile or adult, their training, their education, professional advancement in capturing any zejeje which will help in the future, increasing the sense of trust in decisions in particular within the environment up to

¹⁰ E. Sahiti, the Criminal Procedure Law, Pristina, 2005 fq.126..

the full impact of their rehabilitation. Operation Safer target of this is done under the direct influence of municipalities, different NGOs, various government organizations, IOM in Kosovo, etc.

VKT should be noted that since the submission offered free legal help from a lawyer to protect victims. Even medical services (various checks forensic associated with pregnancy testing, various diseases such as HIV and other diseases) family counseling, psychological services, education material support for bringing together social assistance, support in setting up their professional to the assistance being provided in their employment are free.

It should be noted that all these services are offered to VT are in full coordination of the Ministry of Labour and Social Welfare of Kosovo, which in its scheme of social assistance for Kosovo Victims of Trafficking shares many of 35 euros per month.

During intervistmit the VKT from Investigations Unit Human trafficking in the main objectives to be achieved to identify causes and to take pro-active measures, re-active and taking measures to complete cessation of criminal activities of groups and individuals who deal with Trfikimin in human beings. The measures that should be taken from different directions facilitate police operations should be undertaken, not dublifikohen investigations and the results are guaranteed. So all the work in examining the VKT should start discovering all the activities that have taken the perpetrator of this offense, such as: recruitment methods, financial data collection, communication tools, means of exploitation, using advertising agencies different for recruitment, where are accommodated, what have udhëtur document, where are working, which are routes that have used similar.¹¹

¹¹ E. Sahiti, the Criminal Procedure Law, Pristina, 2005 fq.126.

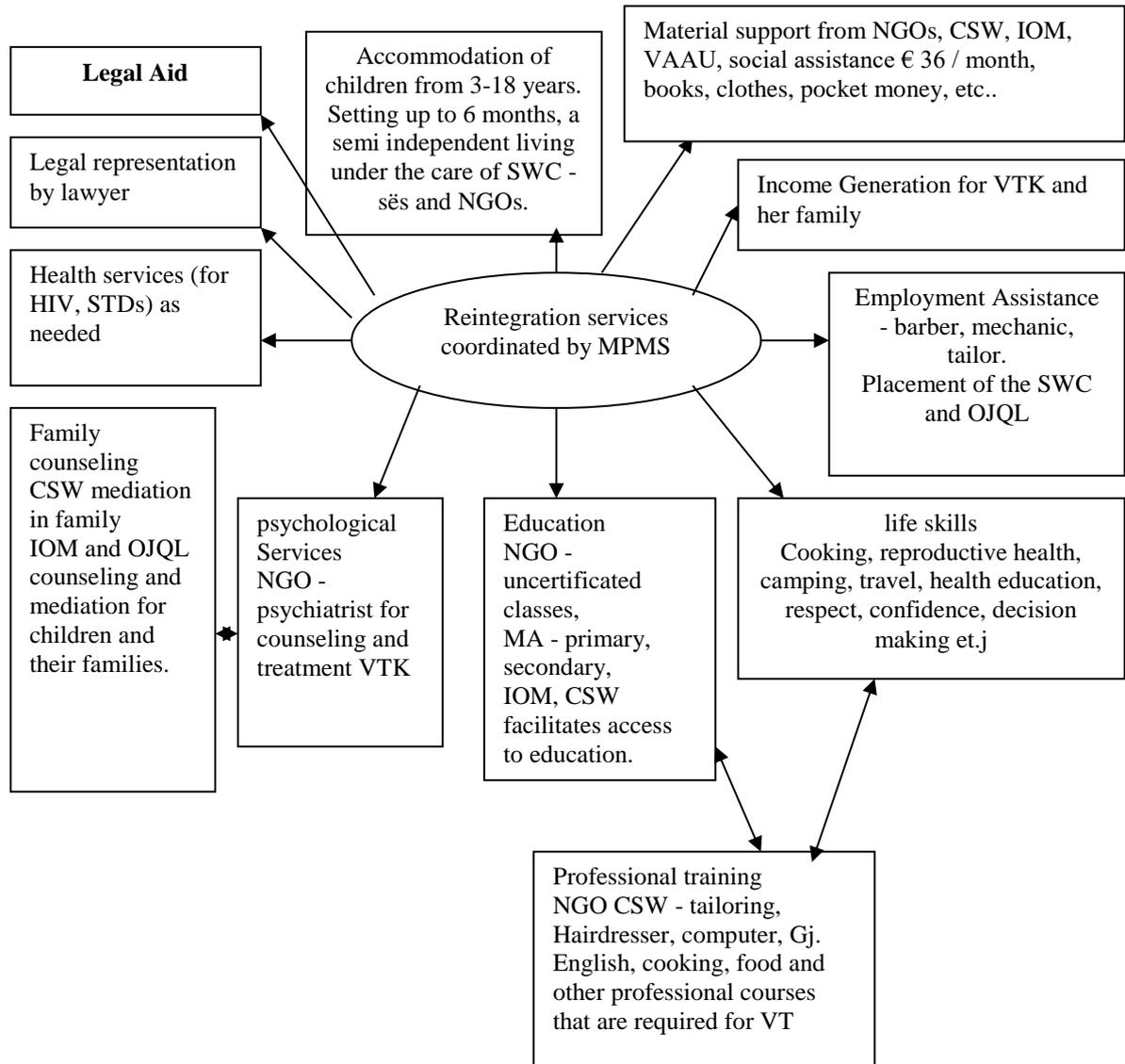


Figura 1. The procedure of adding services led by MPMS for integrating Kosovo VTK

Also care should be taken during the interview to achieve the honor to record a full and accurate information regarding the activities of traffickers in human beings. Take care of the BC shfrytzothen data from border police, media advertising, research, feedback from the public, the database of the police, the data from international agencies for law enforcement,

Interpol, Europol, Task force Tirana, SECI, the Office of immigration, customs, NGOs, transport companies (taxi, train, plane, ship) banks, insurance companies and its VKT.

Besides raw information Investigations Unit should be deepened further and get information very secret but always considering the respect of the Criminal Procedure Code. Among the collection of information options extremely reliable are those taken by the secret services of travel agencies, recruitment agencies for employment or marriage VT, foreign embassies (visa sector), the entrance and exit airport (ports and airports), homes Sure, squares, agricultural areas, financial investigations in the bank, the suspects, VKT, brothels, night club-sites, hotels, motels and private homes holiday.

After collecting information and verifying them after a thorough forensic processing then create avenues of suspicion must be investigated and acted. First, to investigate what is the country of origin, country of transit and finally to know where is the destination. To solve this problem should bazar geographic components and structural components. Geographical Kompnenta helps us come from which direction VT, which use roads, ports and airports are, what tools used for transport. Since trafficking can be done within a country should be taken care of well known commercial Components. More important is to know whether to rent buildings, houses, cars (eg rent-a-car) for transportation and housing needs to follow financial issues traffickers. (See figura2)¹²

¹² E. Sahiti, the Criminal Procedure Law, Pristina, 2005 fq.126.

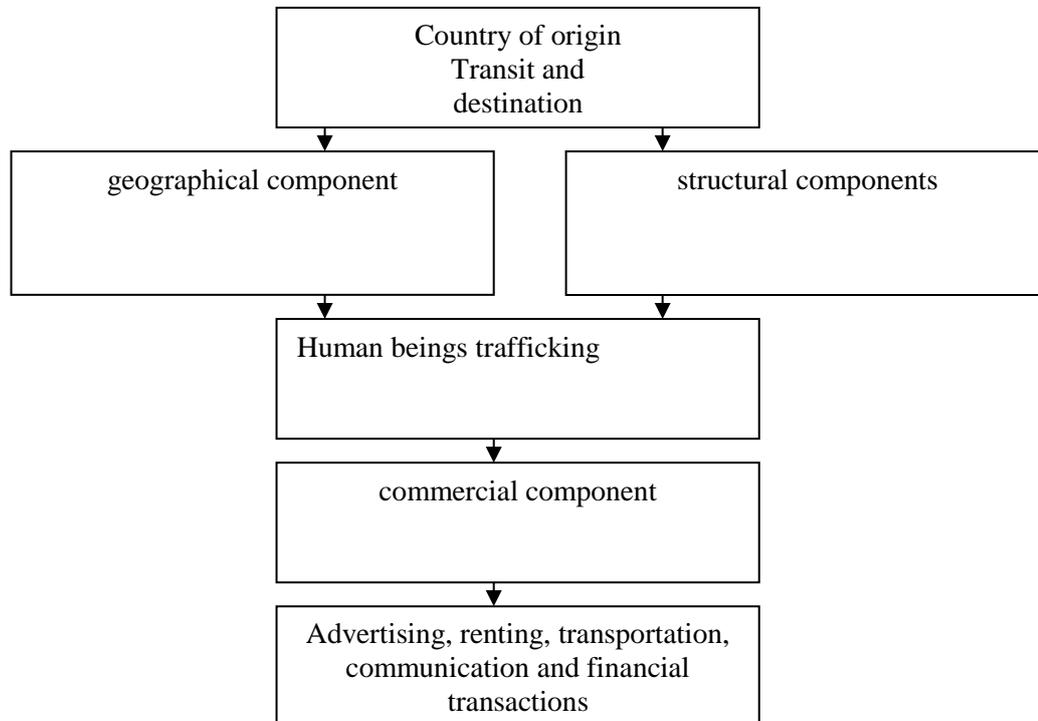


Figura 2. *The collection of detailed data on the movement of traffickers and victims of trafficking*

During the investigation and data kriminlistik ěrpunimit considering that we have a data of sufficient if it comes to trafficking in human beings or not. If so then explain precisely what it comes because criminal groups often perform a variety of offenses in order to obtain the real property and activate the legal financial institutions.

During the investigation of cases of trafficking in human beings should consider the creation and collection of abundant facts conform Criminal Code and the Code of Criminal Procedure in order to create a good legal basis for the prosecution body and the court to receive punishment suspect They deserved. It should be borne in mind before all three main elements: action, means and purpose. (See Figure 3)

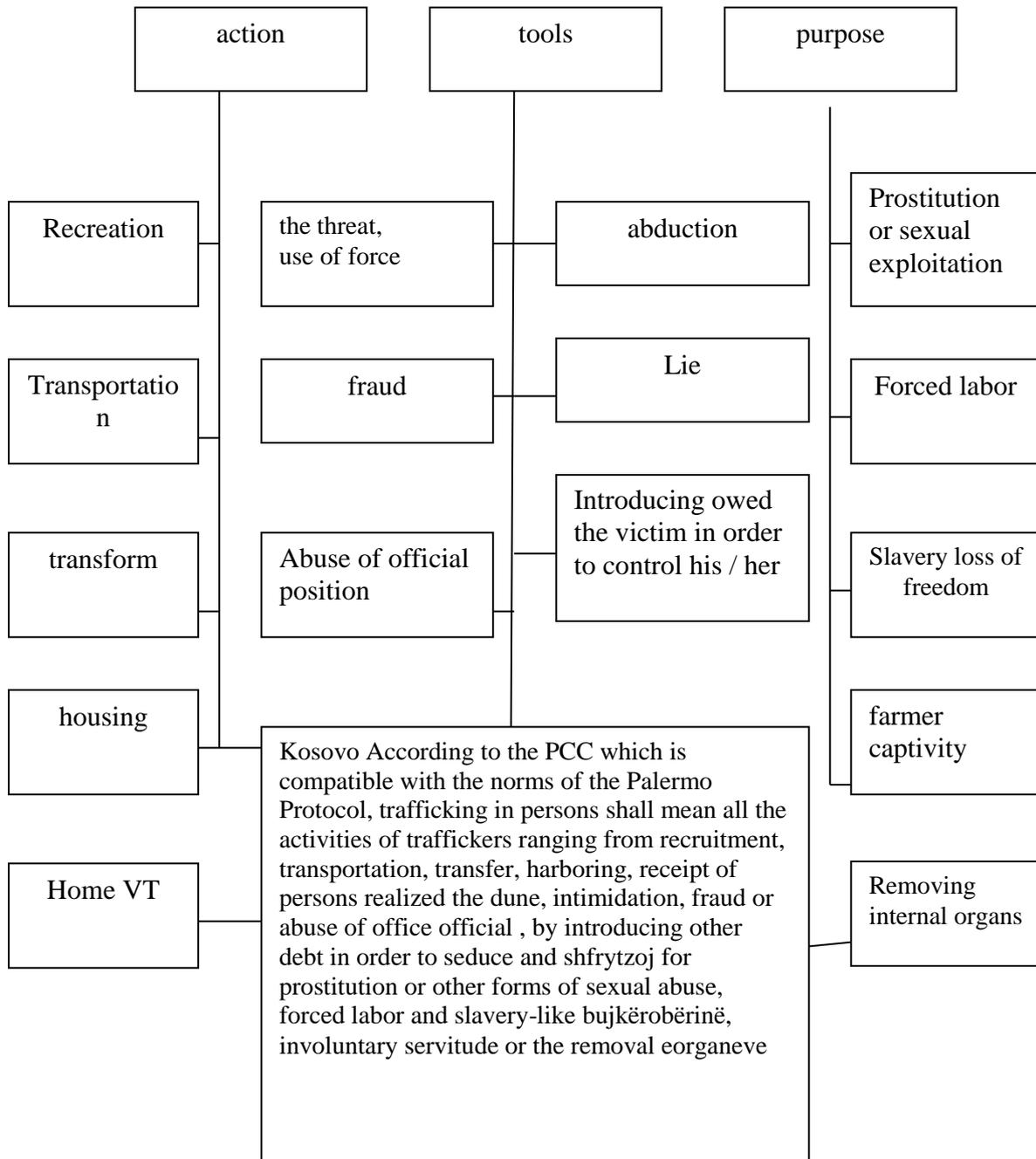


Figura 3. Elements of the offense that constitute legal action incriminated

Apart from investigative activities above përmndem Trafficking Unit investigators of human beings should have a close cooperation with all relevant security forces in Kosovo and with all governmental and non-governmental institutions, national and international to achieve them terminate fibers to be modern tëskllavrisë welcomed this new century called trafficking of human beings.

Throughout the collection of indications, facts and other evidence must be borne in mind that there is always the right ratio of between demand and supply for human beings, for,, white meat "which lead to organized crime groups in order to achieve the Economic and political benefits.



Figura 1. *The ratio of supply and demand as guarantor for profit upon which the activity of organized crime*

Relations between supply and demand are always harmonious movement in one direction. This move is the latest launch towards the end of profit which investonějně want and organized criminal groups. (see figure 6)



Figura 2. *The functioning of these two components toward clockwise movement*

Conclusion and recommendations

From all this we stated above that the outcome without any result if there is not to identify the perpetrator or the perpetrator of this monstrous crime where thousands and thousands of women, girls and children are turned into a full dependency slavery. So to have the realization of all the tasks set forth by law before the prosecution should be arraestimi of these offenders. This achieved by coordinating the work of three main factors: time, coordination of the undertaking all procedural actions in conformity with the Code of Criminal Procedure of Kosovo and in cooperation with all the personnel, agencies and other institutions that participate in identifying, investigating and apprehending and their perpetrators to justice issue.

The phenomenon of prostitution is a problem for all human society and to this problem is concerned the international community namely institutions largest organizations worldwide. Since the formation of the United Nations Organization is say that a dozen conventions, treaties, regulations, directives and protocols. In this regard these documents are designed to protect women from prostitution, trafficking, or even to each violation of their rights.

Of the many documents are: the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol to the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography childish, the Convention for the Suppression of Trafficking people and exploitation of prostitution of others and the United Nations Convention against Transnational Organized Crime and its Protocols, in particular the Protocol for the Prevention of Suppression and Punishment of Trafficking in Persons.

Literature

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