

Human trafficking: description of actual situation in Latvia



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Purpose of human trafficking:

- EXPLOITATION
- 3rd most biggest bussiness in the world after drug and weapon selling!

Exploitation is seen as:

- **Prostitution** (sexually exploited through brothel prostitution, including in nightclubs, through escort service agencies, for sex tourism, in pornography and in other ways of sexual exploitation);
- **Forced labour** (can be harder to identify and estimate than sex trafficking. For example, involuntary domestic servants, unpaid workers at a factory. Victims of forced labour are mostly men (52% Estonia) and average age of both sex is from 22-40 (66%) who are looking for any kind of job, mostly as unskilled workers);
- **Organ transplantation;**
- **Slavery;**
- **Servitude;**
- **Forced marriages.**

- Human trafficking (in Latvia defined in 2002) is the recruitment, conveyance transfer, concealment or reception of persons for the purpose of exploitation, committed by using violence or threats or by means of fraud, or by taking advantage of the dependence of the person on the offender or of his or her state of helplessness, or by the giving or obtaining of material benefit or benefits of another nature in order to procure the consent of such person, upon which the victim is dependent.

Article 154.2 Criminal Law of the Republic of Latvia

Which means:

- the involvement of a person in prostitution or in the kinds of sexual exploitation, the compulsion of a person to perform activities or to provide services, the holding of a person in slavery or other similar forms thereof (debt slavery, serfdom or the compulsory transfer of a person into dependence upon another person), and the holding a person in servitude or also the unlawful removal of a person`s tissues or organs.

Human trafficking consists of:

- Carriage;
- Delivery;
- Concealment;
- Receipt.

Where can we send human beings?

- Inside the country;
- Outside the country.

Countries classification:

- Origin (donor);
- Transit;
- Target.

Latvia?

Recruitment:

- Personal involvement in human trafficking through mutual negotiations through a third persons such as putting job advertisements in the media or straight contacts.

Recruitment can be done in groups and individually.

Individual recruitment:

- Random;
- Targeted.

Recruited by:

- Illegal job agencies;
- Study and work offers for students;
- Ad's in newspapers and web sites;
- Job offers in model agencies;
- Dating agencies (for purpose of marriage etc.);
- Personal contacts(friends, relatives, acquaintances).

Human can be recruited by:

- Cheating;
- Threats;
- Deception;
- Forcing;
- etc.

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Compliance to international requirements

- Palermo Protocol, ratified 07/04/2004.
- UN convention against Transnational organised crime, ratified 17/05/2001.
- Latvian National Program against Trafficking in Human Beings 2009-2013 (3/3/2004), includes harmonisation of international instruments, provide social rehabilitation service

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Current legal acts on trafficking

- The Criminal Law prohibits trafficking in human beings (art. 154) and provides for a criminal liability for sending a person for sexual exploitation (art 165)
- Several legal acts provide for support services for victims of trafficking (ex. Law on Social Services and Social Support 31/10/2002)
- Regulations of the Cabinet of Ministers No. 889., 31/10/2006 – Regulations on the procedure to be used for providing social rehabilitation services for victims of trafficking in human beings and criteria for the victim status

- For a transfer of a person for the purpose of sexual exploitation the Criminal Law provides a punishment of imprisonment of more than five years, which makes it a grave crime. The aim of this amendment was to ensure a right to special procedural protection for the victims of HT, witnesses, suspects, accused ones, person on trial and convicts (amendments to the article 165 (1) of the Criminal Law)

- Since 2004 the Criminal Law of Latvia also prescribes a possibility to consider a crime that has been committed in the territory of Latvia to be classified as internal HT (amendments to the article 154.2 of the Criminal Law).

- In the same way the Criminal Law now provides for provisions that allow to call to justice persons that do not have a permanent residence permit in the Republic of Latvia and who, in the territory of another country have committed grave crimes against the Republic of Latvia or the interests of its people (amendments to the article 4(3) of Criminal Law).

- In 2004 it was made an amendment to the Law of Social Services and Social Assistance. Now there is incorporated the social rehabilitation of victims of HT among the social services that are financed by the state (6 months)
- Since 2006, funding for the rehabilitation of victims of HT is allocated from state budget.

- A person who has been recognised as a victim in the criminal offence of trafficking of human beings or who the State Police has issued a statement that he/she is a victim of HT in a foreign state, as well as person who has been recognised as conforming to victim of HT criteria by a social service provider.

Identification of the victims

In compliance with the legal standards of Latvia*, only those persons identified as the victims of human trafficking in established procedure are eligible to receive State funded social rehabilitation services

**Regulation of the Cabinet of Ministers No.889 (31/10/2006) Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings*

Identification may be carried out by:

- performer of the criminal procedure (State Police) who issues the decision stating that person is recognized as a victim in a criminal matter (human trafficking)
- social service provider who establishes a special commission of specialists and carries out person's assessment determining whether a person complies with the criteria of a victim of the human trafficking determined by the Cabinet of the Ministers

In case person has been issued a note by foreign law enforcement authority stating that he/she has suffered from a human trafficking in a given state, reiterative identification in Latvia is not required and person may turn to a performer of the criminal procedure or/and social services provider

Investigation in suspected offenders:

	<i>2010</i>	<i>2011</i>
<i>Suspected offenders</i>	<i>34</i>	<i>38</i>
<i>New sex trafficking cases</i>	<i>21</i>	<i>31</i>
<i>Prosecuted sex trafficking offenders</i>	<i>39</i>	<i>27</i>

Human trafficking develop:

- Poverty (socio-economic reasons – unemployment, low wages, lack of possibilities for professional growth and a wish to get prestigious education) ;
- Gender aspects – there exists unequal treatment of women if labor market – comparing average wages
- Seduction of better life;
- Society social and economical structure;
- Unemployment;
- Violence against children and woman;
- Corruption;
- Cultural traditions;
- etc.

What victim of human trafficking needs?

REHABILITATION

- The aim of social rehabilitation - prevent or reduce negative affects of human trafficking and reintegrate them into society and labor market

The Ministry of Welfare obligated grant for NGO:

<i>2012</i>	<i>2011</i>	<i>2010</i>
<i>78 000 \$</i>	<i>58 000 \$</i>	<i>70 000 \$</i>

How victims of human trafficking reach the institution which provides social rehabilitation?

- Relatives and friends;
- NGO;
- International Organization of Migration;
- Police;
- Etc.

Social portret of victim:

- A minor who has to take care of younger brother or sister, or alcohol addicted parents;
- A teenager who has lived for a long time in the care of government (in an orphanage or boarding school) and has left the institution;
- An adult woman who raises one or more children alone;
- A woman who has suffered physical or emotional violence in her family.

- Gender discrimination in the labor market, especially in the less developed regions which are economically weak;
- A wish to leave family and to gain independence, especially if there are conflicts and violence in the family;
- Different kind of addictions that require large financial investments.

Reasons which were mentioned by women why they seek for a job abroad:

- A lack of appropriate working places or a lack of a work as such in some concrete region;
- A lack of financial means for the satisfaction of personal needs and for the upbringing and education of children;
- A wish to improve their financial status as soon as possible;
- A wish to leave their place of residence as there is no future.

- We can see connection:
 - The more time victim spend in human trafficking the harder is recover from this experience and integrate in the society

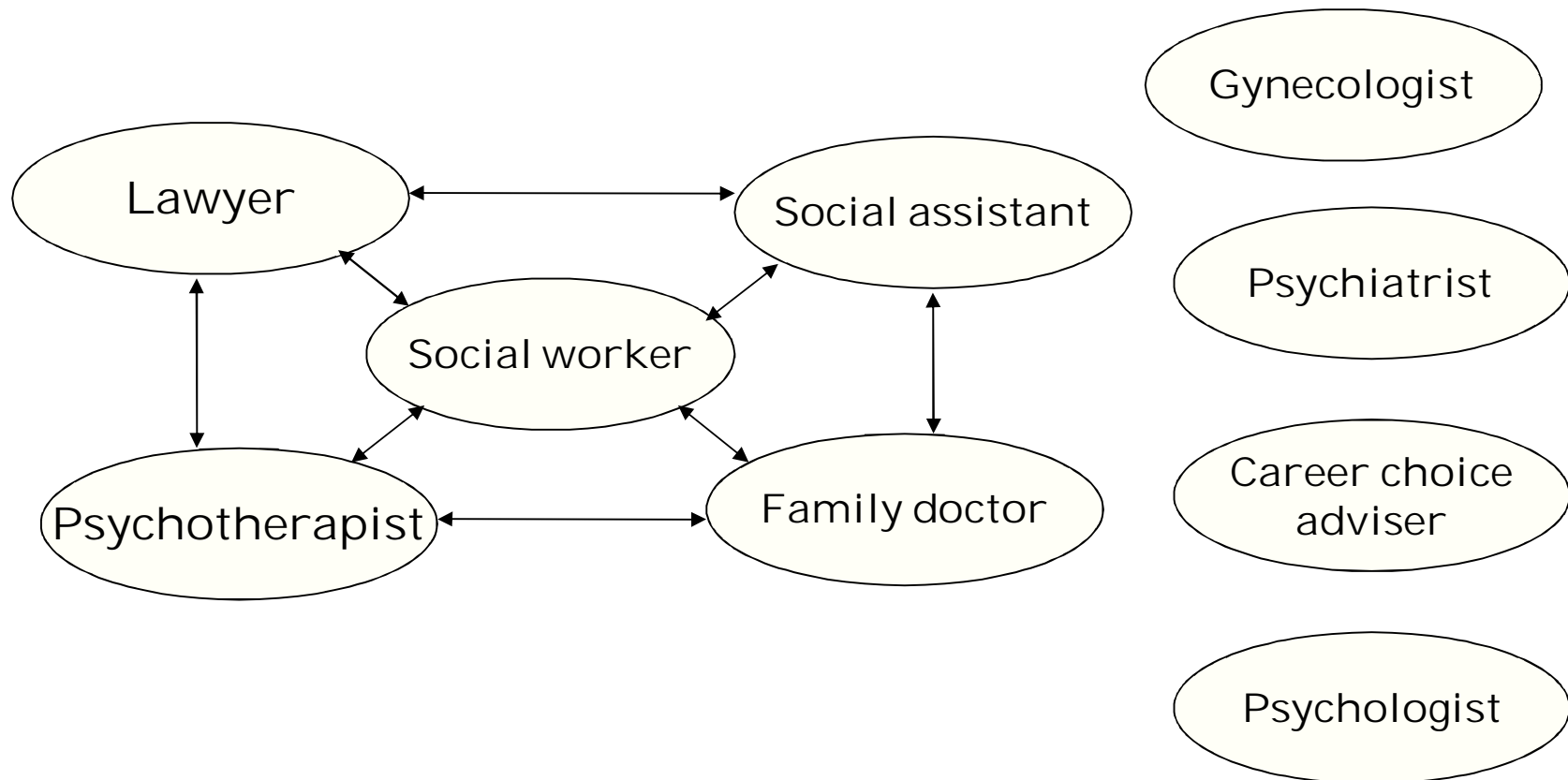
Services for victims of trafficking

- Safe return;
- Welcome;
- Safe housing;
- Financial assistance;
- Social assistance;
- Medical assistance;
- Psychological assistance;
- Legal assistance;
- Training and development of personal social skills;
- Support to vocational training and education;
- Support to the victims' families.

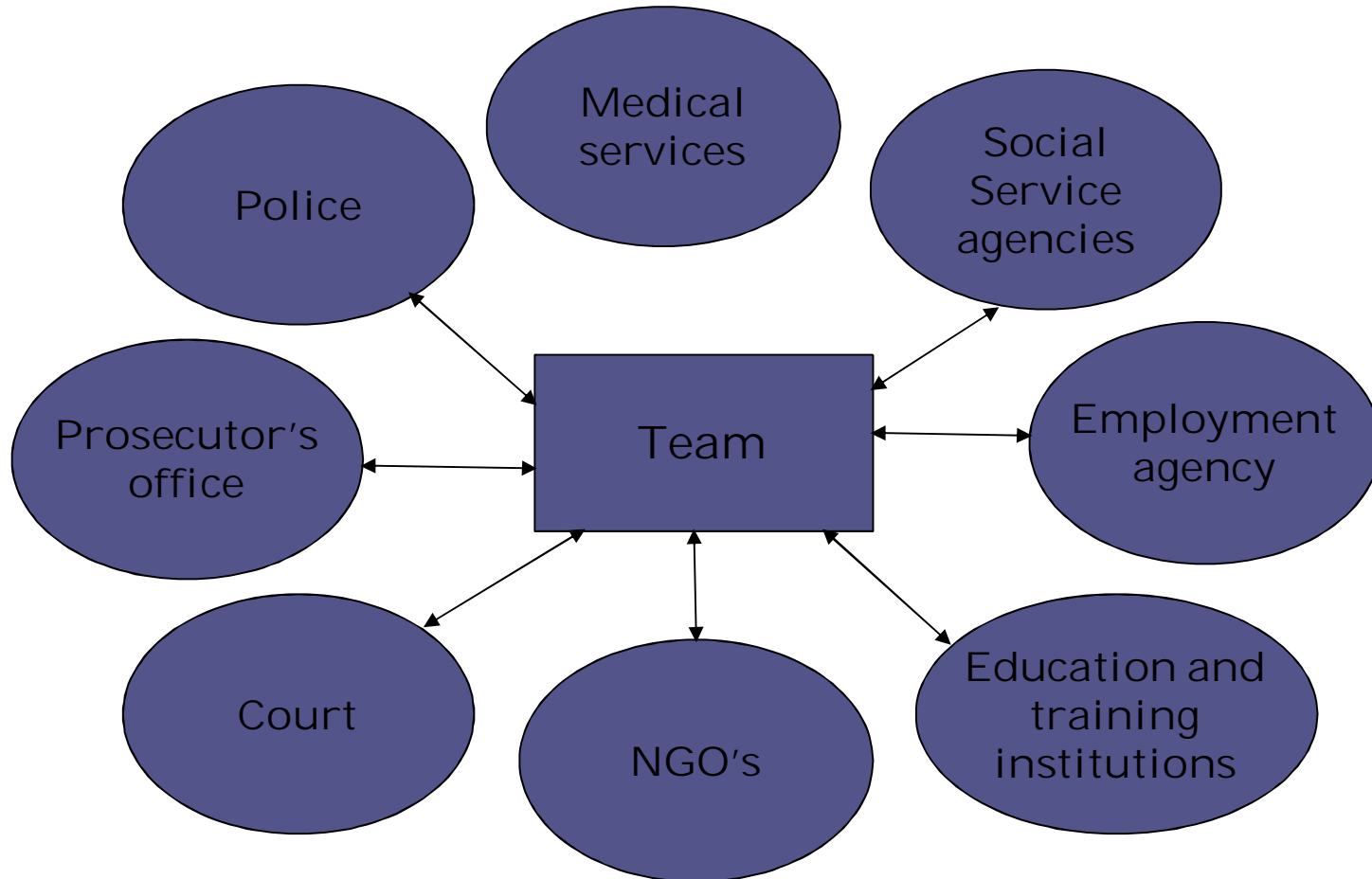
What victim need when he/she come back to country of origin?

- Travel documents;
- Routing;
- Money;
- Hotel;
- Accompanying – awaiting;
- Eskort (sick, pregnant, minors).

Interdisciplinary team



Cooperation with involved institutions



Health consequences for the victim

- Physical traumas
- Infections: STD, HIV/AIDS, hepatitis
- Gynaecological conditions
- Disorders of sexual functions
- Pregnancy, etc.
- Substance misuse
- Exacerbation of somatic diseases

Social consequences for the victim

- Threats to victim's safety
- No stable accommodation
- No documents
- No money
- Employment problems
- Problems in education and training
- Lack of social skills
- Lack of information about rights and opportunities
- Lack of support during investigation and litigation processes
- No support system

Long-term consequences that influence reintegration

- Psychological problems
- Accommodation problems
- Employment problems
- Lack of support system
- Litigation in progress
- Chronic health conditions
- Child-care
- Contact with the relatives

Number of victims of human trafficking who reach state funded institutional help:

<i>2011</i>	<i>2012</i>
<i>57</i>	<i>30 (5 man, 25 women)</i>

- In 2012 106 people turn to NGO for information (by phone and "face to face")
- From 30 people who reached help 7 cases were sex trafficking, 7 - forced labor, 16 - forced marriage cases.

Numbers like these are because:

- HT is a latent crime;
- It is necessary to take into account the statistics of the country of destination;
- We need to take into account the person in the country of destination are with forged passports;
- Difficult to identify internal HT in the country;
- Victims of HT do not recognize themselves as victims.

That can make a sign that the problem was underestimated and marginalized.

- The Riga city government spent 20 000 \$ for prevention (anti-trafficking brochures, conducting trainings for 60 individuals).

Additional information:

- **A European Strategy to fight trafficking in human beings**
- **Rport of the Nordic-Baltic Campaign against Tafficking in Women**
- **Tafficking in Persons Report**

Thank you for your
attention!