

Capacity Building in Migration Management Programme

DECEIVED MIGRANTS FROM TAJIKISTAN

A Study of Trafficking in Women and Children



IOM International Organization for Migration

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental body, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and work towards effective respect of the human dignity and well-being of migrants.

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August 2001



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TABLE OF CONTENTS

<u>1. FOREWORD</u>	6
<u>2. INTRODUCTION</u>	7
<u>2.1. BACKGROUND ON TRAFFICKING OF HUMAN BEINGS</u>	7
<u>2.2. AIM AND SCOPE OF THE STUDY</u>	8
<u>2.3. METHODOLOGY</u>	9
<u>2.4. MIGRATION DYNAMICS IN TAJIKISTAN</u>	10
<u>3. THE TRAFFICKING PROCESS</u>	13
<u>3.1. WHICH WOMEN ARE LIKELY TO BE TRAFFICKED?</u>	13
<u>3.2. HOW ARE THE VICTIMS RECRUITED AND DECEIVED?</u>	14
<u>3.3. CASES OF TRAFFICKING IN MINORS</u>	16
<u>3.4. WHO MAKES TRAVEL ARRANGEMENTS?</u>	16
<u>3.5. DESTINATIONS OF TRAFFICKED WOMEN FROM TAJIKISTAN</u>	17
<u>3.6. PATTERNS OF FORCING INTO EXPLOITATION</u>	18
<u>3.7. PROFILE OF A TRAFFICKER</u>	21
<u>3.8. RELEASE, ESCAPE AND HARASSMENT UPON RETURN</u>	22
<u>3.9. IMPACT OF TRAFFICKING ON VICTIMS</u>	22
<u>3.10. TRAFFICKING OF WOMEN IN THE EYES OF SOCIETY</u>	23
<u>4. GOVERNMENT PREPAREDNESS TO COMBAT FOR TRAFFICKING OF WOMEN</u>	23
<u>5. INTERNATIONAL COOPERATION AND</u>	26
<u>6. ANALYSIS</u>	27
<u>6.1. CULTURAL VULNERABILITY AND TRADITIONAL GENDER EDUCATIONAL GAPS</u>	27
<u>6.2. RESTRICTED ECONOMIC OPPORTUNITIES</u>	28
<u>6.3. DEMAND AND PULL-FACTOR IN TRANSIT AND DESTINATION COUNTRIES</u>	28
<u>6.4 LACK OF AWARENESS OF TRAFFICKING TRENDS</u>	29
<u>6.5. A WEAK LEGAL BASIS AND SUBSEQUENT DIFFICULT LAW ENFORCEMENT</u>	29
<u>7. CONCLUSION</u>	31
<u>8. RECOMMENDATIONS</u>	32
<u>8.1 ENHANCING AWARENESS</u>	32
<u>8.2 PROMOTION OF INSTITUTIONAL AND LEGISLATIVE REFORM</u>	33
<u>8.3 ASSISTANCE AND PROTECTION OF TRAFFICKED PERSONS</u>	33
<u>8.4 INCREASE ECONOMIC OPPORTUNITIES FOR YOUNG PEOPLE AT RISK</u>	35
<u>8.5 RECOMMENDATIONS FOR FURTHER STUDIES</u>	35
<u>ANNEXES</u>	37
<u>CASE STUDIES</u>	37
<u>EXCERPTS OF INTERNATIONAL INSTRUMENTS TO COMBAT TRAFFICKING</u>	48
<u>EXCERPTS OF THE CRIMINAL CODE OF THE REPUBLIC OF TAJIKISTAN</u>	58
<u>PROGRAMME TO COMBAT TRAFFICKING IN WOMEN IN TAJIKISTAN</u>	66
<u>ACRONYMS</u>	80
<u>GLOSSARY</u>	81
<u>REFERENCES</u>	83

1. FOREWORD

The incidence of trafficking in human beings in Central Asia in general, an increasingly in Tajikistan, is a matter of concern for governments and organizations.

The title of the present IOM research report: « Deceived Migrants from Tajikistan », reflects well the issue of human trafficking. Deception and violation of rights, abuse and exploitation are the features of this type of migration. Tajik migrants are increasingly leaving their country through the illegal services provided by the national and international criminal organizations that cheat them into abuse and exploitation. This has grave consequences not only for the persons who are victims of it, but also for the countries concerned, among others, in the form of the presence of criminal organizations and the violation of different national legislations.

Compilation of information and data, research and surveys' reports are valuable tools for policy-makers, legislators and humanitarian workers fighting against trafficking in persons all over the world. Information on how this phenomenon occurs in Central Asian countries is of crucial importance.

The sound methodology used for the research, which included surveys, case studies, focus groups discussions, apart from secondary data analysis, certifies the realistic information provided, which would be useful for policy-makers and organizations.

Information provided is important in a region where a high proportion of the migration movements occurring there is of irregular nature. This demands a rapid reaction of governments' concerned in order to curb irregular migration processes and to assist and protect the victims of the traffickers. In that sense, the collection of legal instruments available in Tajikistan is already a step towards a deep analysis of the phenomenon.

The necessity to establish a credible information system to target potential migrants, providing information about the dangers of illegal migration and the reality they would face is one of the clear outcomes of this study. Also, the study underlines the necessity to make appropriate reforms to the legislation in order to have anti trafficking legal instruments to enforce. This would mean a law that strongly punishes the criminal at the same that that it protects and assists the victims of the crime. This type of legislation should be enforced on a sub-regional or regional basis, in order to tackle trafficking from a transnational level.

Research and dissemination of information is one of the several counter-trafficking actions of IOM, technical cooperation, mass information, protection and assistance of victims, being the among the others. We are glad to contribute with this report for policy makers, legislators and the civil society, in order to enhance the implementation of the necessary actions to combat trafficking in persons.

Marco A. Gramegna
Head, Counter-Trafficking Service
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2. INTRODUCTION

2.1. Background on Trafficking of Human Beings

Globalization trends and the radical transformation of local economies and societies over the 20th century has forced people to abandon traditional occupations to try to meet the ever-changing demands of a new and growing labour market. As this process is shaped by economic developments, in countries facing economic hardships, it naturally leads to the emergence of unemployment, lower wages and increased vulnerability of the unemployed. In parallel as society readapts in the wake of economic disparities, new opportunities arise for the exploitation of vulnerable jobseekers by employers operating beside the law.

Trafficking of human beings is a form of modern slavery organized by a varied array of persons ranging from the economically desperate informant or recruiter in source countries to trans-border criminal groups using ever more sophisticated methods of recruitment to match irregular labour demand in expanding economies with the labour supply of countries facing serious economic difficulties.

Government and non-government experts estimate that over 700 000 woman and children are trafficked across borders globally each year¹. Experts² also estimate that the CIS alone is becoming the most important geographical source of trafficking in women in Asia. Studies in other Central Asian Sates³ have shown that Central Asia is not an exception to the rising trend for trafficking of human beings. The economic difficulties that Central Asian countries face today following the break-up of the soviet economic production system and subsequent rising unemployment and labour emigration on the contrary tends to foster a more favourable environment for the recruitment of potential victims of trafficking in human beings.

Frequent articles in Tajik newspapers illustrating cases of Tajik women that were deceived abroad or involved in sex work in the Gulf States and the Russian Federation and the fact that twenty eight persons are serving prison terms in the Khujand women's colony under trafficking related offences suggests that the issue of trafficking in women is one that also exists in Tajikistan and needs further analysis.

The need to study country and regional trends in trafficking of human beings has been the main motivation behind the present study. The result are expected to raise awareness and encourage policy makers, government officials and other national and international actors to take necessary action to combat the expansion of trafficking in human beings in Tajikistan.

¹ O'Neill, 1999

² IOMa, 2000; Global Survival Network, 1999

³ IOMc, 2000; IOMb, 2001

2.2. Aim and scope of the study

Definition of trafficking

IOM has adopted the newly established definitions of Trafficking and of Smuggling as included in the Protocols supplementing the United Nations Convention Against Transnational Organized Crime.

According to the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, Trafficking means:

The recruitment, transportation, transfer, harbouring 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 exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

A distinction should be made between *trafficking* and *smuggling* of migrants. According to the **protocol against the smuggling of migrants by land, sea and air**, *smuggling* means:

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.

Aim of the study

The objective of this research project is to compile factual information and contribute to a deeper understanding of trafficking in migrants in Tajikistan. This information will be used by relevant organizations, agencies and authorities to prepare and implement a set of recommendations for addressing trafficking in migrants.

The research will also be used as a basis for developing further projects to address the problem, such as policy, legislative and operational measures on border control, awareness raising and public information, and direct assistance to trafficked migrants.

Scope of the survey

Although several of the following trends were not surveyed, throughout the course of the survey the following types of trafficking were noted to exist:

- Trafficking of women for prostitution or sexual exploitation
- Trafficking of children for prostitution or sexual exploitation
- Trafficking of women for domestic and sexual servitude
- Trafficking of women to convey drugs
- Trafficking of children to convey drugs
- Labour servitude of Tajiks abroad

- Trafficking for the removal of organs

On the basis of an assessment of preliminary estimations outlining degrees of occurrence, availability of data, time and resource constraints, methodological feasibility and our capacity limitations, the present study gives particular attention to:

- Trafficking of women and children for sexual exploitation and servitude,

While reference to forced drug conveying, and removal of organs was made in so far as such cases were encountered during the survey, a separate specialized survey by specialized criminal investigators would have been necessary to establish a comprehensive picture on the issue. The limited coverage of these issues should therefore caution the reader against making related generalisations.

2.3. Methodology

To ensure a breadth and depth of information, the following methods for gathering, compiling and analysing information were used:

Questionnaire survey

An association of NGOs working on gender awareness and women at risk undertook group discussions followed by a survey among heads of mahalla, youth groups, teachers, journalists, doctors and relevant state officials to assess understanding of trafficking issues and refer knowledge of cases for further analysis. On this basis a detailed survey was undertaken by the same informants of potential victims of trafficking, victims identified or referred to in course of the survey, referred to by other social workers, referred to by victims, deported detainees, and victims referred to by third persons. Although over 100 persons were identified as possible victims of trafficking, feedback from interviews revealed that sufficient qualitative and credible information could be provided by only 80 respondents. The main difficulty during the survey was to break the barrier of silence and systematic distrust resulting from the psychological and physical shock of their experiences.

Case studies

In order to give the study a human face and to gather extra information on the consequences of being trafficked, case studies were made of 13 trafficked women, including four minors.

Focus group discussions

Women's NGO representatives, trafficked women, homeless girls, high school and university students were involved in focus group discussions.

Review of the current legal framework and international policy

The Criminal Code of Tajikistan was compared with international conventions and examples from other countries. Key texts on the sex industry, prostitution and trafficking were consulted.

Secondary analysis of official data on immigration patterns, prosecution

Requests were made to the Ministry of the Interior, the Ministry of National Security, the Ministry of Foreign Affairs for data relevant to trafficking.

Analysis of relevant publications and documents

Research, reports and policy documents on trafficking and related issues were reviewed⁴.

Media searches

Searches were made for relevant newspaper stories.

Feedback Sessions

Meetings and round table sessions were held with representatives from Government ministries, International Organizations and NGOs to look at the preliminary findings and early drafts of this report in order to facilitate their input.

2.4. Migration Dynamics in Tajikistan

Migration dynamics in Tajikistan are characterized by a history of important regional population movements starting in the 1950's at the instigation of the Soviet National Migration Policy in Central Asia, population displacements following the Tajik civil war and entailing mass labour emigration in the context of a prolonged economic crisis.

Under the Soviet National Migration Policy of the 1950's, enormous forced population movements were undertaken in order to provide labour to the Khatlon and Ferghana cotton plains and their agro-industrial complexes. Most of the displaced populations originated from rural mountain areas such as the Karategin, Badakhshan, Zarafshan as well as the main economic centres such as Samarkand, Bukhara, Khujand, Kokand. As a result, populations of different origins were concentrated in two major areas, which thus were positioned to compete for economical and political supremacy.

The civil war was partly the culmination of the consequences of the Soviet National Migration Policy of the 1950's. It instigated social-political competition between these populations from different origins for the control of the local power structures of the Soviet system (Roy, 1997).

The war in 1992 pushed approximately 300 000 Tajik citizens to emigrate, and 692 000 to be displaced to other parts of the country - usually to the depopulated areas⁵ from which their

⁴ In addition to policy documents (UNa, 2000; UN, 1999; OSCE, 1999; Galiana, 2000) an extensive review of bibliographical information on trafficking in migrants was found in Salt & Hogarth, 2000

forefathers had come from under the Stalin regime. Of those that emigrated only approximately 70000 returned to Tajikistan.

For a country that was heavily subsidized and dependent from central soviet economic support, economic restructuring difficulties following the break away and collapse of the soviet economic system combined with the consequences of the civil war have created an environment giving Tajik citizens bleak possibilities to earn their livings at home. The result is mass emigration mainly towards countries not requiring visas for Tajik citizens like the Russian Federation, Kazakhstan, Kyrgyzstan, and lesser extent Uzbekistan and Turkmenistan where visas regimes have been introduced primarily to regulate Tajik irregular immigration. Estimation from University experts and Tajik government officials range from 200 000 to 400 000 labour migrants.

These labour migration trends tend to fall in several large non-exclusive categories.

Long-term migrants usually registered abroad and temporarily coming back to Tajikistan occasionally for family visits. Many such migrants initially marry a citizen of the destination country to regularize their situation. In the Russian Federation such migrants tend to be concentrated in Moscow, St. Petersburg, Samara, Volgograd and major cities of Western Siberia. Their number in the Russian Federation is estimated to be over 160 000⁶.

Itinerant workers usually working abroad during spring to autumn and returning for winter in Tajikistan. These migrants (usually male) are rarely registered and tend to be unskilled and an easy prey for exploitation including trafficking. Areas of employment are usually in the construction sector and open markets requiring unqualified labour. In the Russian Federation this sort of migration tends to concern mostly in the major cities of Western and Central Siberia.

"Shopping" migrants. A great number of Tajik migrants (mostly women) travel to neighbouring countries to purchase articles to be resold in Tajikistan. It is noteworthy that travelling conditions of such migrants are usually miserable and punctuated with high "passage fees". Men tend to avoid such travel as they are culturally more subject to theft, abuse and interrogation. A high incidence of trafficked victims claim to have been shopping tourists or deceived into thinking that they would be shopping tourists.

In light of the above trends it is important to keep in mind that according to regional experts⁷ 99% of labour migration in the Eurasian Economic Union formed of Tajikistan, Kyrgysatn, Kazakhstan, the Russian Federation and Belarus is irregular. Due to their irregular situation, most labour migrants do not benefit from the same protection rights other regular citizens enjoy and are thus more vulnerable to exploitation by underground employers. While taking into account existing adverse economic conditions prevailing in Tajikistan, and the exclusion of women from the "formal and regulated labour market" in Tajikistan's patriarchal society, a strong push factor for irregular emigration does exist and is reinforced by the lack of accurate information on the basis of which to form realistic migration decisions.

Prior to this study IOM was concerned about various indicators suggesting that trafficking in Tajik women did occur. In the framework of IOM's Humanitarian Travel Assistance Programme on more

⁵ Population increases averaging of 3.2% annually over the past 50 years have largely compensated for the depopulation.

⁶ According to the Ministry of Interior of the Russian Federation.

⁷ Information from the Integration Committee of the Eurasian Economic Union

than one occasion IOM has repatriated Tajik stranded women that happened to be victims of trafficking in the Russian Federation, Kyrgyzstan and Kazakhstan. According to estimates provided to IOM under anonymous conditions, Tajik officials well placed to know about the matter claimed that in 2000 there may have been over 300 women from Tajikistan⁸ working in the sex business in the United Arab Emirates. Moreover considering the scale of trafficking in CIS and neighbouring countries to Tajikistan and taking into account the fact that Tajikistan is the most important sending country of labour migrants in the CIS, it is natural to suspect that trafficking in women from Tajikistan is an important migration problem.

As this study will reveal trafficking of human beings, particularly women for purposes of sexual and domestic exploitation, is becoming a salient characteristic of migration dynamics in Tajikistan.

⁸ According to research on trafficking in the neighbouring Kyrgyz Republic (Trafficking in Woman and Children from the Kyrgyz Republic, IOM 2000), over 500 Kyrgyz commercial sex workers (CSW) were working in Dubai at any one time in 2000.

3. THE TRAFFICKING PROCESS

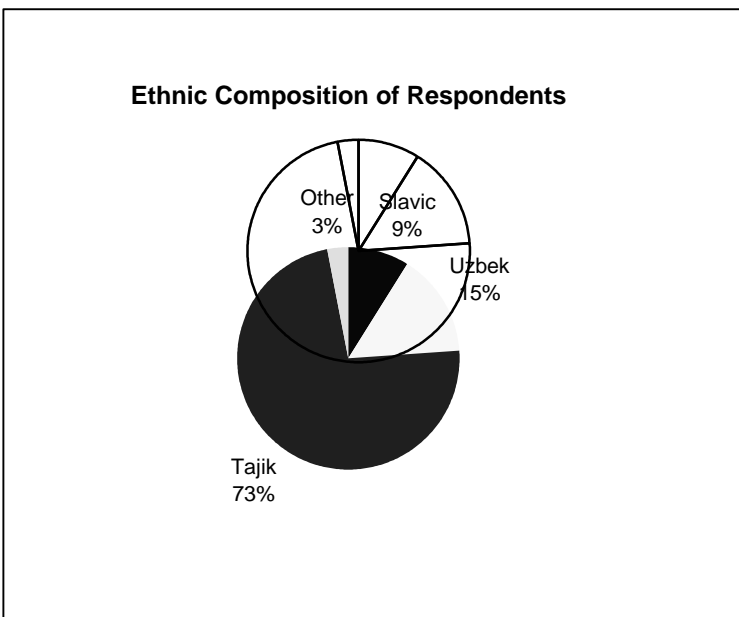
It is very difficult to assess the total number of women trafficked. Respondent to our surveys usually left the country under guises such as like shopping tourists, jewellery tradeswomen, tourist agents, nannies, and wife of X. Moreover official investigation is usually hampered by a lack of official gender specific statistics⁹.

The Ministry of Security has been paying particular attention to the issue and registered over 900 women¹⁰ that left Tajikistan until 2000 that may have been involved in the sex trade. In addition estimates based on information from the Ministry of Interior reveal that in 2000 over 350 women in Tajikistan were engaged in forced prostitution¹¹. Both sources however underline that the information they have concerns registered cases only, the number of actual commercial sex workers (CSWs) and potentially sexually exploited women travelling abroad may be higher.

Investigations on the basis of the present survey through interviews and focus group discussion among victims of trafficking relating to other victims enable us to estimate that over 1000 women were trafficked in 2000 primarily to the Middle East and CIS countries. Trafficking of minors for sexual exploitation was also found to occur.

3.1. Which women are likely to be trafficked?

The age of respondents among trafficked victims ranged from 16 to 44, however the majority were aged 21 to 25.



Our survey revealed that the family situation of trafficked respondents was particularly striking as over 88% had at least one child, over 77 % of the respondents were single (unmarried, divorced or widows), and 77 % of the respondents had either no parents or parents who were retired or unemployed. Most respondents therefore had the economic responsibility of supporting their children on their own.

All respondents were residing in urban areas at the moment of the survey,

⁹ Gender migration statistics in Tajikistan are available only until 1996 (Gaibullaev, 2000)

¹⁰ Based on reports of women potentially inclined to prostitution, deportations, those charged for age falsification on documents, and convicted for prostitution abroad.

¹¹ Based on number of prosecutions for forced prostitution inside the country

however over 50% of the Tajik and Uzbek speaking respondents claimed to have been raised in rural areas. This suggests that women having resettled from rural areas to Dushanbe or Khujand may face economic difficulties adapting to the urban environment and as a result are more vulnerable to becoming trafficked.

Comparing ethnic distribution in Tajikistan's population, the incidence of trafficking in women was more acute among respondents of Slavic origin. 9% of respondents were of Slavic origin while 3 % of the population is registered as of Slavic origin. Over the past four years a yearly average of over 6000 people of Slavic ethnicity officially emigrate from Tajikistan.

Over two thirds of all trafficked respondents finished school but had no higher education.

Main characteristics of trafficked women among respondents

- Single women aged 20 to 26 living in either Dushanbe or Khujand,
- Heads of household usually with at least one child,
- Mostly from ethnic minorities and rural origins,
- Usually no higher education

3.2. How are the victims recruited and deceived?

“My acquaintance promised me a good job in a shop. Instead of it I was forced to service 15-20 men per night in a brothel in Dubai and pay 1/3 of my earnings to her. I don't trust anybody anymore” Gulia - 23 years old Tajik respondent.

Although advertisement to lure women into being trafficked like misleading miscellaneous job proposals, fake marriage agencies, and other methods usually involving advertisement in public papers or places do exist, almost all respondent of our survey who became victims were led into the trap by friends or acquaintances or even relatives that acted as recruiters¹². Recruiters therefore tend to primarily rely on mouth to ear information that they can spread. The social environments in Dushanbe and Khujand are such that people tend know each other better than in more cosmopolitan cities where anonymous announcements would be effective in reaching out to a wider audience.

For those seeking “Acquaintances”! “Acquaintances service” composes catalogues and photo-catalogues for marriage agencies and acquaintance services in CIS countries and abroad. All those desirous to submit their data should provide passports and photographs. The service is on a fee basis.

Respondents were promised the possibility of undertaking lucrative shopping tours to resell items back in Dushanbe or Khujand, they were promised high wages abroad as shop keepers, maids, cleaners, or even the bride of a rich husband. In almost all cases the acquaintance making the

¹² Our informants did find that often recruiters are women.

proposals were able to show evidence at hand in the form of prosperity and social respectability- a palpable and convincing argument for women in desperate economic situations dreaming for social and economic well-being.

Inventory of reported trafficking in women deception techniques

- False promise for a job abroad: jewelry seller, cleaner, maid, bar server, shop assistant
- False promise of a shopping trip to make business by reselling purchased items back in Tajikistan
- Kidnapping
- False promise of lucrative and safe sex work abroad
- Coercion into forced prostitution, servitude and drug conveying on the basis of debt bondage and physical threats
- Wedding a false groom who is in fact a trafficker

“Gulbahor often went on tourist journeys to Dubai. She told me about a beautiful life abroad, and how generous and loving Arabs men are like. She promised to marry me to one of them.” Matluba (case 4)

“ Our friend advised my beautiful daughter to go and work in Abu Dabi as a cleaner in the villa of a very rich person for a salary of 4000 USD.” Irina (case 2)

Kidnapping “off the road” of young girls for purposes of sexual exploitation does occur in limited numbers particularly from university compounds or nearby areas. Only 3 respondents claimed to have been victims of such kidnapping. Discussions with law-enforcement officials however revealed that kidnapping for sexual exploitation had considerably diminished over the last two years. In 2000 however 47 women were still filed as involved in cases of having been kidnapped and then raped or exploited by force¹³.

“I was coming home from school when one car suddenly stopped and two men grasped my feet and hands and took me into the car. I came to myself in the room, it was a basement of a house. There were six of them...” Zulfia (case 6)

Finally many respondents facing pressure and strenuous economic difficulties in supporting themselves and dependants knowingly choose to go abroad as CSWs under the understanding that such a job would in any case provide the necessary higher income they need to maintain their living and support their dependants. Once again in many cases such victims are lured into believing that their activities would be lucrative and would not be subject to exploitation. In other cases respondents knowingly engaged in prostitution, servitude and occasionally drug conveying abroad because they were compelled by their creditors to do so and physically threatened were they not to abide by their creditors demands.

“ In order to pay our debts, it turned out that Nigina (daughter) agreed with the them (three men in camouflage uniforms) to fulfil all their orders and demands. Nigina went with them to Russia and served anyone who came to her place doing laundry, cleaning, cooking and was forced to endure violence, humiliation and convey narcotics.” Hilola (case 11)

¹³ Information provided by the Ministry of Interior

3.3. Cases of trafficking in minors

Throughout the survey three girls¹⁴ were trafficked abroad for prostitution under the circumstances described above.

In the course of the survey among orphans, two young boys reported to have been picked off the street by force, taken to a flat and sexually abused. They indicated that one young girl of their group had been abducted, sexually abused, killed and dumped on the road and another young boy abducted by a driver and disappeared. The perpetrators of such deeds reportedly approached the children on the street in expensive vehicles and offered a treat or an opportunity to earn some money if they got in the car. The informants of the survey indicated that all the children with whom discussions were undertaken had developed sharp street skills to know whom to avoid.

Trafficking of children for the removal of organs was also reported. According to law enforcement officials however such cases seem to be limited since the technology to perform the required surgery is not available in Tajikistan and children have to be trafficked out of Tajikistan for the operation. Nevertheless according to a Dushanbe's weekly paper¹⁵ in 1998 Ukrainian police in Uzhgorod near the Hungarian border found the corpses of two Tajik refugees aged 10 and 12 in a forest. They were identified as the sons of a Tajik refugee family that had been living in Uzhgorod. The autopsy revealed that their kidneys, and several other organs had been removed.

Officials also informed our informants of one well-known prosecution in which two doctors and a nurse working at Birth Hospital No. 2 in Dushanbe were found guilty of selling a newborn boy for 500 USD and a newborn girl for 300 USD.

3.4. Who makes travel arrangements?

Travel arrangements vary widely according to the destination of each migrant and the means of travel.

In cases involving land travel to the Russian Federation or neighbouring Central Asian republics, the issue of travel arrangements comes down to paying for transportation expenses and throughout the trip, routine bribes securing the good will of law enforcement officials. Such arrangements by road or railway transportation usually directly concern the migrant paying either the travel agent or group leader for a transportation fee including all necessary bribes, or the travel agent for the travel, and law-enforcement officials for bribes. It is noteworthy that such practices occur even in neighbouring central Asian countries usually requiring visas and in these cases the bribing expenses can be much higher. Respondents to our survey tended to travel in groups. In some cases travel was undertaken in groups of women involving a group leader taking care of payments and in other cases it involved groups while each traveller settled for her own travel and passage fees. It was reported that occasional inspection pullovers at check point in neighbouring states could occasionally last for up to three days and would incur expensive bribes to obtain dismissal by authorities.

¹⁴ Two of them aged 16 and one aged 17

¹⁵ "Crime Info" issue dated 9 February 2001

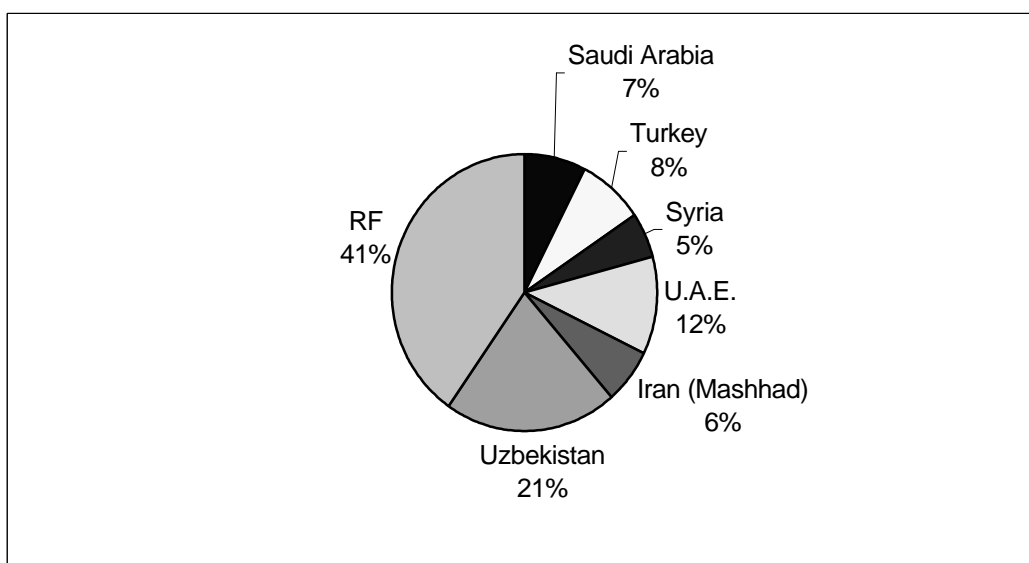
In almost all cases travel by air through airports entails stricter border control and thus the necessity for the trafficker to carefully manage all travel arrangements. In those cases traffickers are well connected with travel companies. The travel company arranges for issuance of authorized travel documents from relevant authorities. This usually involves a foreign or service passport, an exit visa for travel outside the CIS, and, when required, visa upon arrival arrangements in the country of destination. Travel companies involved in these arrangements usually have a license costing the equivalent of 5000 USD issued by Tajiktourism in coordination with the Ministry of Trade and Economy, and the Ministry of Justice. Eight licensed companies exist in Dushanbe. All other unlicensed groups organize travel arrangements through the intermediary of these licensed firms or official channels. Respondents of the survey claimed that all available charters and regular flights were used for transportation to destination countries thus indicating at least partial travel arrangements were organized through most of the licensed firms.

Visa upon arrival arrangements in UAE are usually obtained on business grounds under the guise of shopping trips. The trafficker or the travel companies are in contact with a travel agency in UAE that provides visa support for the travellers. Unfortunately diplomatic representations in Tajikistan have no comprehensive statistics on the number of women visa applicants.

Age is however a problem as according to common practice of inviting firms in the Middle East (by law in U.A.E.) eager to avoid legal problems with authorities, women under 31 are not invited to enter the country unaccompanied by parents or spouse. The well-connected traffickers therefore usually have to find methods to falsify the age and sometimes the identity in the documents. It is noteworthy that almost all respondents having travelled to UAE were under 40 (with three exceptions). Respondents cited having had to pay up to 250 USD to obtaining necessary false documents and visas support.

3.5. Destinations of trafficked women from Tajikistan

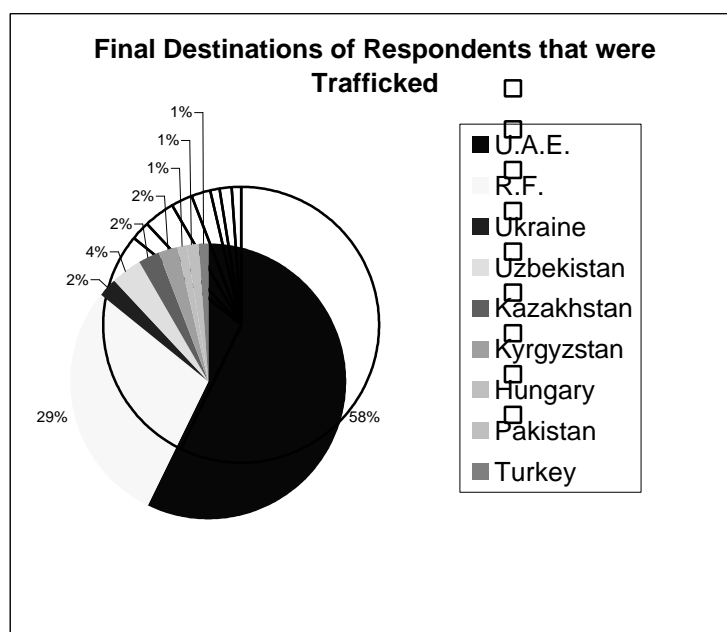
Destinations of commercial sex workers¹⁶



¹⁶ Information on year 2000 according to the Ministry of Security

Comments: Although the above figures are revealing, it must be said that the high percentage of cases related to Uzbekistan is more likely to reflect the latter country's transit role for migrants from Tajikistan travelling onward to the Middle East in 2000. Since the beginning of the new visa regime for Tajik citizens traveling to Uzbekistan, it is likely that the transit points will shift to Almaty and Bishkek.

Also noteworthy although not confirmed by trafficked respondents during the survey is Mashhad's role in attracting CSWs. Discussions with travel agents and government officials revealed that temporary marriages called "Niqoh Sigha" in the Islamic Republic of Iran are commonly used to avoid prosecution for illicit sexual activities.



The above diagram only illustrates information on the final destination of trafficked respondents. In order to reach to several of these destinations most often migrants transited through Uzbekistan, Kyrgyzstan and Kazakhstan for travel to the Middle East or the Russian Federation, and in one case to reach Hungary via Ukraine.

3.6. Patterns of forcing into exploitation

The following is a list of the several methods used by traffickers to exploit victims according to respondents of our survey:

Methods of forcing women into exploitative practices

- Travel document confiscation, lack of registration and visa expirations
- Debt bondage
- Violence and rape and forced prostitution
- Forced domestic service
- Narcotic dependency
- Denunciation threats to family members back in Tajikistan to incur social exclusion

The first step rendering our respondents most vulnerable abroad is their separation from their travel documents. It is noteworthy that it is common practice of recruiting firms in many Gulf States to require that travel documents be deposited in the hands of relevant authorities or firm agents until the moment of departure. In these cases usually a slip of paper is provided to the employer or inviting agency that is to be presented upon departure to authorities for the return of the travel document upon departure. However, even when such practices do not prevail, employers and traffickers almost always confiscate the victims travel documents to ensure that the victim does not escape. This eventually leads to problems related to the lack of registration and visa expirations that render the victim even more vulnerable vis à vis the local authorities and therefore unlikely to seek their assistance.

“They took my passport, as they told me, for registration. Some time later a man came into my room and told me that I had to engage in prostitution in the hotel. I was told that it didn’t matter whether I wanted it or not, I would be given no choice. I entreated him to let me go, but it was useless. Then I was “examined”. First he raped me himself, then he gave me to the guards.” Jamila (case 1)

Almost all respondents that were trafficked realized that they had been deceived only once they had been separated from their documents and accommodated in a hotel or private apartment abroad. The trafficker at this point usually either sold the women to specialized criminal groups providing sexual services for clients, sold the woman into sexual and domestic servitude in one household or informed their victims that they had a debt to repay in order to cover for their travel arrangements and it was up to them to see how it would be repaid while leaving no choice for not being exploited. Debt bondage is a common practice among traffickers to better control their victims and ensure high profits from their exploitation.

“Tursunoy-apa arranged so that all the women are continually in debt, she treated them according to her mood and often beat girls and punished them for no reason”. Aziza – Tajik respondent from Panjekent.

As a couple cases illustrate, if a trafficker can put a victim in position of debt bondage in Tajikistan, and thereby force the victim into prostitution abroad the degree of control over the victim is even higher.

“Then I dared to go to the man, to whom we owed money. I suggested myself to him if only he could leave us in peace. He sent me to Dubai, where I worked as a prostitute. During my work there I bore a lot of humiliation”. Manzura (case 10)

In addition to debt bondage, violence is used as a constant threat to remind victims of the consequences they would suffer were they to refuse to abide by their rules. In this respect it is noteworthy that 89% of respondents were sexually abused by their pimps and 27 % suffered violent beatings.

Although narcotics were reportedly a rare, costly and extreme method to subdue women into forced prostitution, some victims claimed they had become addicted as a result of their traffickers. According to our informants 15 % of the respondents were drug addicts.

“They made me an injection. I don’t remember anything, when I came to myself I was lying on the floor unclothed. Everyday several men came, made me an injection and raped me. “ Zulfia (case 6)

Victims of trafficking are often threatened that they will be denounced to local authorities. However considering the force of reprobation in the traditional and conservative social context of Tajikistan, a widely used practice in subduing victims into continuation in the sex business is the threat of dishonour in spreading the news of the victims real occupation.

“When I came to Dushanbe I thought that I would never see Mukaddas anymore (former trafficker), but then she appeared one day in my house with a video cassette of evidence and began to blackmail me for more money”. Mohru (case 3)

Another very important factor preventing women to escape such situations is the victim’s disorientation in an unknown environment following the physical and psychological shock of being sexually abused. The unfamiliarity with her surroundings and the psychological instability resulting from sexual abuse effectively prevent the victim from knowing how to manage on her own.

“I lived in his house for 8 months – without passport, without knowing the language and I didn’t communicate with anybody.” Matluba (case 4)

During interviews it was generally psychologically difficult for victims to speak explicitly on how they were exploited. In the absence of social support activities for victims of trafficking, mistrust to survey informants after having undergone strong psychological and physical shocks was common. In addition to the above patterns of forcing victims into exploitation, the following types of exploitation were found to prevail: repeated sexual abuse, sexual relations without the consent of the victim, domestic servitude without pay, forced conveying of narcotics, and deceptively bearing children for someone else.

3.7. Profile of a trafficker

A trafficker can be anybody who profits from trafficking a victim ranging from the local acquaintance, the co-operating travel firm in source, transit and destination country, the corrupt official, the premise owner in the place of exploitation, the pimp and other facilitators. Although in practice the involvement of the different intermediaries always varies in importance according to the context, throughout the survey it became clear to our informants that the most important link in the chain of trafficking agents in Tajikistan is the head of local prostitution rings. Such heads usually enjoy the protection of influential patrons. During the course of the survey eight trafficking networks were identified usually benefiting from good contacts with travel firms and influential officials.

The following is an account of a prominent head of a trafficking network in Khujand. This person having been working in the sex business since 1975 was apprehended in Autumn 2000, and was given a sentence of nine years under fifteen different articles of the criminal code.

Informants account of Tursunoi AbduDjalilova

During the past years Tursunoi kept a network of apartments in Khujand where up to 70 young women were exploited for commercial sex. These women were aged of 16 to 30. They originated from Khujand and rural surroundings and different towns of the CIS and included ethnic Tajiks, Russians, Ukrainians, Kazakhs and Tartars.

The circle of Tursunoi's activities was broad and even some law enforcement officials and taxi-drivers collaborated with her. On a commission taxi-drivers were accustomed to cheat stray young women looking for jobs or rent accommodation by trafficking them into Tursunoi's hands.

Following interviews with 10 sex workers they revealed that they were constantly in debt to "Tursunoi-sister". She indebted them for food, clothes, accommodation and forced them to "work" with no pay. If they made any complaints or refused "to work", or if they made any attempts to run away, she herself beat them cruelly. She always kept her laborers in fear and told that both the Hukumat (local authorities) and militia were in the connection. Young women saw proof to their fears in the presence of some militiamen that readily assisted her in fulfilling her errands. From time to time Tursunoi exchanged her girls and women with her "colleagues" in Tashkent, Bishkek and Almaty. She formed a selected group of girls and sent them for "work" in Dubai, where her representative worked.

All women under Tursunoi's authority had been given nick-names to hide their real identity. To keep her activity well managed she had 6 procuresses, who lured new young girls to "work", and regularly gave her information about potential victims. At the end of every week she conducted staff meetings with the participation of her subjected women and the procuresses.

One of the procuresses from Pendjikent, revealed that she had been initially forced into prostitution in Tursunoi's house, and later became a procuress. She claimed that once every one and a half months to two months a gynecologist undertook medical examinations of the sex workers. Those who fell ill were treated at their own expense. Treatment was usually never

complete, because they were sent off to “ work ” very quickly. Of fear none of the women dared to complain.

In town Tursunoi was claimed to be a benefactor as she often paid for municipal services on behalf of the neighbourhood. She also participated in different celebrations and weddings with her girls who were instructed to be dancers. Most people thought that she trained the young dancers and thus provided employment for them.

She attracted young girls to her enterprise in different ways. Some of them came to her looking for temporary accommodation, some were brought by taxi drivers, some in economic hopelessness offered themselves, and some were even sold by their own parents in expectation that she would employ them.

Following several accusations and complaints inhabitants of Khujand recently became aware of the reality of Tursunoi’s activities and as a result was prosecuted and imprisoned for six years.

3.8. Release, escape and harassment upon return

Among all our respondents who had travelled abroad, only one escaped when two clients bought her freedom, one escaped when her pimp was killed in a brawl and three others walked out despite having their documents confiscated as they refused to work as prostitutes. 55 % of the respondents who travelled to U.A.E were detained and deported back to Tajikistan¹⁷. Some respondents managed to earn enough money through sex work to return back to pay their debts to the person who placed them in debt bondage back in Tajikistan and send them abroad. Our informants however suspected that six respondents chose to repay their debts and avoid sexual exploitation by becoming recruiting agents themselves back in Tajikistan.

Also noteworthy was that 50% of all respondents who travelled abroad claimed to have been victims of extortion by custom officials upon return and 33% claimed to have been victims of racket by law enforcement officials upon return.

3.9. Impact of trafficking on victims

“Even when you are ill they make you work.” Madina (Case 13)

One of the most important difficulties during the survey was due to the lack of confidence the majority of the respondents demonstrated at the beginning towards the surveyors mostly due to systematic distrust a victim develops following the psychological and physical shock of their experiences.

95 % of all respondents claimed that they had been forced to engage in sex with no means of protection against venereal diseases. 10 % of the respondents admitted they suffered from some

¹⁷ Only three respondents claimed to have been deported back to Kazakhstan.

kind of sexually transmitted disease (STD). 77 % claimed the highest risk in their situation abroad was to contract STDs.

“If one of us was ill, paying for the treatment was supposed to be paid by ourselves and even if a doctor came there was never time for proper treatment as we could not stop working.” Takhmina, Tajik respondent

3.10. Trafficking of women in the eyes of society

The general reaction to the problem of trafficking in women and subsequent approaches to address it was found to be rather homogenous. The preliminary survey aiming to identify understanding, and trends in trafficking of women besides referring concrete cases to our informants also allowed us to comparatively assess the understanding of trafficking among youth, government officials, professors, journalists, doctors and heads of Mahallas.

89 % of respondents from all groups condemned commercial sex, thus characterizing a rather conservative social attitude. Interestingly enough, however, in a traditional and conservative society 83 % of all respondents demonstrated a realistic attitude in the causes behind trafficking by affirming that economic difficulties were the main push factor that forced women to engage in commercial sex.

Concerning the sources from which respondents learned about trafficking it was noteworthy that the majority had become aware of “trafficking of women from Tajikistan abroad” through the press media¹⁸. Similarly in deliberating on best ways to combat trafficking of women, the highest expectations were placed on the role of the media and Government.

4. Government Preparedness to Combat for Trafficking of Women

Almost a decade after its independence Tajikistan has developed an institutional basis on which counter-trafficking measures can build on to achieve standardization with relevant international norms and best practices. Most noteworthy is the Ministry of Security’s ongoing initiative in documenting activities of potential cross-border traffickers. The Ministry of Interior has a specialized department to investigate prostitution in coordination with the General Prosecutor’s office. Finally the Committee of Youth is aware of the problem of trafficking and has the potential to play an important awareness raising role.

The first difficult step in counter-trafficking government and public action to combat trafficking in women concerns an increased awareness and sensibility of the problem among social actors and policy makers. Full realization and understanding is needed of the crimes that are committed against

¹⁸ With the exception of Heads of Mahalla that tended to rely on information from acquaintance, friends and relatives, all other social groups pointed at press media as the main source of information on trafficking.

victims of trafficking, regardless of whether the victims were sex workers or not, and the need to combat those crimes without criminalizing the victim.

Today in Tajikistan the understanding of trafficking of women tends to be exclusively limited to a natural inclination towards abolitionist approaches to prostitution. Awareness that abolitionist approaches can lead to the incrimination of innocent victims of trafficking is almost inexistent. The risk is therefore high that reaction to trafficking of women results in increased public reprobation of victims in addition to traffickers with undue attention to the complex social and economic prevailing factors that force women into commercial sex.

For a country with a relatively small population, the necessary network of information agencies, mass media and government organs that can contribute to increased awareness, discussions and debates on trafficking of women does exist in Tajikistan. Such initiatives only require full realization of the social dilemma among social actors and the will and determination to combat it. As awareness gradually increases, other counter-trafficking actions in the field of legislative review, and increased law-enforcement can build on acquired momentum.

Current Legislative Framework to combat trafficking of human beings in Tajikistan

Existing legislation to combat trafficking in human beings in Tajikistan can be summarized in two categories: international ratified legal instruments and relevant articles of the criminal code.

The importance of international instruments¹⁹ in setting the legal basis for regulations in counter trafficking in human beings in Tajikistan is delineated in Article 10 of the Constitution. This Article in addition to establishing the general responsibility to abide by the law inter-alia outlines that ratified international documents prevail on domestic law.

Please refer to the annex for a list of ratified legislation including explanations. It is noteworthy however that the most important and recent international legal instrument to combat trafficking of human beings namely the **Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime** has yet to be both signed and ratified by the Government of Tajikistan²⁰.

The Criminal Code of the Republic of Tajikistan has several articles that can be used in prosecuting offences in the context of trafficking of human beings. The chart on the next page highlights two shortcomings: inadequate definition of trafficking offences and generally lenient sanctions with the exception of transgression of borders.

Comparative analysis of the Criminal Codes²¹ of the Republic of Tajikistan, Russian Federation, Republic of Uzbekistan, Republic of Kazakhstan and Republic of Kyrgyzstan concerning the selling of human beings shows that the attribution of criminal responsibilities for acts related to trafficking in human beings are similar in all these countries.

¹⁹ For an analysis of counter trafficking legislation in the CIS see Sinitsyn, 2000

²⁰ The United Nations Convention Against Transnational Organized Crime was signed in Palermo by the President of Tajikistan in December 2000, but not the supplementing Protocols.

²¹ Much of related criminal legislation originated from the Model Criminal Code for CIS countries (1995) in the framework of which some international standard provisions were accounted for.

Article of CC of RT	Type of Criminal Offence	Designation in CC of RT	Recommendable designation	Sanctions In CC of RT ²²	Minimal Recommendable Sanctions ²³
a. 132	Trafficking of human beings	Exploitation including aggravating circumstances	Expansion on the notion of trafficking ²⁴	500 to 1000 minimal salaries or restricted movement for up to 2 years or imprisonment for up to 2 years	3 months to 3 years The alternative of fines or restricted movement for recidivists is not recommended.
a. 167	Trafficking of minors	Selling and buying of minors		Imprisonment from 5 to 8 years	
a. 238		Drawing into prostitution		500 to 1000 minimal salaries or restricted movement for up to 3 years or imprisonment up to 2 years	3 months to 3 years The alternative of fines or restricted movement for recidivists is not recommended.
a. 149	Illegal forced transportation of human beings	Illegal limitation to travel, choice of residence and departure and arrival into RT including aggravating circumstances	Notion of forced movement should be better outlined	1000 to 2000 minimal salaries or selective interdiction of employment for up to 3 years Or forced specific employment for up to 3 years	3 months to 3 years
a. 239	Hosting trafficked persons	Organizing brothels, procuring premises and pimping	None	1000 to 2000 min salaries or imprisonment up to 5 years	3 months to 3 years
a. 335	Illegal entry/exit	Transgression of national border Without necessary documents and Premeditated Group Transgression including aggravating circumstances	None	2 to 5 years 5 to 10 years	1 day to 6 months
a. 340	Document Fraud	Document fraud use, fabrication and sale including aggravating circumstances	None	Restricted freedom for up to 3 years or imprisonment up to 2 years	2 to 5 years Alternative to imprisonment is not recommended.

²² This column does not including aggravating circumstances.

²³ The basis of recommendations was elaborated by the Budapest Working Group (Budapest Group, 1996)

²⁴ As defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children of the above Convention

5. INTERNATIONAL COOPERATION AND ACTION AGAINST TRAFFICKING

Given the rising scale of the problem in a world driving towards globalization of economies and labour markets, trafficking in women and children is an issue of growing concern to policy makers in destination countries and particularly European countries, the United States and Canada. With the support from these countries International Organizations throughout the globe often in co-ordination with local authorities and civil actors have also begun undertaking active measures to include counter trafficking activities in their programmes and strategies. Most noteworthy in the CIS, several victim support networks have been set up by prominent local NGOs.

Experience of International Organizations in the Balkans and the CIS has shown that it is important however that counter trafficking policies and programmes be all based on well-reflected and concerted action strategies. While awareness on the realities of trafficking builds, it also triggers shock and deep revolting sentiments in public opinion including policymakers and potential counter-trafficking actors. The conviction that action is needed is often accompanied by insufficient reflection and co-operation efforts to ensure greater effectiveness in combating the trend. A clear co-operation framework, taking into account the capacities, expertise and resources of counter-trafficking actors, is recommended.

The present study is an example of such co-operation among International Organizations, however an assessment of the capacity and expertise of possible governmental and civil actors including non-government organizations remains to be undertaken.

6. ANALYSIS

The present analysis aims to highlight the main roots behind the findings of the present study on trafficking of women and children in the social and economic context of Tajikistan.

6.1. Cultural vulnerability and traditional gender educational gaps²⁵

One of the most important factors rendering women particularly vulnerable to trafficking is their cultural isolation from the outside world, and their perceived role in society tending to restrict them to being housewives and child bearers. The entailing restricted knowledge and awareness of the outside world, and subsequent limited understanding of their abilities beyond housework and child bearing, makes women particularly vulnerable when the traditional social and economic support of men fails and they are left on their own. The most apparent solution for many women to maintain their living is thereby to transpose their domestic experience in the outside labour market where traffickers can easily claim a demand for cleaners, maids, sellers, babysitters and for those who are economically desperate – commercial sex.

There are several combined traditional practices that strongly contribute to the persistence of women's cultural isolation and their perceived role in society as housewives and child bearers. An important one is the wide spread practice of arranged and forced marriages together with dowries. Marriages tend to be arranged by parents. It is a social institution, which for many is an important leverage for social promotion. The will of the bride (and less so the groom) is rarely the main issue. Practice of dowry is not uncommon. A young girl is literally sold to the groom's family. The value of the transaction is judged before and after the wedding according to the proficiency of the woman in housework and her ability to please her husband and in-laws. The risk always remains that the bride be judged incompetent and thereby be refused or repudiated and incur social reprobation for the bride and her parents. Traditional prevailing practice and opinions even in urban settings have it that if a young girl is not married at an early age, the chances that she will find a husband diminish as she gets older. Older single women tend to be subject to suspicions of all sorts and are thus avoided as a choice for a bride. Since childhood young girls are therefore taught to be good housewives many times at the expense of education while boys are given greater autonomy and educational opportunities.

Another common perception is that women are not bound to spend their lives with their parents and eventually support their parents all their lives while men tend to be so. After marriage according to traditional sayings a woman is considered a stranger for her parents. Investment in education during childhood is therefore not conceived to be as worthwhile as it is for men. On the other hand men are expected to look after their parents and support them when the need arises especially in their elder years. Men also bear social and religious responsibilities of considerable influence in common

²⁵ For a detailed analysis on the situation of women in Tajikistan see Olimova, 1998

believes which women don't, like the need to bury them the day of their deaths²⁶ and carry the name of the family.

Thus contrary to common thinking that trafficking of women would be less likely in traditional social environments, the traditionally strong patriarchal nature of Tajik society renders women even more vulnerable to trafficking than in less conservative settings.

6.2. Restricted economic opportunities

Traditional patriarchal societies are particularly ripe terrain for trafficking networks when they are hit by economic crisis. The century old fabric of social and economic organization is broken when the production system fails and forces men into unemployment. While men remain unemployed or migrate for better job opportunities²⁷ previously secluded and unprepared women start entering the national and then international labour market in efforts to sustain their living. Unskilled labour supply increases and wages fall thus fostering a more favourable environment for the exploitation and trade of human beings.

Such environments present lucrative prospects for traffickers aware of the international labour and sex market. According to information gathered from victims of trafficking in our survey Tajik women were sold abroad among traffickers for prices ranging from 2000 USD to 7000 USD. Although the amount of earnings CSWs do make abroad on each trip widely varied according to the degree of exploitation (ranged from nothing to over 3000 USD), the possibility of earning such incomes is a strong incentive to attract young women in miserable economic conditions. Particularly interesting in this regard and illustrating the degree of economic hardships facing woman is that 44 % of respondent among those that had travelled abroad and engaged in commercial sex revealed that they were undecided whether they should return and 22% voiced their interest to go back to alleviate their personal economic situation in Tajikistan.

It is thus clear for traffickers and many women that have been victims of trafficking that they can supply for the demand abroad if they are well connected in the sex or related business and thereby expect to make better earnings than they would make if they were to engage in regular activities or professions back home. In wake of the ongoing economic crisis Tajikistan faces, the prospects for an expansion of trafficking networks are high.

6.3. Demand and pull-factor in transit and destination countries

The labour and sex market in transit and destination countries tends to attract migrants into its business from countries undergoing serious economic difficulties and thereby able to supply

²⁶ Religious belief that is attributed great importance and excludes women.

²⁷ While commenting on the impact of labour emigration, local hukumat authorities informed IOM that in many mountainous rural areas the absence of men who emigrate leaves women that do not receive remittances in particularly vulnerable situations. IOM survey on the situation of IDPs in Badakhshan, July 2000.

cheaper labour. In major trafficking hubs like Moscow²⁸ for the Central Asia, the Russian Far East, and the Caucasus as well as Dubai for Central Asia, South Asia and the Middle East, on the basis of the concentration of capital the demand for cheap labour is higher. In addition to more opportunities to work as maids, cleaners, and nannies, the entertainment sector plays an important role. It is particularly developed with luxurious hotels and resorts, sport complexes, restaurants, bars, casinos, and other related businesses with an increasing demand for a variety of choice. Sex entertainment is an important component of such a demand. Diverse advertisement for exotic dance clubs, “call-girls”, escort services, peep shows, strippers, acquaintance and related services, in TV, internet, papers, billboards, and other media instruments target a broad spectrum of clients among tourists, visiting businessmen, officials and other which attest to the money involved in the sex- business.

While the concentration of capital can foster the expansion of the entertainment business in legal frameworks, if law-enforcement is weak concentration of capital will naturally also foster the expansion of the underground trade of human beings particularly in the sex-commerce. Average wages in destination countries are usually much higher than in countries of origin. The disparity will therefore naturally lead potential irregular emigrants to aspire for remunerations they could never dream of in their own countries thus creating a pull-factor in countries like Tajikistan.

6.4 Lack of awareness of trafficking trends

Not a single respondent of our survey denied the fact that they were not aware that they would be exploited to the degree that they all suffered. Not only are susceptible victims of trafficking unaware of what may befall them, but in addition very few Tajiks know the exploitative reality of what trafficked women face abroad. Popular belief would tend to hold that women who in fact are being trafficked are at worst only involved in voluntary prostitution. As reprobation of extra-marital sex is very strong in the Tajik society voicing human right abuses related to sexual relations would be socially suicidal for a victim. As a result most trafficking abuses remain only in the memories of the victims of trafficking, the rare ones besides the pimps to really know what trafficking is about.

The need to raise awareness among potential victims, officials, civil actors, and the society in general is therefore imminent.

6.5. A weak legal basis and subsequent difficult law enforcement

In an environment of economic difficulties, strong irregular emigration, unfavourable gender disparities, and general unawareness on trafficking trends, lenient law enforcement on trafficking of human beings and particularly women in Tajikistan, transit countries as well as destination countries is bound to create fertile ground for the expansion of trafficking networks. The lack of coordination or limited coordination between law enforcement bodies in all countries involved in

²⁸ Moscow is also a transit hub for trafficking to Eastern and Western Europe as well as Turkey. According to several respondents Istanbul in Turkey is also an important destination of sex-workers from Eastern Europe, and CIS. The language connection makes it easier for emigrants originating from countries where Turkic languages are spoken.

the chain of trafficking of trafficking of human beings also makes it difficult to begin stemming the expanding trafficking networks.

Most important however is the need to strengthen the legal basis on which enforcement on trafficking offences can be undertaken. Well-defined, equitable domestic migration and penal legislation relating to trafficking realities exposed in this study and adapted to international best-practices, would make effective incrimination of traffickers as well as protection of victims possible. In order to ensure coherence and facilitate counter trafficking co-operation with transit and destination countries of victims of trafficking it is also very important to shape domestic legislation on trafficking in accordance with international legal instruments to combat trafficking. By adopting the Protocols supplementing the United Nations Convention against Transnational Organized Crime related to combating trafficking and smuggling of human beings, Tajikistan would set the framework on which related legal definitions as well as counter trafficking action could be based on.

Equally important is the need for expanded bilateral contacts aiming to enable cross border prosecution of traffickers and better awareness and protection assistance to Tajik migrants.

Finally promoting good governance, and ethical conducts among officials while fighting corruption are a key to combating trafficking in human beings. The degree of commitment in acting on document fraud, reforming the licensing process for travel agents, prosecution of offences related to the abuse of authority in trafficking cases, and several other problems in related governance directly influences trafficking trends for the better or the worst.

7. CONCLUSION

The present study highlights the incidence of trafficking in human beings from Tajikistan, its causes and implications. It illustrates a social trend that is yet incipient in numbers compared to Kyrgyzstan, Kazakhstan and possibly Uzbekistan²⁹ albeit in full expansion.

Comparison with other neighboring countries reveals that the traditional nature of Tajik society and the weakness of the economy influences trafficking in women from Tajikistan more markedly than in the other countries. In the poor economic environment of Tajikistan, a potential victim who is desperate to make a living and has been socially isolated from professional opportunities and market realities in the patriarchal society she was brought up in, is a valuable and easy resource for a trafficker. The communal nature of Tajik society where anonymity is difficult, encourages recruiters to rely on information they can spread among acquaintances and relatives. Considering prevailing social reprobation it is also almost impossible for victims of trafficking to be re-accepted and integrate in their communities thus forcing them to become outcasts and in some cases even recruiters.

A common feature in trafficking trends of Central Asian Republics is the prominence of the Gulf States and the Russian Federation as destination countries of trafficked victims highlights. The role of other Central Asian Republics as regional transit platforms for traffickers is also noteworthy.

Analysis of the underlying social and economic roots of trafficking in human beings from Tajikistan reveals the realities of a fertile environment for an increase in trafficking. The possibility therefore exists for the Government together with NGOs and the support and guidance of International Organizations promptly design and implement counter remedies to combat trafficking in human beings. Several recommendations and instruments have been exposed below that are important to abide by in addressing the dilemma in a comprehensive and effective manner.

As this report also underlines, trafficking of human beings is linked to several other problems such as discriminating gender practices, access to education, economic opportunities, and rule of law. It is therefore important to view recommendations and actions to combat trafficking in human beings as inter-linked with activities to promote governance in accordance with international standards and best practices.

²⁹ To date no study of trafficking in women and children from Uzbekistan exists.

8. RECOMMENDATIONS

8.1 Enhancing Awareness

Raising direct awareness

A gradual approach according to the following steps is recommended to give time for information on the risks and social implications of trafficking of human beings to be fully assimilated and avoid the counter-productive reaction of negation of the problem usually linked to sudden information overflow.

1. Determine target groups and key messages needed to combat trafficking. Particular attention should be given to working in the context of Mahallas, family level and educational institutions.
2. Through workshops raising awareness and capacity building among relevant government agencies³⁰, local NGOs and IOs to build grass-root community awareness and common strategies to deal with issues related to trafficking in human beings.
3. Build on the experience of Kyrgyzstan in developing public information campaigns and strategies on the risks and realities of trafficking.
4. Build awareness through the framework of a regional Central Asian forum under the auspices of IOM, OSCE, UNICEF and ODCCP to promote information exchange and regional study trips to facilitate counter-trafficking networking.
5. Awareness workshops among journalists, doctors and law enforcement officials.
6. Raising awareness of decision makers: round table discussions on specific institutional and legislative recommendations

Raising indirect awareness

Increased public debate on the role of women in society, the need to promote access to education for girls and question the prevailing preference for young boys, increased employment opportunities for women, the need to question certain traditional practices and beliefs like dowry, arranged marriages, and the maximum age for marriage. As long as public debate in Tajikistan on such topics remains limited, the environment for the expansion of religious conservatism and radicalisation will remain fertile.

³⁰ Youth and Family Committee and Ministry of Education

8.2 Promotion of Institutional and Legislative reform

- The Government should ratify and work on the basis of the guidelines established in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (see Annex for details);
- The Government should implement the recommendations of the Beijing World Women's Conference (see Annex for details)
- The government should regard the coercion of a person into being trafficked as a serious criminal offence, punishable with a lengthy term of imprisonment. If the offence concerns the trafficking of children and/or results in serious abuses of the victims human rights, this should be punishable by the maximum term of imprisonment. In particular relevant sanctions in the criminal code should be reviewed;
- A focal point in the central government should be established to monitor and insure implementation of measures of counter-trafficking in human beings
- The government should promote inter-agency political support to combat trafficking of human beings. In particular it should review and delineation of roles and functions of government agencies in combating trafficking under the coordination of the government focal point.
- The government should develop legal mechanisms for confiscating the assets of traffickers and making them available as a special fund to help the victims. The fund should help pay for any legal, medical, social and psychiatric services the victims need.
- Investigate corruption and complicity within the Ministries and Departments responsible for issuing passports and controlling immigration. Enhance border management and its links to preventing victims from being trafficked or abused upon return especially through the Dushanbe airport;
- Review the licensing system for groups establishing themselves as Tour Companies;
- Regulate and monitor all companies that arrange for young women to travel abroad;
- International expert advice and assistance should be provided by the IOM on current government policy and practice related to trafficking.

8.3 Assistance and protection of trafficked persons

- Include victims of trafficking among vulnerable beneficiaries of relevant ongoing and future humanitarian programmes,

- Encourage Medical and psychological rehabilitation assistance for victims of trafficking in the framework of existing and future hot line programmes,
- All actors becoming aware of trafficking abuse should promote assistance and justice should be demanded for those who are deceived and enslaved into prostitution without neglecting the majority of sex workers who are routinely exploited.
- The Government should ensure the preparedness of airport and border officials and officials working abroad in diplomatic, consulate and trade representations to offer appropriate and timely assistance to victims of trafficking. They should be able to refer victims to specialist care; counselors, lawyers, physicians and so on with due attention to privacy and obtain support of NGOs that can counsel the trafficked victims. They should be able to advise and assist with voluntary repatriation;
- Identify links and network with relevant NGOs and IOs in destination countries in order to develop coordinated programmes of assistance for victims abroad.³¹
- Child victims of trafficking should be guaranteed protection from prosecution and should be provided with immediate shelter and access to education and health care;
- The families of the child victims should be traced and sensitive and appropriate measures should be taken to reconcile a child victim with his or her family with the *full consent* of the child;
- Government agencies should collaborate with NGOs and International organizations to develop comprehensive national programmes to assist the victims of abuse resulting from trafficking. These programmes should provide legal assistance, health care, vocational training, shelter, psychological counselling and reintegration assistance as necessary.
- Develop a legislative base to protect the privacy and identity of the victims of trafficking. For example the identity of victims should not be revealed to the public during court cases and the media should be compelled to protect the identity of any minors who have been trafficked for commercial sex or any other purpose.
- Conduct sensitization and human rights training with law enforcement officials who come into contact with trafficked people. The relevant government ministries should enforce the policy that trafficked persons should be treated as the victims of human rights abuses and violations of national and international law, *whether or not they chose to go abroad as CSWs*, and should not be treated as criminals or illegal migrants.

³¹ These programmes should provide legal assistance, health care, psychological counselling, temporary shelter, vocational training, provision of micro credits and/or other income generating activities.

8.4 Increase economic opportunities for young people at risk

- Poverty alleviation programmes should consider the relationship between trafficking of human beings and poverty in their programming and its possible implications in identifying target groups;
- Increase residential and non-residential vocational training opportunities for disadvantaged girls and young women in the urban centres of Khujand and Dushanbe;
- Government agencies, international organizations and NGOs should work with the donors and the private sector to create further job opportunities for young women in Khujand and Dushanbe;
- Economic opportunities should be developed specifically for internal migrants to deter traffickers from exploiting their vulnerable position;

8.5 Recommendations for Further Studies

The following are recommended for further in-depth studies:

- The adequacy of current policies, laws and practices applied by police and immigration authorities in the Republic of Tajikistan should be analysed to assess how effective they are at protecting the human rights of the victims of trafficking and how capable they are of punishing the perpetrators. This assessment should be used to determine the legal and procedural adjustments that need to be addressed through technical cooperation with the government.
- Experiences and best practices (legislation and application) among sending and receiving countries should be analysed and shared.
- Comprehensive study of patterns of exploitation of trafficked women, in the Russian Federation, United Arab Emirates, Turkey and other destination countries. Such studies should outline legislative and institutional frameworks to combat trafficking, and contacts of relevant NGOs.
- A TV reportage on trafficking of women from Central Asia to the Gulf States is needed to provide visual and more convincing illustrations of the plight of trafficked women in the Gulf States and serve as an awareness raising instruments.
- Regional research on trafficking in Central Asia by IOM, OSCE, UNODCCP and UNICEF. Particular attention should be given to Uzbekistan where no research on the problem has been undertaken yet.
- A broader study on irregular labour migration from Tajikistan would be instrumental in pegging down the problems and possible solutions to irregular migration and the promotion of migrant rights. Government and international actors should support the collection and analysis of systematic and qualitative gender migration statistics.

- The UN Country Team should be encouraged to review the recommendations made in this report and should forge a joint agency strategy to combat trafficking and to develop appropriate victim support activities.

ANNEXES

ANNEX 1

Case studies

The following case studies have been selected to illustrate the human reality of the types of varied trafficking abuses that were inflicted on the respondents of our survey. It is important to understand that not all respondents had the trust and confidence to speak much after having undergone physical and psychological shocks. The absence of rehabilitation activities by social actors for victims of trafficking in Tajikistan is another factor that tends to make it difficult for victims to trust the well-intended but misunderstood cause of our informants. The shortness of some case studies and the lack of explicit details on exploitation patterns should be understood with this in mind. All accounts were related by the women themselves or their close relatives.

Case 1: Jamila Deceived into prostitution.

24 years old. Several years ago I was suggested to work as a governess in Dubai. I did not suspect anything and so I agreed with pleasure. When we came to Dubai I was taken to a hotel. They took my passport, as they told, for the registration. Some time later a man came into my room and told me that I will engage in prostitution here. It didn't depend on whether I want it or not. I entreated him to let me go, but it was useless. Then I was "examined". First he raped me himself, then he gave me to guards. Understanding that the situation was hopeless, I humbled myself. After some days the first clients came to me. They were Arabs. As I know English a little, I began to speak with them, and told them how I landed in the trap. I did not even expect such things from them, but they treated me with compassion and promised to help me. They managed to ransom me for 5000 US dollars and then they sent me home. I think, I am very happy that I was lucky to get free, because there were many our country-women there.

Case 2: Irina Deceived into prostitution

Irina was born in Khatlon. Her father left the family when she was four years old and her small brother two. In 1991 her brother was knocked down by a car. He survived, but he became invalid. The boy was bed-ridden, he needed a constant care, so their mother couldn't work. Irina graduated from the technical college, but she couldn't find a job anywhere, because all the industrial enterprises of the city stopped working. Sometimes they didn't have anything to eat except bread and water. The girl was slim and beautiful, young men turned their attention to her. Her mother's friend for a long time expressed her sympathy with her beautiful daughter forgotten in a province. When she was 20 this woman suggested her to go to Dubai, to work as a cleaner in the villa of very rich people-she would also see

the world, will show herself, and maybe a millionaire would fall in love with her! Besides the salary was so attractive -4000 dollars. What a fortune!

The girl herself put her passport in order, received a visa by invitation and flew to Aby-Dabi. As soon as she arrived, they took her passport away (as if for registration), and after that they told her, that she was sold for 7 000 US dollars and now she had to clear it by working in the bar, serving clients.

After some time she managed to run away and she applied to the local police. She did not receive any help there, just on the contrary she was apprehended and she was sentenced to a three-year imprisonment.

Now Irina has been in a jail for eleven years. Women in this country are sentenced for one-year imprisonment even for a voluntary engagement in prostitution, but there was no barrister in the court, because his services cost about 5-7 thousand US dollars, so nobody could appeal against the decision of the court. Because of their hard financial conditions, her family can not hire a barrister, but without a barrister nobody will review her case. The girl misses her relatives very much, but she is afraid to come back home, because everybody knows about her engagement.

Case 3: Mohru Blackmailing into prostitution

28 years old. After graduating from the pedagogical university I worked as a teacher in the secondary school of Dushanbe. I married my husband Mahmud after graduating from the university, he used to work in a prestigious institution. We had a normal life. Everything changed the day a stray bullet killed my husband.

With the help of my friend Muhabbat, I began trade in the market. Muhabbat who had also been a teacher before that, had extensive experience in commerce. She went to near and far cities in Russia, Germany and Poland, brought different goods from there and resold them in the market and as a result her life was improving. I then got acquainted with a young man, Nabi, a hard-working, and modest young man who also engaged in commerce together with me.

On day together with Muhabbat we visited a woman called Mukaddas. The richness and magnificence of her house surprised me. Muhabbat and Mukaddas had been planning a trip to the United Arab Emirates, and eventually persuaded me to accompany them.

In the airport of Shardja we were given a very cordial welcome. Mukaddas had set up a meeting the same evening with three Arab men. That night Mukaddas forced me to spend a night for 100 dollars with the Arab man. Thereafter we were both forced into the same routine. Two months later Mukaddas demanded from us 1000 dollars each for initiating us into the business. In the meanwhile Mukaddas had secretly tape-recorded our activities with clients. She threatened us with the dishonor of releasing the tapes in Tajikistan if we would not pay her. We were caught in a trap, and couldn't refuse to pay.

After paying off my debt I returned to Tajikistan and began to work in the market again. Eventually I married Nabi and distanced myself from my previous misfortunes. One day

however Mukaddas knocked my door and demanded a loan of 500 US dollars. I refused. Mukaddas then took a video-cassette out of her bag and put it onto the video tape-recorder. I was at loss and gave Mukaddas 500 dollars and took the cassette from Mukaddas's hands.

A month later Mukaddas once more came to my house and demanded again 500 dollars, but as I was tired of all this, I refused to give money. The procuress again took another cassette from her bag as she had done previously and put it into the video tape recorder. She was chewing gum and she warned: "hey girl, be careful, your bridle is in my hands". As I realized that the woman had made several copies of the film to blackmail me back into misfortune I despaired into fit of rage, took a heavy vase from nearby and fatally smashed it on Mukaddas' head.

Mohru is now in jail.

Case 4: Matluba Servitude in the Emirates

23 years old. I got acquainted with a women called Gulbahor. She often went on tourist journeys to the Emirates. "Gulbahor told me about a beautiful life abroad, about how generous and loving men Arabs were. She promised to marry me to one such man. In addition to myself the day I departed Gulbahor took five other women. All of them were happy and well-dressed. It was clear that they were not flying to the Emirates for the first time. On the second day of our arrival I was brought to a house of a 60 years old Arab, he looked at me and liked me and I was abandoned in his house. My passport remained in Gulbahor's hands. I lived in his house for 8 months – without passport, without knowing the language and I didn't communicate with anybody and was not allowed to leave the place. I was his concubine and I did all the housework. I was beaten very often. After 8 months Gulbahor re-appeared and demanded that I be released or that additional payment for my services be given to Gulbahor, but he refused both conditions. Gulbahor then informed the local police and I was arrested and jailed until they finally deported me back to Khujand.

Case 5: Gulia Servitude in Moscow

I have come to Dushanbe from a village hoping to earn some money, because the life in our kishlak is very difficult. I have lived where it was possible: sometimes with my relatives, sometimes with my acquaintances. One of my acquaintances suggested me to go with him to Moscow. I agreed. When we came to Moscow, he found me a job of as a cleaner in one of the bars. Then people, in whose place I lived, drew me into prostitution. They began to bring men to the apartment where I lived. So I worked both day and night. It was very difficult for me. I could save some money, so I succeeded to come back home. I hope to forget that nightmare soon.

Case 6: Zulfia Kidnapped and forced into prostitution through drug addiction

23 years old. I was coming home from school when one car suddenly stopped and two men grasped my feet and hands and took me into the car. I came to myself in the room, it was a basement of a house. There were six of them. I cried and entreated them to let me go. They made me an injection. I don't remember anything, when I came to myself I was lying on the floor unclothed. The door was closed, it was dark in the room. I don't remember for how long I cried. The next day several men came and brought me something to eat. I again began to cry and to beg them to let me out. One of them strongly beat me, another made me an injection. I don't remember anything. I lost the count of days and time. All days seemed like one terrible nightmare. Sometimes I dreamt about my house in the center, on Rudaki Street, my mother and brothers. Gradually I ceased to feel pain, I wanted only one thing- to receive my injection. I would no longer distinguish the difference of day and night, the faces who came to me and how many came. I don't remember anything. Now I know for sure – I am a drug addict. After some time they again pushed me into a car and took me somewhere, it seemed it was not very far. They closed me in another room and they did not give me anything to eat, and stopped the injections.

I can't tell for how long it continued. But one day the door opened and the man, that drew me into the car and brought me here, told me that he would take me to Moscow if I listened to him. I agreed if only he would not close me again in that hovel. He brought me to one apartment, and asked the landlady there to arrange for me to be registered as an inhabitant of that apartment, to buy me a dress, make a hair-dressing and passport photographs. After a week they showed me a passport indicating my first name, but the family name was that of the man's and there was a seal of being registered with him in ZAGS (registry office).

When I looked out of the apartment window, it seemed to me that it was somewhere in the region of 2-q Sovietskiy. But I can be mistaken as I don't know all neighbourhoods very well. The only thing I dreamt about that my kidnapers be caught and arrested.

On the day of our departure to Moscow he warned me that I should convey drugs. We quietly passed all check-points. In Moscow we rented a flat, I cleaned the flat, cooked, sold drugs and served everybody who came to his place. He would make me self myself in exchange for drugs. I was very afraid of him and thought him capable of killing anyone.

Different people came to his house, often they were Tajiks, sometimes even women came. On one such occasion, when they were drunk and smoked, they got in fight and he was killed. I managed to come back to Dushanbe. My parents had already lost hope to see me alive. They were in mourning for me and they even commemorated my death anniversary. May be it is better. I'm sure they would suffer much more if they learned about what I have gone through and about what happened with their daughter.

Now I am a drug addict, I suggest myself to drivers on the road, and generally wherever it is possible. What is left there for me to do? I hope that everything will end soon”.

Case 7: Manizha and Shirin. False Shopping tour – Moscow

(Account related by relative) Manizha and Shirin – are two friends living in Uro-Tepa, they are married, each of them has children, and both were engaged in small commerce in the local market. They would come to Dushanbe, purchase articles, sell them, and on the basis of their income they would buy other items to bring back to their own town in Uro-tepa. “One day in the train we got acquainted with a smart and cheery woman. During all the way she told about her trips, she was very generous and fed everybody in the compartment liberally. We did not even notice how time passed and we arrived to Dushanbe. We agreed with her to meet in the evening and after finishing all our day’s business we looked for her house. When we came to her house we were astonished by what we saw: a big house, beautiful furniture, carpets; prosperity was all over. We sat there chatting until late in the night. The next day the hostess of the house took us to the market Sakhovat and acquainted us with a woman who had her own trailer. We came to an agreement that we would take different goods from her for sale in Uro-Tepa and we would also carry out her orders in bringing some goods for her. After returning home we told our relatives about our new acquaintance, and about now having the possibility to earn more money. We were very glad of this acquaintance and tried our best to do a favour in return to our new friends.

After having sold all our goods, we bought new necessary articles and went to Dushanbe. The hostess of the trailer suggested us to go with her to Russia for more goods and promised us to help out and show us the way during the travel. At home we told our relatives about this suggestion and received their consent including from our husbands. Our husbands and relatives agreed to look after our children and homes, and collected money for the road. We went by train. On every station our new acquaintance went out, she sold some things and came back with new goods she then sold in the next station. We helped her as much as we could. Looking at her we tried to learn to be prompt and efficient like her, to learn how to deal with people. She promised us to help us purchase new articles, for which we could earn some good money and expect to live as well as she and her friend did. Finally we arrived to Moscow.

In Moscow we were placed in a room where several women from Tajikistan lived. On the first day we quickly went to sleep as we were very tired. The next day we went the nearest Cherkizov market. There we got acquainted with many men and women- our own countrymen, and we looked at different articles. In the evening there a large dastarkhan (invitation table) was laid out. Several men and women came. Women drank equally with the men and enjoyed themselves. Then they began to stick on us and forced us to drink vodka. We refused. One of the women became outraged, she began to insult us saying that we were doing that especially to knock up the price, otherwise what was the purpose of our coming there. Only then did we understand the reason we had been brought there. We began to cry and refused to stay with them, but they beat us hardly, took off our money and documents and turned us out of the flat. We were afraid very much and cried all night long. We did not know the place, we had neither documents nor money, and it

seemed to us that we would never come out of this situation. Early in the morning we went to the market to our countrymen and told about everything that had happened. It turned out that we fell into the very flat, which is known to everybody and where it is possible to get acquainted with a woman and to have a rest with her for a certain sum of money. There are women of all ages there. They advised us not to apply to the militia because we could not prove anything without money and documents. We asked to call our acquaintance who had brought us there. We hoped that she would clarify everything, and return our money and documents, and would help us to go back. But she refused to meet with us and told everybody not to believe us or help us.

We left back by train, but as soon as it became clear that we didn't have documents the train officials turned us out of the train at the nearest station and we occasionally walked and then took the train again. Sometimes we ate nothing for several days, rarely would somebody give us some bread or tea. We often slept somewhere in the fields and in the daytime we tried to travel as far as possible. Only after two months did we manage to come back home. None of our relatives recognized us – we had become so pale and thin. We took a treatment for a long time. One of us had an operation, and as a result one of us can't have children anymore and the other is invalids.

Case 8: Roxana False Shopping tour – Dubai

38 years old. Roxana is an economist, she is married, and has 4 children. “I have been doing business for a long time. I often go to Bishkek, Almaty, Moscow and sometimes to Arab Emirates and Turkey. It is a very hard and difficult business but what I endured not long ago is impossible to compare with any other experience. I have two friends we know each other for a long time, several times we have gone to different countries together. Recently my business has not been faring very well, I couldn't sell my goods and my debts grew more and more. My friend's business was on contrary doing very good – they went to Dubai very often and for a long time and they told that they worked in one of the jewelry shops and earned good money there. I asked them to take me with them and persuaded my husband to let me go. I bought a ticket with my last savings and went with them. On the second day they abandoned me in the hotel with an unknown Arab. I was beaten and raped. The next day my so-called friends had disappeared. Since I had organized my trip and knew the place fortunately two days later I was able to come back.

Case 9: Shahlo The second wave

– 20 years old. I am student in one of the Higher Education Institutions of the Capital. Last year on my holidays I didn't go home to rayon and I lived with my friend. Her father is a businessman and took us to trips out of the city and to restaurants. I don't remember how but eventually I ended up in his bed having an affair with him. He advised me to go with him to Dubai.

I had never been on a plane or traveled abroad. The first days he took me out and showed me the city. It was fascinating. I did shopping, went to restaurants, and strolled about. Then I returned back to Dushanbe.

Once again he took me to Dubai and on third day however he told me: “If you listen to me, you will always have money. I will teach you to earn money and spend them sensibly. You will do everything I tell you. You will help me and you will earn for yourself”. I began to refuse, but he then revealed to me that I owed him 3000 dollars for all my travel and accommodation arrangements. Besides he urgently needed money.

On the 4th day his Arabs friends came to see him. As he told they: were big businessmen, and we went to the restaurant. In the restaurant he got drunk, and at one point took both of my hands and pulled me to the knees of one of the Arabs. I was forced to spend the night with the Arab. The next morning when I began complaining he accused me of having been drunk and wanted to spend the night with the Arab myself. He then made me understand that I if I had done it once I should do it again until my debt was over. From there on my “job” began and it lasted for two and a half months until I paid off my debt and earned enough to come back home and pay bribes for re-admission.

When I returned I went back to University. I had missed many lessons but I figured that nowadays in the University you can pass any test or exam for money. I offered one of the teacher money for good marks in the upcoming exams. He told me that he did not need money, and if I agreed to meet with him in the evening, he would solve all my problems with the exams. After our meeting the next day, the jerk tattled about me to his colleagues and gave them my telephone number. They eventually began to call and blackmail me. They threatened to tell my parents and fellow-students about me, and to inform the Rector. After having slept with 4 teachers I myself went to my friend's father and asked him to send me back to Dubai.

I decided I would go to Dubai until I collect enough money, and until I get my diploma. Then I would leave Dushanbe forever. I have not decided yet where I will go then, but I will definitely go to such a place where nobody knows me and I hope that nobody will ever learn about my “work”.

Now there are three of us and we often fly with him. He pays us good money. Once we went to a jail and we stayed there for 15 days, but he paid a fine and free us out.

Case 10: Manzura Debt bondage in Dubai

When I was 19 years old, my parents ran into a debt. They had to pay a great sum of money to one person, but could not pay back according to the deadline. Then they began to threaten our family in different ways. We applied for help to our relatives and our acquaintances, but nobody could help us. Then I dared to go to that man, to whom we owed the money. I suggested myself to him if only he could leave us in peace. He sent me to Dubai, where I worked as a prostitute. During my

work there I bore a lot of humiliation. When I cleared my debt by working, I came back home. Damn that money!

Case 11: Hilola. Debt bondage and forced drug carrying to Russia

My name is Hilola. My daughter Nigina is in prison in Khujand for second year already. I loved her very much and I praised her and told her that she is the most beautiful and cleverest girl. Her father died when she was 8 years old. Some men asked me in marriage, but I refused everybody for the sake of my daughter. I worked day and night, to make her life better. I dressed her like a doll. I worked in the fashion atelier, so you can imagine the beautiful clothes she always wore! After the 9th form she entered the medical college, she wanted to become a medical nurse. Then she got acquainted with a young man called Mansur. She did not pay any attention to my reproofs that she should study instead of dating, and after some time she told me that she was pregnant. I scolded her, cried and tried to persuade her to go to the doctor and get rid of the child. But Nigina told that it was late already. "Be ready to become a grandmother" she said.

Mansur's relatives lived outside of the city and they did not want a town wife for their son. I myself arranged a modest frugal wedding ceremony and invited neighbors. After some time Maujuda was born. Nigina did not look after her daughter. Her husband, who was 3 years older than her, also apparently did not feel himself as real father. I had to leave my job and look after the baby. During nights I sewed dresses to measure, and thus supported the family. Once Mansur, who did not work anywhere, told me that he was going to go to Russia to earn money. Relatives gave him money for the road. I approved his idea, I thought that he was thinking about his family. He left. After 5 months, once in the evening three men in a camouflage uniform came and demanded to pay back 1000 dollars taken by Mansur. They showed me the documents for my apartment and a receipt written by my son-in-law. It was said in this receipt that he committed himself to pay money back with interest. Otherwise my apartment will belong to the new owners. I recalled with horror how Mansur persuaded me to register his name on my apartment. How silly I was, then! I thought that he was thinking about the future of my daughter. That is how it turned out: I was caught in a trap. Night visitors did not want to wait for a long time and demanded either to pay money or vacate the apartment. I persuaded them to wait for a week. I hoped to solve this problem through law-enforcement agencies. But my daughter thought I was naïve.

"Don't you understand, that now it is impossible to fight for justice anywhere. They can do with us anything they want."

I reproached her that it was her husband, who drew all these misfortunes. Nigina was silent, and replied: "I made the mess, and I will fix it". And she went away. I did not stop her and I am regretting about it till now. That night Nigina did not come back. I did not know where to look for her. I met her only after 3 months in the prosecutor's office, where I was invited as a witness. "At least she is alive"- I thought. But the interrogator told me:" Your daughter is prosecuted for the illegal conveyance of drugs".

It's a lie, where can she find drugs from? Besides she has a baby. Please let her go home. I urged Nigina, to speak out. But Nigina only cried. She had agreed with the creditors to fulfill all their orders and demands. As it turned out Nigina had wanted to solve our

problems. She went with them to Russia and slept with everybody who came to their place, and in addition for those who ordered, she made the laundry, cleaned the house, and cooked meals. My poor daughter, endured: violence, and vile humiliation. Then they send Nigina to Dushanbe to bring drugs back. On her way back she was apprehended.

After the trial she was sentenced to 10 years. But taking into consideration her small child, the period of imprisonment was shortened.

Now I renewed the property documents for my flat that had been stolen by Mansur. Fortunately the people in camouflage uniform have not come back anymore.

Case 12 Nadezhda. Deceptive recruitment for child bearing

She is 26, an economist by profession. Her mother is Russian, and a teacher, her father is Tajik. During the Civil war Nadezhda and her father together with other refugees left to Moscow. Her mother remained in Dushanbe to guard their home and, if it is possible, to sell the apartment.

“We found the job in the market, where I got acquainted with Margarita who regularly went to Austria for goods. She gave us goods for sale and so we became friends. One day Margarita told me about an acquaintance of hers in Austria who strongly desired to get married and have children. The next time Margarita was preparing to leave she suggested me to give her a photo of myself. After coming back from Austria she informed me that he liked me and he was ready to marry me on whatever terms I wished and even send me money for the trip. Margarita helped me to obtain a passport and we flew together to Austria. I married him and I signed several documents written in a language I did not know. After 10 months we had a son. My husband tried to persuade me to give a birth to the second child as soon as it was possible. I was against it, because my son was too small but soon I was pregnant again and we had the second son. Then he changed completely. He separated me from my children. He did not allow me to breast-feed my son. After 10 days a woman came who turned out to be his wife. He confessed that he loves his wife, and could not have children from her. So when Margarita told him that I was a refugee and that I was very poor, he decided to invite me only with the purpose to give birth to children. He demanded that I should go back home and told me not to worry about the children and promised to send me regularly their photos. I could not believe it, I cried and begged him not to turn me out. He showed me the documents signed by me, where it was written that I refuse my children and that they be entrusted to stay with him under his charge. I still did not want to go. And then he charged me to do all the work in the kitchen and in the house. I was ready to do everything only to be near my children. But it also was temporarily. As soon as his wife and my children got accustomed to each other, he turned me out into the street.

I applied everywhere: to the police, the court, to the Consulate of Russia. I needed money, and money that he gave me for the road was soon spent. Neighbors felt sorry for me, they gave me food, but they refused to be a witness in the court. Every day I went around all the instances, and I would even go to that house and watched from distance in the hope to see my children. This all continued for eight

months: constant humiliations, tears, threats to commit suicide, starvation, vagrancy ceased in one day. I was called to the police station and they told me that my husband went together with his family to live abroad. Nobody knew the address. I lost consciousness. I stayed in the hospital for three months. My neighbors visited me, then they collected some money for me and helped me to come to Moscow. I returned to Dushanbe. I can't live quietly, I always think about my boys. My parents agreed to sell our apartment and now we are going to Moscow. I want to begin my searches again. It will be easier for me to look for them there.

I'll definitely use the addresses of women organizations and hot-lines that you gave me.

Case 13: Madina Forced prostitution through deception and debt bondage

Madina and her parents lived in Aktubinsk, Kazakhstan. Her father was alcoholic and her mother jobless. "After being fed up of unemployment and misery I decided to travel to Khujand to visit a friend of mine called Dilbar that lived in Khujand and could help me to find a job. I took the train and after arriving to the Khujand train station I asked a Taxi to take me to my friend's address. While speaking to the Taxi driver I inquired about how possible it was to find a job in Khujand. The Driver answered that it was rather easy and he could recommend me to someone. In fact after a couple minutes he stopped the car and asked me to wait maybe he could recommend me immediately. He asked me to meet a lady and discuss it with her. I stepped out of the car and entered an apartment where a lady told me that I was welcome and should feel at home. She claimed that she would see to it that I got a good job. In the meanwhile she asked me to take rest. I thought about seeing my friend and decided that it would be better if I found a job myself beforehand. After three days of living there the lady called Tursunoi brought in a friend of hers who happened to be a business-woman. She brought all sorts of articles with her and urged me to take them. Tursunoy insisted for me not to worry about the money, she would lend it and I would pay back later. I bought many nice dresses, clothes and perfumes. The following day I was invited to another house where a "dastarkhan" was set out and several guests were sitting there. After a while a man there began sticking on me. I got so irritated that I stood up to leave the place. The man however pulled me back. Finally I just left the place and went to the apartment I was living in. Tursunoy then followed me together with two other women and began beating me. "You have been here for five days, eaten here, taken clothes, for not a cent. Now it's time to pay back however I dictate. Don't even think about escaping, the militia are all in my hand and will bring you back to me. The man who had been behaving rudely at the invitation entered, saw me and began beating me savagely claiming that I had humiliated him in front of everyone. He then he raped me in front of Tursunoy. I spent three months in Tursunoy's apartment. I was beaten regularly and since I was new and the youngest all clients to whom I was shown picked me. Every day I would be exhausted but had no choice but to continue. My job was to sleep with clients. Even when we were ill, they would make us work. There were other girls like me, some were married or lived with their parents house and would come "to work" during the day and return in the evening. Tursunoy would threaten them to spread the news of their activities to cajole them in staying in the business while making sure they were always indebted. Some girls would live with me and some would go out with a client for a night. There were employees doing other jobs: there was a cook, a maid and two guards who were Tursunoy's relatives. The guards were the most brutal and were in charge of beating us to comply with Tursunoy's orders and make

sure that we took no payment from clients. All payment were collected by Tursunoy or her confidants. Every once in a while all our belongings would be searched. If anyone of us was found to have kept extra money, we were taken to the basement, beaten and raped by the guards in Tursunoy's presence. After that we would be abandoned in the dark and dirty basement until we ourselves swore not to do that again. To guarantee that neighbour would not suspect Tursunoy, we were forbidden to approach the windows or talk to neighbours. One day a new client came and took me to his apartment for the night. I explained him what happened to me and he promised to take me away. The following day he drove me to Tashkent and sold me to a cheap prostitution ring there. What I lived in Tashkent was disgusting and made my life in khujand look like a paradise. Clients would pay peanuts and I worked twice as more as I did in Khujand. Eventually I managed to escape back to Khujand where I as determined to find my friend Dilbar. Once I found her I began living with her and to make an independent living I would look for clients my self. However the word quickly spread to Tursunoy and she sent someone out to recapture me by force. I was beaten and forced to work for ten months with no payment whatsoever. After that I was subdued and would execute whatever Tursunoy would request. Once a week Tursunoy held staff meetings where she would count each debt from each girl and threaten sever punishment if we would not comply. Tursunoy had six other recruiting women working for her, they would get salaries directly from Tursunoy for bringing in new girls." When Tursunoy was arrested Madina was released and intended to go go back to her parents in Aktubinsk.

Excerpts of International Instruments to combat trafficking

The following relevant international instruments have been ratified by the Republic of Tajikistan:

1. Agreement about cooperation between the CIS countries in the combat against illegal migration; ? 773, 14.05.99
2. Convention on legal assistance and legal relations on civil, family and criminal cases; ? 817, 26.06.93.

3. Convention on the Rights of the Child (CRC); ? 830, 26.06.93

This document defines that children should be protected from all forms of neglect, cruelty and exploitation and also should not be the object of human trafficking in any form. several articles specifically related to trafficking. Article 32 obliges states to protect children from economic exploitation and from “any work which is likely to be hazardous”. Article 34 requires states to protect children from “all forms of sexual exploitation and abuse.” The Convention also entitles children to social and economic support, which would assist in the prevention of trafficking if implemented. Under article 39, State parties have an obligation to ensure that victims of exploitation receive appropriate treatment for their recovery and social reintegration.

The CRC defines the child as a person under 18 years of age, unless the national laws recognize a younger age of majority.

The mechanism for enforcement of the CRC is the state reporting procedure, there is no protocol for the submission of individual complaints. Non-governmental organizations make relevant submissions for committee consideration when state reports are reviewed.

4. UN Convention on Elimination of All Forms of Discrimination against Women; ? 831, 26.06.93 (CEDAW)

Article 6 of the CEDAW obligates State parties to “take all measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women “. Under Article 18, State parties are required to submit reports on measures they have taken to implement the provisions of CEDAW.

5. Convention on Women’s Political Rights ”; ? 769,14.04.99
6. Universal Declaration of Human Rights; 25.08.93
7. International Covenant on Civil and Political Rights

The 1966 International Covenant on Civil and Political Rights confirms the principles incorporated in the Universal Declaration on Human Rights recognized that “nobody should be in slavery-like conditions”, and “nobody should be involved in forced labor”.

8. International Covenant on Economic, Social and Cultural rights

The International Covenant on Economic, Social and Cultural Rights establishes rights for citizens that ensure some protection against the growth of trafficking. These rights include the right to work (Article 6), education (Article 13), just and favourable conditions of work (Article 7) and remuneration (Article 7a). In addition the Covenant entitles children to protection from economic and social exploitation, and from work which is harmful to their health, morals or development (Article 10).

There is a Committee responsible for reviewing and responding to the reports from State parties. This committee has only addressed trafficking on one occasion between 1987 and 1995. Non-governmental organizations may make presentations to the Committee.

9. Convention for the Suppression of Trafficking in Persons and the Exploitation by Prostitution of Others: The Trafficking Convention of 1949

The international community first denounced trafficking in the Trafficking Convention, which was approved by the General Assembly of the United Nations in 1949. The Convention calls on State parties to punish traffickers and to protect all persons against such abuse. States that have ratified the Trafficking Convention “agree to punish any person who, to gratify the passions of another...procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person.”

The Trafficking Convention has been criticized for its failure to incorporate lack of consent, or coercion, into its definition of trafficking. The Secretary General of the United Nations noted that “Migration across frontiers without documentation does not have to be coerced or exploitative. At the same time, people can be trafficked with their consent.” Trafficking and exploitation often go together but not always.

The Convention also calls on States parties to “make suitable provisions for [trafficking victims] temporary care and maintenance”, to repatriate trafficked persons “only after agreement...with the State of destination”, and where such persons cannot pay the cost of repatriation, to bear the cost “as far as the nearest frontier”.

The enforcement mechanisms provided by the Trafficking Convention are very weak, where they exist at all. State parties are supposed to report to the U.N. Secretary General annually indicating the laws, regulations and measures they have adopted related to trafficking. Since 1974 reports are also required to submit reports to the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities. There is no independent supervisory body to monitor implementation of the Convention.

The following Legal Instruments are recommended for follow up in government activities related to counter trafficking in human beings:

Supplementing Protocols to the United Nations Convention against Transnational Organized Crime, in particular:

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Preamble

The States Parties to this Protocol,

Declaring that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent

such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights,

Taking into account the fact that, despite the existence of a variety of international instruments containing rules and practical measures to combat the exploitation of persons, especially women and children, there is no universal instrument that addresses all aspects of trafficking in persons,

Concerned that, in the absence of such an instrument, persons who are vulnerable to trafficking will not be sufficiently protected,

Recalling General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument addressing trafficking in women and children,

Convinced that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument for the prevention, suppression and punishment of trafficking in persons, especially women and children, will be useful in preventing and combating that crime,

Have agreed as follows:

I. General provisions

Article 1

Relation with the United Nations Convention against Transnational Organized Crime

1. This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.
2. The provisions of the Convention shall apply, mutatis mutandis, to this Protocol unless otherwise provided herein.
3. The offences established in accordance with article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2

Statement of purpose

The purposes of this Protocol are:

- (a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
- (c) To promote cooperation among States Parties in order to meet those objectives.

Article 3

Use of terms

For the purposes of this Protocol:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring 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 exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.

Article 4

Scope of application

This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol, where those offences are transnational in nature and involve an organized criminal group, as well as to the protection of victims of such offences.

Article 5

Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.
2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences:
 - (a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article;
 - (b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and
 - (c) Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article.

II. Protection of victims of trafficking in persons

Article 6

Assistance to and protection of victims of trafficking in persons

1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.
2. Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:
 - (a) Information on relevant court and administrative proceedings;

(b) Assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.

3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:

(a) Appropriate housing;

(b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;

(c) Medical, psychological and material assistance; and

(d) Employment, educational and training opportunities.

4. Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.

5. Each State Party shall endeavour to provide for the physical safety of victims of trafficking in persons while they are within its territory.

6. Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Article 7

Status of victims of trafficking in persons in receiving States

1. In addition to taking measures pursuant to article 6 of this Protocol, each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.

2. In implementing the provision contained in paragraph 1 of this article, each State Party shall give appropriate consideration to humanitarian and compassionate factors.

Article 8

Repatriation of victims of trafficking in persons

1. The State Party of which a victim of trafficking in persons is a national or in which the person had the right of permanent residence at the time of entry into the territory of the receiving State Party shall facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.

2. When a State Party returns a victim of trafficking in persons to a State Party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State Party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

3. At the request of a receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who is a victim of trafficking in persons is its national or had the right of permanent residence in its territory at the time of entry into the territory of the receiving State Party.

4. In order to facilitate the return of a victim of trafficking in persons who is without proper documentation, the State Party of which that person is a national or in which he or she had the right of permanent residence at the time of entry into the territory of the receiving State Party shall agree to issue, at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.

5. This article shall be without prejudice to any right afforded to victims of trafficking in persons by any domestic law of the receiving State Party.

6. This article shall be without prejudice to any applicable bilateral or multilateral agreement or arrangement that governs, in whole or in part, the return of victims of trafficking in persons.

III. Prevention, cooperation and other measures

Article 9

Prevention of trafficking in persons

1. States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.

2. States Parties shall endeavour to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons.

3. Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

4. States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.

5. States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

Article 10

Information exchange and training

1. Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:

(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;

(b) The types of travel document that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons; and

(c) The means and methods used by organized criminal groups for the purpose of trafficking in persons, including the recruitment and transportation of victims, routes and links between and among individuals and groups engaged in such trafficking, and possible measures for detecting them.

2. States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

3. A State Party that receives information shall comply with any request by the State Party that transmitted the information that places restrictions on its use.

Article 11

Border measures

1. Without prejudice to international commitments in relation to the free movement of people, States Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.

2. Each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, means of transport operated by commercial carriers from being used in the commission of offences established in accordance with article 5 of this Protocol.

3. Where appropriate, and without prejudice to applicable international conventions, such measures shall include establishing the obligation of commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State.

4. Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of the obligation set forth in paragraph 3 of this article.

5. Each State Party shall consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas of persons implicated in the commission of offences established in accordance with this Protocol.

6. Without prejudice to article 27 of the Convention, States Parties shall consider strengthening cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication.

Article 12

Security and control of documents

Each State Party shall take such measures as may be necessary, within available means:

(a) To ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated or issued; and

(b) To ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance and use.

Article 13

Legitimacy and validity of documents

At the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for trafficking in persons.

IV. Final provisions

Article 14

Saving clause

1. Nothing in this Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where

applicable, the 1951 Convention 4 and the 1967 Protocol 5 relating to the Status of Refugees and the principle of non-refoulement as contained therein.

2. The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.

Article 15

Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 16

Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open to all States for signature from 12 to 15 December 2000 in Palermo, Italy, and thereafter at United Nations Headquarters in New York until 12 December 2002.

2. This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Protocol in accordance with paragraph 1 of this article.

3. This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 17

Entry into force

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 18

Amendment

1. After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.
3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.
4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.
5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 19

Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.
2. A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 20

Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Protocol.
2. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

Excerpts of Beijing World Women's Conference Recommendations related to trafficking in women

At the IV World Women's Conference held in Beijing the question of trafficking in women was also considered, about which the following recommendations for the prompt elimination of this phenomenon and the promotion of care to trafficked women were produced:

- Consideration of the ratification and enforcement of international conventions on trafficking in persons and on slavery,
- Taking of appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labor, in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and to punishing the perpetrators, through both criminal and civil measures,
- Cooperation and coordination of actions of all law-enforcement bodies,
- Allocation of resources for the development of universal programs established for the promotion of therapeutic care and social reintegration to trafficked women,
- Adjustment of cooperation with NGOs for the purpose of promotion of medical and social care to trafficked persons,
- Adoption of laws aimed at prevention of sex-tourism and trafficking in women.

Excerpts of the Criminal Code of the Republic of Tajikistan

Articles Criminal Code of the Republic of Tajikistan directly or indirectly related to trafficking of women and children or to the consequences of such trafficking

**CRIMINAL CODE OF THE REPUBLIC OF TAJIKISTAN
21 MAY 1998**

**CHAPTER 17
OFFENCES AGAINST INDIVIDUAL LIBERTY, HONOUR AND DIGNITY**

Article 132. Recruitment of people for exploitation

1) Recruitment of people for the purpose of sexual or other exploitation, committed through deception, shall be punishable by a fine of 500 to 1000 minimum monthly wages or by a freedom limitation of up to two years or by custodial sentence for the same period.

2. Sanction for the same actions committed by:

- a) Repetition of the activity by a group of people;
- b) knowingly to the minor;
- c) repeatedly,

shall be punishable by a fine of 1 000 to 1 500 minimum wages, or by freedom limitation for the period of three years, or by custodial sentence of two to five years.

3) Actions outlined in clauses 2 or 3 of this Article, committed by:

- a) an organized group
- b) with the purpose of exporting recruited people out of the RT
- c) as an extremely dangerous second offence;

shall be punishable by a custodial sentence of five to twelve years.

Article 134. Compulsion

Forcing a person to do or not to do any action to a person or his relatives by threat of violence, destruction or damage of this person's property, spreading of discrediting information, divulging of information which the victim wants to keep secret, and by threatening to violate the rights or legal interests of this person, in absence of signs of a graver crime shall be punishable by a fine of 200 to 500 minimum monthly wages, or by freedom restriction for a period of two years or by custodial sentence for the same period.

Article 135. Libel

- 1) Libel, i.e. dissemination of known false information defaming other person's dignity and honour or undermining his/her reputation, shall be punishable by a fine of up to five hundred minimum monthly wages or by correctional labour for the period of two years.
- 2) Libel contained in public statements, publicly demonstrated works or in media, shall be punishable by a fine of five hundred up to one thousand minimum monthly wages or by arrest for a period of two to six months or by custodial sentence for a period of two years.
- 3) Libel:
 - a) combined with accusing a person in committing a grave or extremely grave offence;
 - b) of selfish or other low motives,

shall be punishable by a custodial sentence for a period of three to five years.

Article 136. Insult

- 1) Insult, i.e. humiliation of other person's dignity and honor expressed in an indecent form, shall be punishable by a fine in the size of two hundred minimum monthly wages or by correctional labour for a period of up to one year.
- 2) Insult
 - a) through public statements, publicly demonstrated works or in media,
 - b) connected with the discharge from social duties of a victim,

shall be punishable by a fine of 200 up to 500 minimum monthly wages or by correctional labour for a period of up to two years.

CHAPTER 18

OFFENCES AGAINST SEXUAL LIBERTY OR AGAINST SEXUAL INVIOLABILITY

Article 138. Rape

- 1) Rape, i.e. sexual intercourse using physical violence or the threat of physical violence to a victim or her relatives, as well as taking advantage of a victim's helplessness, shall be punishable by a custodial sentence of three to seven years.
- 2) Rape:
 - a) committed repeatedly or by a person who had previously committed violent actions of sexual character;
 - b) committed by a group of persons or premeditated by a group of people;
 - c) committed with extreme cruelty to the victim or other persons;
 - d) resulting in the infection of the victim by a venereal disease;
 - e) perpetrated against a person known by the defendant to be underage;
 - f) rape of two or more persons,-

shall be punishable by a custodial sentence of seven to ten years.

3) Rape:

- a) of a victim being knowingly under age of fourteen or rape of a close relative;
- b) under the particularly aggravating circumstances of repeated commission of the offence;
- c) committed by an organized group;
- d) taking advantage of social disorder calamities or under circumstances of mass disaster or resulting in specially grave consequences.
- e) Using or threatening to use weapons or articles used as weapon,-

shall be punishable by a custodial sentence of fifteen to twenty years or by the capital punishment (execution).

Article 139. Violent actions of a sexual character

- 1) Pederasty, lesbianism or other acts of the sexual character using violence or threatening to use it towards a victim or her (his) relatives, or taking advantage of the helplessness of the victim, shall be punishable by a custodial sentence of 5 to 7 years.

2) The same deeds :

- a) committed repeatedly or committed by a person who had committed a rape before;
- b) committed by a group of persons or by a group previously involved on such cases;
- c) committed with extreme cruelty to the victim or his (her) relatives;
- d) resulting in the infection of the victim by a venereal disease;
- e) committed against a person under age,

shall be punishable by a custodial sentence of eight to twelve years.

3) The same deeds:

- a) committed against two or three persons;
- b) against a close relative,-

shall be punishable by a custodial sentence of ten to fifteen years.

4) Offences outlined in Clauses 1 and 2 of this Article:

- a) committed against a person knowingly under age of fourteen.
- b) committed as an extremely dangerous second offence;
- c) committed by an organized group;
- d) using circumstances of social disorder or committed under circumstances of mass disaster,-

shall be punishable by a custodial sentence of fifteen to twenty years.

Article 140. Forcing a person to deeds of the sexual character.

Forcing a person to sexual intercourse, pederasty, lesbianism or to any other acts of a sexual character by means of blackmail, threat of destruction, damage or confiscation of property, or taking advantage of official, financial or any other dependency of the victim, shall be punishable by a fine of 500 to 700 minimum monthly wages, or correctional labour for a period of up to two years, or by custodial sentence of two years.

Article 141. Sexual intercourse and other acts of sexual character with a person under the age of sixteen

- 1) Sexual intercourse, pederasty or lesbianism, other deeds of the sexual character committed against a person knowingly under age of sixteen, in the absence of signs of the offence as outlined in Articles 139 and 139 of this Code, shall be punishable by a custodial sentence of two to four years.
- 2) The same deeds :
 - a) committed through abuse of authority;
 - b) committed by one of the parents, teachers or by any other person, to whom the education of the victim is entrusted,

shall be punishable by a custodial sentence of three to five years, with or without deprivation of the right to occupy relevant positions or to engage in relevant activities for a period of three years.

Article 142. Lascivious activities

- 1) Lascivious activities not involving violence against a person knowingly under age of sixteen, in the absence of indications of the crime outlined in the Article 139 of this Code, shall be punishable by a custodial sentence of three years.
- 2) The same deeds :
 - a) committed with the use of violence or threatening to use it,
 - b) committed through abuse of authority;
 - c) committed by one of the parents, teachers or by any other person, to whom the education of the victim is entrusted;
 - d) committed against minors,-

shall be punishable by a custodial sentence of three to five years, with or without deprivation of the right to occupy relevant positions or to be engaged in relevant activities for a period of three years;

CHAPTER 19
OFFENCES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS OF A PERSON
AND A CITIZEN

Article 143. Violation of human equality

- 1) Direct or indirect violation or restriction of rights and freedoms of a person and a citizen with regard to sex, race, language, nationality, social origin, personal, property or official status, residence, religion, convictions, belonging to political parties, public associations, causing harm to rights and legal interests of a citizen, shall be punishable by a fine of 200 to 500 minimum monthly wages or by custodial sentence of two years.
- 2) The same deeds committed by a person:
 - a) through violence or threat to use violence;
 - b) abuse of authority

shall be punishable by a custodial sentence of two to five years, with or without deprivation of the right to occupy relevant positions or to engage in relevant activities for a period of two years.

Article 144. Illegally gathering and disseminating information on private life

- 1) Illegally gathering information with the intent of dissemination on private life, information being a personal or family secret of another person or dissemination of such information in public statements, works, or on in the media, and if these deeds are committed while harming the rights and legitimate interests of citizens, shall be punishable by a fine of 200 up to 500 minimum monthly wages, or by correctional labour for a period of up to one year, or by arrest for a period of up to four months.
- 2) The same deeds committed by a person through abuse of authority, shall be punishable by a fine of 500 up to 800 minimum monthly wages, or by correctional labour for a period of up to two years, or by arrest for a period of up to six months, with the deprivation of the right to occupy relevant positions or to engage in relevant activities for a period of up to five years.

Article 149. Illegal restriction of citizens' right for free movement, free choice of residence, and exiting and entering the RT

- 1) Illegal restriction of citizens' right for free movement, free choice of residence, and exiting and entering the RT shall be punishable by a fine of one up to two thousand minimum monthly wages or deprivation of the right to occupy relevant positions or to be engaged in relevant activities for a period of three up to five years.
- 2) The same deeds if they:
 - a) result in grave consequences;

- b) are committed by a person abusing his(her) authority, shall be punishable by a custodial sentence up to two years, with deprivation of right to occupy relevant positions or to be engaged in relevant activities for periods of three up to five years;

CHAPTER 20 OFFENCES AGAINST FAMILY AND JUVENILES

Article 166. Involvement of a juvenile into antisocial actions

- 1) Encouraging a juvenile into alcoholism, abuse of narcotics or other intoxicating substances without medical prescription, into prostitution or other sexual practices, vagrancy or beggary, as well as into activities connected to production of materials or things of a pornographic character, committed by a person over age of eighteen, shall be punishable by correctional labour for a period of up to one year or by a custodial sentence for a period of up to two years.
- 2) The same deeds committed by one of the parents, instructor or by another person to whom the responsibilities of education to the juvenile have been entrusted by law, shall be punishable by a custodial sentence for a period of two years with or without deprivation of the right to occupy relevant positions or to engage in relevant activities for a period of up to three years.
- 3) Deeds outlined in clause 1 or 2 of this article:
 - committed against two or more juveniles;
 - connected with the use of violence or threat or violence;
 - committed repeatedly,

shall be punishable by a custodial sentence of a period of up to five years with the deprivation of the right to occupy relevant positions or to engage in relevant activities for a period of from two up to five years.

Article 168. Giving a girl under marital age into marriage

Giving a girl under marriageable age into marriage by parents, by trustees or by persons to whom she obeys, as well as mediation or assistance in arranging the marriage,-

shall be punishable by correctional labour for a period of up to two years or restriction of freedom for the same period or by arrest for a period of up to six months.

Article 169. Marriage with a person under marital age

Contractually marrying a person under marital age, as well as marrying this person, shall be punishable by a fine amounting from one thousand up to two thousands of minimum monthly wages or by correctional labour for a period of two years or arrest for a period of up to six months.

CHAPTER 21
CRIMES AGAINST THE SECURITY OF THE SOCIETY

Article 187. Establishment of a criminal association (criminal organization)

- 1) Establishment of a criminal association (criminal organization) with the purpose to commit grave and especially grave crimes, as well as running of such associations or structural subdivisions of it, and also establishment of a union of organizers, leaders or other representatives of organized groups intending to develop plans and conditions for the commitment of grave or especially grave crimes, shall be punishable by a custodial sentence for a period of fifteen up to twenty years with or without confiscation of property.
- 2) Participation in a criminal association (criminal organization), or in a setup involving several organizers, leaders or other representatives of armed groups, shall be punishable by a custodial sentence of eight up to twelve years with or without confiscation of property.
- 3) Deeds outlined in clauses 1 or 2 of this article committed by a person using his official status or in the event of a especially dangerous second offence,

shall be punishable by a custodial sentence for a period of fifteen up to twenty years with confiscation of the property and deprivation of the right to occupy some relevant positions or to engage in relevant activities for up to five years³².

CHAPTER 25
OFFENCES AGAINST PUBLIC ORDER AND MORALITY

Article 238. Coercion into prostitution

- 1) Coercing people into prostitution by means of physical violence or threat thereof, abuse of status of dependency, blackmailing, destruction of property or deception, shall be punishable by a fine of five hundreds up to one thousand minimum monthly wages or restriction of freedom for a period of up to three years or by a custodial sentence of one to five years.
- 2) The same offence committed repeatedly or by an organized group, shall be punishable by a fine of one thousand up to two thousand minimum monthly wages or by a custodial sentence of two to five years.

Article 239. Organization or running of houses of prostitution or pimping

Organization or running of houses of prostitution or pimping, shall be punishable by a fine of one up to two thousand of minimum monthly wages or by custodial sentence of five years.

³² A person who informs by his free will power organs about his participation in criminal association which caused interruption of his activity, is released from the criminal responsibility if there is no other corpus delicti in his deeds.

CHAPTER 31
OFFENCES AGAINST STATE ADMINISTRATIVE ORDER

Article 335. Transgression of the State Border³³

- 1) Transgression of the State Border of RT without definite documents or necessary permission, shall be punishable by a custodial sentence of two to five years.
- 2) Transgression of the State Border of RT by a group of people involving preliminary planning or by an organized group making use of violence or threatening to use it, shall be punishable by a custodial sentence of five to ten years.

Article 336. Violation of the State Border regime

Violation of the state border regime, borderline regime and regime in border crossing points on the State border, committed repeatedly during a one-year period after imposition of an administrative penalty for the same violations, shall be punishable by a fine of three hundred up to eight hundred minimum monthly wages or arrest for a period of three up to six months or by a custodial sentence of two years.

Article 340. Falsification, fabrication, sale of fraudulent documents, State certificates, stamps, seals, and blanks

- 1) False certificates, licenses or other official documents, giving a person rights or exonerating him/her from duties, intended for use by the falsifier or by another person, or the sale of such document, the fabrication or sale of false State Certificates of the RT, Tajik SSR (Soviet Socialist republic), USSR, as well as stamps, seals and blanks intended for the same purpose, including the informed use of forged documents, shall be punishable by restriction from freedom for a period of up to three years or arrest for a period of two up to four months or by imprisonment for a period of up to two years.
- 2) For the same deeds committed:
 - a) repeatedly;
 - b) by a group of people involved in preliminary planning of the offence;
 - c) with the use of computer equipment,-

shall be punishable by correctional labour for a period of up to two years or by custodial sentence of two to five years with confiscation of the property.

³³ This article is not applied in those cases when foreign citizens or persons without citizenship come into Tajikistan without determined documents or permission with the purpose of applying for refugee's rights in accordance with the Constitution of the RT or to receive refugee's status.

Programme to Combat Trafficking in Women in Tajikistan

Project Category:	Technical Cooperation
Project Sub-Category:	Counter Trafficking
Executing Agency:	International Organization for Migration (IOM)
Project Partner Agencies (or National Counterparts):	OSCE, UNIFEM, UNICEF Department for the Protection of the Constitutional Rights of Citizens, Ministry of Labour and Social Protection, State Migration Service, Local governments (hukumats), NGO Modar and other local NGOs
Geographical Coverage:	Tajikistan
Project Management Site:	Dushanbe office
Target Group(s):	Victims of trafficking, Government and Parliament Officials, NGO partners, potential victims of trafficking
Duration:	1 year

PROJECT SUMMARY

The present programme aims at supporting the government of Tajikistan in its efforts to combat trafficking in women. The programme will reinforce prevention activities through awareness raising consultations with government officials, and a staged information campaign that will raise strong and well informed awareness at the grass-root level in order to foster an environment conducive to enhanced government action. In addition a sustainable network of support to victims of trafficking will be established to ensure their safe return and reintegration into the Tajik society.

1. Background and Justification

Trafficking in human beings has taken on serious proportions in recent years and has become a modern migration challenge demanding a strong, comprehensive and coherent response from the international community.

Trafficking in women is a distinctive and highly disturbing form of the wider phenomenon of trafficking in migrants and irregular migration. Many women, lured by the promise of well-paid jobs abroad and unaware of the conditions that await them in the country of destinations, accept the services offered by migrant traffickers. Once firmly trapped within an illegal migration environment in the receiving countries, these women are vulnerable to a range of abuses, including bonded labor and forced prostitution, threats against themselves and their families and deprivation of most, if not all of their earnings.

Recruiting networks are well organized both at the national and international level. These networks are able to operate essentially with impunity for a number of reasons such as: fear on the part of victims to speak out about their experience, inadequate legislation including absence of provisions to prosecute traffickers and lack of appropriate mechanisms to enforce existing legal provisions.

The full scale of the practice remains unknown, because few women are willing or able to report what has happened to them to the authorities. The fact that in most receiving countries immigration laws and policies consider trafficked women as ordinary irregular migrants and, hence, immediately deportable, discourage victims from testifying against traffickers.

The issue of trafficking of human beings has been increasingly addressed in recent years at the international level resulting in new international instruments, strategies and actions for combating trafficking.

In the “*Trafficking in Migrants, IOM Policy and Responses*”³⁴ IOM presents a comprehensive and concrete approach to trafficking that includes research, technical co-operation activities, return and reintegration assistance and information campaigns.

Trafficking in Tajikistan and the region

As recent research in Kyrgyzstan³⁵ and the present research in Tajikistan has demonstrated together with counter trafficking awareness programmes in Kazakhstan and Turkmenistan, trafficking of women and children from Central Asian countries is developing at an alarming speed. Surveys, studies and awareness on the existence of trafficking in the CIS have traditionally focused on Eastern European regions of the CIS whereas Central Asia has been referred to only marginally. Recent studies however indicate prevalence of common patterns of trafficking involving often more restricted labour opportunities and wages, common destinations usually to Gulf States, the Russian Federation, Turkey, China and Western European countries and cross-border transit pathways for trafficked victims. The case of Tajikistan presents even gloomier perspectives in an environment of continued drought, mass emigration from a country ridden by the economic crisis after the civil war, where exclusion of women from the 'formal and regulated labor market' combines to form a strong push factor reinforced by the lack of accurate information on the basis of which to form realistic migration decisions. IOM estimates show that if over a thousand Tajik women were trafficked in 2000, trafficking will increase manifold by 2002 in the absence of concerted counter action. Moreover as a result of Tajikistan's proximity to Afghanistan it is witnessing the emergence of particularly exploitative patterns of trafficking involving forced conveying of narcotics combined with sexual exploitation and forced addiction of victims.

According to IOM's report traffickers in Tajikistan benefit from a wide network of support among corrupt officials issuing false travel documents and making travel arrangements while enjoying the armed cover of key influential political players. Even raising awareness is a delicate issue that can run into official cover-up schemes denouncing activities aiming to “discredit the reputation of Tajik women combined with claims that trafficking in women does not exist in Tajikistan”.

³⁴ Trafficking in Migrants, IOM Policy and Responses, Geneva, IOM, March 1999

³⁵ Trafficking in Women and Children from Kyrgyzstan, IOM November 2000

Moreover since the issue of trafficking in women is totally new, many social and public player in the context of a conservative society still confuse trafficking with prostitution and associate the fight against trafficking in women as a fight against prostitution. Such attitudes tend to instigate the criminalization of victims of trafficking instead of offering protection to such persons.

Any counter trafficking activity especially in the field of raising awareness therefore requires a careful staged approach that will ensure that sufficient well informed awareness and discussion is build at the grass-root level and among receptive government officials prior to raising the issue with other authorities. It is expected that such a staged approach in raising awareness will foster an environment where wide spread information and discussion will make it difficult to deny the existence of the problem. Furthermore it is also expected that such an approach would facilitate informing the various actors involved through carefully designed messages that will encourage a protective attitude to supporting victims of trafficking as opposed to an incriminating response.

Target Groups

The target group of this proposal includes:

1. Potential female victims of migrant trafficking in communities identified as being vulnerable to exploitation by traffickers.
2. Victims of migrant trafficking and in particular women entrapped in the sex industry and in need of return and reintegration assistance.
3. Relevant authorities of Central Asian Republics dealing with migration, gender, human rights and organized crime issues, including trafficking in human beings and in particular trafficking in women.

As to the former, IOM defines trafficking as occurring when:

IOM has adopted the newly established definitions of Trafficking and of Smuggling as included in the Protocols supplementing the United Nations Convention Against Transnational Organized Crime.

According to the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, Trafficking means:

The recruitment, transportation, transfer, harbouring 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 exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

A distinction should be made between *trafficking* and *smuggling* of migrants. According to the **protocol against the smuggling of migrants by land, sea and air**, *smuggling* means:

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.

2. Project Description

2.1 Strategy

By building upon and complementing IOM's past and present activities in CARs to counteract trafficking in women this project intends to address three integrated and interrelated aspects of this phenomenon and therefore contribute to the efforts of the CAR authorities to combat trafficking in women from and within CARs:

- a) Prevention on the basis of a framework of information instruments prepared by IOM by:
 - Disseminating information to further increase public awareness at the grass-root level with Mahalla leaders, school and higher educational officials, NGOs and journalists;
 - Specialized awareness raising workshops with different law-enforcement officials;
 - High level lobbying to influence policy making
- b) Reintegration support to victims of trafficking who are returning/have returned to Tajikistan through:
 - Assisted Returns
 - Protection and rehabilitation

2.2 Scope of work/Methodology

2.2.1 Framework of counter-trafficking Information Instruments

IOM will develop a framework of counter-trafficking information instruments based on the present awareness of trafficking in Tajikistan and the local media context. Each method listed below will be accordingly tested through dissemination tests prior to full campaigning to ensure that effective awareness is built.

Basic Fact Brochures

IOM in co-operation with a local NGO will design “basic facts” posters and brochures illustrating the pro and cons and realities of working abroad with a particular emphasis on trafficking and its risks (HIV and STDs transmission and general public health) and consequences (exploitation, abuse, isolation and hardship)

Practical information booklets

A practical information booklet containing advice and facts on frequently asked questions among vendors related to patent requirements, passport and visa regulations, prevailing sanctions against

street hawkers, currency exchange regulations, and similar data will be designed with a large chapter and focus on the risks of being trafficked and the high incidence of trafficking in women among vendors who are usually involved in shop tourism abroad. Information booklets will also be disseminated through OSCE and UNIFEM's networks of women support groups.

Counter advertisement in the Press

IOM will design short counter trafficking messages for popular newspaper like Charkhi Gardon, Oila, Digest and Vecherniy Dushanbe as well as popular crossword magazines to raise awareness on the risks of being trafficked abroad.

Workshop materials

IOM will design and compile technical workshop materials in the form of binders containing essential information for selected groups of civil actors including: Militia, border guards and customs with practical information on codes of conduct, relevant criminal code violations, document fraud in trafficking; Parliamentarians, Prosecutors and Judges with information on legislative standards and best practices; Teachers, Professors and heads of Mahallas will be provided with educational material including La Strada's designed curriculum for raising awareness in educational structures.

Radio programmes

IOM will design a radio programme by holding a workshop among broadcasters to both assess efficient methods for programmes on counter-trafficking and raise the understanding of trends, the complexity of trafficking in human beings and approaches to combat it. Proceeding of the workshop will be analyzed to design a model inter-active scenario for the radio programmes on the basis of which a series of local programmes will be created.

TV Documentary

A 45 minute documentary on trafficking in women from Tajikistan and other Central Asian Countries will be produced depicting the actual situation confronting trafficked women in UAE. In order to ensure quality appraisal and the possibility to promote equal awareness in both Central Asia and internationally, professional documentary film-makers will be invited to produce the film. In addition subtitles in English will be added.

2.2.2 Information dissemination

Information is an empowering tool in migration decisions. The perceptions and information potential migrants have about realities at the "other end" is insufficient and distorted. Most of them are not aware of the practical, legal, social and economic difficulties involved; or of the conditions that await them and the policies that will affect them.

IOM in co-operation with its implementation partners will initiate the dissemination of information to potential female victims of trafficking. This project will pursue the dissemination of information

through media, which has been recommended as an optimal measure in the framework of research, both in terms of reaching wide audiences and in terms of their actual costs.

Various dissemination activities will be carried out to increase the level of awareness of the target audience about realities of irregular migration and in particular the risks for women such as health risks, exploitation, violence and abuse that potential trafficked migrants may be subject to in their intended countries of destination. These activities will be carried out both at national and regional levels. The content of the materials will be modified, wherever the case requires to account for recent trends and changes in the trafficking situation in Tajikistan as per hot-line feed back and new findings.

The information campaign will include the following dissemination mechanisms designed on the basis of assessments and recommendations outlined in IOM's research on Trafficking in Women from Tajikistan:

Direct dissemination through education structures and frequented public urban areas

IOM in co-operation with a local NGO will disseminate its "basic facts" posters and brochures illustrating the pro and cons and realities of working abroad with a particular emphasis on trafficking and its risks (HIV and STDs transmission and general public health) and consequences (exploitation, abuse, isolation and hardship). Teachers and professors in High Schools and Higher Educational Institutions in Dushanbe, Khujand and Kurghon Teppa will be briefed on the problem of trafficking and selected ones will be provided with copies of IOM trafficking report. Selected NGOs students in cooperation with authorities of Universities will be encouraged to hold debates by asking selected questions on the perception of trafficking in women among students.

In cooperation with relevant authorities, posters will also be posted in Train station, Airport, Central Pharmacies, Entrance to Central Department Stores and outdoor cloth markets, and official PA stands in Dushanbe and Khujand.

IOM's Practical information booklets containing advice on trafficking patterns and suggestions and facts on frequently asked questions among vendors related to patent requirements, passport and visa regulations, prevailing sanctions against street hawkers, currency exchange regulations, and similar data will also be disseminated among vendors who are usually involved in shop tourism abroad. These information booklets will also be disseminated through OSCE's network of women support groups.

Information mahalla leaders

IOM in co-operation with a local NGO will conduct sensitization visits to Mahalla leaders and provide brochures on the issue of trafficking in women. Mahalla leaders will be encouraged to raise awareness among inhabitants of their respective neighbourhoods and particularly among those that they feel may be vulnerable targets of traffickers.

Hot line support

The telephone hot line, is an instrument that has been found by IOM to be an effective vehicle for public. IOM will support either existing or new hot line projects in Dushanbe and Khujand through which anonymous counseling and information services to potential and actual victims of trafficking

will be provided. Social workers involved in hot line projects will be provided training on giving information on topics such social, legal and employment conditions abroad including the legitimacy of advertisements for employment abroad. This will be undertaken by a La Strada expert trainer that will be invited to facilitate a training seminar. Counseling to potential and actual victims of trafficking in women as well as their relatives will also be provided.

Information obtained from the hot line will be collected and compiled into a database which will provide valuable information as to the situation at the grassroots level in regards to trafficking in women. This database will provide a breakdown of calls on a regional basis and a categorization of the nature of information or assistance requested by incoming callers. Information in regards to the level of awareness about trafficking and the attitudes of the target group towards migration abroad for employment purposes will also be obtained from the database. Monitoring of the hotline operations in Khujand will be performed by OSCE.

Awareness building workshops with receptive Government officials and national NGOs

Awareness raising among receptive government officials is essential to provide an impetus for action, and to ensure that action taken is effective in addressing important issues. One and two-day workshops in coordination with OSCE will bring together Government representatives of different groups. Participants will discuss and exchange information on trafficking dynamics and trends, identify problem areas, concrete solutions and collaboration modalities. According to the audience, they will also be informed on policies and practices of other countries against trafficking as well as on the legislative *acquis* in this field. Particular attention will be given to differentiate trafficking from prostitution and the need to protect victims of trafficking by refraining from accusing women of being involved in prostitution. Participants will be provided with targeted information and materials designed for each category of authorities they can take back for dissemination within their own constituencies.

This activity will also enable the establishment of informal networks between government officials and NGOs for the collection and exchange of information.

Encourage Quality Reporting among Journalists

A competition in both Dushanbe and Khujand will be announced among local journalists usually reporting on trafficking cases for the best most objective and productive account on trafficking in women. The winners will be offered with incentive prizes to be determined in advance by a jury selected by IOM.

2.2.3. Victim support and reintegration

Assisted Returns

Several IOM Missions in the region including ones in Central Asian countries, the Russian Federation and Ukraine are operating programs assisting victims of trafficking to return and reintegrate to their countries of origin in a safe, voluntary and dignified way. The assistance that is provided to victims of trafficking prior to their departure for their home country varies on the basis of the scope of each program. It usually includes, pre-departure counseling in co-operation with project partners and medical assistance, if necessary, verification of documentation and, where

necessary, procurement of travel documentation and transit visa as well as embarkation assistance. Wherever necessary, assistance is also organized by IOM transit country missions, including board and lodging for the duration of the transit period.

Within the framework of this project, IOM Missions implementing return programs for victims of trafficking will inform IOM Dushanbe about the scheduled return of a victim. In its turn, IOM Dushanbe, in co-operation with related local NGOs, will arrange for reception at the airport, facilitate travel to final destination including overnight accommodation, if necessary. The same service will be available to victims returning without IOM's assistance.

Reintegration support

A pilot initiative modeled on IOM's reintegration programme will be undertaken by IOM to offer vocational training for 20 victims of trafficking. Beneficiaries will be profiled and carefully chosen through a selection process involving an interview and questionnaire survey with the IOM programme officer, followed by professional reinsertion specialists of the Ministry of Labour and Social Protection. According to the identified needs of each beneficiary, they will be referred to vocational training programmes of the State Employment Service. Throughout the training the beneficiaries will be provided psychological and medical support as well as minimal food rations. Following evaluation by the trainers, selected beneficiaries will be provided an advantageous credit to pursue income-generating activities. Local NGO social workers and women associations will then be trained to carry out such activities and eventually manage revolving funds to ensure sustainability.

A confidential database will be established and maintained which will include information about the most common types of successful reintegration assistance and profiles of victims their needs and the frequency of specific services used.

Regular contact will be maintained with victims in order to monitor their reintegration process and to determine whether they or their families have been threatened and/or harassed. Should financial constraints prevent women from taking advantage of vocational training opportunities they will be provided with a small living allowance and transportation allowance. In selective cases, if relocation were to facilitate access to services, the victim will be provided with temporary accommodation. A separate database will be established and maintained that will include information about the profiles of the victims.

2.2.4 Promoting understanding and a positive attitude among high level government actors

IOM in coordination with OSCE will make use of its dialogue and relations among relevant key actors in the field of migration to lobby as necessary for a more comprehensive understanding of trafficking in women as an important technical component of improving migration management within its framework approach to capacity building for migration management. By focusing on the technicalities of proper migration management and its direct links and implications in preventing trafficking of women, IOM expects its traditional counterparts to be more receptive and proactive to issues related to trafficking.

2.2.5. Legislative review

In cooperation with OSCE and UNIFEM, IOM will initiate and support dialogue and provide advocacy on combating trafficking in human beings in working groups in the framework of the Parliament's legislative drafting Committee, and the Inter-ministerial Commission for the Management of Migration Flows. Prior to begin re-drafting relevant penal and other related legislation it is important however that relevant officials are fully sensitized on the realities of trafficking and recommended and unadvised technical manners to combat trafficking. IOM has already began providing such technical advise to officials that cooperated in its study but a comprehensive approach endorsed in the aforementioned framework is needed to ensure that officials all accept and understand the problem without adopting common short sighted approaches in incriminating primarily victims in addition to traffickers. Once sufficient awareness is felt to exist, IOM will engage in fully supporting legislative drafting with a particular focus on the designation of offences and types of sanctions.

Institutional Framework

Project partners will include:

Non-Government Organizations:

- **Modar**
- **Open Asia**
- **Manizha**
- **Association of Women of Science**
- **Association of Women Lawyers**

Tajik Authorities:

- **Prime Minister's Office**
- **Department for the Protection of the Constitutional Rights of Citizens in the Presidential Administration (for government coordination when required)**
- **Militsia, Border Guards and Customs**
- **Ministry of Interior, Prosecutor General, Ministry of Justice, Parliament**
- **Ministry of Education, Youth Committee**
- **State Employment Service (for reintegration support)**

International Organizations

- **OSCE**
- **UNIFEM**

2.4 Sustainability

From the outset of the project, IOM will endeavor to ensure its Sustainability through the transfer of migration management and communication know-how and the development of networks between

Governmental authorities and NGOs both at a national and a transnational level. Furthermore, in co-operation with the Tajik authorities and participating NGOs, in all its information materials and activities IOM will provide a central address for ongoing information dissemination and individual consultation after the term of the present project is completed. This on-going process will ensure that at the end of this project, local structures will be capable of continuing the project's activities independently.

It is expected that the project will promote the efforts of Tajik authorities to devise national measures against trafficking in women.

2.5 IOM' s Expertise

Given its extensive field presence and flexible approach, IOM is in a unique position to work with governments and local non-governmental organizations on an on-going basis - at both the political and project level - to develop and implement sustainable, multi-dimensional programs to combat trafficking.

Since the early nineties IOM has been actively engaged in the promotion of solutions to the problem of trafficking in migrant women through research, information campaigns, technical co-operation activities, and return and reintegration assistance.

In Europe, IOM has undertaken a range of targeted research studies³⁶ on trafficking in women from the Central and Eastern European to Western European countries such as the Netherlands, Belgium and Switzerland, Austria and Italy, contributing substantially to the understanding of the complexity of the problem.

Furthermore, IOM has carried out a number of nation-wide information campaigns targeted at young women susceptible of falling victims to traffickers. Such campaigns include those in Hungary and Bulgaria carried out within the framework of the EU-U.S. Transatlantic Dialogue and the ones in the Philippines, Thailand and Vietnam. Completed initiatives are the campaigns in Ukraine and the Czech Republic. Further such campaigns are under development for Kazakhstan, Kyrgyzstan, Cambodia, Bangladesh and Nigeria, countries identified as high risk in terms of increased trafficking activity.

Projects assisting victims of trafficking to return to and reintegrate in their country of origin are being implemented by IOM in a number of EU Member States such as Belgium, Germany, Italy, Albania, Bosnia and Herzegovina, and Kosovo as well as in Southeast Asia. Last but not least, a number of technical co-operation activities to enhance the capacity of governmental and other institutions to counteract trafficking are being carried out in a number of countries of origin of victims of trafficking.

IOM has been working closely with the European Commission to address issues related to trafficking in women. In this regard, IOM in cooperation with the European Commission organized the European Conference on "Trafficking in Women", held in Vienna in 1996. Furthermore, within the framework of the EC STOP Programme, IOM carried out two studies, namely the "Analysis of Data and Statistical Resources available in the EU Member States on Trafficking in Humans, particularly in Women and Children for purposes of sexual exploitation" and the "Rapid Information Transfer aiming at Preventing and Combating Trafficking in Human Beings, in

³⁶ See Trafficking in Migrants, IOM Activities, Publications and Documents

particularly Women and Children for Sexual Exploitation in the EU". The pilot project "Training and Exchange for the Prevention of Irregular Migration and Trafficking" is another initiative carried out with the support of the European Commission. The most recent example is the information campaign to 'Prevent trafficking in women in Hungary', mentioned above, that is being implemented within the framework of the EU-U.S Transatlantic Dialogue.

3. Overall Objective

To contribute to the efforts of Tajik authorities to combat trafficking in women by reinforcing prevention activities and introducing measures for the reintegration of victims of trafficking.

4. Immediate Objectives

1. To raise awareness and increase understanding of the risks and consequences of illegal migration, especially trafficking, amongst potential female victims of trafficking as well as relevant authorities and NGOs,
2. To institute measures to strengthen the ability of relevant authorities and civil society to provide for protection and reintegration assistance to victims of trafficking.
3. To sensitize law makers on the necessity of reviewing legislation related to anti-trafficking.

5. Outputs

Outputs for Objective No. 1:

1. Strategy developed including a plan of action with relevant time frames for the dissemination of information in Dushanbe and Khujand.
2. Information campaign targeted at potential female victims of trafficking, relevant government officials and NGOs developed and implemented in collaboration with project partners.
3. Information material to be disseminated to the target audience through project partners are developed and/or revised and produced.
4. Counseling and information services are provided to potential and actual victims of trafficking through the telephone hot line.
5. Database compiled on the basis of information obtained through the operation of the hot line.
6. Educators and Mahalla leaders are aware and receptive in disseminating awareness of how to avoid being trafficked.
7. General awareness among shopping migrants on the risks for vulnerable women of being trafficked increases.
8. Quality and accuracy in Journalist reporting on trafficking increases making information for awareness more credible.
9. TV Documentary on the actual fate confronting trafficked women prepared and presented.
10. The need to avoid criminalizing victims of trafficking is effectively understood by local NGOs and receptive authorities.

Outputs for Objective No. 2:

Network developed amongst CAR NGOs experienced in working with victims of trafficking.

Ten NGO personnel trained to provide re-integration support and services to trafficked victims. Procedures developed to facilitate processing of travel certificates for victims returning to Tajikistan. Mechanism established to facilitate procedures through immigration control at CAR International Airports, for victims traveling with a travel certificate.

Database including information about the profile of the victims and the type of reintegration assistance services to which they have access is established and maintained.

Twenty returned victims provided with access to social and psychological counseling, medical services, vocational training opportunities, legal assistance and shelter facilities.

Output for Objective No.3

Members of the Legislative Drafting Committee of the Parliament as well as the Inter-ministerial Commission for the Management of Migration Flows are aware of advisable counter trafficking approaches and policy in the legislative sphere. Relevant task forces are created to draft amendments to the Criminal Code as well as other related Migration legislation .

6. Activities

In co-ordination with project partners, IOM will undertake the following activities to achieve project results:

Activities for Objective No. 1:

1. Select appropriate dissemination media according to coverage, capacity and cost-efficiency.
2. Draft communication strategy and plan of action assigning specific responsibilities and deadlines for the information campaign.
3. Design, and produce a total of 5,000 copies of the 'basic facts' brochure, in Tajik and Russian languages.
4. Design and produce a total of 2,000 copies of the poster, in Tajik and Russian languages.
5. Design, produce and distribute a total of 5,000 leaflets, in Tajik and Russian languages.
6. Design and publish 75 counter-ads in selected newspapers and magazines.
7. Disseminate material to educators and mahalla leaders according to plan of action.
8. Disseminate material in Public Urban Areas
9. Conduct two press conferences and two round tables to brief media representatives.
10. Organize two workshops for government officials and national NGOs.
11. Organize two competitions for journalists.
12. Organize two workshops on radio broadcasting methodology when dealing in counter trafficking.
13. Designing Radio programme model scenario and broadcasting.
14. Selection of TV Documentary Film Production Company.
15. Support the functioning and operation of the telephone hot line.

Activities for Objective No. 2:

1. Identify and select NGOs to become part of the referral assistance network.

2. Train NGO personnel to enhance their capacity to provide referral assistance to returning victims of trafficking.
3. Disseminate information about the referral assistance network, including appropriate contact information to victims, government officials, NGOs, IOM Missions in countries from where the victims return and their network partners.
4. Facilitate the development of a system for the provision of documentation for victims who are found to be without passport or other identification papers.
5. Provide returning victims with airport arrival assistance, overnight accommodation, and facilitate travel to final destination.
6. Provide returned victims, via NGO partners, with access to social and psychological counseling, medical services, vocational training opportunities, legal assistance, shelter facilities and temporary accommodation.
7. Follow-up with victims, within the course of the project, to monitor their reintegration process.

Activities for Objective No. 3

1. Bilateral awareness raising meeting with members of the Inter-departmental Commission for the Management of Migration Flows and the Parliament's Legislative Drafting Committee.
2. Promoting the creation of relevant task forces.
3. Hosting relevant task forces and providing continued advocacy and follow-up.

7. Assumptions

The project depends on the following assumptions:

- Government does not fosters a negative environment for counter-trafficking activities through the denial of the problem;
- Security situation does not worsen to the extent that it would be dangerous to promote counter-trafficking awareness and operate safely in Tajikistan;
- All participating governmental entities, NGOs and other institutions co-operate and co-ordinate their efforts throughout the project implementation, as appropriate.
- The economic situation in CARs will remain sufficiently stable to support the operational measures developed through the project;
- Potential beneficiaries of the referral assistance system will be returning home.

8. Inputs

8.1 Executing Agency

As the executing agency, IOM, in consultation with relevant Government authorities and other project partners will plan, co-ordinate and carry out activities defined in this proposal with the relevant project partners. This will include overall project management and monitoring of its implementation, communication expertise and logistical and administrative support. Furthermore, establishing contacts with relevant national authorities, NGOs, the Foreign Embassies and ensuring coordination throughout the project's implementation with the relevant Government entities and other project partners;

8.2 Project Partners

Governments

- Provide all information currently available on trafficking in order to help counter-trafficking efforts and define campaign overall communication strategy.
- Together with IOM and other project partners disseminate information to target audiences.

NGOs

- Take an active role in disseminating information at the grass root level and assisting the reintegration of victims of trafficking.
- Help monitor the implementation and impact of the information dissemination and referral assistance activities.

Donor

The donor will support the overall effort through the provision of funds.

9. Reporting and Evaluation

The project will be monitored and evaluated by IOM according to criteria and timetables mutually agreed with the donor. A mid-term and final report will be submitted to the donor according to mutually agreed criteria and progress reports will be provided to the donor and project partners on a regular basis.

In particular, IOM will monitor the dissemination activities and collect feedback from target audience and project partners and if and when necessary, it will revise and adjust the message content, its duration and frequency in order to ensure optimal effectiveness of the information campaign. IOM together with local selected NGOs will be responsible to monitor the effectiveness of the referral assistance system and the reintegration process of victims of trafficking. Experience and lessons learned during the project's implementation will be continuously fed back and incorporated in the system.

Acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIS	Commonwealth of Independent States
CRC	Convention on the Rights of the Child
CSW	Commercial Sex Worker
ECOSOC	Economic and Social Council (United Nations)
GID Bureau	Gender in Development Bureau
ICRC	International Committee on the Rights of the Child
ILO	International Labour Organization
IOM	International Organization for Migration
NGO	Non Governmental Organization
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
OSI	Open Society Institute
SDC	Swiss Agency for Development and Cooperation
STD	Sexually Transmitted Disease
UAE	United Arab Emirates
UNDCP	United Nations Drugs Control Programme
UNDP	United Nations Development Programme
UNHCHR	United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
<u>UNODCCP</u>	United Nations Organization for Drug Control and Crime

Glossary

Border control	A State's regulation of the entry of persons onto its territory, as an exercise of its sovereignty.
Border control officials	A generic term to describe those officials whose primary task is to guard the border and enforce the immigration laws of the State – to identify undocumented aliens etc.
Child	Any person under 18 years of age.
Commercial sex worker	Someone who clients pay to have sex with, whether or not the money goes to the worker herself.
Criminal code	The branch of law relating to the punishment of crimes. The State brings before the court persons charged with violations of criminal statutes, usually seeking either imprisonment or fine.
Customs	The agency or procedure for collecting duties (taxes) on imports or exports.
Deportation	The act of a State in the exercise of its sovereignty in removing an alien from its territory after refusal of admission or termination of permission to remain. Recommended practice is for deportation to only take place upon order of a judge and after any appeals have been exhausted.
Emigration	The act of departing or exiting from one State in the hope of settling in another. International human rights norms provide that all persons should be free to leave any country, including their own, and that only in very limited circumstances may States impose restrictions on the individual's right to leave its territory.
Extradition	The formal surrender, generally based on treaty or other reciprocating arrangements, by one State to another of an individual accused or convicted of an offence outside its own territory and within the jurisdiction of the other, for the purpose of trial and punishment.

Forced labour	Labour or services obtained through force or the threat of force, or by the use of coercion, or through any scheme or artifice to defraud, including debt bondage.
Fraudulent documents	Passports, visas or other travel or identity documents, which are either <ul style="list-style-type: none"> • Altered, falsified or counterfeited or • Legitimate documents obtained using fraud, such as by pretending to be someone else.
Immigration	Movement of non-citizens into a State, for a short visit or with intent to remain permanently.
Information systems	A generic term for collections of data; in modern usage, the term implies automated or computerized collections of data. In the migration context, typically includes lookout systems and any system for collecting statistics and other information regarding visa applicants, border crossers, applicants for asylum and other immigration status.
Legal proceedings	Any proceeding authorized by law and instituted in a court or administrative tribunal to acquire a right or enforce a remedy.
Mahalla	Literally means “neighborhood” in Persian and refers to both administratively and culturally to the community of the neighborhood.
Migrant	The United Nations definition is an individual who has resided in a foreign country for more than one year. Common usage includes certain kinds of shorter-term migrants.
Migration	The movement of persons, usually between States. Migration can take many forms: immigration vs. emigration, permanent vs. temporary, voluntary vs. forced etc.
Minor	A person who, according to the law of the relevant country, is under the age of majority, i.e. is not yet entitled to exercise specific civil and political rights.
Servitude	The status or condition of dependency of a person who is [unjustifiably] compelled by another person to render any service and who reasonably believes that he or she has no alternative but to perform the service;
Slavery	The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

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