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**Europeanization of Anti-Human Trafficking Policy:
Comparative Case Studies of Lithuania and Latvia**

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List of Abbreviations:

CBSS – Council of Baltic Sea States

CoE – Council of Europe

EC – European Commission

EU – European Union

GRETA - the Group of Experts on Action against Trafficking in Human Beings

ILO – International Labour Organization

IO – International Organization

IOM – International organization for Migration

KOPŽI - Kovos su prekyba žmonėmis ir išnaudojimui centras

MoI – Ministry of the Interior

NATO – The North Atlantic Treaty Organization

NGO – Non governmental organization

OSCE – Organization for Security and Cooperation in Europe

TFEU – Treaty on the Functioning of the European Union

THB – Trafficking in human beings

UN – United Nations

US – United States of America

1. INTRODUCTION

Human trafficking is one of the most profitable and growing crimes in modern history (IOM, 2018) Article 3 of the UN Protocol, better known as the Palermo Protocol, defines trafficking in human beings as: ‘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 and benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation’ (UN, 2018). The criminal activity, by the estimates of the International Labour Organization generates over 150 billion dollars a year (IOM, 2018). The trade in humans could involve more than “40.3 million people a year, of which 24.9 are in forced labour and 15.4 million are in forced marriage” (ILO, 2018). Further on, it is estimated that 1 in 4 victims of human trafficking are children. Similarly, it is important to note, that human trafficking is a very difficult type of crime to solve due to its heterogeneity and the fact that the forms of trafficking are constantly changing. Currently, different forms include trafficking for forced labor, trafficking for sexual exploitation, trafficking for tissue, cells and organs, forced begging, forced marriages, bonded labor, and others. Moreover, forms tend to change and develop, that is, it is not unusual for a completely new form to appear. This means that, the governments and various stakeholders in anti-trafficking measures must always stay on top of the changes and adapt their policies and practices in order to have any substantial response to trafficking in human beings.

When looking at the recent history of anti-trafficking efforts in the EU, it can be said that the efforts strengthened in the 2000’s; about the same time as the international response to human trafficking intensified and started to significantly develop. Substantial impetus for action was given following the processes spearheaded by the UN, especially with the adoption of the *United Nations General Assembly’s Convention against Transnational Organised Crime*, supplemented by a *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and a Protocol Against the Smuggling of Migrants by Land, Sea and Air*. The community and all 15 Member States signed the conventions in December 2000. (EC, 2018) Further on, the Union extensively legislates the fight against human trafficking with the main documents being; *the Council Directive 2002/90/EC defining the facilitation of unauthorised entry, transit and residence of 28th November, 2002, Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in Human beings, Council*

Decision of 29 May 2000 to combat child pornography on the Internet, Council Framework Decision 2002/946/JHA, Council Framework Decision of 22 December 2003 on combating the sexual exploitation of children and child pornography, Directive 2009/52/EC, Com (2010) 379 final, COM (2010) 493 final, COM/2011/0275 final, Directive 2011/92/EU, Directive 2012/29/EU and Seasonal Workers Directive (2014/36/EU) amongst others. Currently, the EU efforts are spearheaded by the Strategy towards the Eradication of Trafficking in Human Beings and the recent update on priorities by the Commission. The anti-THB efforts are enforced by the Directive 2011/36/EU “on preventing and combating trafficking in human beings and protecting its victims” which replaced the Council Framework Decision 2002/629/JHA. In the EU, the majority (65%) of registered victims come from EU member states, of which many come from less developed EU member states (Bogers, 2013). Amongst the top five countries “in terms of absolute numbers of registered victims, were Romania, Bulgaria, the Netherlands, Hungary and Poland” (Eurostat, 2014). Out of the 45% of victims that were not from the EU, most of the victims came from Nigeria, Brazil, China, Vietnam and Russia. (Eurostat, 2014) Notably, 2006 marked a “growing trend in trafficking for sexual exploitation involving person’s brought to the Britain on within the EU, Lithuania and other newly-acceded Eastern European states in particular” (UK Parliament, 2006). Nowadays, human trafficking still continues heavily, with disproportionate numbers of Lithuanians being trafficked to the UK. The thesis will analyze the Europeanization of anti-trafficking measures. For the analysis, Lithuania and Latvia – the two most similar cases were chosen. The cases were chosen due to the cultural, historical, developmental, political and geographical similarities. That is, since the countries are very similar, and if Europeanization in anti-trafficking measures is present, the anti-trafficking systems should reflect European norms and overall policy. Further reasoning for the selection of the case studies will be elaborated in the methods section of the thesis.

When analyzing anti-trafficking, one has to consider the latency of the crime and the effect of it on a given system. Often, the numbers that are collected can never be representable of the whole situation of trafficking in the EU and elsewhere. Human trafficking is a crime that is very difficult to see and police due to the nature of the lack of information associated with it. Prevention of THB is of key importance due to the fact that mostly, all different key actors in anti-trafficking policy deal with the repercussions of the crime. Similarly, further difficulty arises from the fact that human trafficking cases often involve different countries, jurisdictions and definitions of the crime.

The statistics show that, following the collapse of the Soviet Union and the opening of the borders between the East and the West, many former Eastern block states became countries of origin and transit in regards to human trafficking. Given the fact that most Eastern states were less developed, with higher levels of inequality and overall poverty, it is not surprising that, with the opening of borders the states provided many vulnerable people for various forms of exploitation. This is strengthened by the fact that traffickers tend to prey on less educated, poverty stricken, alienated individuals that do not come from a functional family, are often “weaker” in mental and or physical ways. The criminals then use those various weaknesses against a given individual, often - in a pre-mediated, well planned and thoroughly executed manner in order to enslave an individual and rid him of his freedom and dignity. An adult person often gets entangled in slavery through promises of a better paying job and success (MoI of the Republic of Lithuania, 2015). In the beginning, traffickers often help vulnerable individuals in order to create trust and dependency, while at the same time creating a debt that must be unknowingly paid off by the victim at a later time. Similarly, given the natural susceptibility of children to be controlled, there are many instances of adolescents falling into the hands of traffickers. The children usually come from orphanages or families that have substantial issues related to alcoholism, poverty and abuse. When it comes to the Baltic States, Lithuanian and Latvian orphanages often provide a non-safe and precarious environment that can lead to susceptibility to trafficking (US Department of State, 2017). To make the situation worse, often, the adults responsible for the children in orphanages do not report cases of human trafficking or related sexual abuse, given the false belief that victims are at fault for their behavior.

Further on, this situation is facilitated by the fact that there is general stigma attached to being a victim of trafficking, often due to a lack of knowledge, people blame the victims for their actions before and during an instance of human trafficking. This is especially true in regards to women and young girls that have fallen to sexual exploitation and men that have been trafficked for forced labor. It has been internationally well established by various actors such as the UN, the OSCE and the Council of Europe that an effective anti-trafficking system must function well and cover specific policy priorities in order to have a positive impact on the overall trafficking situation. The system must have effective prevention, thorough system of protection of victims, the approach must be gender specific and focus on human rights (European Commission, 2018). Similarly, strict punishments for trafficking must be in place in order to

bring justice and work as a deterrent from taking part in the criminal activity. The European anti-trafficking policy aims to be broad, but specific – targeting the main areas and creating a robust and evolved, gender specific and victim centered anti-trafficking system (EC, 2018). As this thesis will demonstrate, the European anti-THB system can be seen as having direct effect on Lithuanian and Latvian systems from the beginning of the negotiations on accession to the present day. Lithuania is known as a country of origin, transit and destination for human trafficking. Currently, most of the victims that are of Lithuanian citizenship are trafficked to more prosperous western states: Great Britain, Ireland, Germany, the Scandinavian countries and others. Moreover, Lithuania is increasingly becoming also a destination country, mostly for forced labor coming from the East, especially Ukraine. At the same time, Latvia is a country of origin and transit and to a lesser extent, “a source and destination country for exploitation in forced criminality” (US Department of state, 2017). Differently to Lithuania, sham marriages are one of the greatest concerns in Latvia. Latvian victims are also in general trafficked to more developed member states. Finally, the thesis will assess the extent to which Latvian and Lithuanian policy on anti-human trafficking have been influenced by the EU and converged with those of other EU member states. The analysis will follow the method of comparing two most-similar cases, that of Latvia and Lithuania.

2. LITERATURE REVIEW

Human trafficking in regards to the EU has been studied extensively. Some of the studies focus on various different aspects of the EU anti-trafficking policy while others mostly study the success of the implementation of the *Directive 2011/36/EU*. On the effectiveness of the strategy and the directive, Bosma and Rijkssen argue that the various different international, national, regional organizations and groups often work “in a non-coordinated way” (Bosma, Rijkssen, 2016). Further on, both authors argue that the system, overall, is weak and that all major areas of concern must be strengthened; i.e. the anti-trafficking system is not able to offer good protection, prevention, or persecution of the traffickers. Similarly, on the question of criminal prosecutions, Santiago points to the fact that “the multilateral dimension of the cases complicates the action of national authorities and results in limited, partial manhunts and criminal prosecutions that perpetuate the impunity of these crimes” (Santiago, 2015). However, all human trafficking cases world-wide are difficult to solve due to the nature of the crime with the multilateral dimension posing one of the biggest challenges for successful human trafficking eradication. Moreover, it is argued that collecting comprehensive data is a similarly

difficult task when it comes to trafficking (Gozdziak, 2006). In part, as a response to the difficulty of collecting reliable data, the EU established the national rapporteur or similar mechanisms system. Even though it is the first key step towards reliable data, the reports, available since 2013 are not completely trustworthy. The unreliability comes from the fact that “not all countries had complete data in each category for each year” (Hughes, 2014). Further on, it is often difficult to establish a correct number of victims, because there is virtually no way to correctly police and know of all the cases that happen, especially when at times victims do not realize that they have been victimized. Finally, in regards to data, when one compares the data available in the early 2000’s, the numbers have become more representative of the problem (D. Puidokienė, personal communication, March 27, 2018). Even though the system is at times lacking, it is important to note, that in general, European measures in anti-THB policy have had an overall positive impact on the member states, not excluding the Baltic region. Further on, one way to evaluate the effect and the amount of Europeanization of the anti-trafficking systems is to look at the history of the national systems and how they developed.

The issue of human trafficking in the Baltic States has been researched by some authors, predominantly focusing on trafficking for sexual exploitation. In regards to early Danish views on victims of human trafficking originating from the Baltic states, in 2001, Karel Petersen suggested that the Danes were repulsed by human trafficking, in part, because Eastern European kingpins symbolized an “extreme version of masculinity” that the Scandinavians try to eradicate (Petersen, 2001). Petersen argued that, in Danish society “the ideal is gender equality, and the trafficked Baltic prostitutes and their kingpins symbolized the opposite” (Petersen, 2001). In more recent literature on human trafficking in the Baltic states, Choi Kwan puts blame on Lithuania for not doing enough in regards to human trafficking of female populations. The author suggests that “Russia, however is not the only state guilty of ignoring its female populations, Lithuania is another area from which there has been an increase of trafficking victims” (Choi, 2010). As further demonstrated by the author, according to Interpol, “about 2,000 women and girls were taken abroad illegally in 2007. Nearly a quarter ended up in Britain, where about 15 Lithuanian women a month, aged between 18 and 25, were sold” (Choi, 2010). Further on, as Sobel sums up in her research on media representation of trafficking cases, in some Baltic newspapers such as *the Baltic Times*, incorrect reporting of trafficking cases continues to be an issue of grave concern. “When victims were discussed, they were often portrayed as naïve or ignorant because they were easily ‘lured’ into sex

trafficking with the promise of legitimate work, which implicitly places blame on the victim” (Sobel, 2016).

On the other hand, some positivity and progress can be seen as summed up by Ms. Puidokienė, director of a Lithuanian NGO working with victims of human trafficking and prostitution – “one of the greatest positive changes has been the fact that the government on various levels is actually talking about the problem and prioritizing it” (D. Puidokienė, personal communication, March 27, 2018). Similarly, as argued by the Chief Prosecutor of the Panevėžys Regional Prosecutor's Office, Nida Grunskienė, there is an increasing trend of solving human trafficking cases. This is because people are becoming more emboldened, they start to believe that if they are to fall into human trafficking, the government will protect them and assist them in the time of need” (Lietuvos Žinios, 2018). Finally, there is a gap in literature in regards to investigating the amount of Europeanization in Latvian and Lithuanian anti-THB systems. The thesis will attempt to close the literature gap and establish the amount of Europeanization that occurred in the respective countries in regards to this policy area.

3. RESEARCH DESIGN

The thesis will use the comparative case study method. The comparative case study method in an established method of research that is widely used in many different disciplines and fields. In addition, some authors argue that the case study research method is becoming progressively more popular amongst various researchers (Thomas, 2011). This might be due to the lower time costs associated with the method and the great applicability of it in various social sciences. Comparisons between cases can be a powerful source of causal inferences, however, they can also present a potential source of inferential errors (George, Bennett, 2005). To avoid the many different possible weaknesses in the comparative case study method, the research will be conducted in accordance to various aspects that strengthen the method. Some academics argue, that the use of small number of cases weakens the research and that robust statistical research with many different cases is a much more appropriate and strong method of research (Lijphart, 1971). The strength of statistical research with many different cases comes from the fact, that it is easier to generalize the findings. However, such methods require more time and resources. Given, that, this master thesis has limited time and resources, it is appropriate to focus on a comparative case study method that involves a small number of cases instead of performing a large statistical analysis of many different cases. Similarly, one can argue, that one of the ways

to strengthen the inherent weakness present in the comparative case study method, when compared to more robust statistical analytical research, is to select cases that are “similar in a large number of important characteristics” (Lijphart, 1971). The selection of most similar cases has been proposed by Lijphart as one of the ways that strengthen the overall method. Given this, the “most similar cases” of Lithuania and Latvia were selected.

Moreover, the selection is based upon the fact, that various variables such as the form of government, culture, historical experience, geography, language, population and emigration rates are very similar. When it comes to human trafficking, the cases should also present similar findings, however, notably even though both countries are member states of the EU, the human trafficking situations in Lithuania and Latvia are slightly different. Latvia is mostly a country of source and transit while Lithuania is increasingly becoming also a country of destination. Further on, in 2017 Latvia was characterized as a “Tier 2” country by the TIP report issued by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons while Lithuania was awarded a “Tier 1” status. There are also differences when it comes to forms of trafficking, as sexual tourism and sham marriages in Latvia are more pronounced. One can argue that sexual tourism is more present in Latvia due to the legal status of prostitution, that results in an increase of cases of foreigners coming to Riga in order to use sexual services from prostitutes. The fact that both countries are very similar, but have different levels of effectiveness of the anti-trafficking system calls for a study of the causes of such inequalities and the analysis of Europeanization of anti-THB measures. Further on, Lijphart argues that “comparative analysis must avoid the danger of being overwhelmed by large numbers of variables and, as a result, losing the possibility of discovering controlled relationships, and it must therefore judiciously restrict itself to the really key variables, omitting those of only marginal importance” (Lijphart, 1971). Considering the danger of being overwhelmed by many different variables that can indicate an effective anti-trafficking system, a few key variables were chosen. The focus will be given to the main priority areas of the European anti-trafficking system.

The research question of the thesis is: to what extent Latvian and Lithuanian policy on human trafficking have been influenced by the EU and converged with those of other EU member states? The research will focus on official policy document analysis complimented by various different resources from local articles, court cases, published opinions of policy makers and NGO officials working with anti-THB measures. The research will be further strengthened by

interviews with key actors and decision makers. It must be taken into account that the interviews conducted will represent the subjective opinion of the individual and will be more open to bias. Given this, the use of the interviews will be limited and act as a secondary tool to strengthen the overall analysis of policy papers and governmental resources. Similarly, due to time constraints and lack of access to actors in Lithuanian and Latvian anti-trafficking systems, only two in-depth interviews will be included in the research – the interview with Ms. Dalia Puidokienė, the director of Klaipeda Social and Psychological Services Center and Ms. Edita Ignatavičiūtė, the attorney of the Vilnius District Prosecutor's Office for Organized Crime and Corruption Investigation Division.

4. THEORY

The thesis will focus on the theoretical framework provided by the theory of Europeanization. Europeanization can be defined as an “incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making” (Ladrech,1994). Other authors, such as Heritier, define Europeanization as “the process of influence deriving from European decisions and impacting member states’ policies and political and administrative structures” (Heritier,2001). Further on, it can be argued that the process comprises the following elements: “the European decisions, the processes triggered by these decisions as well as the impacts of these processes on national policies, decision processes and institutional structures” (Heritier,2001). Further on, some authors suggest that Europeanization often can be difficult to pin point. One must realize, that the impacts of Europeanization often are irregular and uneven, spread between different locations, are national and subnational, making in into an inherently asymmetric process (Featherstone, Radaeli,2003). That is, the transformational power of Europeanization may be based on a “multitude of coevolving, parallel and not necessarily tightly coupled processes” (Olsen, 1996). Moreover, Börzel and Risse argue that, for Europeanization to happen, “there must be some degree of “misfit” or incompatibility between European-level processes, policies and institutions, on the one hand, and domestic-level processes, policies and institutions, on the other” (Börzel, Risse, 2003). The degree of “fit or misfit” then leads to change of national policies. Similarly, there is a second condition that needs to be fulfilled – response. Without a response by actors or institutions to adaptational pressures coming from European institutions, a change in domestic policy and structure would not occur (Risse, 2003). Moreover, Risse argues that the “misfit” dynamic of Europeanization

affects it in such a way that “the lower the compatibility between European and domestic processes, policies, and institutions, the higher the adaptational pressure” is put forward (Risse, 2003).

The thesis argues that this adaptation pressure is extremely visible in the Commissions accession reports, as generally there was little compatibility prior to accession. Another aspect that must be considered when looking at Europeanization is that, as argued by some academics, given that the EU is part of the international community, and that different shared values shape the EU, Europeanization at times can simply be a reflection of the greater trends in the international community (Schimmelfennig, Sedelmeier, 2008). When looking at anti-human trafficking measures in Latvia and Lithuania prior to the accession to the EU, one must remember that national policies could have been formed by international norms established by such organizations as the OSCE or Council of Europe amongst others. As argued by Featherstone, “within the international system, the relationship between 'Europeanization' and 'globalization' is often difficult to distinguish” (Featherstone, 2003). Taking this into consideration, as much as it is possible, there must be rigorous research performed to correctly distinguish between policy change due to the rising influence of European institutions vis-à-vis global international anti-trafficking norms. Similarly, one must take into consideration that, often, international norms are accepted, absorbed and become part of the European system. Finally, Europeanization, as a theory, can be roughly divided into three different elements; top-down, horizontal and bottom-up Europeanization.

4.1. Top-down Europeanization

Simply put, top-down processes of Europeanization occur when policies from “Brussels” or the overall EU, impact, change and shape national policies. For instance, when directives are implemented in member states, such processes are considered as being part of the “top-down” dimension of Europeanization (Börzel, 1999). Moreover, these processes can be referred to as “processes of domestic institutional adaptation to pressures of Europeanization” (Sprungk, 2005). Additionally, the “top-down” approach of the theory “suggests that the emergence of distinct structures of governance on the European level exerts a pressure on member states to adapt to European rules and procedures and thereby causes policy and institutional changes on the domestic level” (Börzel, Risse, 2003). The levels of change occur not only on the top level, but also onto the local level of governance. Such change can be seen at the local level when one looks at the different NGO’s, state bodies and international organizations working together

to solve issues. Similarly, as the case in Lithuania, the Ministry of the Interior, following European norms conducts various preventative projects in which municipalities are invited to take part in. The local actors then shape the actions in ways that are most beneficial and appropriate for the given municipality. The European anti-trafficking policy and the directive 2011/36/EU, clearly indicate Europeanization in the anti-trafficking systems as long as various standards are directly implemented and controlled.

4.2. Horizontal Europeanization

Many different studies assume that further Europeanization coming from “Brussels” has similar impact upon domestic institutions of member states. It is argued that the process leads to convergence of either a “strengthening, weakening or transformation of the nation-state” (Borzel, 1999). Further on, the convergence assumption usually understands Europeanization as “a resource-dependent process that changes the distribution of power between different domestic actors, favoring one group over the other or increasing the mutual dependency between them” (Borzel, 1999). When looking at convergence, some authors argue that higher adaptational pressure coming from the amount of “misfit” can cause higher convergence. However, Haverland argues that the process works in the exact opposite way, - that is, the smaller the “misfit” – the higher the convergence. This is arguably due to the fact that when there is less adaptational pressure, that also means that national policy is already more in line with European policies and norms (Haverland, 2007). However, some authors suggest that Europeanization does not necessarily mean that different actors such as national governments will converge. Wessels and Rometsch, in their study of the effect of Europeanization on the models of member states institutions have argued that there are “quite divergent patterns of action and behavior of national institutions which do not seem to converge into one common (state) model” (Wessels, Rometsch, 1996). The authors suggest that member states build upon their governmental models prior to the accession to the EU and incorporate the European norms and ways of doing things into the given pre-existent system, i.e. different governments are not converging and becoming alike. Europeanization can be unequal not only internally in regards to different state actors within the system, but also overall. Besides testing the overall Europeanization theory in regards to human trafficking, the thesis will also try to establish if the Europeanization of anti-trafficking measures has resulted in a convergence of policies between the two Baltic states.

4.3. Bottom-up Europeanization

Differently to top-down Europeanization, a process in which EU policy is directly implemented in member states, bottom-up Europeanization is the process in which local actors such as NGO's, national governments, local interest groups and others affect the European integration process, that happens when “a domestic actor tries to shape the process of European integration by “uploading” his or her preferences” (Sprungk, 2005). When looking at the anti-trafficking system, it is easier to see the process of top-down Europeanization. Given this fact, and in consideration of time and cost constraints, the thesis will be mostly focused on top-down Europeanisation of anti-trafficking measures in the two Baltic states.

5. EU ANTI-TRAFFICKING POLICY

Europe extensively covers and combats human trafficking. European anti-trafficking measures extensively developed during the 2000s, following a similar pattern of other international organizations including the UN, Council of Europe and the OSCE. Currently, human trafficking is specifically addressed in Article 5 of the Charter of Fundamental Rights of the European Union in which slavery and forced labor are prohibited, with 3rd clause directly prohibiting trafficking in human beings. Further on, the TFEU defines human trafficking as a particularly serious crime in Article 83 (TFEU, 2012). In December, 2009, the European Council adopted the Stockholm program. The program provided a framework for EU action on various different issues, more importantly, section 4.4.2 of the program highlighted issues related to human trafficking. Amongst calls to strengthen and “enhance prevention, combating of trafficking in human beings and smuggling of migrants” (Stockholm program, 2009) it also called for the establishment of an EU anti-human trafficking coordinator. The EU coordinator is responsible for overall efficiency of the Union's anti-human trafficking policy, the enhancement of cooperation between EU institutions, EU agencies, member states and international actors, the development of existing and new EU policies relevant to addressing trafficking in human beings and provision of overall strategic policy in regards to anti-human trafficking in EU external policy (European Commission, 2018). Further on, one of the most important tasks of the coordinator is the monitoring and implementation of the *EU Strategy towards the Eradication of Trafficking in Human Beings*. The strategy spearheads the efforts of the Union in fighting human trafficking and sets out the five key priority points:

- A. *Identifying, protecting and assisting victim of trafficking*
- B. *Stepping up the prevention of trafficking in human beings*
- C. *Increased prosecution of traffickers*
- D. *Enhanced coordination, cooperation and policy coherence*
- E. *Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings*

The five main priorities can be seen closely reflected in national policies and the overall approach to the issue of human trafficking. In 2017, the priorities have been updated. The Commission, as a follow-up to the 2012-2016 strategy set new priorities that deal with “disrupting the business model and untangling the trafficking chain”, providing “better access to and realize the rights for victims”, intensifying a “coordinated and consolidated response, both within and outside the EU” and increasing various different “cross-cutting priorities for stepping up EU action to prevent trafficking in human beings” (European Commission, 2012). Human trafficking is an issue that has many different root causes, is heterogeneous and very complex. Given this, the solutions to the issue must also be wide-ranging and cover many different policies. The system cannot function without an effective effort in all of the key areas. The strategy, amongst other things, calls for all member states to ratify further international legal instruments that have set out international norms on anti-human trafficking, that is; the UN Palermo Protocol on Trafficking in Persons and the Council of Europe Convention on Actions against Trafficking in Human Beings. The Palermo protocol has been ratified in Lithuania in 2003 and Latvia ratified it in 2004. The ratification was urged during the accession process. As argued by Alice Bosma and Conny Rijken, the goal of the strategy, instead of providing a legally binding set of rules is to “coordinate and tune the various policies, pieces of legislation and initiatives taken at EU level in different policy areas that are not necessarily, or primarily, adopted to combat human trafficking, but which do have an impact on or are part of the fight against human trafficking” (Bosma, Rijken, 2016). Further on, the Union inscribes the efforts in practice through the *Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*. “The Directive adopts a comprehensive, integrated approach that focuses on human rights and on the victims and is gender-specific” (EU, 2011). Gender specificity is important because EU-wide, most of the victims tend to be female (Eurostat, 2015).

Similarly, human rights are of key importance as human trafficking blatantly negates them. Lastly, the Commission closely works with other agencies including the CEPOL, Eurojust, Europol, EASO, EIGE, FRA and Frontex. The work is done on the basis of a joint statement signed by the heads of the agencies in 2011 (European Commission, 2018). The next section of the thesis will focus on the case study of Lithuania.

6. CASE STUDY OF LITHUANIA

6.1. Introduction

Lithuania is a country of origin, destination and transit; however, the statistics show that predominantly, it functions as a country of origin for human trafficking. 2017 saw 61 pre-trial investigations into human trafficking internally and abroad based on articles 147 and 157 of the criminal code (MoI of the Republic of Lithuania, 2018). Most of the investigations were for forced labor, forced conduct of crimes, sexual exploitation and forced marriages (MoI of the Republic of Lithuania, 2018). However, trafficking cases were diverse ranging from forced production of pornography to forced begging. Number of investigations continued growing in 2016, with more males, (30 men and 3 boys) than females (20 women and 5 girls) being exploited (MoI of the Republic of Lithuania, 2018). In 2016, there were 56 pre-trial investigations in process in regards to internal and external human trafficking. Out of the 56 pre-trial cases, 29 were new investigations initiated in 2016. Out of the 26 new pre-trial investigations, 13 were initiated in regards to forced criminal activity, 7 in regards to prostitution, 4 in regards to forced labor, 2 in regards to forced marriage, one in regards to forced labor and criminal activity, one in regards to pornography and lastly, one pre-trial investigation was started in which the form of human trafficking was unidentified (MoI of the Republic of Lithuania, 2017). It must be noted, that most of the new pre-trial investigations are not related to forced prostitution and sexual exploitation. The same trend has been observed in the period 2013-2015. Progress can be seen in regards to the ability of the law enforcement to solve human trafficking cases; there is an increase in the solved cases annually.

Further on, as argued by Ms. Puidokienė, different ministries, NGOs and the Lithuanian government are starting to clearly see the problem and are moving towards effective solutions (D. Puidokienė, personal communication, March 27, 2018). On the other hand, each year shows accelerating development of new forms of trafficking; a situation that is similar to the overall situation in the EU. On October 9-13 2017, the Lithuanian police together with children's rights protection specialists, representatives of municipalities and NGOs, representatives from

the education sector and others participated in a joint international measure coordinated by Europol (MoI of the Republic of Lithuania, 2017). During the measure aimed at prevention of trafficking of children, 720 places where children's rights may be violated were investigated. Further on, 952 individuals, 466 vehicles and 371 documents were also inspected (MoI of the Republic of Lithuania, 2017). Lithuania continues to participate in various European and international measures aimed at fighting THB.

One of the key differences in human trafficking in Lithuania relative to the EU is seen in the gender dimension. According to data published by Eurostat on victims of human trafficking, from the period of 2012-2015 the majority of victims in the EU (75%) were of female gender (Eurostat, 2015). However, in Lithuania, according to official data, human trafficking victims are more equally divided when it comes to gender, with male victims usually accounting to more than 50% of the known victims. It is unclear why such division exists; however, it could be due to a high level of low skilled labor (that is mostly male) coming to the United Kingdom. Such division indicates that the Lithuanian anti-trafficking system must also proportionately pay attention to both genders. However, one can see that there is a lack of focus on male victims, given that, there is only one NGO focused on male victims of THB. Similarly, there is a pervasive message that men cannot become victims, or that they are “unmanly” if they have suffered from THB. In 2017, a national prevention program was issued by the Ministry of the Interior that was mostly gender-neutral, as the directive calls for “gender specific” solutions to the problem, in this particular area, Lithuania has yet to demonstrate an effective policy. Continuingly, it seems that the form of trafficking and the victim group have evolved over time. Previously, in the 2000’s, the majority of victims of human trafficking originating in Lithuania were female and trafficked to Germany and other Western European countries for sexual exploitation. It may be said, that human trafficking forms followed the trends of emigration from Lithuania.

Since the 1990’s, Lithuania has lost 679,182 citizens to emigration. The majority of emigration happened after Lithuania joined the European Union, with the peak happening in the years following the financial crisis (Lithuanian migration department, 2018). Post accession to the EU, the majority of emigrants left to the UK (180,000), Ireland, (46,717), Germany (39,001), and Norway (35,770). Naturally, most of Lithuanian human trafficking victims are also located in the UK. However, in 2016 ten pre-trial investigations occurred in internal trafficking, 6 in Germany, 5 in UK, 2 in Norway, others were located in Ireland, Denmark, UAE, France and

Finland (MoI, 2016). Finally, the most recent trends of human trafficking in Lithuania show that recently Lithuania has been becoming more of a country of destination, specifically for low-skilled Eastern labor (Važgauskaitė, 2017). In 2017 Lithuania became a destination country for Ukrainians, Nepalese and one Columbian amongst others (MoI of the Republic of Lithuania, 2017). As summarized by Gediminas Noreika, the Deputy Director of the Legal Department of the State Labor Inspectorate “today we see a growing tendency of a trade in Ukrainians”. This is especially true, given the fact, that 60% of foreign workers in Lithuania are from Ukraine (Marius Jokūbaitis, Jurgita Lapienytė, 2017). Currently, Ukrainians are predominantly forced to work in slave like conditions in construction and logistical services. The next section will focus on the Lithuanian system prior to the accession to the EU.

6.2. Lithuanian anti-trafficking policy prior to the accession to the EU

The Lithuanian anti-trafficking system prior to the accession to the EU was barely coordinated, the measures were implemented on an ad-hoc basis, with anti-human trafficking measures not being included in the main priorities of the national government (Government of the Republic of Lithuania, 1998). The lack of focus on anti-trafficking measures could have also been a reflection of the general situation at the time; a post-communist state that saw heavy risks from different types of crime that mainly included racketeering, car bombings and assassinations. Simply put, human trafficking was not seen as threatening to the state in comparison to other crimes. In 1991, Lithuania joined the ILO and in 1994 it ratified the convention on the abolition of forced labor in which signatories undertook “to suppress and not to make use of any form of forced or compulsory labour” (International Labour Organization, 2018). In addition, Lithuania became a member of the Council of Europe on 14 March 1993. In 1998, Lithuania included the offence of trafficking in human beings for the purpose of sexual exploitation into the Lithuanian Criminal Code. Further on, the United Nations Convention on the Rights of the Child was ratified in 1992, while the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography was ratified in 2004, the same year as the accession to the EU happened. In addition, Lithuania ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1994. With the first National Action Plan for combating trafficking in human beings for sexual exploitation and prostitution being adopted by the Lithuanian Government from the period 2002 to 2004, Lithuania started to progress towards a robust and coordinated anti-trafficking system (GRETA, 2015). The early 2000’s also marked the ratification of the “United Nations Convention against Transnational Organised Crime

(ratified in 2002), its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (both ratified in 2003)” (GRETA, 2015).

6.3. Early Lithuanian Europeanization of anti-trafficking measures

After independence was restored, Lithuania quickly took the decision to start integrating itself into Europe again. With the integration process, Lithuania, as other future member states of the EU had to fulfill the Copenhagen criteria and accept the European Acquis into their national systems. Lithuania shaped the efforts by adopting the national Acquis acceptance program in which different aspects of the Acquis are broken down into smaller parts and tasks. In relation to crime, in 1998, the national Acquis acceptance program included the task AH4 1.10 which was to “prepare a new long-term program on combating organized crime and corruption” (Lithuanian Government, 1998). Naturally, the program had to be shaped by European practices and values. The acceptance of the Acquis meant that different institutions, policies and the overall political system had to adapt to European standards in order to become a full functioning member of the European Union. Overall, the acceptance of the Acquis can be seen as a top-down process of Europeanization. Prior to the start of the process of European integration in Lithuania, one could argue that the anti-trafficking system was hardly existent. It is questionable if without the European integration process, the anti-trafficking system would be so progressive and thorough as it is now.

The Europeanization of developing anti-trafficking measures prior to the accession to the EU can be best observed in the opinions of the Commission on the progress made in Lithuania’s Application for Membership of the European Union. As the Strategy points out, the EU uses country strategic papers for accession as part of the effort to shape and create effective anti-trafficking measures. The reports that start in 1997 and span up to 2003 and were treated by national governments as documents that evaluate and demonstrate the level of acceptance of the Acquis and the needed progression towards the EU; in essence, the documents shaped the way various parts of the national systems, including the anti-trafficking system are functioning today. For the given period of 1997-2003, the phrase “human trafficking” is mentioned 23 times. Generally, as in the overall EU, the focus on human trafficking increased from year to year. In 1997, the Commission focused on the developing trend of migrant smuggling through Lithuania and the overall organized crime situation that amongst smuggling of weapons,

alcohol and tobacco, money laundering and financial fraud, violence and extortion included rising smuggling of human beings that often coincided with human trafficking. In 1999 Lithuania adopted the Organized Crime and Corruption Prevention Program in which prostitution and human trafficking were stated as priority areas. Similarly, illegal migration and people smuggling through Lithuania to the Western Europe was regarded as important areas to increase crime fighting in. Further on, article 2.6 of the program called for the establishment of prostitution and human trafficking control and prevention program (Lithuanian government, 1999). Many different actors were entrusted with the development of the program, including the Ministry of the Interior, Ministry of Education and Science, Ministry of Social Security and Labor, Ministry of Health, Ministry of Justice, Prosecutor General's Office of the Republic of Lithuania and the Center for Crime Prevention in Lithuania (Government of the Republic of Lithuania, 1999). The program was successfully created and adopted by 2002.

In general, most of the Commission reports call for stronger efforts in fighting human trafficking. In 2001, the Commission expressed the opinion that “trafficking in women continues to be a problem and stronger efforts to combat it should be made” (European Commission, 2001). In the 2002 accession report the Commission commends the actions of the Lithuanian police, the acceptance of the new criminal code that has been successfully used to convict traffickers, commends the new Programme of Control and Prevention of Prostitution and Trafficking of Human Beings and finally, sees progress in ensuring protection for victims of human trafficking. However, it still notes that “trafficking in human beings remains an issue of concern. Lithuania remains a country of both origin and transit with regard to trafficking in women” (European Commission, 2002). In 2003, one year prior to accession, the Commission report does not mention human trafficking explicitly as one of the main issues that needs to be solved, the focus is much more on the effectiveness of the national police, the signing of an agreement with Europol, police training improvement and the overall reach for an “accountable, reliable and fully coordinated police organization by accession” (European Commission, 2003).

2002-2004 marked the adoption of the Program for the Control and Prevention of Trafficking in Human Beings and Prostitution. The program “was among the first specialized programs of this kind in the Baltic region” (MoI of the Republic of Lithuania, 2005). The program was implemented “in accordance with the Program for the Preparation of Lithuania's Accession to

the European Union (National ACQUIS Adoption Program) and the Approval of the Plans for the Acquis Implementation Measures for 2001” (MoI of the Republic of Lithuania, 2005). Similarly, the implementation of the program was coordinated with the program for Organized Crime and Corruption Prevention that, as was mentioned earlier was drafted on the basis of accepting European Acquis and regulations. After the accession to the EU, Lithuania continued to fight human trafficking while simultaneously improving the measures. While the first program’s measures were being implemented, “the monitoring of the current state of trafficking in human beings and prostitution was carried out, a legal framework was created, basically in compliance with the requirements for the control and prevention of trafficking in human beings prescribed by international legal acts (adopted by the United Nations, the European Union, the Council of Europe, Interpol, Europol, and other international institutions)” (Government of Lithuania, 2005).

Following the first program, the Program for the Prevention and Control of Human Trafficking was renewed in 2005-2008. Further Europeanization can be easily reflected in the program as both tasks in improving legal regulation (II.5“Implement legal acts adopted by the European Union and international organizations regarding the control of trafficking in human beings and prostitution and [...] determine their compliance with the legal acts adopted by the European Union and international organizations”) and victim protection (IV.11“Taking account of the legal acts and recommendations adopted by the European Union and international organizations, clearly define the status of a victim of trafficking in human beings; provide more effective social and other target orientated assistance to victims of trafficking in human beings”) state (Government of Lithuania, 2005). It is easily visible that the anti-trafficking system developed with having a priority of integrating and replicating the European standards. The next section of the thesis will focus on the way the Lithuanian anti-trafficking system is being shaped after accession.

6.4. Present day Lithuanian anti-human trafficking system

Coordination

The Lithuanian anti-trafficking efforts are enshrined in various governmental programs and policy papers. The national coordination is shaped by 4 key documents that shape the overall policy, provide regulations and specifies key stakeholder actions:

- *Program for the Development of Public Security 2015-2025*
- *Action Plan for the Fight against Trafficking in Persons 2017-2019*

- *Interinstitutional Action Plan for the Implementation of the Public Security Development Program 2015-2025*
- *Regulations on the Commission for the Coordination of Trafficking in Human Beings and organization of its work*

One of the most important policy papers is the *Program for the Development of Public Security 2015-2025*. The main aim of the program is to support and ensure effective public security policy implementation. Similarly, the program also sets out the priorities and tasks of the national security policy. Given this, one of the priorities mentioned in the program is the development of effective anti-trafficking measures (MoI of the Republic of Lithuania, 2015). The implementation of the program in regards to human trafficking, is guided by three main aims:

45.5.1. To strengthen the national anti-trafficking coordination system

45.5.2. To improve prevention and investigations on human trafficking

45.5.3. To strengthen the system of providing effective help to victims of human trafficking and to people that are in the risk group of suffering from human trafficking.

The three main aims heavily relate to overall EU anti-trafficking objectives. Further on, the implementation of the *Public Security Development Program 2015-2025*, is further strengthened, detailed and ensured in the inter-institutional action plan. The action plan contains different tasks and means to achieve them, divides the policy areas by different actors and allocates the budget. Finally, the plan has a strict evaluation criterion that is in line with European standards. In regards to human trafficking, the plan further covers, divides up by institution and sets out funding to various institutions.

Funding for anti-trafficking measures in Lithuania.

	2016 (Euros)	2017 (Euros)	2018 (Euros)	Responsible institution
Task 2.3 - To develop an effective anti-human trafficking system	92,900	92,900	92,900	
Measure 2.3.1 To carry out joint preventive measures between the criminal and public police officers in the fight against trafficking in human beings	1,200	1,200	1,200	Police department
Measure 2.3.2 - Organize training for police officers in regards to THB	600 500	600 500	600 500	Police department Ministry of Justice (Prison

				department)
Measure 2.3.3 - Provide social assistance to victims and potential victims of THB	80,000	80,000	80,000	Ministry of social security and labor
Measure 2.3.4 - Support the return of victims of THB that located outside Lithuania	3000	3000	3000	Ministry of foreign affairs
Measure 2.3.5 - Participate in the initiatives against THB of the European Union institutions and agencies and other international organizations	4,200 3,400	4,200 3,400	4,200 3,400	Ministry of the interior, Police department

Table 1 – Source, Lithuanian Ministry of the Interior

It must be noted that the measures are in line with external reports of the performance of the system. Similarly, it is of sound development and proportionality (MoI of the Republic of Lithuania, 2015). The implementation and coordination of the plan falls under the mandate of the Ministry of the Interior, as is the case in Latvia. The plan is aimed at strengthening inter-agency and intersectional cooperation and coordination of action against trafficking in human beings. The plan was shaped with considerations to broad expert views from the United States, the Council of Europe, EU and the NGO sector (MoI of the Republic of Lithuania, 2015).

6.5. Recommendations for Detection of Trafficking in Human Beings, Pre-trial Investigation and Inter-institutional Co-operation

The European Strategy prioritizes ‘identifying, protecting and assisting victims of trafficking’ and also promotes “concrete actions to improve identification of victims of trafficking” (European Commission, 2013). The guidelines of 2013 on identification of victims act as a reference point for member state actions in unifying criteria. Further on, “the Directive obliges Member States to ensure that a person is provided with assistance and support as soon as the competent authorities have a reasonable-grounds indication for believing that he or she might be a victim of trafficking. Member States also need to establish appropriate mechanisms aimed at early identification” (European Commission, 2013). The unification of the identification criteria in the Lithuanian system is a direct reflection of European standards. Prior to an official, unified definition, there was no common stand point on what it means to be a victim of THB. This lack of common definition clearly created difficulty for the system to function.

The NGOs, amongst themselves accepted the Norwegian definition that was used prior to the acceptance of the common criteria (D. Puidokienė, personal communication, March 27, 2018). The respective document on the, *Recommendations for Detection of Trafficking in Human Beings, Pre-trial Investigation and Inter-Institutional Co-operation* was signed between the Ministry of the Interior, Ministry of Social Security and Labor and the Police Department. The

document unifies and defines the criteria for the identification of victims of THB. The unification of the criteria for identifying victims is an important step forward in increasing the effectiveness of the anti-trafficking system. The common definition shortens the time of pre-trial investigations, helps to clearly identify the individuals that are victims and are in need of assistance and helps to coordinate inter-institutional cooperation. Finally, having a common definition of human trafficking between different governmental bodies ensures that all professionals who are likely to come across victims of THB have the same tools that accurately establish if a person indeed is a victim of human trafficking.

Further on, all national anti-trafficking measures are coordinated by the national anti-human trafficking commission that was established on 11th of August, 2016 by the founding document on *Regulations on the Commission for the Coordination of Trafficking in Human Beings and organization of its work*. The commission is an inter-institutional organ that assembles all of the key actors in the policy area. It is made up of more than 17 members and includes:

1. Chancellor of the Ministry of the Interior of the Republic of Lithuania (President of the Commission);
2. Representative of the Ministry of Social Security and Labor of the Republic of Lithuania (Vice-President of the Commission);
3. Representative of the Lithuanian Labor Exchange under the Ministry of Social Security and Labor;
4. Representative of the Prosecutor General's Office of the Republic of Lithuania;
5. Representative of the Ministry of Health of the Republic of Lithuania;
6. Representative of the Ministry of Education and Science of the Republic of Lithuania;
7. Representative of the Ministry of Justice of the Republic of Lithuania;
8. Representative of the Ministry of Foreign Affairs of the Republic of Lithuania;
9. Representative of the State Labor Inspectorate of the Republic of Lithuania under the Ministry of Social Security and Labor;
10. Representative of the Ministry of the Interior of the Republic of Lithuania;
11. Representatives of the Association of Lithuanian Municipalities (up to 4 representatives);
12. Representative of the Lithuanian Bishops' Conference;
13. Representative of the National Judicial Administration;
14. representatives of non-governmental organizations active in the field of combating human trafficking (up to 4 representatives);
15. Representative of the Police Department under the Ministry of the Interior of the Republic of Lithuania;
16. Representative of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania;
17. Representative of the State Children's Rights Protection and Adoption Service under the Ministry of Social Security and Labor.

The commission meets at least once in 6 months and proposes and coordinates the inter-institutional anti-trafficking plan. Similarly, the commission is responsible for analyzing and evaluating anti-THB results, delivering opinions on the way forward, delivering opinions to specific governmental or municipality institutions on strengthening their efforts and shaping of the action plan (MoI of the Republic of Lithuania, 2018). Even though the coordination system follows a prescribed EU policy of coordination, de facto, it is lacking in some aspects and at times can be described as ineffective, due to the personal conflicts between different interest parties (D. Puidokienė, personal communication, March 27, 2018). The commission at times suffers from non-participation of some important actors. This can be best demonstrated by the fact, that the biggest NGO working with anti-human trafficking measures is not a member of the coordination group. When the biggest NGO does not have an official say in coordination matters, the anti-trafficking system weakens. This then results in many different aspects of the system being disjointed, for example; the prevention of human trafficking in Lithuania at times is hindered by doubling of measures or not covering certain areas and aspects (D. Puidokienė, personal communication, March 27, 2018). These issues represent the extent that the anti-trafficking measures are Europeanized, i.e. de jure, the system is European and highly progressive, while de facto, some policies are not always fully implemented.

6.6. Monitoring anti-trafficking measures

The monitoring of the overall situation in regards to human trafficking is done by the National Rapporteur. As set out in the Directive 2011/36/EU, Lithuania recently established the National Rapporteur that is responsible for providing “objective, reliable, comparable and up-to-date strategic information in the field of trafficking in human beings” (Council of the European Union, 2011). The position was formally established on November 23rd 2016, based in the Ministry of the Interior. Even though the establishment of the National Rapporteur is significant and a reflection of the European anti-trafficking aims, some point to the fact that the rapporteur is not fully independent. The lack of independence, according to some, means that at times the anti-trafficking measures are looked at from a one-sided, internal security paradigm (D. Puidokienė, personal communication, March 27, 2018). Similarly, the Ministry of the Interior cannot enforce, or facilitate cooperation of the NGO sector or other sectors as it is an integral part of the system and not above it as opposed to systems such as in the UK, where the coordination is entrusted to a Commissioner that is independent and responsible only to the parliament. The United Kingdom’s model is seen by some as a more effective solution,

as the Commissioner can directly enforce certain measures. On the other hand, the MoI has on many different occasions been in contact with the UK's Independent Commissioner in Lithuania and the UK and has shared good practices with the Commissioner's office. During an official visit to Lithuania, an anti-THB conference was organized, in which many different high level Lithuanian officials debated about a possible change of the system aimed at more independency following the British model. However, different ideas of adopting a similar model have yet to be fulfilled in Lithuania.

6.7. Lithuanian anti-trafficking NGO's and their role in the anti-trafficking system

Currently, there are six major active NGOs focused on anti-human trafficking measures: Vyrų krizių centras, Lietuvos Caritas, Vilniaus Arkiviskupijos Caritas, Kovos su prekyba žmonėmis ir išnaudojimu centras - KOPŽI, Dingusių žmonių šeimų paramos centras and Klaipėdos socialinės ir psichologinės pagalbos centras. Most of the NGOs work with prevention and victim assistance. The NGOs, as mentioned earlier, are part of the coordination commission and have opportunities to reflect, shape and enhance the anti-trafficking system. The financing of NGOs has been increasing, strengthening their ability to provide assistance to victims of THB (MoI of the Republic of Lithuania, 2017). Even though there are about an equal number of male victims, there is only one NGO that works specifically with men that have been victimized. "Vyrų krizių centras" is a comparatively small NGO with experience in providing victim support and prevention focused on men. The biggest NGO working with anti-trafficking measures is KOPŽI. According to the information provided by the center, in 2016 KOPŽI provided services to over 147 victims of human trafficking. However, the information on the number of victims is not included in the official national reports, as according to law, only a representative of the judiciary can grant a person the status of a victim. Such ambiguity to the actual numbers of victims is detrimental to the whole system. There is an overall lack of oversight over some NGOs, as the information on provision of help to an exact number of victims is unclear. Horizontal Europeanization can also be seen in the projects that different NGOs participate in. As an example, in 2013, financed by the European Commission, the respective NGO undertook a project together with London city police and NGOs from the UK and Italy. The project was also supported by Royal Borough of Kensington and Chelsea and the city of Westminster (KOPŽI, 2013). The project, in line with EU regulations undertakes the establishment of a system of inter-agency cooperation in order to facilitate prevention and

increase the effectiveness of THB victim rehabilitation and integration. Similar cooperation can be seen between various Lithuanian NGOs and their European counterparts.

6.8. A lack of “Europe” in Lithuanian anti-trafficking measures?

Although Lithuania has made extensive progress in anti-THB measures since its independence and many different areas are of high standards, some areas still have deep issues that must be solved. One of the main areas of concern is victim protection. It has been known that during the pre-trial stage of investigations, criminals tend to try to influence the victims in order to change their testimony. At times, victims are not safe from perpetrators and psychological threats, extortion and bribery during the judicial process (D. Puidokienė, personal communication, March 27, 2018). The Lithuanian police can provide full victim protection services, however, they are very costly and are used rarely and only in very severe cases. In addition, the protection services are very intrusive and highly limit any personal freedom that the victim has. Many different cases occur in which, after testifying, the victims are not protected at all, often living in small communities in which the perpetrators know where the victim lives, as consequence allowing perpetrator to exert various forms of psychological and physical pressure. In one case, the victim was not even offered a phone number by the police to call in case the perpetrators would try to assault or otherwise abuse her (Vireliūnaitė, 2017). However, according to Edita Ignatavičiūtė, a prosecutor dealing with human trafficking in Vilnius, the police and the prosecutor’s office react very strongly against any indications of psychological pressure. “We make sure that the suspects are very clear about the repercussions for any attempt to pressure the victims during pre-trial investigations and during the trial” (E. Ignatavičiūtė, personal communication, April 26, 2018). Finally, this may be due to the fact that often there are disparities in regards to the implementation of the policy in rural areas when compared to the larger cities.

Similarly, against the norms set in the directive, often victims are not provided with the opportunity to give testimony while being separated from the traffickers in court. Even though the law permits the use of video conferencing and other means of testifying, in reality the “courts had limited technical capabilities and preferred traditional testimony to video” (US state department, 2017). The inability to provide the chance to give testimony separately to the perpetrators of the crime increases the chances of re-victimization, goes against the directive and does not provide comprehensive victim protection. According to Edita Ignatavičiūtė, at

least in Vilnius, in the cases that she deals with, the victims always have a right to give testimony separately and re-victimization is always avoided (E. Ignatavičiūtė, personal communication, April 26, 2018). The differing opinions further point to the lack of policy implementation that in practice covers the whole of Lithuania. Further on, as set out in the European Strategy, “if the authorities are aware of a case of human trafficking, or that an individual risks becoming a victim of human trafficking, they are obliged to take appropriate measures” (European Commission, 2012). However, at times one can think that there is a lack of support given to victims of human trafficking in the Vilnius Romani “ghetto” and elsewhere. According to Edita Ignatavičiūtė, the prosecutor of Organized Crime and Corruption Division of the Vilnius Regional Prosecutor's Office, when it comes to the Romani “ghetto”, human trafficking cases occur there often (E. Ignatavičiūtė, personal communication, April 26, 2018). One may suggest, that it is not the unwillingness of the law enforcement to look into human trafficking cases that is the problem within the “ghetto”, but a lack of resources. Finally, besides some failings, the system has achieved good results in relation to understanding the scope of the problem and takes some effective measures, reflecting a Tier one ranking by the office to monitor and combat trafficking in persons (US Department of State, 2017).

7. CASE STUDY OF LATVIA

7.1. Introduction

Latvia gained membership of the European Union at the same date as Lithuania, on 1st of May, 2004. As with Lithuania, the Baltic state saw heavy trafficking of women for sexual exploitation following independence. According to Elina Niedre, representative of the IOM, in the 2000s, the situation was worst in Lithuania while Latvia was somewhere in the middle compared to Estonia. "In terms of public awareness, though, Latvia and Lithuania were at about the same level" (Jacobs, 2002). According to a study “trafficking of women and girls in Latvia” (1999-2000) conducted by the International organization for adolescents, most young people could not imagine that trafficking in women happened in Latvia. Beginning with early 2000’s, the IOM working with other NGOs implemented a successful information campaign against sex trafficking in all of the three Baltic states. The campaign is still recalled as one of the best performing anti-trafficking campaigns in the Baltic states. Currently, Latvia is mostly a source and transit country. Latvian citizens are mostly trafficked to richer Western European countries. Countries of destination include Ireland, Great Britain, Germany, the Netherlands, Greece, Belgium and Sweden (Government of the Republic of Latvia, 2014). Similarly, the

victims are “mainly young women, single mothers, unemployed persons, persons from large families and poor families, orphanages and social care institutions, persons with low level of education and credit liabilities” (Government of the Republic of Latvia, 2014). However, in some areas the anti-trafficking situation differs to the Lithuanian one. US department of state’s annual trafficking in persons report marks Latvia as a Tier 2 country, meaning that Latvia “does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so” (US State department, 2017). Latvia has remained in Tier 2 since 2010 without a change in the rankings.

One of the greatest issues in the Latvian anti-trafficking efforts is the inability to prosecute traffickers. Although the criminal code has proportionate punishments for human trafficking, in reality, often, the traffickers are not punished in accordance to the anti-trafficking punishment clauses. Human trafficking is punished according to sections 154-1 and 154-2. The stricter articles for trafficking came into existence from “a legislation harmonization process” with the European Law, Art. 165-1 in year 2000 and Art. 154-1 in year 2002 (Jacobs, 2002). However, prosecutors are able to reclassify cases and charge traffickers according to section 164 of the criminal code. Section 164 of the Latvian criminal code criminalizes “exploiting individuals’ vulnerability or using deceit to involve them in prostitution—a scenario very similar to sex trafficking—but prescribes punishments as lenient as community service or a fine” (US State department, 2017). In all anti-trafficking cases, traffickers have been convicted only in lenient ways, usually resulting in no jail time. The directive 2011/36/EU calls for penalties that should increase in severity with certain circumstances. The inability of the Latvian authorities to persecute and punish accordingly, with strong sentences for heinous crimes enables the traffickers to continue trafficking. Given that, there is little consequence for serious crimes and a lot of opportunity for making huge profits, human trafficking further becomes an attractive crime. In regards to different forms of trafficking, the majority of trafficking cases fall under the sham marriages form of trafficking followed by 25 cases of forced labor and 20 cases of sexual exploitation (GRETA, 2017).

Out of all the acknowledged cases of trafficking, there were eight children identified as victims of THB. In accordance to general European practice, Latvia has transposed Council Directive 2004/81/EC and provides the 30-day reflection period, in which nationals and foreigners are protected and assisted and have opportunity to decide if they want to cooperate with police (European Commission, 2018). If cooperation happens, third country nationals can legally stay

in Latvia for up to 6 months. Similarly, victims are not responsible for crimes committed while being victims from human trafficking. Further on, differently to Lithuania, prostitution is legal in Latvia. It can be argued, that the legalization of sexual services in part, has resulted in bigger numbers of sex touring and sex trafficking. Latvian legislation relevant to anti-human trafficking include the Latvian Criminal Law, Code of Criminal Procedure of Latvia, Immigration Law, Labor Law, Latvian Administrative Violations Code, Law on Pornography Restrictions, Law on Protection of the Rights of the Child Law, Law on Residence of Victim of Trafficking in Human Beings in the Republic of Latvia, Law On State Compensation to Victims, Special Protection of Persons Law and Social Services and Social Assistance Law (European Commission, 2018).

7.2. The Latvian anti-trafficking system prior to the accession to the EU

In December 1996, the government of Latvia adopted The Latvian National Program for Integration into the European Union. After receiving the EC's statement in regards to the program in 1997, an action plan was further developed (NATO, 1999). Similarly, as the case in Lithuania, main insecurities in Latvia came from within; "crime in all of its manifestations: organized crime, corruption, economic crime, narcotics trafficking, illegal migration" and others (NATO, 1999). As the case in Lithuania, the lack of focus on anti-trafficking measures in national programs for fighting crime could have been a reflection of the general situation at the time and the main crimes that were threatening the Latvian state. Latvia joined the ILO in 1991. Differently to Lithuania, Latvia ratified the *Forced Labour Convention, 1930 (No. 29)* of the ILO only in 2006 (ILO, 2018). With the developments in European integration, Latvia started more increasingly to see human trafficking as a threat and strengthened the efforts in combating it. The next section will analyze early Europeanization of Latvian anti-trafficking measures.

7.3. Early Latvian Europeanization of anti-trafficking measures

The next section will look into corresponding reports of European Commission on the accession progress of Latvia that start in 1997 and span up to 2003 and demonstrate the acceptance of the Acquis. For the given period of 1997-2003, human trafficking has been given slightly less focus than in Lithuania and mentioned 19 times. In 1997, the Commission started with acknowledging that there is a problem with human trafficking. The organized crime existed in Latvia particularly in the fields of "drug trafficking, trafficking in women, prostitution and smuggling" (European Commission, 1997). As a good measure, it is

mentioned that new laws on witness protection are being planned. As a response to the first opinion, Latvia adopted a crime prevention program and made progress “essentially on the legal and organizational front” (European Commission, 1998). From 1999 to 2001 there was little mention of human trafficking. However, in 2001 again there was a rising concern in regards to THB, specifically to the lack of change in the Latvian Criminal Law, which still did not introduce “criminal liability for trafficking in human beings” (European Commission, 2001). Further on, Latvia was complemented on “particular efforts...in 2001 as far as training of State Police officers is concerned, including under Community assistance and through bilateral co-operation“(European Commission, 2001). Correspondingly, it was noted that “training and awareness raising for immigration police officials should be stepped up, including training on organized illegal trafficking” (European Commission, 2001). The EU has overall pushed for heavier training of specialists that might come across victims of THB in all member states. The effort for further training continued after accession. Currently, various law enforcement officials and officers in the Baltic states and in other member states receive various training organized by the EU and other organizations that thoroughly enhance their ability to deal with human trafficking (E. Ignatavičiūtė, personal communication, April 26, 2018). Further on, the Commission expressed concern over the fact that the criminal law has not yet been amended in regards to criminal liability for human trafficking. Finally, as a product of pressure from the EC, in 2002 Latvia amended the criminal code and positively brought “Latvia’s anti-trafficking legislation into line with the UN Protocol to prevent, suppress and punish trafficking in persons” (European Commission, 2002). However, following the notion that the EU adheres to international law practices and standards in regards to THB, the Commission urged Latvia “to complete accession to the Protocol against trafficking in human beings and to the Protocol against smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime” (European Commission, 2002). Finally, 2003 report continually urged Latvia to complete the signing of the agreement with Europol and to finish the ratification of the Protocol against trafficking of persons of the UN Convention against transnational organized crime. (European Commission, 2003)

7.4. Present day Latvian anti-human trafficking system

In 2014, Latvia issued the *Guidelines for the Prevention of Trafficking in Human Beings 2014-2020*. The guidelines were “drafted in accordance to EU program for Eradication of Trafficking in Human Beings 2012-2016” and followed the 4 basic principles guiding the program, that is;

preventive actions, increasing protection of victims, stepping up criminal investigation, prosecution and trials and co-operation of competent authorities and organizations at national and international level. Similarly, as stated in the guidelines, the document was coordinated with The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, European Parliament Resolution of 10 February 2010 on preventing trafficking in human beings (2010/C 341 E/05), The Stockholm program and the EU 2020 Strateg. (The government of the Republic of Latvia, 2014). Such strong coordination is an additional example of direct Europeanization. The action plan works in “the areas of information and awareness-raising, research, identification and assistance of victims, state compensation, return of victims, residence of foreign victims of THB, legal framework for combating THB, law enforcement and prosecution, co-operation and co-ordination of anti-trafficking measures” (GRETA, 2017).

7.5. Latvian THB preventative measures

Further on, on the prevention of THB, Latvia has an extensive prevention program. In accordance to the objectives set out in the national program, the Latvian government issued methodological tools for teachers “Healthy and Safe – Interactively on Health and Human Safety Issues in Pre-school and Elementary School” that are available throughout and can be considered a good practice in regards to THB prevention for school children. The methodology is part of the bigger preventative campaign. The Latvian police bi-annually carries out a prevention campaign that covers the entire school system. The preventative measures are aimed at teaching school children and older students on “how to avoid the risks of deception related to work abroad and how to avoid illegal recruitment and sham marriages” (European Commission, 2018). The focus on the two main forms of trafficking is a reflection of the most popular forms of human trafficking in Latvia. The fact that the preventative program is centrally organized by the Latvian police is positive, as the effectiveness increases with sound organization. As summed up by Evan McCarthy, the Consul of the US Embassy in Latvia “improved legislation, flexibility to provide victim support measures and long-term human trafficking prevention measures performed by the public sector in collaboration with the non-governmental sector – these are the areas where Latvia has succeeded the most” (Ombudsman of the Republic of Latvia, 2013). Recently, the Latvian Ombudsman’s Office has held meetings “with NGO representatives and asked them for written information on possible problems concerning social rehabilitation services and inter-institutional co-operation” (GRETA:2017). Such developments were welcomed by the Council of Europe and demonstrate an effort by various institutions to step up the efforts to be in line with international best practices.

Moreover, the EU supports Latvian preventative actions through different projects. For example, in 2013 the EU funded a training course on “Recognition, investigation and prevention of human trafficking as effective tool for the termination of the phenomena” (Project No. JUST/2010/JPEN/AG/1546 (European Commission, 2018)). The aim of the training course, which included over 150 participants was to organize a “broad and extensive training seminar for practitioners with presentations and case study in order to practice to effectively recognize, investigate and prevent human trafficking and to create investigation as an effective tool both in Latvia and in other EU Member States” (European Commission, 2018). Further on, Latvia has a Working Group for Co-ordinating the Implementation of the Programme for the Prevention of Trafficking in Human Beings. The working group is of similar nature the the Lithuanian coordination group responsible for effective anti-human trafficking measures and includes a wide range of different experts in the field. It must be noted, that the Latvian State Police heavily cooperates with different key actors including Interpol and Europol.

Additionally, cooperation is also underway with “law enforcement institutions and special units from European Union member states, especially with those which are destination countries of victims from Latvia” (European Commission, 2018). Such practice of Pan-European cooperation assists in solving human trafficking cases more effectively and strengthening of the whole system. One could argue that without such cooperation, it would be virtually impossible to solve international trafficking cases, as often, the crimes are committed in other member states in which the given national government does not have jurisdiction. Likewise, Latvia participates in Eurojust’s fight against trafficking, but has yet to participate in a JIT. The JIT’s have been used increasingly in anti-trafficking, but still less so than in other crime areas (Eurojust, 2012). In 2013 the Ministry of the Interior of Latvia distributed among different stakeholders the “Guidelines on identification of victims” The guidelines in particular targeted consular services and border guards and encouraged “their systematic use by the respective officials” (MoI of the Republic of Latvia, 2018). The issuing of the guidelines was in line with European legislation and the guidelines were similar to the ones issued by Lithuania.

7.6. Latvian anti-trafficking NGO's and their role in the anti-trafficking system

Currently, there are two NGOs that can supply state-funded social rehabilitation services to the victims of human trafficking, a smaller number than in Lithuania. The Latvian victim assistance program offered “victims psychological assistance, legal representation, housing, and reintegration services” (US Department of State, 2017). In general, Latvia funds the victim assistance program substantially. However, in 2016, the funds were decreased from €162,562 to €133,275. However, this was a reflection of the fact that only 37 percent of the 2016 funding was used, given the small number of victims of THB (US Department of State, 2017). When looking at the number of victims, and the small number of victims that have received state support, it is clear that the Latvian efforts to strengthen the number of identification of victims are very important. As in Lithuania, in regards to THB, most of the NGOs work with prevention and victim assistance. In line with European push for corporate responsible in anti-human trafficking measures, as stated in the *The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016*, NGO "Shelter "Safe House"" in cooperation with various businesses launched the preventative campaign "Fake marriages - a trap!". As in the Lithuanian case, Latvian NGOs have opportunities to reflect, shape and enhance the anti-trafficking system.

7.7. A lack of “Europe” in Latvian anti-trafficking measures?

As with Lithuania, Latvia is not immune to some faults within the anti-trafficking system. As mentioned earlier, although the Latvian criminal code has been updated thoroughly, Latvia struggles with bringing harsh prison sentences to human traffickers. Similarly, there are issues with receiving compensation in criminal proceedings. As explained by the representatives of the prosecution, the main issue in accessing compensation “was the refusal of victims of THB to participate in the proceedings as victims, which disqualified them from requesting compensation, and difficulties to locate and confiscate traffickers’ assets” (GRETA, 2017). The unwillingness to participate in various proceedings by the victims of THB is not a new issue and present in both Baltic States and the Union. However, both States are stepping up efforts to make sure that victims are willing to come forward and participate in various proceedings to start their life again and hold the perpetrators responsible.

8. Horizontal Europeanization - Did Lithuania and Latvia converge?

The next section of the thesis will focus on horizontal Europeanization and analyze the amount of transfer of politics, policies and policy making between Latvia and Lithuania in regards to anti-THB measures. Similarly, it will look into the process of transferring best practices between the two countries. Some authors such as Nicolaides argue that, “if policy measures or the establishment of institutions or procedures are mandated or imposed by EU law, then the policies and administrative systems of member states converge because they become more similar” (Nicolaides, 2010). This process can be summed up as the most potent form of Europeanization (Nicolaides, 2010) The thesis has demonstrated that in most aspects, such as coordination, victim protection, legal legislation and prevention the Baltic States at large reflect the EU’s anti-trafficking policy. Both member states cooperative in anti-trafficking measures within the European framework and outside it. There are differences in regards to the success of persecution of traffickers. In some areas as in the persecution of traffickers, Lithuania has in general performed better, however it lags behind in prevention of human trafficking; especially in prevention that is conducted in an organized manner and deals with the educational sector. Both member states have strengths and weaknesses in anti-THB measures and tend to share their good practices.

The Baltic States, naturally as neighbors of similar size and cultural background have a lot in common. Both of the States have on many occasions participated in international and European anti-trafficking projects and are members of the Council of the Baltic Sea States and participate in the Task Force against Trafficking in Human beings. The CBSS has 11 member states including: “Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia & Sweden), as well as a representative of the European Union and it supports a global perspective on regional problems” (CBSS, 2018). The participation in CBSS is significant for anti-THB measures because the CBSS works in practically translating the Palermo Protocol and the UN Convention on the Rights of the Child. The participation in various different organizations that have the same concrete aims as the EU and the UN in regards to anti-human trafficking is encouraged by the EU. One of the practical tools used in anti-trafficking is the preventative campaign, "Human trafficking - a crime that is all of our responsibility" in which both Lithuania and Latvia participate.

More importantly, both countries have participated in various projects implemented by the CBSS including DEFLECT, ADSTRINGO, TRACE, (a project funded by the EU), the STROM I and II projects. The participation in common projects of the respective countries shape the anti-trafficking systems in similar ways and draw them closer to one another. For example, the STROM Project was a transnational project that aimed “to strengthen the capacity and role of municipalities in the chain of assistance to victims of human trafficking in the Baltic Sea Region (CBSS, 2018). The project was spearheaded by the Council of the Baltic Sea States Task Force against Trafficking in Human Beings in cooperation with the Latvian Ministry of the Interior. The project saw the proposition of implementation of models of municipal effectiveness in anti-THB matters in very similar ways in the municipalities of the two countries. Following the success of the first project, STROM II commenced. STROM II saw both Baltic States partner up with other Baltic neighbors and implement a project that strengthens the role of the municipalities in anti-trafficking measures. The project also had good practices sharing through multidisciplinary roundtable discussions and other meetings. Further on, during the first project, the guidelines for municipalities in Stepping up Action against Human Trafficking were developed. That is, Lithuanian anti-trafficking policy was heavily influenced by the first project in which Latvian Ministry of the Interior was an important partner.

Besides working together in the CBSS, actors from the Baltic States participated in the HESTIA project supported by the EC which saw the Latvian Ministry of the Interior and Lithuanian NGO “Caritas Lithuania” working together. The HESTIA project is a project aimed at solving the problem of sham marriages in Latvia and Europe. The project facilitated cooperation between 6 member states and saw Lithuanian and Latvian counterparts work together and share good practices. Similarly, in November, 2015 good practices were shared through the lens of Caritas Lithuania project “Improved Anti-Trafficking Efforts: Baltic-Russian Cooperation Network” in which experience with developing national plans and their strengths and weaknesses were shared (CBSS, 2018). Similar projects funded by the CBSS realized cooperation and good practice sharing by the top governmental and NGO sector representatives in the Baltic Sea region. Likewise, Latvian and Lithuanian NGO’s participate in European Civil society e-platform in which the NGO’s share best practices, coordinate policy and issue projects. Similarly, Lithuania and Latvia nowadays have achieved expertise in anti-trafficking field which is then shared with non-European states that are still developing their systems. For example, as explained by the Latvian anti-trafficking coordinator, Lithuania

and Latvia often work together in sharing good practices amongst each other and with other states. For example, representatives from both member states and others recently participated in the project led by the Ministry of the Interior of the Republic of Lithuania. "Enhancing Moldovan capacities in fighting against trafficking in human beings" is a project that assesses the current anti-trafficking national institutional framework and policy planning in Moldova (Cilvek Tirdznieciba, 2018).

However, it must be noted, that, convergence does not mean harmonization, that is, there will not be uniformity across member states, however, reduction of national differences can occur. As summed up by Nicolaides, the European Union does not have a direct say in how members of the Union organize internal policy-making processes or public administrations, given this, it is naive to expect complete harmonization. However, European law may "apply in equal force in all member states without requiring corresponding uniformity in, for example, the administrative systems that apply it" (Nicolaides, 2010). The convergence of Latvian and Lithuanian systems can be seen in the anti-trafficking models that are followed. Both of the countries have transcribed the Directive and shaped the systems in similar ways. The national rapporteurs both stem from Ministries of the Interior, there is general provision of victim protection, support to NGO's and their incorporation into national anti-trafficking coordination systems. Further on, cooperation on anti-trafficking measures within the European framework and outside it is significant. Similarly, national action plans are both based on European norms and in compliance with the Strategy and the Directive. It must be noted that, at least in legislation, and mostly in practice, both of the countries have started to develop their systems in around the same time, as post-soviet Republics and have achieved near alignment with policy and practice of other EU member states.

9. CONCLUSION

The thesis analyzed the extent of influence of EU anti-trafficking policy on Latvian and Lithuanian anti-human trafficking measures. The analysis of different documents key to understanding the anti-trafficking systems have showed that they are in line with EU legislation and common practices. The Commission reports on the progression of accession to the EU showed that both Baltic States have heavily responded to the recommendations and issues that were present and fully accepted the European Acquis. Likewise, following a comparative case study method, it has been shown that both of the Baltic States, for the most part, have heavily

converged with other EU Member States and overall EU anti-trafficking system. The issues that are present relate to the implementation of the systems in practice. Issues such as victim protection, efficiency of coordination, collection of robust data and comprehensive prosecution of traffickers, amongst others remain. Although, there is not a single country in the EU that cannot improve its measures in anti-trafficking, the gaps in effectiveness must be taken seriously and eliminated. Further on, focusing on the way the different systems are shaped by the EU, it has been demonstrated that the States have also influenced one another; that is, to an extent, there are indications that horizontal Europeanization has occurred between the two Baltic States. Such convergence can be mostly observed in the many different EU and international projects that the two actors participate in; especially, in projects that share good practices.

Given that the researcher is of the Lithuanian background and can speak Lithuanian, the research was more in depth in regards to the study of the Lithuanian anti-THB case. This is a weakness of the thesis, as the Latvian case and Latvian national documents are explored to a lesser extent due to a lack of understanding of the Latvian language. The study would be conducted on a more proficient level if translations of all Latvian documents would be readily available or services of translators would be used. Similarly, due to time constraints and level of access to various experts, it has been easier to attain interviews from Lithuanian experts that deal with anti-trafficking.

Finally, to strengthen the study, further research could be expanded to include more cases. The focus on two most similar cases is a sound method, however, the process of Europeanization could be better identified if there were more geographically and politically diverse cases analyzed. As argued by Wessels and Rometch, member states tend to build upon their governmental models prior to the accession to the EU and incorporate the European norms into the given pre-existent system (Wessels, Rometch, 1996). Given this, it would be beneficial to compare other states that are not post-Soviet to see if the extent of integration of national systems is the same. Finally, it is possible that Europeanization can be well demonstrated in the two most similar cases, but it is also possible that such process did not occur as significantly in other member states that were more developed and advanced in anti-THB measures before the accession to the EU.

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11. ANNEX

11.1. Commission's opinions on membership applications of Lithuania and Latvia

Lithuania

Commission Opinion on Lithuania's Application for Membership of the European Union 1997

"Lithuania has no appropriate legislation against pornography and child prostitution or against the sexual abuse of children. However, NGOs working in this field have, with government assistance, taken positive steps to protect abused children. "

"There is a growing problem of illegal migrants, mostly from Asia, aiming to transit Lithuania to the west. Organised gangs are involved in attempts to traffic illegal immigrants through Lithuania to Poland. In early 1997 some 600 such migrants and potential refugees were being held at the Registration Centre pending resolution of their status.

Organised crime is active in Lithuania in particular in the fields of smuggling of human beings, weapons, alcohol and tobacco, money laundering and financial fraud; violence and extortion are used, notably against companies operating in the "grey market" (evading taxes). "

Commission Opinion on Lithuania's Application for Membership of the European Union 1998

On 13 February Lithuania signed a cooperation treaty with the international migration organisation under which it is developing a project to improve management of legal and illegal immigration. The mounting number of readmission agreements, the introduction of new identity cards and the adoption of an amendment to the penal code bringing in stiffer sanctions for trafficking in human beings should all help master migrant flows.

Commission Opinion on Lithuania's Application for Membership of the European Union 1999

"Lithuania should accelerate the adoption of a Criminal Code and introduce elements of the acquis still missing such as the criminal responsibility for legal persons involved in organised crime. Concerning trafficking in children there is a need to criminalise any type of trafficking, not that for gainful purposes. The same is true of the possession for personal use of child pornographic material. The extension of the scope of Lithuanian laws to include all illegal acts relevant to trafficking in works of art ought to be considered at the same time. "

"Lithuania, however, has to improve co-ordination among various bodies involved in the fight against trafficking.

Commission Opinion on Lithuania's Application for Membership of the European Union 2000

With regard to children's rights, in January 2000, the Government approved the National Programme Against Commercial Sexual Abuse and Sexual Violence against Children. However, there are no specific criminal provisions for sex tourism.

In the area of police cooperation, the services of the Lithuanian Police Department have, in the last year, actively participated in the preparation and implementation of a number of action programmes (both national and international), ranging from control of narcotic drugs, prevention of drug addiction, prevention of illicit trafficking in human beings to combating organised crime and vehicle theft. In March 2000, a trilateral agreement was signed between Lithuania, Latvia and Estonia on co-operation in protection of witnesses and victims

Commission Opinion on Lithuania's Application for Membership of the European Union 2001

Lithuania remains a country of origin with regard to trafficking of human beings. Trafficking of women continues to be a problem and greater efforts to prevent it and vigorous measures to combat the criminal organisations

involved are required. Adequate protection and support for the victims need to be ensured. Greater involvement of NGOs against trafficking in women should be encouraged. The implementation of the Programme on Control and Prevention of Prostitution and Trafficking is ongoing.

In February 2001, an inter-governmental agreement on cooperation in fighting organised crime, terrorism and other serious crimes was signed between the Ministries of the Interior of Lithuania and Germany. The agreement allows the Lithuanian Police, Tax Inspectorate and Border Police to apply directly to the German law-enforcement institutions for information and assistance in crime investigation. This creates a legal basis for information exchange in combating organised crime and trafficking in people, and ensuring victims' safety.

Police training has gone through many changes and adaptations over recent years. However, a complete and coherent professional training strategy for the police must be developed in the near future in order to ensure that police officers obtain specialised training, in particular on the specific types of crime as well as on specific actions needed for police cooperation according to the Schengen provisions. Trafficking in women continues to be a problem and stronger efforts to combat it should be made.

The Police Department is, in general, undergoing reform and preparations for participation in Europol have begun. Further efforts need to be made in view of fighting organised crime, with particular regard to smuggling and trafficking in human beings, drug trafficking and money laundering.

Commission Opinion on Lithuania's Application for Membership of the European Union 2002

Trafficking in human beings remains an issue of concern. Lithuania remains a country of both origin and transit with regard to trafficking in women. The law enforcement services have stepped up the fight against such trafficking. In 2001 14 criminal charges were brought for trafficking in human beings, followed by five during the first quarter of 2002 alone. Earlier this year in Klaipėda and Kaunas the members of two criminal organisations received prison sentences for trafficking. The Organised Crime Investigation Service of the Lithuanian Criminal Police Bureau has specialised personnel responsible for combating trafficking in human beings. In addition, the Criminal Police Bureau's Crime Investigation Service has a specialised unit dealing with missing persons, as does each police commissioner's office.

The new Criminal Code provides for strict sentences (up to eight years of imprisonment) for trafficking in human beings, and provides separately for criminal liability for trafficking in children, which carries a custodial sentence of between two and ten years. Some progress can also be noted as regards protection for victims, in particular through the involvement of NGOs, which have also set up an intensive public awareness campaign aimed at preventing trafficking in human beings. In January 2002, the Government started to implement a new Programme of Control and Prevention of Prostitution and Trafficking of Human Beings, financed by the state budget. This includes financial support for NGO projects aimed at providing social assistance to victims of trafficking and helping them reintegrate into society.

Commission Opinion on Lithuania's Application for Membership of the European Union 2003

In the area of police co-operation and combating organised crime, legal alignment is near to completion. The Protocol to the UN Convention against transnational organised crime on the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition needs to be ratified. Despite good progress, efforts are still required, on the basis of the Strategic Plan for the police, to ensure that Lithuania has an accountable, reliable and fully co-ordinated police organisation by accession. Continuous attention is needed for smooth co-operation and co-ordination between the police and the prosecuting and judicial bodies. Sharing information on combating economic and organised crime needs attention and sufficient financial means are necessary to implement all the envisaged measures. International co-operation is increasingly well established but the relevant co-operation agreements need to be completed (Poland, Latvia). The signing of an agreement with Europol is still pending. Once concluded, attention should be paid to the timely preparation of national procedures in order to ensure the swift ratification of the Europol Convention upon accession to the EU. Inter-agency co-operation needs to be further strengthened, police training needs to be improved, the College of Internal Affairs established, and a criminal intelligence system needs to be developed which can provide intelligence products for operational purposes.

Trafficking – mentioned 24 times

Latvia

Commission Opinion on Latvia' s Application for Membership of the European Union 1997

Organised crime exists in Latvia in the fields of drug trafficking, **trafficking in women, prostitution,** and smuggling; violence and extortion are used.

New laws are being planned to **protect witnesses,** tackle financial crime and money laundering.

Organised crime exists in Latvia in the fields of drug trafficking, **trafficking in women,** prostitution, and smuggling; violence and extortion are used. The Police Bureau, working closely with the security police, has been set up to tackle organised crime more effectively. New laws are being planned to protect witnesses, tackle financial crime and money laundering.

Commission Opinion on Latvia' s Application for Membership of the European Union 1998

The prevalence of organised crime is a real problem in Latvia. Since the Opinion, a number of measures have been taken, including adoption of a crime prevention programme, establishment of a coordination centre against smuggling, and amendments to the Criminal Procedure Code regarding witness and victim protection.

The prevalence of organised crime is a real problem in Latvia. Since the Opinion, a number of measures have been taken, including adoption of a crime prevention programme, establishment of a coordination centre against smuggling, and amendments to the Criminal Procedure Code regarding witness and victim protection.

For most other sectors, the same thing can be said: the progress that has been made is essentially on the legal and organisational front and it remains to be seen how this will translate into operational terms. This applies in particular to border control and efforts to control drug trafficking and abuse, both medium-term priorities for the Accession Partnership.

1999 regular report from the commission on latvia's progress towards accession

No mention

Commission Opinion on Latvia' s Application for Membership of the European Union 2000

Organised crime exists in Latvia in the fields of drug trafficking, **trafficking in women, prostitution, and smuggling;** violence and extortion are used. The Police Bureau, working closely with the security police, has been set up to tackle organised crime more effectively. New laws are being planned to protect witnesses, tackle financial crime and money laundering. A major training effort is underway for the police forces. Latvia is preparing the necessary domestic legislation for accession to the 1990 money laundering convention, important parts of which have already been implemented through other legislation. (See also separate section on Single Market). There is no threat from terrorism.

Commission Opinion on Latvia' s Application for Membership of the European Union 2001

As concerns **trafficking** in human beings, Latvia remains a country of origin. The **trafficking** in women and children for prostitution abroad continues to be reported as widespread. The Criminal Law has not yet been amended to introduce criminal liability for **trafficking** in human beings.

Latvia's authorities have introduced several modifications in the central administrative structures which aim to improve international police co-operation, the fight against computer crime and cybercrime and the fight against smuggling and **trafficking in human beings.** Co-operation agreements on the fight against terrorism, illicit drug **trafficking** and other forms of organised crime have been concluded with several countries.

The upgrading of law-enforcement bodies has continued with special focus on the fight against modern forms of crime. A division for the fight against computer crimes was established in May 2001 in the Economic Police Bureau. To strengthen the capacity to combat **trafficking** in human beings, as well as sexual exploitation including child pornography, 16 additional staff were allocated to the special Vice Squad unit within the State Police. Particular efforts have been registered in 2001 as far as training of State Police officers is concerned, including under Community assistance and through bilateral co-operation.

Training and awareness raising for immigration police officials should be stepped up, including training on organised illegal trafficking.

multi-agency strategy or mechanism is necessary to achieve results in the fight against organised crime. The capacity in intelligence analysis and the effective detection of cases of product piracy, smuggling, trafficking in drugs and human beings especially needs to be further developed.

Amendments to the Criminal Law are also awaited as regards combating trafficking in human beings and sexual exploitation of children, and criminal liability of legal persons.

Upgrading the capacity and infrastructure for border management also remains a priority. The fight against organised crime, drug trafficking, money laundering, fraud and corruption also needs to be reinforced.

To improve the co-ordination between law enforcement bodies as well as the fight against computer crime and cybercrime and smuggling and trafficking in human beings, the Latvian authorities introduced several modifications in the central administrative structures.

Commission Opinion on Latvia' s Application for Membership of the European Union 2002

There have been positive developments since the previous Regular Report regarding legislation on trafficking in human beings and asylum.

Latvia has made progress in adopting, in April 2002, amendments to the criminal law regarding trafficking in human beings and organised criminal groups which bring Latvia's anti-trafficking legislation into line with the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children. Latvia remains a country of origin. It co-operates with Interpol and various countries to prevent such crimes.

Latvia also needs to complete accession to the Protocol against trafficking in human beings and to the Protocol against smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime.

Commission Opinion on Latvia' s Application for Membership of the European Union 2003

The signing of an agreement with Europol is still pending. Once signed, attention should be paid to the timely preparation of national procedures in order to ensure the swift ratification of the Europol Convention upon accession to the EU. Some legislative measures are still necessary to ratify the Protocol against trafficking of persons of the UN Convention against transnational organised crime.

11.2. Transcript of the interview with Ms. Edita Ignatavičiūtė, Attorney of the Vilnius District Prosecutor's Office for Organized Crime and Corruption Investigation Division

Vilnius, April 26th, 2018, the original recording is kept at the authors personal archive

Interviu su Edita Ignatavičiūte, Vilniaus apygardos prokuratūros Organizuotų nusikaltimų ir korupcijos tyrimo skyriaus prokurore

Julius Mitė: Sveiki, gal galite papasakoti apie prekybos žmonėmis situaciją tabore?

Edita Ignatavičiūtė: Ji egzistuoja. Ji, kaip pasakyti, ji tikrai egzistuoja ir pastaruoju metu ji kaip ir matoma, tačiau dėl tikrai sudėtingo tyrimo pavyksta tu bylų turėti tai ir ne tiek ir daug ir, aišku, tai dar susijusi problema su policijos pajėgumu. Tačiau manau, kad tabore tai yra tikrai.

Julius Mitė: Tai mažai, tiesiog dėl pajėgumo ?

Edita Ignatavičiūtė: Čia tikrai mano asmeninė nuomonė, nes specializuoti tyrėjai turi to darbo, aš, kaip prokuratorė, matau, kad dar paimti kitus reikalus jie tiesiog neturi fizinių galimybių.

Julius Mitė: Tai tiesiog prioritetus meta į kitą vietą?

Edita Ignatavičiūtė: Ne, ne, ne. Tiesiog pakankamai jie turi tų pačių bylų ir prekybos žmonėmis bylų, tiesiog žmogiškieji ištekliai yra labai riboti. Kaip pvz. jei tu turi 10, tu tik 10 ir gali tirti. Ir tikrai negali užsiiminti dar 10-ies tyrimu, kadangi žmogiškieji ištekliai labai riboti.

Julius Mitė: Aišku, o patys policininkai yra apmokyti?

Edita Ignatavičiūtė: Jeigu kalbam apie specializuotus, tai jie tikrai jau žino kas tai yra. Kaip pažinti tą reiškinį, kaip artėti link jo, kad jis būtų išaiškintas. O kitų, komisariatų paprasti tyrėjai, nesu įsitikinusi ar jie tikrai žino, kas tai per reiškinys. Nors, pastaruoju metu jau itin, itin dažnai kalba policijos bendruomenė apie šį reiškinį, ir kalba su socialiniais darbuotojais, su žemiausios grandies policijos pareigūnais. Tai reiškia, jie jau plačiai nagrinėja šią temą ir kaip atpažinti, ir reiškinius jie analizuojasi, tai ko nemačiau tikrai prieš kokius pvz. 3 metus.

Julius Mitė: O dėl ko tai taip pasikeitė? Čia gal apskritai visa problema Lietuvoje yra ant bangos?

Edita Ignatavičiūtė: Aš manyčiau, kad pradėjo kalbėtis žiniasklaidoje ir tą temą gvildinti. Tas viešumas, tam tikri reikalavimai ir iš ES, ir iš nacionalinio pranešėjo, reiškias sustiprinti kovą su prekyba žmonėmis, žiūrėti apraišką. Mančiau, kad irgi turi tai įtakos būtent šitie dalykai, bet ir žiniasklaida labai prisidėjo prie šito.

Julius Mitė: Kai tie visi straipsniai buvo apie vergus ir t.t.?

Edita Ignatavičiūtė: Jo, apskritai ir pačios diskusijos Seime, kadangi reiškinys kaip ir nežinomas, negirdėtas. Tai kai visi išsigilina sako, kad mes jį matom. Ir nereaguojam... Tas juos labai sudomina, kai pradeda aiškintis, jie suvokia ir sako tai taip, mančiau, kad ES skiria tikrai nemažai lėšų ir programoms įvairioms, mokymams ir į mokymus ta tema tikrai važiuoja didelis kiekis ir Lietuvos pareigūnų. Tai vat, iš šitų mokymų jie parsiveža tikrai nemažą kiekį žinių ir bando pritaikyti praktikoje. Tai labai svarbu.

Julius Mitė: O tai būna mokymai Lietuvoje ar tarptautiniai?

Edita Ignatavičiūtė: Būna tarptautiniai, galbūt ne vien tik ES finansuoja. Anglijos ambasados labai suinteresuotos, kuriose yra tikrai labai didelė tikimybė būti išnaudotiems. Tikrai manau, jie skiria nemažai lėšų tam, kad būtų investuota į mokymus, į tos informacijos paskleidimą, kas tikrai mančiau duoda rezultata.

Julius Mitė: Jei dar galiu paklausti, dėl iki teismo tyrimo. Su kokiomis problemomis susiduriate?

Edita Ignatavičiūtė: Čia problema su aukomis yra. Didžiausia problema yra su aukomis, todėl, kad jų parodymų patikimumas turi labai didelę reikšmę. O ką tai reiškia? Jei žmogus yra priklausomas, pasakyti, kad jis yra labai patikimas, tai tiesiog yra prieštarauti pačiam sau. Tai sudėtingumas tame, kad jį reabilituoti per tą visą procesą yra labai mažai šansų. Nėra jokių

įrankių, kurie leistų mums kažkoku būdu izoliuoti, ir, tam tikra prasme, išblaivinti gyvenimui. Apskritai, jeigu mes kalbame apie priklausomus asmenis, tai nemanyčiau, kad jie suvokia apie ką eina kalba tuose pačiuose tyrimuose, ir dažnai jie nesuvokia patys, kad jie yra tos pačios aukos. Jie negali nei apginti savęs, kartais jie nemato, kad jie yra ir išnaudojami, jie nesuvokia to. O kaip jį išblaivinti, kaip jį priversti gydytis, reabilituotis? Čia tiesiog yra labai sunkus klausimas. Tam tiesiog nėra įrankių..

Julius Mitė: Bet čia kalbant apie taborą, ar apskritai Lietuvoje?

Edita Ignatavičiūtė: Apskritai, jei jis yra priklausomas, jei jis priklausomas nuo alkoholio, čia visur ta pati problema.

Julius Mitė: O kaip apie NVO suteikiamą pagalbą?

Edita Ignatavičiūtė: Aš manyčiau, iš patirties kalbant, kai NVO suteikia pagalbą viskas gerai, bet ji pati ne reabilituoja. Bet koku atveju reikia reabilitacijos centro, programų, kad jis kuo toliau ten būtų. NVO tai gali palydėti į centrą, bet mes turim kalbėti apie ilgalaikius reabilitacijos centrus, nes pats procesas nevyksta labai greitai. Jį reiškiąs reikia stengtis reabilituoti, kol yra tyrimas, kažkoku būdu kol gali paveikti. Reikia labai daug psichologų pagalbos, reikia socialinių darbuotojų. Aišku, reabilitacijos centre jie suteikia labai daug pagalbos, bet galiu pasakyti, kad reabilitacijos centre jie nėra ant tiek pajėgūs suteikti visas pagalias žmogui.

Julius Mitė: Bet jisai gali iškart gauti pagalbą, ar tai užtrunka?

Edita Ignatavičiūtė: Iš karto.

Julius Mitė: Tai jei randat auka, ją galit iškart ten nuvesti.

Edita Ignatavičiūtė: Jei ji to nori. Per prievartą tai nieko negali padaryti. O jei sakys uždaryk duris ir išeik? - viskas. Įtariamąjį blaivinti paprasčiau, nes paskyrei kardomąją priemonę griežtesnę, ir kad suimama ir jis ten apribotas, ir jis ten kaip ir blaivėja ir panašiai. Tada jį lengviau reabilituoja, kada jis yra tam tikrose sąlygose. Po kažkurio laiko jį galima lengviau prikalbinti reabilituoti, kadangi organizmas jau kaip ir yra išsivalęs nuo tų medžiagų.

Julius Mitė: Ikiteisminio tyrimo metu yra labai svarbu, kad aukų parodymai butu teisingi. Kaip yra dėl psichologinio spaudimo? Ar tai yra problema, ar daroma kažkas dėl to?

Edita Ignatavičiūtė: Aš tiktai galiu pasakyti, iš savo praktikos, kad mes stengiamės jau iš karto užkirsti visus kelius, kad to neįvyktų. Jei kas įvyksta, mes iš karto sužinome, iškart imamės priemonių, kad to neįvyktų. Priemonių yra – už poveikį liudytojui, yra atsakomybė, kurią be problemų galima taikyti. Bet iš savo praktikos galiu pasakyti, kad šito pobūdžio bylose nedažnai pasitaiko, kad būtų daromas poveikis.

Julius Mitė: Nes kai NVO kalba, pastoviai tas yra. Bent jau žiniasklaidoje rašoma, kad pastoviai būna situacijos, kai auka patiria psichologinį spaudimą.

Edita Ignatavičiūtė: Nelabai įsivaizduojamas variantas, nes mes visada bendraujame labai glaudžiai su aukomis, mes visada palaikome ryšį, nuolat. Jeigu turi NVO kokį atstovą, tai bet

koks skambutis NVO, kad kažkas vyksta, mes iškart reaguojam. Bet mums dar iki to nereikėjo prieiti.

Julius Mitė: T.y. turi numerį, iškart gali skambinti?

Edita Ignatavičiūtė: Taip, turi numerį, iškart gali skambinti. Mes reaguojam, nes yra visos priemonės, kad to neįvyktų ir, tam tikra prasme, yra tikrai daug įrankių, kur galima suguldyti tą visą poveikį. Mes šito dalyko per daug nesureikšminame. Mes savo tyrimuose prižiūrime tą tvarką ir, kad nebūtų šitų reiškinių. Ir aiškiai pasakom įtariamiesiems, ne dviprasmiškai išaiškiname visas subtilybes, bet kokie priartėjimai, pabendravinimai, bet koks ženklas - tai tau nulems tavo kardomosios priemonės sunkumą.

Julius Mitė: O Jūsų nuomone, visur tokia praktika taikoma Lietuvoje?

Edita Ignatavičiūtė: Aš nežinau, negaliu pasakyti. Galiu atsakyti tik už savo tyrimus. Mūsų bylose yra betarpiškai bendraujama su aukomis. Į bet kokią jų prašymą yra iškart reaguojama, todėl man labai sunku pasakyti, kodėl tai vyksta kitur.

Julius Mitė: Gerai, dar vienas klausimas. Ar aukos gali atskirai duoti parodymus nuo įtariamųjų?

Edita Ignatavičiūtė: Be abejo. Prieš teismo tyrimo metu, tai visada atskirai.

Julius Mitė: O teismo metu?

Edita Ignatavičiūtė: O teismo metu reiškias yra galimybė prašyti apklausti atskirame kambaryje. Mano praktikoje tai yra plačiai taikoma ir nėra jokių problemų.

Julius Mitė: Gerai. Dar kartą, Jūsų manymu, kaip Europa paveikė labiausiai šią sritį?

Edita Ignatavičiūtė: Aš manyčiau, kad pradžia buvo per mokymus, nebūtinai ES.

Julius Mitė: Kokios kitos organizacijos?

Edita Ignatavičiūtė: Elementariai, pačios įstaigos yra susidomėjusios šiuo reiškiniu, nes sankcija yra pakankamai didelė ir griežta, ir be abejo šitas straipsnis yra labai sunkus ir sudėtingas. Dažnai sunku suvokti kas čia dėl ko, kas turėtų būti taikoma. Bet kuomet įsigilina, pasižiūri, kad viskas čia yra aišku, tik reikia žinoti kaip reikia veikti. Tikrai, ta praktika yra sunkiai renkama, tačiau, ką aš dabar matau, tai, kad visi besimokydami ir labai akcentuodami į tai, jau pradeda perlenkti lazda.

Julius Mitė: Kaip?

Edita Ignatavičiūtė: Nu pvz. mato kelis požymius kaip ir atitinkančius prekybą žmonėmis, tačiau visumoj negeba atrinkti, kad čia galbūt padaryti kiti teisės pažeidimai. Visgi pavojingumas turi būti, jis turi kažkuo pasireikšti. Jeigu aš dirbu labai daug, kažkokioj tai įmonėj, tai dar nereiškia, kad mane išnaudoja. Turi būti kažkokie kiti pavojingi požymiai. Jeigu, na, aš per ilgai dirbu, tai kokie grafiko pažeidimai yra reguliuojami darbo kodekso? Visi darbo santykiai, kurie peržengia įstatymo ribas yra reguliuojami kodekso. Tai nereiškia, kad jau iš karto mane išnaudoja jei man liepdavo dirbti ir gerai mokėdavo.

Julius Mitė: Tai kiek suprantu jūs turite omeny bylą su piliečiu iš Kinijos?

Edita Ignatavičiūtė: Jo, aš turiu šitą omeny. Buvo ir Nepalo, tai reikia atsirinkti kokie tikslai buvo, ar tikrai tų žmonių tikslai yra išnaudoti, nes tu žiuri į reiškinį, tų žmonių vadinamus nusikalstamus veiksmus ir tu vertini ar tai tikrai yra nusikalstama. Koks buvo jų tikslas? Ar išnaudoti? Ar buvo kažkoks kitas tikslas? Nes pvz. kaip ir su Kinijos piliečiu kalbant, kokia situacija gaunasi? Kad tikrai gaudavo pakankamai didelę algą Lietuvos mastu, tai kaip gali pasakyti, kad jį išnaudojo, jei dauguma piliečių gauna žymiai mažesnę algą, ir labai nedaug valandų atsilieka nuo jo darbo valandų?

Julius Mitė: Ar jis turėjo galimybę vaikščioti? Ar laisvė nebuvo apribota?

Edita Ignatavičiūtė: Jo laisvė nebuvo apribota, ta prasme vėlgi reikia vertinti. Ar aš būdama Japonijoje norėsiu kažkur labai tai vaikščioti nežinia kur? Tai jei aš sėdžiu namuose, tai nereiškia, kad mano laisvė apribota. Ar aš galiu gauti pagalbą? Yra būdai kaip gauti pagalbą. Antras dalykas, kad ir pirminės apklausos metu, kai jam nebuvo darytas poveikis iš NVO, tai buvo viena kalba. Kažkodėl, kai jis atėjo antrą kartą, nors bendravom su vertėju, buvo kitaip.

Julius Mitė: Tai kaip suprantu NVO paveikė liudytoją?

Edita Ignatavičiūtė: Kai dar nebuvo su NVO sakė vieną, kai pabuvo su NVO sakė visiškai kitą. Pradėjo kalbėti, kaip ten viskas vyko blogai.

Julius Mitė: Bet šiaip taip maštant, ar tiesiog negalėjo būti, kad NVO įgalino žmogų kalbėti?

Edita Ignatavičiūtė: Bet nereikia perlenkti lazda, kad žmogus net pats patikėtų, kad jis buvo vergu.

Julius Mitė: Ar dažnai taip atsitinka?

Edita Ignatavičiūtė: Dažnai. Sutirština labai spalvas ir tai trukdo objektyviam tyrimui, nes bet kokių atveju jie ateina, prišneka taip, jie ateina į teismą... žmonės pasimeta. Nes ta aplinka teisme juos labai veikia. Ir jie sako taip kaip buvo. Ir klausia kodėl taip buvo užrašyta protokole. O aš jam sakau tiesiai, tiesa atsispindi teismuose. Ir iš tiesų, žmogų kaltinti sunkiu ar net labai sunkiu nusikaltimu, nu čia.. nėra taip paprasta. Pats prokuroras ir tyrėjas jaučia, jaučia kame yra reikalas. Užduodi vieną, antrą, trečią klausimą, žiūri kaip žmogus reaguoja. Įvertini visus aspektus, ar turėjo telefoną ar turėjo kitus įrankius...galimybes, ar galėjo ištrūkti ir pabėgti į miestą, ar galėjo išsinuomoti kitą būstą? - Galėjo, galėjo už tuos pinigus ir atskirai gyventi. Kitas dalykas kaip viskas vyksta dar Kinijoje per tarpininkus. Aš gi būdama Lietuvoj galiu užsisakyti bet koki Kiną, tegu atvažiuoja, sudarysim sutartį, gausiu darbo leidimą darbo biržoj, kad jis turi pas mane dirbti virėju ir niekuo kitu.

Taip, gal ten žinoma, kad tas įstatymo nežinojimas neatleidžia nuo atsakomybės. Gal kartais žmonės tikrai pažeidinėja darbo kodekso įstatymus, bet čia vėl gi darbo kodekso reguliuojami dalykai.

Julius Mitė: Gerai, dar jei galiu paskutinį klausimą. Tai tarp užsieniečių esat turėję Kinijos pilietį, Nepaliečius...

Edita Ignatavičiūtė: Jo, buvo ir Ukrainiečiai. Nu tai tokie dalykai, tikrai matosi kokie yra tikslai.

Julius Mitė: O ar auga užsieniečių kiekis Lietuvoje?

Edita Ignatavičiūtė: Aš negaliu to atsakyti, nes to nesimato per bylas. Vėlgi, nežinia kaip Ukrainiečiai čia atvyksta, dabar bevizis režimas Ukrainiečiams. Gal jie ir turi leidimus, aš nežinau tokių dalykų. Tos statistikos nesimato, tačiau kai atsiranda byla, aiškiai yra tam tikri indikatoriai, kurie rodo... ar tikrai buvo tikslas juos apgauti, išnaudoti, pasinaudoti jais? Ar čia yra kažkoks kitas tikslas?

[...]

Julius Mitė: Gerai, ačiū labai Jums už jūsų skirtą laiką.

Edita Ignatavičiūtė: Nėra už ką.

11.3. Transcript of the interview with Dr. Dalia Puidokienė, Director of Klaipeda Social and Psychological Services Center, lecturer at Klaipeda university, Social Work & Psychology departments

Klaipėda, March 27th, 2018, the original recording is kept at the authors personal archive

Julius Mitė: Nuo kelintų metų dirbate su kova su prekyba žmonėmis?

Dr. Dalia Puidokienė: Dirbame nuo 2003-ųjų metų, pirmoji buvo lietuvė nukentėjusi Vokietijoje. Taip ir dirbame.

Julius Mitė: Nuo tada, kai pradėjote dirbti, kaip keitėsi situacija iki dabar?

Dr. Dalia Puidokienė: Kai pradėjome dirbti ir kaip dabar, galima sakyti, kad yra ženklus ir juntamas pakitimas. Pvz. žvelgiant į statistiką, keitėsi dinamiškai. Tarpais buvo didesni skaičiai, pvz. apie 2008 metais, jei neklystų ES statistikos duomenų bazėje, Eurostato, kuris duomenis renka, tai turėjome tris aukas. Bet kuri statistika, ar paimtume šitos problemos rėmuose, ar kitos problemos rėmuose, atspindi tendencijas, bet niekada neatspindės taip realios situacijos. Tą pačią smurto problemą paimkim. Kada mes įgyvendinom artimo smurto įstatymą, pradėjom žvelgti į lėšų paskirstymą, pažiūrėjom ar gali tai remtis statistika, ir pasižiūrėjom mūsų ryšio departamento kaupiamą statistiką, kuri parodė, kad Klaipėdos apskrities policijos duomenimis tai rodė apie 152 aukas. Kai tuo tarpu, jau pas mus buvo pranešimų arti 1000. Tai va, galit įsivaizduoti, kaip jinai mato problemą ir kodėl taip. Tai jau atsiranda aiškinimų, kas atsiranda tai kategorijai, kas neatsiranda. Lygiai taip pat ir prekyba žmonėmis, ji niekada neatspindi. Kita vertus tai yra reiškinys kuris pasižymi labai autentiškumu.

Julius Mitė: Taip –

Dr. Dalia Puidokienė: Ir labai jisai...na... toks identifikavimo klausimas ir dabar yra aktualus, nežiūrint į tai, kad mes 2011 metais pasirašėme identifikavimo kriterijus. Kaip turi būti, jie

tokie gan pakankamai, kaip sakyčiau, išsamūs, tiek kiek gali būti išsamūs ir tiek daug įtraukta kriterijų kaip asmens pažeidžiamumas, ir tai yra labai gerai, nes kaip kalbant bendram Europos kontekste, tai toli gražu ne visos šalys turi šitą. Nes, nu aš pati..

Julius Mitė: Bet, ar jos neturėtų pagal direktyvą turėti?

Dr. Dalia Puidokienė: Nu aš nepaskaičius, tai dabar taip negalėčiau atsakyti. Direktyva turėtų būti perkelta į mūsų teisinę sistemą, ir yra tikriausiai perkelta. Bent jau yra taip deklaruojama, kad yra perkelta.

O vat kiek jiniai realybėje veikia?

Julius Mitė: Va. O kaip jums atrodo, kiek jiniai veikia realybėje?

Dr. Dalia Puidokienė: Kad jiniai nelabai veikia realybėje, man sunku pasakyti, nes mūsų, pastaruoju metu, toks num sakykim, pašlijęs bendradarbiavimas su policijos pareigūnais šioje srityje.

Julius Mitė: Būtent jūsų organizacijos?

Dr. Dalia Puidokienė: Būtent mūsų organizacijos. Nes jeigu mes labai bendradarbiavom ir tikrai labai gerai dirbam su smurto artimojoje aplinkoje, tai tuo tarpu prekybos žmonėmis srityje, kiek mes bandėme, nors ir turim sutartį pasirašę bendradarbiavimo, pas juos yra būta dažnai policijos pertvarkos, tai aš dabar kalbu apie dabartį, tai jų pareigūnų teigimu yra sakyta, kad mes bendradarbiaujama su Lietuvos Caritu, mes bendradarbiaujam, ir neva jau čia mums jau užtenka ir nėra daugiau dėl ko bendradarbiauti. Čia tas pernai metais, šiais metais dar neturėjom tarpžinybinių susitikimų Klaipėdos mieste. kuri yra susikūrusi. Inicijuota 2005 metais, jiniai kito, išėjo iš mūsų centro, nes gana glaudžiai bendradarbiavom ir su savivaldybe, ir prokuratūra ir policija, tuo metu labai glaudžiai, nors ir keitėsi, labai priklauso nuo pareigūno, kokie jie yra, ar tai butu specialistas, tikrai labai priklauso kaip tas bendradarbiavimas, ar jisai daugiau formaliam, kad tik pasidaryti ten ataskaitoje pliusiuką ar jisai realiai. Tai vat jei mes smurto artimojo aplinkoj tikrai dirbam, nežiūrint į tai, kad kažkam ten svarbu, nes mes gauname iš policijos pranešimus, derinam pranešimus, lyginam kiek jie išsiuntė, kiek mes turim, kiek pas jus buvo gauta, kas atitinka neatitinka. Ne vien formaliai dirbama.

Julius Mitė: Mhm

Dr. Dalia Puidokienė: Tai akivaizdžiai labai jaučiasi, viskas priklauso nuo pareigūnų. Jie irgi labai linkę bendradarbiauti kai tuo tarpu, vat čia, šioje srity nelabai..

Julius Mitė: O kodėl taip yra?

Dr. Dalia Puidokienė: Aš sakyčiau, kad tai priklauso nuo žmogaus, kad ir ta pačia direktyva, kai jiniai buvo pačioj pradžioj kalbama, kad turėtų būti perkelta, aš atsimenu pasikviečiau pareigūnus, būtent to skyriaus, ir klausiau apie tą direktyvą ir mačiau, kad jiems nepatinka mano klausimas. Nes jis, ko gero, dar nėra perkeltas, jie nesusipažinę, jie nelabai turi ką pasakyti. Ir aišku, kai žmogus toks jaučiasi, kad aš jį čia spaudžiu.

Julius Mitė: Dar, jei galiu paklausti, dėl direktyvos, kiek atsimenu, kai kalbėjome su KOPŽI tai buvo labai minėta, kad pvz. dėl apsaugos, dažnai neįgyvendinama, pvz. per teismo

procesus visokių būna situacijų, kai duoda parodymus ir matosi, kad būna paveikiami nusikaltėlių. Ir kad tai yra ignoruojama.

Dr. Dalia Puidokienė: Tas KOPŽI centras, jie gal tikrai turi pastaruju metu. Mes neturim tokių atvejų, kur būtų pradėti ikiteisminiai tyrimai kaip ten, kad tęstųsi visa eiga, tai man labai sunku kalbėti kokia yra esama situacija. Anksčiau aš visada žiūrėdavau į pareigūnus arba tiesiog žiūrėdavau kaip galima tą problemą spręsti ir spręsdavome. Tai nu aš sakau, anksčiau turėjome labai stiprų bendradarbiavimą, pasikeitus pareigūnams situacija labai pasikeitė. Nu vat nežinau, dėl ko taip pasikeitė.

Julius Mitė: Vat tai yra labai įdomu nuo ko čia priklauso ir kaip yra ant popieriaus/ iš tikrųjų.

Dr. Dalia Puidokienė: Nuo kokių dalyku čia priklauso aš nežinau. Aš sakyčiau, kad turbūt yra nuo žmonių. Tokie kažkokie dalykai, kurių aš nesuprantu, ir taip atkakliai nesigilinu.

Dr. Dalia Puidokienė: Būtų atvejis tai be abejonės keltum, nes laikas nuo laiko jų išlenda. Bet pastaruju metu tokie atvejai buvo kur žmonės tiesiog patys atsisakė čia ieškoti pagalbos ir išvyko į kitas šalis arba pasiliko šalyse, kuriose buvo, sakdami, kad aš Lietuvoje nepasitikiu, negausiu pagalbos ir panašiai. Tai vat čia tokia situacija iš mūsų.

Julius Mitė: Mhm, bet jūs vistiek tuos žmones bandote įtikinti?

Dr. Dalia Puidokienė: Tai taip, be abejonės. Tada žmonės, jei šiek tiek pajaučia, kad tu juos spaudi, tai jie tada atitinkamai ir elgiasi.

Julius Mitė: Bet ar čia aplamai požiūris į Lietuvą? Kad šalis negali mums padėti? Ar tai tiesiog netikėjimas visa sistema?

Dr. Dalia Puidokienė: Manau, kad tų žmonių. Kiek turiu informacijos, galiu taip objektyviai sakyti, kad tai yra tų žmonių patirtis. Juos laikė tokiam požiūryje, kokiam jie buvo ir pvz. pasirinko, kaip viena moteris, čia pernai metų pabaigoje. Mes bendravom su kalėjimo departamentu, nes mes gavome informaciją, kad ji turėjo teistumą, tai buvo su narkotikais susijusi byla Norvegijoje. Aš ją pasitikau oro uoste ir jau svarstome, kaip tą pagalbą teikti ir su kalėjimo departamentu, ir kur ją apgyvendinti, nes ten buvo visokių grėsmių. Ta apsauga jai buvo tikrai svarbi. Ir jinai taip susuko visą situaciją, kad aš ją išlydėjau toliau į Kopenhagą, iš kurios ji išskrido į Vokietiją.

Julius Mitė: Mhm

Dr. Dalia Puidokienė: Tai va, ir...

Julius Mitė: Nieko nepadarysi.

Puidokiene: Taip, ji taip ir dinga, visus kontaktus turėjo... O kita moteris, kuri buvo Anglijoj. Lyg ir bandėm iš pradžių čia, ji turi vaiką ir kažkaip bandys integruotis, bet paskutiniu rezultatu ji pareiškė, kad ji pasilieka ten, nes aš "nežinau ko čia galiu tikėtis ir turėjau tą ir tą, ir tą". Ji turi Žemaitijos regione gyvenamą plotą, ten ji bandė sugrįžti, tačiau ten labai grėsmė prievartautojų, ten jai ir durys buvo padegtos.

Julius Mitė: O policija reagavo?

Dr. Dalia Puidokienė: Taip. Reagavo, bet jinai vistiek psichologiškai nesijautė saugi

Julius Mitė: Aš irgi kiek atsimenu, tai, kad viena iš pagrindinių problemų yra psichologinis spaudimas.

Dr. Dalia Puidokienė: Taip. Ir žmonės labai reaguoja į jį, nes ir taip yra labai pažeisti.

Julius Mitė: Taip, jūsų nuomone ar yra pakankamai Lietuvoje užtikrinamas psichologinis saugumas? Kad žmonės galėtų dalyvauti ir teismo procesuose ir aplamai nebijoti.

Dr. Dalia Puidokienė: Nežinau, sunku pasakyti. Šiaip jeigu sakyčiau, tai nėra pas mus sistemos. Nes žmogus turėtų aiškiai žinoti kas jo laukia ir kiek saugu jam būti, nes kol jis atsikratys visų psichologinių grėsmių tam reikia laiko, bet tam reikia ir sąlygų, kad jis atsikratytų.

Julius Mitė: Mhm

Dr. Dalia Puidokienė: Reiškia, jam turi būti saugumas, kaip čia pasakyti, čia kaip vaikas mažas. Jeigu jam tėvai neužtikrina, nubaudžia, nudega jis pirštą, tai jis jau būna atsargesnis, aha, čia nekišiu. Tai panašiai yra taip ir žmogui, tik čia daugiau. Jam buvo to, tokio nesaugumo patyrimo, tai jisai nu vistiek jau, jo sąmoningumas kaip suaugusio žmogaus daugiau mažiau, ir jisai jau labai reaguoja atitinkamai. Tai nėra tos sistemos, nes, taip, yra pagalbą teikiančių centrų, bet ką tai reiškia. Centras apgyvendins moterį kažkokiam bute, kiek jinai ten jausis saugi? Aš pvz. nesijausčiau niekaip saugi.. Turėtų būti kažkokia vieta, kuri tikrai bus, faktas, kad manau, kad ji turėtų būti valstybinio lygmens. Tai reiškia ne vyriausybinių, kuri būtų susijusi su saugumo užtikrinimu. Kad pvz. ir mes ilgą laiką eidavom nuo 2003\2012 pabaigos apgyvendinimą, bet mes niekada negalėdavome garantuoti ypatingo saugumo ir visaip yra buvę - ir durys supjaustytos, ir grasinimai, ir ateidavo va tie ar suteneriai, ar prievartautojai ateidavo, sukinėdavosi...

Julius Mitė: Bet, tai reiškia, kad sistema neveikia.

Dr. Dalia Puidokienė: Sistema, realybėje jos neįveikiu kaip veikiančios.

Julius Mitė: Bet vistiek, jeigu pvz. lyginant su 2003 metais. Kaip tada buvo ir kaip dabar yra? Aplamai, ar matot geresnę judėjimą link kažko? Ar viskas tik popieriuose?

Dr. Dalia Puidokienė: Nu ne, negalėčiau taip pasakyti, kad viskas tik popieriuose. Tikrai, bent jau tokiam mano subjektyviam vertinime, tai įvairiuose lygmenyse ministerijose, vyriausybėse, problema jau yra pripažįstama, apie ją yra kalbama. Tai yra jau daug. Žinot, kaip Nyčė sakė : Jei žmogus žino kas, tai žmogus žino ir kaip. Tai jeigu žiūrėti va tokiu požiūriu, jei valstybė jau pripažįsta šios problemos egzistavimą, ji jau gali kažkaip ir save bent jau kreipti link tos problemos sprendimo. Tai prašau, pas mus atsirado identifikavimo kriterijai, nu ir tikrai čia nebuvo taip, kad mes juos senai turėjome NVO, kažkada senai pasidalino Norvegija savo turimais identifikavimo kriterijais, mes juos adaptavom Lietuvai, pasirašėm bendradarbiavimo susitarimą, kad būtų oficialu, kad mes remiamės šiais kriterijais ir deklaruodavom, nu ir valstybė galbūt. Nežinau kiek mes įtakojome, ir valstybė, o gal vat būtent tų ES dokumentų dėka, nes mes ir ten sakydavom, kalbėdavom ES lygmeny, kad mes turim o mūsų valstybėje nėra. Na va, ir iš ten tikriausiai atėjo, kad turi tokie būti ir jie atsirado. Tai kažkokia dalimi manau, kad esame prisidėję. Nu ir mes dabar jau naudojame tuos identifikavimo kriterijus,

kuriuos sakau, kad ne visos šalys turi. Tai va tokie žingsneliai, po truputėlį. Bet va, kaip vienas pavyzdys galėtų būti, nes aš esu šitoje nacionalinėje koordinavimo komisijoje, galėtų būti kur yra ir kitos NVO išskyrus KOPŽI

Julius Mitė: KOPŽI dabar nėra?

Dr. Dalia Puidokienė: Nėra.

Julius Mitė: OK. O kaip dabar vertinate tos komisijos darbą? Ar jaučiatės tenai išklusoma?

Dr. Dalia Puidokienė: Susirenka iš įvairių institucijų atstovai. Socialinių, religinių, švietimo, teisėsaugos, NVO. Tai, ypatingai man, buvo informatyvus paskutinis susitikimas, visi kalba gražiai, programa yra su aiškiais įgyvendinimo žingsniais, visi pagal tuos žingsnius parengia atskaitas, kaip ir valstybinės institucijos. Dažnai atskaitas ateina paskaityti deleguotas asmuo.

Julius Mitė: O iš SADM pvz.?

Dr. Dalia Puidokienė: Iš SADM, reiktų žiūrėti paskutinį protokolą, kas dalyvauja ir kas turėtų dalyvauti, nes komisija yra personalizuota. Tai, ką aš mačiau ir ką aš girdėjau pvz. Turi dalyvauti vice ministras, o dalyvauja kažkas kitas. Ir tokių atvejų buvo ne vienas. Jau yra informacija, kad jei komisija yra personalizuota ir tu esi atsakingas ir tau rūpi šita problema, kaip, kad vienas asmuo ankstesniame susitikime pasakė: Nematau kame problema, susėdam ir dirbam. Darom. Paimam ir padarom. Niekas nepadarom. Prikuri visokių Mortos grupių, bet o... važiuosim, lankysim, o pernai metais nei karto nebuvo. Tai jeigu mes dirbam, tai dirbam realiai. Aptariam viską, susėdame su policija, aiškinamės, kodėl vienu atveju teko 10 kartų važiuoti. Pareigūnai daro realius žingsnius. O čia va daugiau dėl gražių ataskaitų, aš čia taip sakau, o gal aplamai nelaiko, gi niekas nepasakys taip, kad nėra pas mus tokia problema.

Julius Mitė: Bet ar jums jaučiasi, kad tiesiog yra susiskirstę skirtingos grupės žmonių? Kurios nesutaria?

Dr. Dalia Puidokienė: Manau, kad taip.

Man netgi, tas faktas, nežinau kuo jis galėtų būti paremtas. Pvz. Nacionalinis pranešėjas Suomijoje yra visiškai nepriklausomas asmuo. Jis reiškia niekam nepriklauso, nei jokiai politinei partijai, nei jokiai struktūrai, nei jokiai ministerijai. O čia vat yra atsakinga VRM, o tai yra labai siauras požiūris, jeigu mes žiūrim į problemą tik VRM požiūriu, reiškia, kad mes ją ne pilnai suvokiam, o tai nėra tik, nežinau, nusikalstamo pobūdžio problema. Yra platesnė problema, ir reiškia į ją reiktų žiūrėti plačiau.

Julius Mitė: Ar tada turėtų keltis lygmuo? Pvz. į vyriausybės lygmenį?

Dr. Dalia Puidokienė: Aš manau, kad ir kita vertus, labai aišku priklauso visose srityse, labai priklauso kas, kur dirba...

Julius Mitė: Dar vienas klausimas, kiek mačiau yra susiskaldęs NVO sektorius, ar kažkas keičiasi? Ar kas skatina bendradarbiauti?

Dr. Dalia Puidokienė: Manau, kad vėlgi, paprastas dalykas yra, vat kaip tai galima būtų

interpretuoti ar aiškinti, Praeitų metų pabaigoje, gal ne visai pabaigoje, buvo suorganizuotas susitikimas su Prancūzija dėl vieno įstatymo...

Pastebiu, kad ateina viena valdžia, ji kažką sukuria, ateina antra valdžia, ji nutrina padarytus darbus ir toliau. Tuo tarpu Švedijoje, kur jie seka socialdemokratinių politikos modelių, jie.. Mes klausėm, kaip jūs kūrėt tą sistemą? Jie mums paaiškino, kad mes nieko nenubraukdavom, tai kas buvo padaryta anksčiau mes imdavom ir toliau kurdavom ir darydavom, nes mums rūpėjo. O pas mus, man toks jausmas, susidaro, kad daugiau rūpi kažkokie asmeniniai interesai, gal karjera, mano žinomumas, kita.. bet tada atsiprašau, mes nesprendžiam šitos problemos, nes aš manau, kad šitą rezoliuciją priimti yra reikšmingas dalykas ir lieka toliau žiūrėti ir klausti, kodėl ligi šių dienų ji guli kažkur stalčiuje, kodėl ji nekeliama ir nepriimama, o guli stalčiuose. Ministerijos atsakymas, kad mums nereikia nieko keisti, viskas yra, kur atsakė Bernatonis. Nu tuo metu taip, o ar dabar tikrai viskas padaryta?

Ir va Prancūzija irgi ėjo tuo keliu, ir kai man teko su tuo atstovu kalbėtis jis sako blogai – nes jūs nebendradarbiaujat. Tai, o nuo ko priklauso bendradarbiavimas? Nuo mūsų, nes mes kai rengėm tą konferenciją priimti šitą rezoliuciją, mes įtraukėm visas organizacijas, kad visos būtų, pasirašytų. O čia dabar kažkas vyksta ir taip įdomiai kuriasi. Tai kas turėtų mus įpareigoti? Mes patys, mes turėtume žinoti, ką mes darom, visi daro gerus darbus, bet reikia vienyti ir daryti gerus darbus kartu.

Julius Mitė: Paskutinis klausimas, dėl prevencinės sistemos. Yra matoma, kad tokios nėra, nes yra tik padiriki sprendimai. Ką jūs manote?

Dr. Dalia Puidokienė: Ne, nėra.

Julius Mitė: Visi daro skirtingus dalykus?

Dr. Dalia Puidokienė: Taip. Pasidalinsiu paprastu dalyku, pati, kai manęs paprašo, aš vedu irgi ten mokymus, čia neseniai vedžiau mūsų savanorėms mokymus, klausiau kaip patiko. Viena ir sako, man sako gerai, patiko statistika 2017 metų, bet neseniai buvau savivaldybės mokymuose, irgi vedė, tai ten buvo daug statistikos, daug irgi, ji pasidžiaugė, kad aš skyriau daug dėmesio į psichologinę pusę ir kaip galima žmogui padėti, kas jam yra svarbu ir t.t., orientavausi į telefoninę tarnybą, ką galėtų savanoriai daryti. Savanorė pasidalino savo situacija kokią turėjusi, teigė kad yra atpažinus prekybos žmonėmis atvejus ir kad vyras ją skatina link pardavimo. Tai va, mums sako šito reikia, kad atpažinimas gerai veiktų. Ką aš vėl supratau, tai, kad mes visi vedam mokymus kaip mums atrodo geriausia, aišku irgi adaptavau konsultantams apie psichologiją. Bet iš esmės turėtų vėl būti tam tikra sistema, o čia kas prasimuša kur, turi kokius ryšius ar kontaktus, tas tą ir daro, bet tai vėl tik epizodinis daiktas. Reiškia yra tokia sistema ir mes ją įgyvendinam, vykdom, palaikom tą sistemą ir traukiame juos kažkur toliau. Nėra šito.

Julius Mitė: Paskutinis klausimas. Jeigu galėtumėt dabar kažką pakeisti kovos su prekyba žmonėmis sistemoje, kas tai būtų?

Dr. Dalia Puidokienė: Visų pirma, sustatyčiau tinkamus žmones tinkamose vietose, tai tikrai bet kur. Manęs užtat gal ir neprileistų niekas. Aš tikrai žiūrėčiau kaip tam žmogui realiai rūpi situacija, kad mūsų žmonės neišvažinėtų, kad rūpintumėmės savais namais ir tas gyvenimas yra labai laikinas. Tikrai kvalifikuotus žmones, kuriems rūpi tas klausimas, kurį jie spręstų. O

paskui, su tais žmonėmis, siekčiau dalykų, kurie svarbus yra. Nes ta pati direktyva, 11,12,13 jos yra svarbios ir kalba apie gerus dalykus.

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Julius Mitė: Aišku... labai jums ačiū.

Dr. Dalia Puidokienė: Nežinau kiek padėjau, bet prašom.

11.4. European documents on anti-human trafficking policy

the Charter of Fundamental Rights of the European Union	
Treaty on the Functioning of the European Union	
Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.	
Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings	
EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings	
The Stockholm Programme (European Council)	
EU anti-trafficking action plan 2012-2016	
The EU Internal Security Strategy in Action	
Global Approach to Migration and Mobility	
Country strategic papers (for accession)	
National and Regional Indicative Programmes	
European Neighbourhood policy paper programs	
bilateral Action Plans and ongoing political dialogue with third countries	
European Agenda on Security	
Global Strategy for the EU Foreign and Security Policy	
Action Plan on Gender Equality and Women's Empowerment	
Strategic Engagement for Gender Equality	
Action Plan on Human Rights and Democracy	

11.5. Lithuanian governmental documents on anti- human trafficking policy

Kovos su prekyba žmonėmis koordinavimo komisija ir jos darbo organizavimas	
Kovos su prekyba žmonėmis 2017–2019 metų veiksmų planas	
Viešojo saugumo plėtros 2015–2025 metų programos įgyvendinimo tarpinstitucinis veiklos planas	
Viešojo saugumo plėtros 2015–2025 metų programa	
Kovos su prekyba žmonėmis koordinavimo komisijos veiklos ataskaitos: 2017 metai	
<u>Lietuvos Respublikos nacionalinis pranešėjas kovos su prekyba žmonėmis klausimais</u>	
Statistinių duomenų ir kitos informacijos apie prekybos žmonėmis situaciją ir kovos su prekyba žmonėmis priemones bei veiksmus rinkimo ir skelbimo tvarkos aprašas	
Apžvalgos: <u>2017 metai</u>	
Reports: 2016 metų ataskaita 2015 metų ataskaita 2014 metų ataskaita 2013 metų ataskaita 2012 metų ataskaita 2011 metų ataskaita 2010 metų ataskaita 2009 metų ataskaita	

11.6. Latvian governmental documents on on anti- human trafficking policy

Regulation No 310 from 2001, Procedures by which Persons Cross the State Border of the Republic of Latvia	
Regulation No 707 from 2003, Procedures by which Alien Minors Enter and Reside in the Republic of Latvia Unaccompanied by Parents or Guardians	
The State Programme for the Prevention of Trafficking in Human Beings (2009-2013	
The Criminal Law (Directive's Article 2, Article 4 Para 2 (c) and (d), Article 8, Article 9 Para 2);	
The Criminal Procedure Law (Directive's Article 8, Article 15 Para 3 (b) and (c);	
The Law on State Compensation to Victims (Directive's Article 17);	
National Action Plan, The State Programme for the Prevention of Trafficking in Human Beings (2004-2008), in March 2004.	
A National Referral Mechanism based on Cabinet Regulations No 889 Regulations on Criteria for the Recognition of Victims of Human Trafficking and Procedures for the Administration of Social Rehabilitation Services to Victims of Trafficking in Human Beings.	