

NATIONAL COMMISSIONER

OF POLICE

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<p>Report on the "fact-finding mission" conducted in November 2000 by the National Commissioner of Police for the Baltic countries regarding trafficking in women</p>
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Introduction

In the autumn of 2000, it was decided that Danish police should conduct systematic, police-related monitoring of conditions that could be associated with trafficking in women so as to pave the way for more systematic, offensive and future-oriented police strategies. Basically, trafficking in women contains elements of migrating, organised crime and the Danish decision to intensify action to combat trafficking in women implies, among other things, that Danish police will contribute to enhancing its efforts in this field.

As part of the preparatory planning of the intensified actions to combat trafficking of women, employees at the National Commissioner's Office embarked on a "fact-finding mission" to the Baltic countries in November 2000. The information obtained in this connection will be included in the deliberations concerning the structure of the future Danish national and international strategies, including enhanced action within the Task Force on Organised Crime in the Baltic Sea Region, of which Denmark has assumed Chairmanship as of 1 January 2001.

The employees at the National Commissioner of Police who participated in the fact-finding mission in Estonia, Latvia, and Lithuania had conversations with the law enforcing authorities and other public authorities as well as NGOs with a view to gaining insight into the legal basis and law enforcement provided by the Baltic countries on the trafficking in women and the scope and nature of trafficking of women from the Baltic Sea Region.

This report does not provide a more elaborate definition of trafficking in women. There are a number of international definitions of trafficking in persons and exploitation of the prostitution of others. The common trait of the definitions related to trafficking in women is the sexual and financial exploitation of women for the profit or advantage of others. Another common trait is that these definitions do not deem it relevant to distinguish between whether or not the wronged women engage in such activities voluntarily.

Denmark does not have any real anti-trafficking legislation, however the Danish Penal Code contains provisions that criminalize various actions that promote or exploit "sexual immorality". Prostitution in itself is not punishable under Danish law - which is in contrast with the situation in a number of other countries - but prostitutes entering Denmark from abroad and performing their services in Denmark will often be in violation of the Danish Aliens Act by residing illegally in the country, etc., to which may be added that those assisting in illegal entry and/or stay in Denmark may be prosecuted under the same Act.

This report is based on the international definitions of trafficking in women, but further elaboration in relation to the subject and concept has not been made as the main objective of the report has been to provide an overall outline of the situation. However, it should be pointed out that the report has been prepared from a law enforcement perspective, for which reason the consequences of trafficking of women in relation to social and ethical conditions, etc are only implied indirectly in the report. Focusing on the law enforcement perspective also means that the report in relation to source criticism, etc has been prepared in accordance with the international standards for crime analysis. The report should therefore not be perceived as a scientific report.

The information obtained by the Baltic authorities and NGOs provides a basis for drawing a picture of the trafficking situation in the Baltic Sea region. The picture, however, is not complete, and includes factors of some uncertainty. One of the main reasons for this is - in addition to the factors mentioned above - that the contacted authorities have only had limited knowledge of specific cases, and the NGOs have, naturally, met only a small and probably not representative proportion of the women who have been prostitutes or otherwise sexually exploited abroad.

Estonia

Estonian law does not directly deal with trafficking of women, but brothel owning and procuring is punishable together with assistance in illegal border trafficking.

The authorities and NGOs have informed us that they are cognisant of relatively few specific cases. None of the interviewed sources have been able to provide a full estimate on the number of women leaving Estonia with the purpose of working as prostitutes abroad, however it is believed that the number is relatively high.

Our sources have not been able to refute that women recruited for sexual exploitation abroad have been coerced to do so, but it is the general perception that coercion is only exercised in a limited number of cases.

A majority of our sources have informed us that recruiting of women for prostitution abroad is, to a large extent, made via advertisements in newspapers and magazines. These ads promise the women legitimate jobs at high salaries abroad. Another way of recruiting involves, for instance, brothel owners reselling prostitutes to foreign brothel owners or the foreign brothel owners arriving in Estonia themselves and recruiting women. Typically, there is no doubt that these women know that they are going to work as prostitutes. However, hardly all the women responding to the ads are aware of their future profession. None of our sources could provide any indication of the share of women who are deceived in this manner. A significant proportion among the women arriving Scandinavia are aware of the actual nature of their job, whereas a considerable number of the women arriving in Poland and Germany are most likely tricked into the trade.

Our sources generally maintain that to a large extent women of Russian ethnic origin are recruited for prostitution.

According to several of our sources, Finland and Sweden are the major importers of women from Estonia. Some of our sources state that women of Russian ethnic origin go to Sweden. Denmark is also mentioned as a receiving country, but our sources do not agree on the significance of Denmark as a destination. Germany, the Netherlands and Spain are mentioned as other receiving countries. Poland is mentioned partly as a transit location, partly as a receiving country.

The females leaving for Scandinavia often travel by ferries to Helsinki or Stockholm, whereas the women leaving for the southern destinations go by bus or car. Normally, these women are accompanied by a "controller" and/or together with other women who are going to act as prostitutes abroad, however it has also been seen that women travel on their own.

In general, the women are promised higher pay and better conditions abroad than they realistically obtain. Some sources have even reported on the use of coercion in the country of arrival. It has also been reported that countries such as the Netherlands and Spain apply more violent exploitation methods.

The law enforcing authorities have not received information about the trading of women between two brothel owners, however some women are reported to travel abroad again very quickly after having returned to Estonia.

The source information obtained on possible organisation of trafficking in women from Estonia is primarily based on assumptions. Several sources believe that they are up against organised crime, but there seems to be some disagreement on the manner, in which it is organised. In general, our sources believe that trafficking in women to a broad extent is carried out via local brothel owners who have foreign contacts, to whom they sell their most attractive prostitutes. Furthermore, it is the general belief that the most professional brothel owners, who are often of Russian ethnic origin, recruit "professional" prostitutes to work for them abroad, whereas the more inexperienced brothel owners who do not have such a network are more likely to promise women who are non-prostitutes legitimate jobs abroad. There is nothing immediately indicating that traffickers are involved in other types of crime such as, for instance, drugs trafficking.

Latvia

Trafficking in persons is punishable under the Latvian Penal Code, which sets out a maximum penalty of four years' imprisonment. Where there are aggravating circumstances involved (offence against property or minors under the age of 18) the maximum penalty increases to 10 years' imprisonment, whereas the most severe cases (organised crime or children under the age of 14) is punishable by a term of imprisonment from eight to fifteen years. The penalty provisions comprise both legal and illegal entry and departure as well as transit residence in all countries.

The scope of trafficking in women from Latvia is considered to be relatively comprehensive. The law enforcing authorities have informed us that the problem was not recorded until in 1993-1994. It is assumed that since then, the problem has spread to include thousands of women, however it is also emphasised that the problem has received much more attention throughout the past few years.

The recruiting of women for prostitution in other countries is carried out via, among others, ads in the newspapers. These ads offer the women to work as, for instance, dancers in a non-specified western country. In other cases, the women are recruited by their husbands, by acquaintances or nightclubs. There has also been information to the effect that the Internet is being used for recruiting activities as well. The number of women who do not know

from the outset that such a job is likely to be associated with prostitution services is considered to be relatively limited.

One of the reasons why some women apply for a job abroad is reported to be the prospects of a higher standard of living. According to police sources, the prospects of earning fast and easy money attract in particular the young women (aged between 19 and 22 years) living in extreme poverty, and primarily coming from the southern and Russian part of Latvia where their chances of being offered a permanent job are poor.

In general, our sources are not of the opinion that coercion is being used as a means to recruit women. However, there are instances where women have been forced to leave against their will, given that threats have been made against their families.

Having arrived at their destination, many women are not treated and paid as well as the prospects held out to them.

The destinations are identified to include in particular Germany and Scandinavia as well as Great Britain, the Netherlands, Spain, Italy, Greece, Cyprus, Switzerland and Iceland.

There appears to be no clear picture of transport mode when travelling abroad. Sometimes the women leave by plane in small groups and sometimes they are accompanied by a "controller" to their destination. The law enforcing authorities have identified a travelling pattern known as "The Spanish Route". On the first step of this route, the women are transported in buses from Latvia to either Berlin or Frankfurt. Some of the women are left behind in these two cities and picked up by local procurers in Germany, while the rest of the women continue their journey in a personal vehicle (perhaps together with others who have stayed in Germany for some time) to Spain, where they are often dropped off in Alicante. A considerable proportion of the women may also travel from Germany to other countries by either train, bus, tourist bus, plane or ferry, but there is no information of a regular travelling pattern to the Scandinavian countries.

Typically, the women stay abroad for approximately half a year before returning to their home country. They are often only back for a short while before leaving again.

Trafficking in women is considered as falling under a certain type of organised crime, which in practice is exercised by a network. The organisation rate is meant to have decreased, as the Latvian citizens are now allowed to travel more freely into other countries, including Denmark.

In some cases, Latvian police have looked more thoroughly into newspaper ads - inserted by Latvian advertisers - seeking babysitters, servant girls, dancers, or similar jobs to be performed abroad. Persons of Russian ethnic origin are considered to be very much involved in trafficking of women to Germany which is explained by the large group of Russians who have settled in Germany and who have established a basis for a contact network to Russian-speaking groups in Latvia.

Some police sources are convinced that the persons transporting women to Germany are also involved in drugs crime and trafficking of weapons and cigarettes. Other police sources believe that trafficking in women yields such a profit that alternative types of crime are considered unattractive.

Lithuania

Trafficking in persons is punishable under the Lithuanian Penal Code by a maximum penalty from four to eight years' imprisonment. Under aggravating circumstances (in case of a second or subsequent offences, minors, committed by several persons in concert or by a particularly dangerous recidivist), maximum penalty is from six to twelve years' imprisonment.

Lithuania has received a total of 661 Lithuanian women deported from 26 countries in 1999. These women are typically aged between 25 and 35 years, and it is estimated that up to 1/3 have been deported on the grounds of prostitution. Incidentally, the authorities are somewhat reticent on providing an estimate of the scope of trafficking in women from Lithuania. The NGOs consider the number to be more than 1,000 women annually. There are indications that trafficking in women has increased in volume since Lithuania declared its independence. Some NGOs perceive the problem in this area to assume the nature of an industry.

The women are recruited via ads in newspapers, magazines and the Internet as well as through personal contact to the prostitutes or young women in discothèques, bars and similar venues. The ads offer them to come and work as waiters in bars, dancers, babysitters or cleaning ladies, but there is general consensus that as a result of the media coverage of the phenomenon it is widely appreciated that the ads in reality are recruiting prostitutes. It has also been reported that women who are recruited without knowing the real nature of the job are often informed about reality once they have crossed the border to Poland, following which they are (more or less) given the opportunity to choose whether or not they wish to return.

The "professional" prostitutes in Lithuania are no doubt very much aware of the nature of the job once they have been recruited with an offer to work abroad. It has been reported that the resourceful prostitutes are the ones to travel abroad while the less resourceful prostitutes choose to stay at home.

According to information provided by the law enforcing authorities in Lithuania, the trip abroad is most often made in personal vehicles or tourist buses - especially the trips to Germany via Poland. However, the women also go abroad by ferry or plane. When leaving their country, the Lithuanian citizens normally use their own passports, because they are allowed to travel as tourists, while the women leaving Russia, Belarus and other countries travel on other people's original passports, but it has also been reported that false passports are used.

Germany is considered to be the most significant receiving country. Poland is an important transit country leading to Germany. From Germany, some of the women are distributed to other European countries, especially Spain and the Netherlands as well as Israel.

There seems to be some controversy as to whether Denmark and the other Scandinavian countries are perceived as receiving countries.

Most of the women receive lower incomes and live under poorer conditions than the prospects held out to them. Reports have been submitted on violence, rape and threats applied as disciplinary punishment.

Our sources state that the women stay abroad for a period extending from one month and up to one year. The duration of this period depends, among other things, on whether the foreign brothel owner finds that his women earns enough money, and whether there is a risk that she may be discovered by the local authorities.

Sources from the law enforcing authorities state that there is a minor risk and major profit related to trafficking in women. The profit is estimated to be lower if the woman goes abroad under false pretensions, the risk being that she may turn out to be difficult and refuse to work as a prostitute altogether.

The overall belief is that there is a national network of agents in Lithuania as well as an international one engaged in the trafficking of women.

Sources disagree on whether the traffickers are involved in other kinds of crime.

Conclusion

In Estonia, Latvia and Lithuania, trafficking in women has been accepted as a social and crime-related problem.

It has not been possible to identify the scope of trafficking in women within the Baltic Sea region. However, there is no doubt that there are a considerable number of women working and being exploited as prostitutes outside the borders of the Baltic Sea region. Furthermore, it appears that women of Russian ethnic origin account for a relatively large proportion of these women.

In all three countries, recruiting is carried out either indirectly (however more or less in the open) – for instance, via ads – or by direct contact, for instance by personal contact in bars and nightclubs.

Many of the Baltic citizens find it inherently attractive to travel abroad, and although the women in general are aware that the offers for certain types of work abroad in reality mean that prostitution is involved, a non-specified number of the women are nevertheless misled. A considerably larger proportion of the women are aware that they are going to work as prostitutes, but these women are not always in a position to see that living conditions and earning potential will be poorer than the prospects held out to them.

The women are often transported abroad in buses or personal vehicles. This applies in particular to the women from Lithuania and Latvia, whereas the women from Estonia travel by ferry to Scandinavian destinations. Only a few travel by plane. Regularly, it occurs that “controllers” accompany the women on their journey.

The primary trafficking destination varies somewhat from one country to the other, but in all instances, Germany is reported as being a significant receiving country. Other important destinations include the Netherlands and Spain. Poland operates primarily as a transit country, but there are also examples of Poland operating as a receiving country. All three countries singled out Sweden and Denmark as significant Nordic destinations, but there appeared to be some disagreement among the sources as to how important these markets are on a European scale. Finland is the main importer of Estonian prostitutes.

Trafficking in women from the Baltic region almost assumes the nature of international organised crime. The general perception is that trafficking in women is exercised in practice by networks of minor groups, which reside in their respective countries and have personal con-

tacts in the receiving country. Such networks consist, among others, of local groups including persons of Russian ethnic origin who exploit their contacts to Russian groups in other countries, particularly in Germany.

To a certain extent, some persons are believed to be involved in trafficking in women and in other types of migrating crime, including the trafficking of high-tax goods and drugs.

Enhanced efforts

Based on the study results of the fact finding mission, there appears to be a basis for launching initiatives of an international nature, including the involvement of the Task-Force on Organized Crime in the Baltic Sea Region, in order to:

- launch enhanced *preventive action*, under which women who are potential victims of trafficking are informed and warned of traffickers (such action should primarily be launched in countries, in which the women are citizens),
- and enhanced international *law enforcing action*, where trafficking routes and criminal networks are mapped and exposed with the aim of launching coordinate action in the countries involved.