

Country Info Brief:
Trafficking in Human Beings

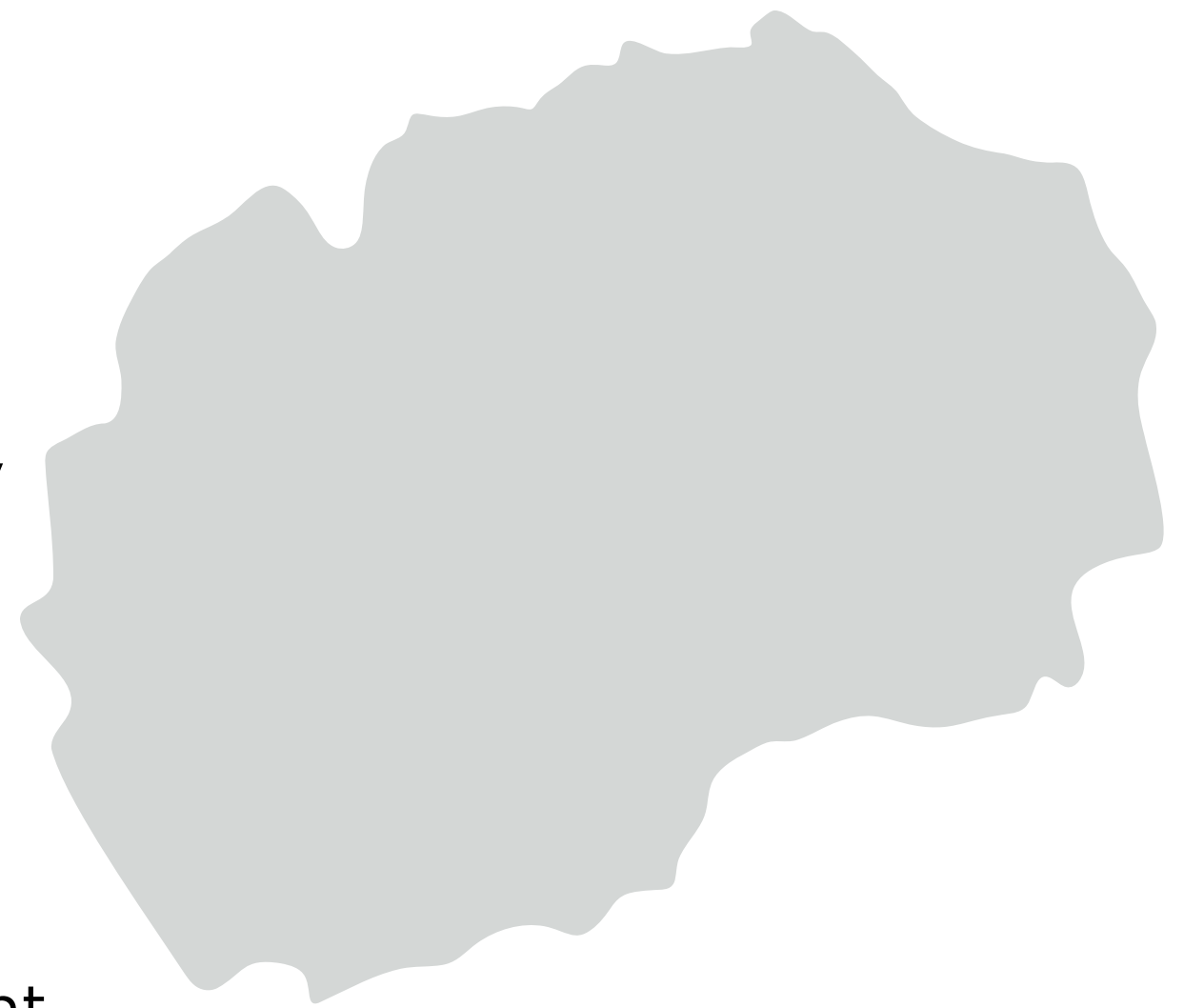
**NORTH
MACEDONIA**

North Macedonia

Population: 1 836 713¹

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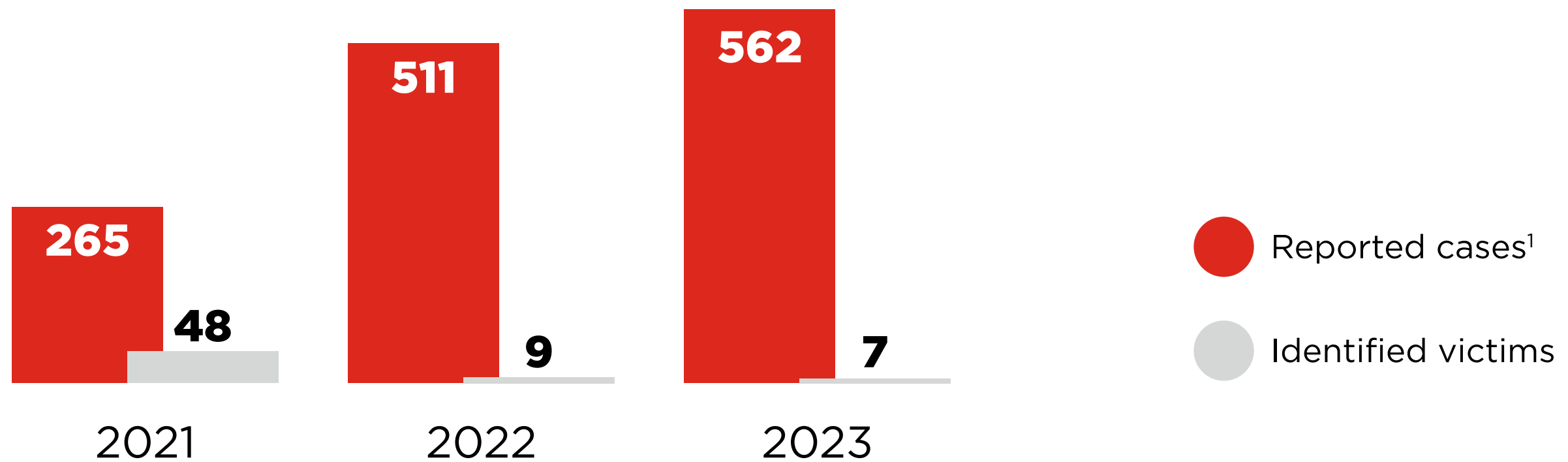
The Country Info Brief contains similar and comparable types of information and data for three countries, relevant to the topic of THB, and provides insight into each country’s overall efforts in the suppression and prosecution of human trafficking.



¹ https://www.stat.gov.mk/publikacii/2022/POPIS_DZS_web_EN.pdf

I. The numbers - Key data on THB

Number of reported cases and identified victims in past 3 years.



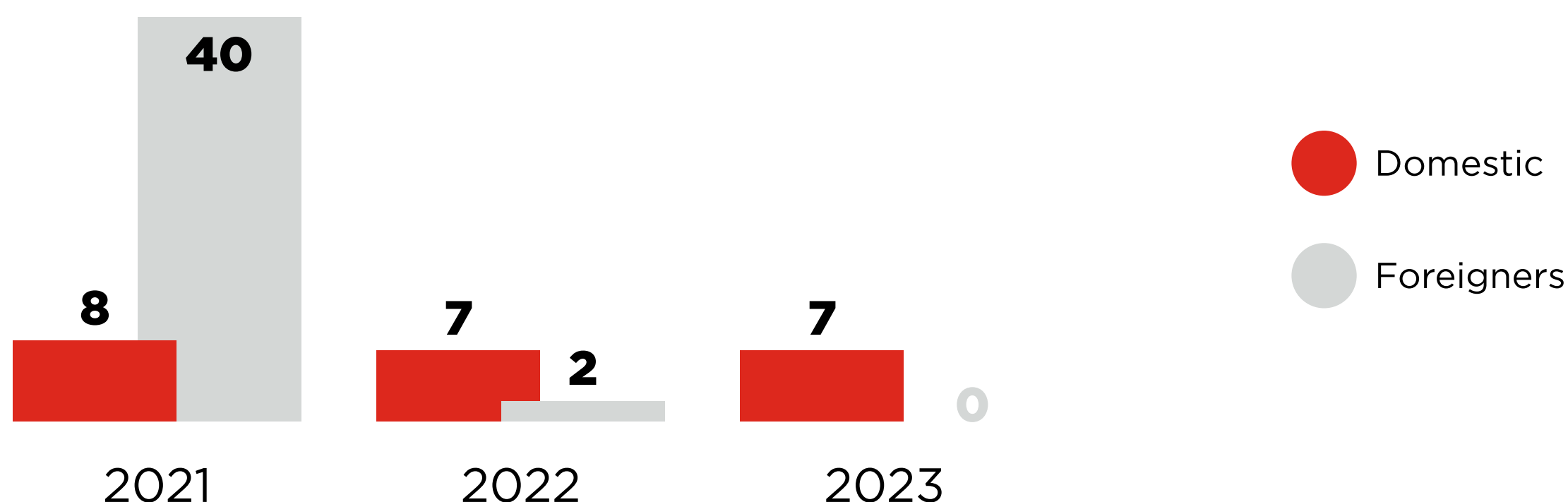
*Potential victims represent persons in risk, not official identified as victims of trafficking (in 2021:10; 2022:13; 2023:9)

Breakdown of data by identified victim gender and age, etc.



² There is no data about the total number of reported cases in the national report, instead, we propose utilizing the data collected by the Mobile Teams for more accurate insights and add the category of potential/presumed.

Breakdown of data by identified victim citizenship, in numbers.



Prevalence of the different forms of trafficking in human beings:

Human trafficking has been a long-standing issue in North Macedonia, with organized networks operating for more than two decades. Internal trafficking remains a harsh reality, with a quite small number of foreign victims identified. It is indisputable that the number of domestic victims of human trafficking, who are mainly sexually exploited through forced marriages, online exploitation, and labor exploitation, has been increasing in recent years. However, a fact that is of particular concern is the continuous increase in child victims of human trafficking. While male victims are relatively fewer, the number of young female victims is on the rise.

During 2023, the Operational Team identified 7 human trafficking victims, 5 female and 2 boys. Most were children (6), aged 9-17, and one adult female, aged 51, with developmental disabilities. All were citizens of North Macedonia, with 4 Roma, 2 Macedonian, and 1 Albanian.

Type of exploitation in 2023



Additionally, 9 potential victims (8 female, 1 male) aged 8-16 were identified, with one foreign potential victim receiving a temporary residence permit according to SOP and the Law on Foreigners.³

Most common mechanisms of recruitment used by traffickers include:

- Preying on social and economic vulnerabilities: Traffickers target individuals affected by poverty, gender discrimination, and domestic violence.
- Exploitation of personal conditions: Vulnerable individuals are exploited based on factors such as age, health, and special needs.
- Use of modern technology: Traffickers increasingly exploit victims online due to widespread access to the internet and electronic devices.
- Targeting children: Children are especially vulnerable to fraud and exploitation in the digital world.
- Exploitation of marginalized groups: Victims often come from welfare families, marginalized groups, and communities facing emotional/physical violence, disabilities, or poverty.
- Exploitation along migration routes: The Balkan migrant route has increased the vulnerability of migrants, especially women and unaccompanied children.

The primary forms of exploitation identified include sexual exploitation, with some victims experiencing multiple forms of exploitation such as forced marriage combined with either sexual or labor exploitation.

In 2022, nine (9) victims of human trafficking were identified, out of which eight were female and one was male. Most of the victims of human trafficking were children (7), and the most common form is forced marriage (6).



³ Annual Report of the National Commission for Combating Human Trafficking and Illegal Migration, for 2023.

The number of children is also high among the potential victims in 2022. Namely, eight children, of which five girls and three boys have been identified. One was identified among illegal migrants (Child Trafficking Subgroup, Child Trafficking Report 2021-2022). In 2022, for the first time, a girl under the age of 14 was identified as a victim of online trafficking.

It seems that despite continuous efforts, the number of identified victims of labour exploitation in our country, as well as the total number of identified victims of all forms of trafficking, is still very low.

However, in 2021, the number of identified victims of labour exploitation was extremely high. That is, a total of 48 out of which 39 cases of labour exploitation (Taiwanese workers) two combined labour and sexual exploitation, one sexual ,all among adults While among child victims (6) were identified one case of forced begging, one sexual exploitation and 4 forced marriage.. In 2021, were identified 48 victims of human trafficking, including 6 children (5 female and 1 male, aged 8 to 17 years). Most victims this year were foreign adults, totaling 40 (35 males and 5 females), while among domestic victims, 8 were identified, including 6 children. Regarding their origins, 8 were citizens of North Macedonia, 39 (35 males and 4 females) were citizens of Taiwan, coerced into committing telecommunications fraud against Taiwanese nationals, and one was a citizen of Russia. In terms of nationality, the majority were Taiwanese, Roma, Albanian, Macedonian, and Russian.

Data on prosecutions and convictions of traffickers

For crimes related to human trafficking and illegal migration during 2023, the Basic Court Skopje 1 - Skopje received a total of 101 cases, involving 168 accused individuals. In 2023, 95 cases⁴ resulted in convictions, with prison sentences imposed on 97 individuals, while conditional sentences were given to 38

⁴ Art 418-a trafficking in human beings (1)
Art.418-d trafficking of children(7)
It's in the table below

individuals. The duration of the prison sentences ranges from 1 to 15 years.⁵ Six victims sought compensation, with two awarded damages and four referred to civil court. There were no judgments resulting in the closure of any business or organization. In six cases, the court ordered confiscations totaling 248,555.00 euros and 31,500.00 denars.⁶

Trafficking in Person report (TIP) (related to artc.418 (a) and (d) of Criminal Code): The government investigated 9 cases (seven for sex trafficking and two for labor trafficking), compared with four cases in 2022. Courts convicted 16 traffickers, compared with five traffickers in 2022.

Article from CC	Received		Completed		Convictions		Decision by Individual		Unresolved/Postponed			
	cases	Accused Individuals		cases	Accused Individuals		Prison sentence	Conditional sentence				
		m	f		m	f				m	f	
418-a	0	0	0	3	6	2	1	4	2	6	0	0
418-b	90	110	0	85	107	0	77	97	0	65	32	23
418-c	4	20	1	12	51	0	10	20	2	16	6	2
418-d	7	33	4	6	7	3	7	6	4	10	0	3
		163	5		171	5		127	8			
Total	101	168		106	176		95	135		97	38	28

Table: Overview of Court Cases and Accused Individuals⁷

⁵ Art. 418- d trafficking in children: 2 years in prison; 3-4 years for 3 individuals; 5-6 years for 2 individuals; 7-8 years for 3 individuals; and one individual sentenced to 15 years in prison. Art. 418-a trafficking in human beings: 5-6 years in prison for 3 individuals.

⁶ Annual report of the National Commission against human trafficking and illegal migration, for 2023.

⁷ Data provided through searches in the AKMIS system for case management in the Basic Criminal Court Skopje from 01.01.2023 to 31.12.2023.

II. Description of the context, framework and practices

1. Overview:

The institutional framework addressing human trafficking involves various stakeholders: government agencies, Non Governmental Organizations (NGOs), law enforcement, and international organizations. Led by a **National Coordinator**, the **National Commission for Combating Human Trafficking and Illegal Migration** oversees policies, supported by a Secretariat and a Subgroup focused on child trafficking. Since 2005, the **National Referral Mechanism (NRM)**, managed by the Ministry of Labor and Social Policy (MLSP), coordinates victim assistance through 30 Centers for Social Work (CSW). Established in 2022, an **Operational Team** formally identifies and coordinates trafficking cases with the Ministry of Interior (MoI), MLSP, Public Prosecutor's Office (PPO), and CSOs. **Mobile Teams** in five cities, including MLSP, MoI, PPO and CSOs, identify vulnerable individuals, report to the NRM, and provide support. **Center for victims of trafficking, under** managed by Open Gate - La Strada as licensed NGO where is provided comprehensive assistance and support to trafficking victims including accommodation, psychosocial, medical, legal aid and representation and etc. Other state actors, including the Ministry of Education and Science, Ministry of Health, Ministry of Justice, and State Labor Inspectorate, collaborate to support victims through early identification, specialized healthcare, free legal aid, victim compensation, and workplace monitoring to prevent exploitation.

FORMAL IDENTIFICATION > OPERATIONAL TEMA (Prosecutor, Police Officer, Social Worker and representative of NGO)

2. Background:

Human trafficking in North Macedonia, originating from the 1990s and exacerbated post-Yugoslav dissolution, saw increased recruitment by criminal

groups targeting young girls and women from Eastern Europe. Initially a transit country, North Macedonia became a source country post-2004 due to relaxed visa requirements and tightened legislation. This shift led to challenges such as internal trafficking, particularly among minors for forced marriages and beggary. The Balkans route influx since 2014 complicates victim identification among migrants, refugees, and asylum seekers, prompting adapted support measures by relevant institutions.

Since 2004, North Macedonia has criminalized human trafficking by ratifying the Protocol to Prevent. This international agreement became part of domestic law, leading to the inclusion of trafficking offenses in the Criminal Code under Article 418-a for trafficking in human beings and Article 418-d for trafficking in children. Amendments to align with international standards have been ongoing, in 2018 reducing the minimum sentence for officials committing trafficking crimes during their duties to five years from eight. Article 418-a now includes a non-criminalization principle for trafficking victims, ensuring they are not liable for related offenses. Article 418-d similarly protects child victims forced to commit crimes as a consequence of their trafficking situation. Additionally, North Macedonia ratified the Council of Europe Convention on Action against Trafficking in Human Beings in 2009.

Recent legal reforms, such the Law on Monetary Compensation for Victims of Violent Crimes⁸ as result of Open Gate-La Strada advocacy is of great importance for all victims of violent crimes, as it will provide better protection for the victims of violence and improve their access to justice. Previous practice showed that despite legal possibilities for compensating victims of human trafficking in criminal and civil proceedings, it was ineffective and unenforceable in practice for the victims. This is precisely the main reason for the necessity of such a legal solution. The purpose of the law is for the victim to be able to receive compensation at the earliest stage, before the proceedings are finally completed, even when no criminal proceedings have been initiated against the perpetrator, except in cases where the basis and amount of compensation cannot be determined without a final criminal proceeding. Recently, in 2024, the Commission for Compensation of Victims of Violent Crimes was formed. Three requests have

⁸ was passed by the Assembly on November 17, 2022. It came into force on May 17, 2023.

been submitted, but no decision on compensation for a victim of a violent crime has been made.

Standard Operating Procedures (SOPs) for victim support have been in place since 2008, updated regularly to enhance stakeholder coordination and uphold human rights. The 2021-2025 National Strategy and Action Plan focuses on strengthening the institutional framework, prevention, victim identification, direct assistance, and efficient prosecution, reflecting North Macedonia's commitment to combatting human trafficking comprehensively.

3. Quotes and Reports:

GRETA (Group of Experts on Action against Trafficking in Human Beings) urges North Macedonia to enhance its criminal justice response to human trafficking by ensuring all trafficking offenses are proactively investigated using diverse evidence sources, reviewing corporate liability laws to ensure legal entities can be prosecuted, and strengthening law enforcement's capacities. Authorities should intensify efforts to seize and confiscate criminal assets, sensitize prosecutors and judges to victims' rights, and ensure timely court proceedings. The non-punishment provision for victims compelled into unlawful activities should be effectively implemented with continuous training for relevant professionals. Protection of victims' privacy and identity from public exposure should be ensured, media should be encouraged to protect victims' identities, and measures to prevent intimidation or re-traumatization of victims and witnesses should be fully utilized, including video conferences to avoid direct contact with perpetrators. (**GRETA, Evaluation Report for North Macedonia, Third Round of Evaluation, Access to justice and effective remedies for victims of trafficking in human beings, March 2023**) The **2023 EU Progress Report**⁹ for North Macedonia highlights legislative progress related to compensation and strengthened cooperation between the authorities. However, the Basic Public Prosecutor's Office and investigative centers lack sufficient resources, hindering

⁹ North Macedonia 2023 Report ,Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2023, Communication on EU Enlargement policy https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_693%20North%20Macedonia%20report.pdf

effective prosecution and coordination. Recommendations include: To adopt legislative amendments to address gaps in the legal framework, focusing on the referral of foreign victims to the Centre for Victims of Trafficking; Improve the track record of investigations, prosecutions, and convictions in organized crime and money laundering cases, with an emphasis on confiscating proceeds of crime. Enhance the human and financial resources of law enforcement agencies handling organized and serious crimes, financial crimes, and money laundering. Strengthen coordination among stakeholders involved in combating organized crime, particularly between prosecutors and police.

The Government of North Macedonia remains in Tier 2 and does not fully meet the minimum standards for eliminating trafficking but is making significant efforts. The Organized Crime and Corruption Prosecution Office lacked resources, and local police often failed to report trafficking cases, using less severe charges instead. Key recommendations include increasing resources for victim protection and proactive identification efforts, ensuring proper investigation and prosecution of traffickers, providing safe accommodation for victims, and improving victim compensation mechanisms **(Trafficking in Persons Report, June 2024)**.

Analysis of 13 completed cases of human trafficking (**United Nations Office on Drugs and Crime, Analysis of Trafficking in Human Beings and Trafficking in Children Republic of North Macedonia – Challenges for Effective Prosecution and Sanctioning of Perpetrators, 2022**) highlights the need for improvement on the following aspects regarding the provision of assistance and support to the victims and the criminal prosecution of the perpetrators: stricter punishment policy towards perpetrators; punishing the perpetrators; delineating cases of human trafficking and migrant smuggling among practitioners; assistance and support to child victims in criminal proceedings; the duration of the criminal procedure; effective compensation for the victims of human trafficking.

4. National Reports:

Each year, the **National Commission's annual report** details anti-trafficking activities by government, NGOs, and international organizations. It tracks the

progress of the National Strategy and Action Plan, and includes official data on identified victims, investigations, prosecutions, and court outcomes. For 2024, priorities include securing new facilities for trafficking victim support, supporting and expanding mobile teams for victim assistance, and adopting SOPs for unaccompanied children and vulnerable foreigners. Analyses of child trafficking and legal aid application for victims will be conducted. Additionally, training sessions will be held for lawyers, judges, public prosecutors, police officers, and social workers. Child Trafficking Subgroup, **Child Trafficking Report 2021-2022 is structured according to the Strategy and strategic goals of the National Action Plan for Combating Child Trafficking (NAPCCT), specifically the Operational Plan for the period 2021-2022, as well as the Subgroup's Rules of Procedure regarding its methods and principles of work. It evaluates achievements, identifies unmet goals, and assesses the impact of protection measures on trafficked children.**

With regard to the identification of child victims, the need for new recognition indicators for pornography and online exploitation, as well as training on children's rights and children's needs, as well as for the special approach for professionals involved in work and protection of child victims (**National Rapporteur on Human Trafficking and Illegal Migration, Challenges in Identification and Reintegration as Conditions for Supporting Victims of Human Trafficking in North Macedonia, 2021-2022**).

5. Court Practice:

Although a strict penal policy is foreseen for the perpetrators of human trafficking, some of the criminal proceedings result in the imposition of lighter sentences due to the application of the institute of mitigation of punishment (Article 40 of the Criminal Code) by the Basic Criminal Court. In the period from November 2017 to February 2022, 15 verdicts for human trafficking were passed (of which 12 were for child trafficking) and the perpetrators were sentenced to 4 to 12 years of imprisonment. In some of the cases, the admission of guilt was assessed as a mitigating circumstance that resulted in the imposition of lighter sentences than the stipulated minimum prison sentences, while in some cases

the sentences were reduced without the existence of mitigating circumstances (GRETA, Evaluation Report for North Macedonia, Third Round of evaluation, Access to justice and effective legal remedies for victims of human trafficking, March 2023).

In 2022, only two judgments were passed for the criminal offenses of human trafficking, and that one sentence with an imprisonment sentence of 18 years for the criminal offense of human trafficking child - Article 418d and one verdict for the crime of human trafficking - Article 418a, by which two people were sentenced to 3-4 years of imprisonment. Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption (BPPOPOCC) regularly submits appeals, including in cases where high prison sentences of over 15 years have been imposed on perpetrators of human trafficking. The Ministry of the Interior also considers that an increase in prison sentences is necessary for the basic and qualified forms of crimes of human trafficking and child trafficking and they emphasize that the reduction of the stipulated prison sentences from 8 to 5 years in 2018 hurts the deterrence of the perpetrators of these crimes¹⁰

6. Law Enforcement Data:

- **Lack of Progress:** No significant measures were taken in the last two years to address systemic issues in detecting and prosecuting human trafficking or in providing legal protection for victims.
- **Limited Prosecutions:** Only three new investigations were initiated in 2022, indicating a lack of proactive efforts by authorities.
- **Victim Protection Issues:** Victims face prolonged legal procedures, pressure from perpetrators, and inadequate special procedural protections, especially for child victims.
- **Misclassification of Crimes:** Human trafficking cases are often misclassified as lesser crimes, which undermines the protection and legal support for victims.

¹⁰ <https://libertas.mk/postrogi-i-podolgi-zatvorski-kazni-za-trgovi-a-so-lu-e-obvinitelstvoto-nikogash-ne-e-zadovolno-od-dosudenata-kazna/>

- Legal Aid Barriers: Victims have limited access to free legal aid due to unclear laws and gaps in implementation, relying mainly on NGOs for representation.
- Unaddressed Legal Reforms: Necessary reforms, including further specifying the definition of human trafficking in the Criminal Code, have not been effectively implemented.

7. Conclusion:

1. Specify the right to secondary legal assistance for victims of human trafficking in all administrative and judicial proceedings, including in criminal proceedings in the Law on Free Legal Aid.
2. Specify the right to legal representation in the Criminal Procedure Law for victims of human trafficking, even before giving a statement and regardless of their willingness to cooperate.
3. Limit the time in the Criminal Procedure Law when the public prosecutor is obliged to provide a statement from the victims of human trafficking.
4. Refine the definition of human trafficking in the Criminal Code to differentiate it from the crime of mediation in prostitution.
5. Adopt new indicators in order to recognize pornography and online exploitation among child victims of human trafficking.
6. Take measures to overcome the problem of non-confirmation of the status and refusal to cooperate in cases where human trafficking is carried out by relatives or their close relatives.
7. Improve the capacities of investigative authorities for proactive detection of cases and initiation of criminal proceedings against perpetrators of human trafficking.
8. Undertake measures by the PPO for the immediate taking of a statement from the victims of trafficking and active participation in the preparation of the victims for testifying in the criminal proceedings.
9. Ensure the effective implementation of measures for special procedural protection of child victims by Articles 54 and 55 of the Law on Criminal

Procedure, including conducting the conversation in a specialized room, excluding the public from the trial and completely anonymizing court verdicts.

10. Prepare guidelines for the PPO to distinguish human trafficking from other crimes, such as prostitution, child abuse, sexual assault, smuggling of migrants, and organize training to improve their behavior and cooperation with the PPO.
11. Organize forums for judges in order to reduce the application of the institute of mitigation of punishment (Article 40 of the Criminal Code) to perpetrators of human trafficking.
12. Plan and allocate budget funds by the MLSP for the implementation of the Program for assistance and support in the reintegration of victims of human trafficking, including for the full financial sustainability of the Centre for the temporary care of victims of human trafficking.
13. Plan and allocate budget funds by the Government/MLSP for the promotion and increase of accommodation facilities for victims of human trafficking.