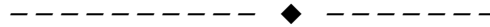


# Prostitution and Human Trafficking: Sociological Views of the Balkan Route

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**Abstract** - The paper is an attempt to present the genealogy and phenomenology of the Balkan route as a transit channel and final destination for prostitution and human trafficking. This route with different intensity was used in the past and today for smuggling people, narcotics, human organs and others. Here are the definitions and distinctions of the terms prostitution and human trafficking, a brief comparative overview of the legal regulation of these terms in some of the Balkan legislations and is given a sociological analysis of the etiology, phenomenology and prevention of prostitution and human trafficking. The impact of the rapid progress and growth of communication technologies as a variable that facilitates transit on the one hand but also the detection and suppression of trafficking on the other is also considered. In addition to state institutions, the analysis also includes the role and influence of the non-governmental sector in dealing with these deviant forms of behavior.

**Index Terms** - prostitution, human trafficking, Balkans, Balkan route, legal system.



## 1. INTRODUCTION

Prostitution and human trafficking are intertwined and complex problems that plague many developing countries, especially the new democracies in the region of Southeast Europe since the early 1990s. The scientific interest of sociologists in this area particularly in the field of social control and prevention is complemented by the activities of (international) non-governmental organizations working in this field. One of the goals is to assist relevant governments in shaping their response to prostitution and human trafficking and therefore creating a strategic and comprehensive approach to the problem. Prostitution as a social phenomenon means selling sexual services for money or some other service. It occurs in many forms and is generally considered part of the sex industry. According to some sources, prostitution was first mentioned in 2400 BC. on the Sumerian list of well-known occupations, along with doctors, barbers and cooks, but despite the established opinion and the fact that

it is a very old profession, it can not be considered "the oldest craft in the world." [1] The term prostitution comes from the Latin language, more precisely from the verb *prostituere*, which can have several meanings "to expose fornication", "to humiliate", "to dishonor" [2]. Fornication in that sense implies vulgar (socially inappropriate) gratification of the sexual urge, which is contrary to the moral norms of a certain social community. Historically, prostitution has been a form of specific exploitation - sexual exploitation, rooted in the institution of slavery. According to its content, sexual exploitation means exploitation of the body, ie complete and sexual identity and integrity in order to satisfy instinctive or other pathological needs [3].

Different countries have different policies towards this social phenomenon so that in some countries it is completely legalized, in some only certain forms of prostitution are legal (for example, macro, brothel management, etc. are prohibited), while in other countries they provide sexual Money services remain illegal.

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Prostitution, as a social phenomenon, has always been more than just providing sexual services for money because it is associated with many ethical, religious, moral, health, and criminal law issues. Therefore, it is not uncommon that even today there are still heated debates on the issue of legalization of prostitution, especially if we know that it is a very profitable business.

Prostitution is mainly practiced by women, but also by men who sell sexual services. In Macedonian, a woman who engages in prostitution is called a prostitute, and a man a gigolo. Prostitution is banned by law in most countries around the world.

Sex work is defined as the forced sale of sexual services for money or other material goods between consenting adults. Sex work includes street prostitution, escort services, telephone sex services, pornography, exotic dancing, and more. A sex worker can be a man, a woman or a transgender person.

The terms "sex work" and "sex worker" were coined by the sex workers themselves to redefine commercial sex, not as a social or psychological characteristic of a particular group of women, but as an income-generating activity or form of employment for women and men. As such, the proponents of this alternation believe that prostitution, or sex work, can be considered and perceived as a common activity, along with other forms of economic activity. The prospect of employing prostitutes or sex work is a necessary, if not sufficient, condition for sex work to become part of the main debate on human rights, women's rights and workers' rights locally, nationally and internationally[4].

There is a wide range of degrees of prostitution: from voluntary and conscious, through semi-voluntary, based on the pressure of circumstances, to forced employment through direct force or coercion. Forced prostitution is a violation of rights everywhere in the world, while voluntary prostitution, as we have already mentioned, has a different legal regime, ranging from full legalization in some countries to a crime punishable by death in others.

There are several different approaches to this issue. Roughly, we can divide all approaches into two main ones: 1) prostitution should be eradicated and 2) prostitution should be socially tolerated.

The first group includes Prohibitionists who believe that we should punish as service providers, as well as clients, abolitionists who hold that prostitution in itself should be punished, but related activities should be punished to make it harder to deal with this business, which is still a social problem, and neo-abolitionists who believe that prostitution is a form of violence against women and should therefore be

punished by clients, not service providers (this approach is accepted in some Scandinavian countries) [5].

The group includes those who are in favor of regulating prostitution and consider it a form of legitimate employment and those who are in favor of decriminalizing prostitution, ie the complete abolition of anti-prostitution laws. According to the latter (and these are mostly organizations fighting for the rights of sex workers), all prohibitions on prostitution should be lifted because otherwise the basic human rights to choose a job and employment are violated. The difference between legalization and decriminalization of prostitution is that legalization means passing laws that will determine exactly when, where and how prostitution practice can occur, while decriminalization presupposes the elimination of all laws and prohibitions in any prostitution-related activity. .

However, despite all efforts, this phenomenon still persists. For many, anti-trafficking activities should focus on strengthening the criminal justice response and enabling those affected to testify against those who have exploited them. However, such an approach is fundamentally wrong due to the fact that trafficked victims often do not receive adequate assistance and protection before being forced to assist law enforcement agencies. Furthermore, the issue of victim identification is undoubtedly a vital precondition for successful support and consequent prosecution of perpetrators. While the primary responsibility for eliminating human trafficking lies with the government, a successful global strategy requires the involvement of a wide range of stakeholders, including the security sector, medical institutions, the public, the business community - but, above all, the NGO community.

Finally, acknowledging the problem of human trafficking, especially internal trafficking, is one of the most important initial steps that all participants must complete in order to successfully tackle this heinous form of crime.

Although estimates vary, there are ample indications that hundreds of thousands of people are trafficked to Europe each year. They are confused, often sold and forced to work, and exploited in various sectors. Usually, women are trafficked into the sex industry, for domestic work, or into forced marriages; men are predominantly traded as construction, agricultural or labor in factories, but also in the sex industry, while minors are most often traded in the sex industry, printing and domestic work.

The reason why slavery-like practices such as human trafficking still exist in 21st century Europe can be largely explained by the so-called stimulus (push) and pull (pull) factors. The difficult political, economic and social situation in some parts of Europe, especially in the countries of the

former Soviet Union and the Balkans, has exacerbated unemployment, inequality and instability, forcing people to migrate and seek employment elsewhere. [6]. This situation increases their risk of falling into the hands of "intermediaries", criminal groups or individuals who "help" them enter a country and negotiate their "visas and work permits" and then exploit them. Traders operate through dubious employment agencies, travel agencies, entertainment companies, or marriage brokers.

As for the "withdrawal factors", there is a demand for specific types of labor in certain industrial sectors, and a general demand for cheap labor, which is increasingly provided by migrants with precarious or no work or residence status in the country. of residence. These factors are not new, and migration flows have existed

for centuries. However, globalization and the growing gap between rich and poor, the fact that it is becoming easier for people to migrate despite immigration policies becoming much stricter, and the development of new media technologies reaching millions of people, are all factors that explain the increase in the number of human trafficking cases. People from Central and Eastern Europe are still largely traded in Western European countries, especially in the European Union, but also more recently in the Middle East and Asia.

In recent years, however, there have been significant changes and new trends in human trafficking. People seem to be traded at a younger age, internal trade occurs more frequently and trade routes cover longer distances.

As regards trade routes to Europe, countries in both western and eastern Europe can be considered as countries of origin, transit and destination for trafficked persons, as a result of significant changes in trade routes. As a result, several Central and Eastern European countries have become countries of transfer and destination at the same time. This is especially true for women from the republics of the former Soviet Union in Central Asia (Kyrgyzstan, Kazakhstan, Uzbekistan, Tajikistan and Turkmenistan), the Caucasus (Armenia, Georgia and Azerbaijan) and Asia, but also from their neighboring countries. Thus, Moldovan women can be trafficked to Russia, while Russian women can be trafficked to Poland.

## **2 DEFINITION AND DIFERANCE OF PROSTITUTION AND HUMAN TRAFFICKING**

Smuggling is a crime of international nature, because it is necessary to cross from one country to another, unlike human trafficking, which may have an international character, but may also be local. Smuggling is carried out by entering a

country illegally by giving monetary compensation, but after entering the promised country the smuggler is released, while the victim of human trafficking, after completing the process of fraud, delusion, use of force and the like. , is converted into goods. Smuggling of migrants is done to achieve the ultimate goals of human trafficking. Therefore, the two phenomena can not be analyzed if they are isolated from each other, but on the contrary, their parallel study must follow.

Human trafficking needs to be distinguished from smuggling, which consists of an organized network that helps people to cross the state border illegally. In the case of smuggling, there is an agreement for immigrants to accept work and in return receive a border crossing. Smuggling ends with the crossing of the state border, while exploitation as a result of human trafficking continues. And of course, smuggling is always transnational, which does not have to be the case with human trafficking. [7]

In addition, unlike smuggling, human trafficking always involves the desire to exploit, that is, to be enslaved. It can also be said that the person subject to smuggling wants to be smuggled, while the victim of trafficking has no choice because he or she has been manipulated or forced into economic dependence. Furthermore, while smuggling may be linked to the criminal market, human trafficking is itself a form of criminal market that is often closely linked to other criminal markets. But we must not forget the fact that people who are subject to smuggling can easily become victims of human trafficking. However, there is a difference in the fact that in the case of a smuggler who pays money in advance in order to leave the country of origin, while in the case of trafficking, the victim pays part (if manipulated) or pays nothing and, upon arrival in the country of destination, a slave relationship is established over it and the smuggler cannot leave. This is the moment when a smuggled person can become a victim of human trafficking. [8]

Also, a significant difference between these two terms is the fact that migrant smuggling ends up arriving at the destination, while in human trafficking it is a constant exploitation of persons, they almost never have a country in which they are constantly located. In terms of purpose, the purpose of human trafficking is all forms of exploitation of victims for material gain. In the case of smuggling of migrants, gaining material benefits is a result of crossing borders in order to secure illegal entry into the country of final destination. But there is also a difference that occurs as a result of the number of stages of these two phenomena. Namely, human trafficking consists of three phases:

© First phase - recruitment of victims in the place of origin (contact of the victim and the trafficker);

⊙ Second phase - transport of victims to the place of destination; and

⊙ Third phase - exploitation which includes sub-phase of acceptance, control and exploitation of victims to the place of destination.

Exploitation is the missing phase in migrant smuggling. Namely, the smuggling of migrants, unlike human trafficking, consists of the following stages:

⊙ The first phase - the phase of contact between the smuggler and the migrant and

. The second phase - the transport phase [9].

It is also characteristic that smuggled migrants are free to cross the state border and are often not subject to additional coercion or exploitation, which is not the case with victims of human trafficking. Human trafficking necessarily requires crossing the state border of at least two countries and is a crime against public finances, payment operations and the economy, while human trafficking can take place within the borders of one country and is a crime against humanity and international law. . [10].

Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime (commonly known as the Palermo Protocol) defines trafficking in human beings as:

*Recruiting, transporting, transferring, sheltering or accepting persons, by threatening or using force or other forms of coercion, or kidnapping, or fraud, or deception, or by abusing power or a state of powerlessness or by giving or receiving money or benefits, in order to obtain the consent of a person who has control over another person, for the purpose of exploitation. Exploitation means, to a lesser extent, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or forced service, slavery or acts similar to slavery, servitude or organ extraction.*

*\* In the case of children, the use of any form of coercion or abuse is not necessary [6].*

This development is reflected in the definition of trade in the 2000 UN Trade Protocol, which covers all forms of forced labor and slavery practices. In addition, the Protocol makes a clear distinction between sex work and trafficking, and between trafficking and smuggling, which is dealt with in another protocol.

Smuggling refers to allowing illegal residence or entry, while the purpose of trafficking is to exploit human beings through forced labor or slavery-like conditions. Trafficking does not always involve illegal border crossings. It can also happen within a country, ie. without crossing national borders. In addition, in many cases, trafficked persons enter a country

legally, for example as tourists, spouses, students, domestic helpers or interns. Sometimes they become illegal once they get out of the control of their exploiters, for example in the case of women who are forced into prostitution by their husbands.

Trafficking is a crime against the person, while smuggling is primarily a crime against the state that violates its borders.

### **3. THE BALKANS AS A DESTINATION AND TRANSIT CORRIDOR OF HUMAN TRAFFICKING**

The position of the Western Balkans makes this region particularly attractive for drug, arms and human trafficking. It is located at the entrance to the European Union. The region is located between the world's largest opium producer, Afghanistan, and the largest heroin market in Western Europe. This region is becoming an increasingly important point for cocaine to enter Europe, as well as a place to launder illicit profits.

The Western Balkans is also the main route for illegal migration of people from the Middle East and North Africa to the European Union, whether they are migrants crossing with the help of smugglers or victims of human trafficking. It is also a center of arms smuggling.

It should be borne in mind that with all kinds of criminal activities, the Western Balkans does not function in a vacuum. Most of the demand for products produced in the region or in transit comes from outside - mostly from European Union member states. This means that solving the problem requires cooperation with countries outside the region.

The so-called Balkan route is best known for smuggling heroin from Afghanistan through Turkey, from the Western Balkans to the European Union. The heroin travels from Turkey to Bulgaria or Greece, before entering northern Macedonia and Serbia. It then travels along the so-called Central European route to Hungary, Slovakia, Austria and Switzerland. Heroin is also smuggled into Italy via northern Macedonia and Kosovo, and then through Albania and Montenegro. From Serbia-Montenegro, drugs arrive in Bosnia and Herzegovina, and then in Croatia and neighboring Slovenia.<sup>17</sup> During 2015, total opiate trafficking profits in Southeast Europe were estimated at \$ 1.7 billion. In addition to heroin trafficking, drugs are also on the rise in the Balkans[11].

Albania and Macedonia are very important points for cocaine entry into Europe from Latin America. Deliveries come mostly in cargo containers at the ports of Durres and Bar. The shipments are further distributed throughout Kosovo, Serbia and Bosnia and smuggled further into Central Europe. There



is also evidence that cocaine is processed in the region. What is perhaps more significant is that criminal groups from the Balkans are active in distributing cocaine in Western Europe, mostly in Austria, Greece, Italy, Belgium, the Netherlands, Spain, Sweden and the United Kingdom. Most of the leaders of these groups live in the Western Balkans and launder money there - because it is possible here.

Although the Balkans is a transit region for all types of drugs, it is also a major supplier of cannabis. Albania is the largest cannabis producer in the region. Organized crime groups are not only smuggling this product to neighboring EU countries, they are already distributing it throughout the region. However, it must be mentioned that there has been a significant decline in cannabis breeding since mid-2017 and an increase in attacks on this drug [11].

Across the Western Balkans, but mostly in Albania, cannabis is the most commonly used and cheapest drug. The main destination for Albanian cannabis is Italy, and smuggling is done by speedboats. In the past, small planes were used for this purpose. According to Italian authorities, a record 90 tonnes of cannabis were seized from Albania in 2017. Other important destinations are Greece and Turkey, through Northern Macedonia. The smugglers use the most important routes, official crossings, as well as the mountainous parts of the border to smuggle this product to the south and east.

Cannabis is transported across the Ionian Sea to Greece and further to Turkey. A large amount of cannabis is smuggled to neighboring Montenegro and Kosovo, through official border crossings and illegal or parallel crossings. From there, cannabis continues its journey to Bosnia and Serbia, and then to Croatia and Slovenia. It is transported from Serbia to Hungary, Slovakia and Austria.

When smuggled into Kosovo, cannabis usually makes its way to northern Macedonia and Bulgaria; or to Serbia and Bulgaria. Recently, the amount of cannabis grown in Albania has dropped significantly, although cultivation continues, but to a lesser extent less so. Albania has been under pressure to resolve the issue as part of the European Union accession process. It should be noted that cannabis (exported to the east) is sometimes used to pay for heroin (arriving in the west).

Criminal groups recruit and transport victims from one country to another (country of origin and country of transit) and sell them to local brothels and prostitution circles in a third country (country of final destination).

In this regard, the Republic of Northern Macedonia most often appears as a country of transit and a country of final destination.

Organized crime networks mainly come from Ukraine, Moldova, Russia, Belarus, Bulgaria, Romania, Albania,

Serbia-Montenegro and other countries where the victims of this type of crime most often come from.

#### **4. COMPARATIVE ANALYSIS OF SOME OF THE LEGAL SOLUTIONS FOR DETECTING AND CONTROLLING HUMAN TRAFFICKING**

There are a number of legal acts and documents regulating prostitution and human trafficking. Internationally, these are the following:

International documents

- European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950;
- UN Convention on the Elimination of All Forms of Discrimination against Women, 1979;
- UN Convention on the Rights of the Child, 1989 with the Additional Protocol on the Sale of Children, Child Prostitution and Child Pornography;
- UN Universal Declaration on the Protection of Human Rights and Fundamental Freedoms, 1948;
- UN Convention against Transnational Organized Crime, 2000;
- Protocol on Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women and Children, 2000;
- Protocol against Smuggling of Migrants by Land, Water and Air, 2000;
- Interim Measure regulated by the European Court of Human Rights, Rule 39 of the Rules of Court [12].

According to our local legislation (Article 418a of the Criminal Code of the Republic of Macedonia) trafficking in human beings is punished with the following legal terminology:

- (1) A person who by force, serious threat leads to delusion or other forms of coercion, abduction, fraud, abuse of his position or state of pregnancy, powerlessness or physical or mental incapacity of another, or by giving or receiving money or other benefit for obtaining the consent of a person in control of another person recruits, transports, transfers, buys, sells, shelters or accepts persons for exploitation through prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced fertilization, illegal adoption or similar relationship or impermissible transplantation of human body parts, shall be punished by imprisonment of at least four years.

(2) A person who recruits, transports, transports, buys, sells, shelters or accepts children or minors for the purpose of exploitation of this Article, shall be punished with imprisonment of at least eight years.

(3) A person who confiscates or destroys an ID card, passport or other identity document of another for the purpose of committing the crime referred to in paragraphs (1) and (2) of this Article, shall be punished with imprisonment of at least four years.

(4) A person who uses or enables the use of sexual services by a person he knows to be a victim of human trafficking, shall be punished with imprisonment of six months to five years.

(5) If the crime from item 4 is committed with a child or a minor, the perpetrator shall be punished with imprisonment of at least eight years.

(6) If the crime from item 1 is committed by a legal entity, it shall be punished with a fine.

(7) The objects and the means of transport used for committing the crime are confiscated [12].

In Serbia, the Code of Criminal Procedure contains a number of provisions that can be important for detecting and proving the crime of trafficking in human beings on the one hand, and for the protection of victims, ie. witnesses, on the other hand. When there are grounds for suspicion that persons alone or with others have committed crimes with elements of organized crime, to what extent

explicitly states trafficking in human beings, the persistent judge may, in written form and with a reasoned proposal of the state prosecutor, order the surveillance and recording of telephone and other conversations or communications with other technical means and optics for recording those persons (Article 232 of the LCP ). These measures are ordered by the investigating judge with a reasoned order and can last up to three months, with the possibility of extension for another three months if there are valid reasons. The internal affairs bodies are responsible for carrying out the measures [13].

First, the existence of an institution for cooperation of witnesses is envisaged, so that upon the proposal of the public prosecutor, a member of a criminal organization against whom criminal charges have been filed or criminal proceedings for organized crime may be heard, provided that there are mitigating circumstances. circumstances under which the criminal law may be acquitted or the sentence may be reduced, and if the significance of his testimony is to detect, prove or prevent other criminal offenses of a criminal organization outweigh the harmful consequences of the offense he has committed ( Article 504 d of the LCP) [13].

Anticipating criminal liability for human trafficking is essential

a precondition for prosecuting the perpetrators of this form of organized crime. With this in mind, the introduction of a special crime in the Criminal Code of the Republic of Serbia is an important step in harmonizing domestic legislation with international legal standards, especially those set out in the Protocol to Prevent, Suppress and Punish Trafficking in Human Beings, Especially Women and Children. 2000

In addition, the amendments to the Law on Criminal Procedure show the intention of the legislator to keep pace with modern solutions in the fight against organized crime. This is especially evident in anticipation of some new institutes (for example, accompanying witnesses) and measures (recording persons, providing simulated business services, concluding simulated legal transactions, engaging undercover investigators, monitoring cash flows, etc.) aimed at detecting , proving or preventing the commission of organized crime [13].

A good solution is the one that envisages the establishment of special units within the state bodies responsible for dealing with cases of organized crime, because it achieves better specialization of the people working in these units, which can contribute to more efficient and better conduct of the procedure. , but also greater sensitivity to the treatment of victims and witnesses, which is especially important when it comes to victims of trafficking [13]

## 5. EXPERIENCES AND PRACTICES IN DEALING WITH PROSTITUTION AND HUMAN TRAFFICKING

The data obtained from the research indicate significant inconsistencies in the awareness of the problem of human trafficking among the surveyed experts. At the same time, as a category with a particularly low level of knowledge about this phenomenon was singled out from the category of employees in homes where there are children and young and high schools, and precisely those who work with categories of children at highest risk. In addition, a low level of closeness to the phenomenon was observed among employees of social work centers, courts, prosecutor's offices and the police at the local level. He especially expressed ignorance about the problem of trafficking in children and men, as well as inequality in access to education among Belgrade experts and other places in Serbia.

The analysis of the mechanisms of action of the state bodies pointed out the whole through shortcomings, but also through positive developments and also through positive examples from practice. As a best practice in detecting and proving trafficking, people have taken a proactive approach, in which the police and the prosecution rely primarily on

intelligence work and have the initiative to gather evidence, while reporting on the victim and her testimony. At the same time, treating the victim as a victim, without criminalization and with maximum respect for human rights, has proven to be a role model. [13]

The results of the research as a whole, and especially the analysis of the answers of the respondents regarding the way of functioning and the mechanisms of action of the state bodies, international and non-governmental organizations, as well as the analysis of proposals for measures to combat trafficking in human beings, they we design the following recommendations for further human trafficking activities and research in Serbia:

1. urgent amendments to the Law on Movement and Residence of Foreigners, the Law on Misdemeanors and the Law on Criminal Procedure in order to ensure adequate protection of victims (right to temporary residence, exclusion of punishment, witness protection);
2. Involvement in trafficking education of all professionals who may encounter risk categories or victims in their work, especially employees in homes where children and young people are accommodated and in schools;
3. Equal involvement in the education of experts from different fields in Serbia;
4. Involvement of trafficking material in basic and subsequent education of experts and introduction of appropriate standards and evaluation education;
5. organizing campaigns for raising awareness of children and the general population, based on the results of the research and regular evaluation of the results;
6. formalization of the cooperation between the state bodies, non-governmental and international organizations, within each category and among themselves, through cooperation protocols in which the obligations and responsibilities will be clearly defined;
7. Improving the cooperation between the police and the Army of Serbia and Montenegro;
8. increasing the number of victim assistance services, establishing standards for witness protection and development services;
9. further develop a proactive approach to detecting and proving trafficking in human beings, in particular by exploiting the opportunities provided by new legal provisions related to organized crime;
10. increasing the efficiency of criminal proceedings, convictions and severe punishment of perpetrators involved in all stages of the commission of a crime;
11. Improving teamwork and overall skills, as well as specialization police against trafficking;

12. strengthening the measures for internal and external control of the police work and strict sanctions for participation in the crime of trafficking in human beings;
13. review of the merits of the existence and the role of the Counseling and Coordination Center;
14. designing a program for reintegration of the victim and clearly defining the perpetrators and their responsibilities;
15. designing a prevention program;
16. monitoring the implementation of the law and all mechanisms of action of the government and non-governmental organizations;
17. Involvement of Roma and Roma non-governmental organizations in all mechanisms of activities aimed at suppression and prevention of trade;
18. taking measures for the sustainability of victim assistance services (opening state shelters and shelters "halfway");
19. adoption of the National Action Plan;
20. further research, as follows:
  - trafficking in children, especially Roma and other risk categories,
  - internal trafficking in women and children in Serbia and its links with transnational trafficking,
  - risks to the domestic population,
  - hell "on the black" of foreign nationals in Serbia,
  - trafficking in women in the border area,
  - the need for victims,
  - application of new legal solutions,
  - prostitution, begging, homelessness and their connection with human trafficking, etc. [13].

## **6. PREDICTIONS AND SUGGESTIONS FOR FURTHER RESEARCH ON PROSTITUTION AND HUMAN TRAFFICKING**

International practice identifies several different models of institutions in providing direct support to trafficked victims, ie. closed versus open type of institution; institutions run by NGOs versus government institutions; etc. Although each of these models has its pros and cons, the practice in our country has shown that an open type institution run by an NGO (where the accommodated victims enjoy a somewhat more liberal stay), meets all international criteria, especially when they are taken into account. the best interests of the victim. In its work, the organization providing direct assistance is closely linked, and in some cases dependent, on other partners in the victim referral process. This means that close coordination between all agencies involved is necessary. The view of the authors is that the adoption of Standard Operating

identification, referral and assistance procedures will enhance the assistance process.

Providing assistance to victims is the responsibility of the Government. Therefore, the provision of such services by the Government must begin. International good practice shows that merging government funds with the expertise of NGOs is a strong partnership against human trafficking. In addition, the situation with tax exemptions and / or other benefits for donors helping such NGOs needs to be improved.

Learning through knowledge sharing and best practices is a great tool when dealing with trafficked victims. Study visits, twinning projects, regional conferences, etc. should be supported by NGOs and the participation of representatives of government agencies (Centers for Social Work, Police, etc.) should be supported.

The adoption and signing of Memoranda of Cooperation between NGOs and the Government improves the country's response to this type of organized crime, but also demonstrates the Government's commitment to this issue.

Successful reintegration and resocialization in the living environment is the goal of any direct assistance program. The care for the victims does not end with their accommodation in the shelter. Government and civil society organizations need to deepen their cooperation in providing effective and efficient reintegration measures, which will lead to a long-term positive impact on the victim [6].

## 7. CONCLUSION

Prostitution is a sociopathological phenomenon, but at the same time it is a deviant behavior and a social problem, for the study and control of which in practice in a tolerable framework, a multidisciplinary and integrative scientific research approach is necessary. Getting into the phenomenological characteristics of prostitution and trafficking in human beings of any rank, even the lowest level such as street prostitution as typical, classical and individual prostitution, implies, at the same time, the study of the personal and other characteristics of individuals who they engage in prostitution. The deviant behaviors and the overall criminal career of prostitutes are also important, through which the scientists and practitioners who deal with its detection, control and prevention gain important knowledge about this social problem, which unfortunately in a wider social context, is not given the attention it deserves.

The paper showed that there are certain efforts for scientific treatment of the phenomenon of prostitution and human trafficking as two mutually intertwined social phenomena and sociopathological phenomena. The visible role of the non-governmental sector in the detection, prevention of

victims of prostitution and human trafficking was also emphasized, and special emphasis was placed on the legal assistance provided by some of the associations for the victims. A distinction was also made between several related terms such as human trafficking, migrant smuggling, etc., which facilitates the perception of different categories of persons involved in the sex industry.

Special attention is given to the Balkan route as a space that serves as a transit but also final destination of persons engaged in prostitution and coming from other regions of Europe and the world.

Several options for legal regulation of prostitution and their positive and negative sides are offered, starting from the arguments for total prohibition to complete liberalization of prostitution.

In the area of recommendations and the further fight against prostitution and human trafficking on the Balkan route, certain vulnerable groups of young people of a specific ethnicity were detected - the case of the Roma in Serbia.

The need for special training of the persons involved in the educational process was emphasized, with special skills that will help them in early detection of potential victims of human trafficking and further action.

In the area of prevention of prostitution, great importance was given to the proposals and work of NGOs in the direction of stricter border controls and the need for joint efforts of several state institutions in the fight against prostitution and human trafficking.

## REFERENCES

- [1] Lerner, G. "The Origin of Prostitution in Ancient Mesopotamia"; Signs, Vol. 11, No. 2, Winter, The University of Chicago Press, 1986.
- [2] Petak, O. *Socijalni i socijalno-psihološki faktori regrutiranja uličnih prostitutki*, Zagreb; Filozofski fakultet, 1980,
- [3] Zorko, T. *Ženska prostitucija u Zagrebu između 1899. i 1934. godine*. God. 38., br. 1., 223.-241. (2006)
- [4] Bindman, J. *Redefining Prostitution as Sex Work on the International Agenda*, ... 1997 <http://www.walnet.org/csis/papers/redefining.html#2>
- [5]. Matak, Š, Vargak, A. *Trgovanje ljudima u svrhu seksualnog iskorištavanja – utječe li legalizacija prostitucije na smanjenje trgovanja ljudima?* Zagreb: Pravnik, 46, 1 (92), 2012
- [6] *Обезбедување директна поддршка на жртви од трговија со луѓе во Македонија. Со посебен фокус на прифатилиштето за жртви на трговија со луѓе Резиденција*. Отворена порта – Ла Страда Македонија Септември 2007
- [7] Paunović, M., Krivokapić, B., Krstić, I. 2010. „*Međunarodna ljudska prava*“, Megatrend, Beograd.
- [8] Nikolić - Ristanović, V. „*Ilegalna tržišta, trgovina ljudima i transnacionalni organizovani kriminalitet*“, *Žrtve i globalizacija* 2003.
- [9] Сопронов, А. Поимно и термилошко разграничување на трговијата со луѓе од други девијантни појави **Скопје**: Трета меѓународна научна конференција за млади истражувачи:



(ISCCS'17): КОРПОРАТИВНАТА БЕЗБЕДНОСТ И СОВРЕМЕНИТЕ БЕЗБЕДНОСНИ РИЗИЦИ ВО ДЕЛОВНОТО РАБОТЕЊЕ. 2017.

[10] Mijalkovič, S. „*Pojam trgovine ljudima*“, Beograd: ICVA/CIS, IOM, OEBS. 2005.

[11] Globalna inicijativa protiv transnacionalnog organizovanog kriminala. ŽARISTA ORGANIZOVANOG KRIMINALA NA ZAPADNOM BALKANU Lokalne slabosti u regionalnom kontekstu, Maj 2019

[12] Красиќ, Ј и Данаилов В.(ур) Практикум ЗА БОРБА ПРОТИВ ТРГОВИЈАТА СО ЛУЃЕ И НЕЛЕГАЛНАТА МИГРАЦИЈА, Меѓународна Организација за Миграции- ИОМ. 2005.

[13] Nikolič - Ristanovič, V. Ćorić, V. Milivojević, S. Simeunović-Patić, B. i Mihić, B. 2004. *TRGOVINA LJUDIMA*

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