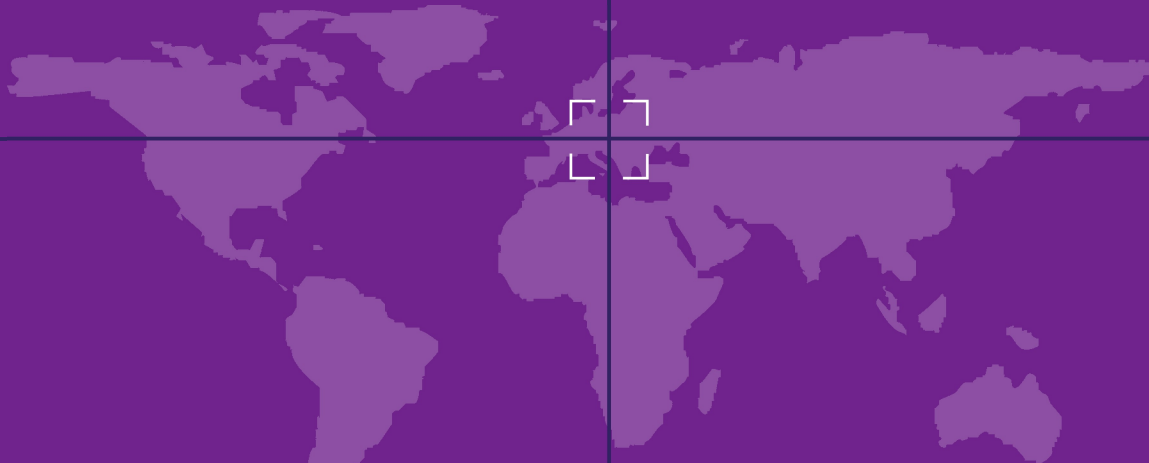


Criminal Justice and Security in Central and Eastern Europe

From Common Sense to Evidence-based Policy-making

25-27 SEPTEMBER, 2018 // LJUBLJANA // SLOVENIA



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Conference Proceedings**

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TRAFFICKING IN HUMAN BEINGS FOR SEXUAL EXPLOITATION IN CROATIA AND SERBIA

Vanda Božić¹, Željko Nikač²

ABSTRACT

The paper³ presents an overview of trafficking in human beings (THB) for the purpose of sexual exploitation in Croatia and Serbia. The paper is based on a legal, descriptive and comparative method of analyzing the international and national legal framework, state and trends. Sexual exploitation is the most common form of exploitation of victims of trafficking. Prostitution, sexual exploitation, child pornography and pedophilia were treated as manifested form. Significant place is held by a comparative critical review of international documents, solutions in the national legislations, analysis of the situation and trends of sexual exploitation. In combating THB, cooperation at national and international level is necessary. The paper is limited to research related to THB for the purpose of sexual exploitation in Croatia and Serbia. The paper, with a critical overview of previous solutions, gives analysis of the situation and trends of sexual exploitation as a form of THB.

Keywords: trafficking in human beings, sexual exploitation, forms, Croatia, Serbia

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INTRODUCTION

Trafficking in human beings is one of the most difficult forms of organized crime in today's modern times. It is a global problem that has long gone beyond national frameworks and represents an extreme threat to the entire international community. The victims of human trafficking in most cases appear to be young people, especially girls and children as the most vulnerable social groups. In the doctrine, legislation and practices of individual states, there has long been no uniform definition of trafficking in human beings and harmonized legislation, and thus prevailed the legal qualification of smuggling of people, prostitution and related forms of crime (Knežević, Božić & Nikač, 2017: 296).

The ethical dimension of trafficking in human beings starts with the causes and conditions of a mostly economic nature such as poverty, unemployment, the economic crisis in the world and especially the transition of countries from the former socialist bloc. There is also a low level of education of victims, inequality and discrimination of women, corruption, culture. In the phenomenology of trafficking, sexual and labor exploitation are the most common and most dangerous manifestations. Victimological aspects of trafficking in human beings puts young people in the forefront, women (girls) and particularly children as victims whose basic human rights and civil liberties are endangered.

The reaction of the society to trafficking in human beings and the most severe forms of crime include measures and actions at the domestic and international level, operational and legislative. At the national level, states undertake measures and actions to combat trafficking

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in human beings through specialized bodies such as police, prosecution, courts, customs, inspection services. The multi-agency approach, cooperation and coordination of these bodies are the most important for effectively combating trafficking in human beings and related sexual exploitation. In the normative-legal field, it is important to adopt applicable and sustainable legal solutions in this area, harmonized with international standards. In the international context, information exchange between states and organizations, joint operations, joint investigative teams, co-operation and co-ordination in the fight against trafficking in human beings is of great importance. The legislative aspect includes the adoption of international conventions, declarations, resolutions and memoranda in the fight against trafficking in human beings (Nikač, 2015: 79-88).

The Balkan route is an important crime route for the most serious forms of organized crime, human smuggling, trafficking in human beings, organs, animals and wild plants, narcotics and weapons. The Western Balkans is a bridge that brings together wealthy Western European clients and victims from the poor countries of the Near and Far East. In the function of achieving profit, human traffickers go hand in hand with the historical inheritance and consequences of recent war conflicts: transition, unemployment, poverty, high degree of corruption, fragile state institutions and inefficient mechanisms of control. Member States of ex Yugoslavia are on this route and rely on each other in a common struggle against trafficking in human beings. Slovenia and Croatia, which are now members of the EU, have a more favorable position, while Serbia and other countries have recently applied for accession to the Union.

METHODS

The aim of this paper is to investigate sexual exploitation as a form of trafficking in human beings in Croatia and Serbia, for this purpose we conducted three interrelated studies. In the first one, we given a theoretical framework of human trafficking and sexual exploitation, with an analysis of the national legislative framework of Croatia and Serbia and harmonization with international documents. The paper, therefore, is based on the normative, legal, descriptive and comparative method of analyzing the international and national legal framework of Croatia and Serbia in combating sexual exploitation of victims of trafficking in human beings. In the second study, the situation and the movement of sexual exploitation in the territory of Croatia and Serbia was investigated with special emphasis on victims of this form of trafficking in human beings. The analysis encompasses the current state and trends of this type of crime. In the third study, measures are being taken to combat the exploitation of human trafficking both at the national and at the regional level. The findings are presented below.

SEXUAL EXPLOITATION AS THE MOST COMMON MODEL FOR TRAFFICKING IN HUMAN BEINGS

CONCEPT AND ELEMENTS OF TRAFFICKING IN HUMAN BEINGS

The United Nations Convention on Transnational Organized Crime (UNCATOC) (United Nations [UN], 2000) is a par excellence international document adopted with a view to more effective combat against the most serious forms of organized crime. Additional documents were adopted for the purpose of its application: I - *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, II - *Protocol against the Smuggling of Migrants by Land, Sea and Air* III - *Protocol against the Illicit manufacturing of and Trafficking in firearms, their parts and components and ammunition* (UN, 2000).

According to Protocol I, Trafficking in human beings shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (UN, 2000). Consent of a victim of trafficking in human beings to the intended exploitation shall be considered irrelevant.

The essential elements of the criminal offense of trafficking in human beings relate to: (a) *act of commission*, (b) *assets* and (c) *purpose* (Božić, 2012). Some elements are additionally defined by state regulations such as: kidnapping, deception, abuse of position, vulnerability, forced labor, slavery, exploitation, abuse of vulnerability (Regionalne smjernice za identifikaciju trgovanih osoba, 2012).

As a form of trafficking in human beings, in practice, the most common are: (a) labor exploitation by forced labor or service, by establishing slavery or similar relationships; (b) sexual exploitation of prostitution, pornography, involuntary or forcible marriage; (c) trafficking in human organs; (d) use in armed conflicts; and e) use for the purpose of making an illegal act (Kazneni zakon Republike Hrvatske, 2017).

SEXUAL EXPLOITATION AS A FORM OF TRAFFICKING IN HUMAN BEINGS

Sexual exploitation is the most visible aspect of human trafficking, which is at the same time the most complex as there is a prior question of voluntary consent of the person to be exploited. This is a form of trafficking in human beings that is steadily progressing due to external environmental factors such as heavy economic opportunities and poverty in the countries of origin of the victims, a high degree of corruption, gender inequality, discrimination against women and human rights violations. This is also contributed by the internal factors pertaining to the personality of victims, the low level of education and the cultural level of the community.

Perpetrators and organizers abuse poverty and the difficult financial circumstances of victims who are looking for jobs and a better life. There are entire international organized crime groups that connect perpetrators and victims from the countries of origin, through the states of the transfer to the final destination. In groups, there is a classical division of labor and job specialization in order to achieve maximum profit and reduce the risk of criminal prosecution. Depending on the type of work the group is formed for: recruitment, escort, guidance, support and logistics, money laundering, exploitation and accompanying jobs, and corrupt highly-positioned civil servants (Božić, 2012: 48-49).

Victims are mostly young girls between the ages of 13 and 25, from the poorer regions, unemployed, whose naivety and lightheadedness are used by perpetrators. Criminal activity is greatly facilitated by the great popularity of social networks, the Internet, and attractive job offers abroad. After consent to a promised job and *good* earnings, the victims' situation changes after they arrive in the promised land, where their documents are seized, freedom of movement is denied and they are forced into prostitution and sexual exploitation (U.S. Department of State, 2016). Girls fall into debt bondage, causing them to be forced to prostitution to return the allegedly investing money to traffickers for the costs of transportation, accommodation, food, clothing.

The *modus operandi* of criminal offenses are fraud and deception by publishing false adverts and incorrect presentation of facts in terms of types of jobs that are offered, the amount of pay, status and other circumstances. Deception continues and the transfer to the state of destination and starting exploitation when traffickers do everything to extend this relationship with blackmail, threats and otherwise compromise the victims. Shooting and recording of group rape is a method by which traffickers blackmail the victims by threatening to send the images and records to families and media, forcing the victims to obedience and submission (Kovčo & Jelinić, 2003). Victims are kept in strict isolation, at the minimum of water and food, drugged and physically abused if they refuse to obey. This is a threat and warning to other girls who are coming or are already in the camps of traffickers (Gonzalez, 2003). Cases of murders of young women who tried to escape because they did not want to prostitute themselves are not rare. Thus, the bodies of the two Moldavian girls were found a few years ago in a river in Brčko (Bosnia and Herzegovina), with tied arms and legs and loaded with concrete blocks and duct taped mouths (Malarek, 2006: 48).

A special problem is the fact that victims of sexual exploitation are often engaged for the purpose of recruiting other women, as well as distrust towards the members of the police to whom they are unwilling to report criminal offenses for fear of deportation and imprisonment (Štulhofer, Raboteg-Šarić, & Marinović, 2002).

The most common forms of sexual exploitation are prostitution, sexual exploitation, child pornography and pedophilia:

- *Prostitution* is considered to be a provision of sexual services for money, based on the consent of the provider and receiver of services (Smartt, 2003: 168). Individual authors cite multiple categories of prostitution: forced, exploitative sexual activity and sexual work. Forced prostitution implies providing sexual services under compulsion in the form of threats, extortion or violence. Exploitation sexual activity includes sexual services of women whose earnings are constantly denied or taken. Sexual work or voluntary prostitution is a freely chosen activity and well paid job (Štulhofer et al., 2002). From the point of view of criminal law there is no compulsive prostitution because there is no special protective object, but it can actually exist in reality as a forced sexual act that somebody charges (Ristivojević, 2015: 8)
- *Sexual exploitation* includes criminal offenses related to sexual intercourse without consent, rape, serious criminal offenses against sexual liberties, sexual misconduct, sexual harassment (Kazneni zakon Republike Hrvatske, 2017). Under exploitation we include misuse of special physical conditions of a person as follows: immobility and paralysis, aphasia, deafness, drowsiness, dizziness, unconsciousness, with severe mental difficulties, disabilities, retardation, and inability to consent. An important element of sexual exploitation is the fact that the victim's condition can not provide resistance. In the function of this form of sexual exploitation, perpetrators resort to methods and means such as locking the victim, taking them to lonely and distant places, giving them intoxicating substances. Some of these forms of sexual exploitation represent more (qualified) forms of criminal offenses precisely because of the abuse of the victim's condition.
- *Child pornography* is a form of sexual exploitation which in the widest sense encompasses abuse of children for pornographic purposes (Wolak, Finkelhor, & Mitchell, 2005). It means sexual images of children, defined by international documents: Convention on the Rights of the Child (UNICEF, 1991), Convention on Cybercrime (Council of Europe, 2001), Council of Europe Convention on the Protection of Children against

Sexual Exploitation and Sexual Abuse (Council of Europe, 2007) and Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography (2011). Documents correlate the concept and elements of pornography as a visual representation of a minor who is subject to sexually explicit behavior. Child abuse is covered by the concept of sexual grooming, which is the process in which an adult prepares the child and the environment for sexual abuse of the child (Škrtić, 2013).

- *Pedophilia* is a sexual disorder that is reflected in sexual attraction to the same or opposite sex or both sexes. It is a kind of sexual perversion in the form of a tendency toward children, form of sexual abuse and violence against children in the function of satisfying the lust and sexual urges of adults. According to medical concepts, pedophilia belongs to a group of diseases called paraphilia, as a category of related mental disorders in the group of disorders of sexual preference (Braun, 2007). Pedophiles are, as a rule, male, which sexual excitement is achieved by physical or sexual contact with the children of the pre-puberty, with whom they are not related. They can be heterosexual or homosexual, unmarried, married, divorced and widowed. They are deviant, socially immature and irresponsible people who can not control their urges in an acceptable way. In cases of minor social danger there are no elements of criminal offenses and criminal responsibility of pedophiles, whereas in some cases these actions may be referred to as lascivious behavior (Kazneni zakon Republike Hrvatske, 2017). Sexual exploitation includes certain sub-categories related to the type and location of exploitation such as: street prostitution, so-called. window prostitution and brothels, strip clubs and bars, pornographic industry, so-called escort agencies, fashion agencies and massage agencies (European Commission, 2015).

FINDINGS

LEGISLATIVE FRAMEWORK FOR COMBATING SEXUAL EXPLOITATION

International Legal Framework. At the international level, there are several legal sources of importance for the suppression of sexual exploitation as a form for trafficking in human beings. We have systematized the sources on those of general character and *stricto sensu* specific sources for the area of sexual exploitation.

In the group of international sources of the general character of suppression of trafficking in human beings we quote: The Universal Declaration of Human Rights (UN, 1948), *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* (United Nations Human Rights Office of the High Commissioner, 1949) and historical documents *Slavery Convention* (1926), *Forced Labor Convention* (International labour organisation, 1930), *Council of Europe Convention on Action against Trafficking in Human Beings* (Council of Europe, 2005).

These documents point out the prohibition of trafficking in persons (Article 3 of the General Declaration), the right to life, freedom and personal security, the prohibition of slavery, the right to free movement, the crossing of borders and the right to asylum. *Council of Europe Convention on Action against Trafficking in Human Beings* (Council of Europe, 2005) applies to all forms of trafficking in human beings within a single country and cross-border and provides the legal framework for combating trafficking in human beings (Derenčinović, 2010).

In the group of *stricto sensu* sources in the field of suppression of sexual exploitation we cite: *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* (United Nations Human Rights Office of the High Commissioner, 1949), UN Convention against transnational organized crime (UN, 2000), Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (United Nations Human Rights Office of the High Commissioner, 2000b), Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Council of Europe, 2007). In the second half of last century, more essential documents were adopted in this area and the Hague ministerial declaration on European guidelines for effective measures to prevent and combat trafficking in women for the purpose of sexual exploitation (1997).

Of the most important solutions, we point to the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, which prescribes the obligation to counteract trafficking in human beings in the legislation of the signatories. Actions such as recruiting, transporting, transferring, providing shelter, or accepting a child for exploitation will be considered as human trafficking even without the use of any means as a necessary element of trafficking in human beings (United Nations Human Rights Office of the High Commissioner, 2000b).

According to the Convention on the protection of children against sexual exploitation and sexual abuse states parties are obliged to adopt legal measures for criminal sanctioning of acts such as sexual assault, child prostitution, child pornography, moral corruption of a child and sexual exploitation of a child (Council of Europe, 2007). The Hague ministerial declaration on European Guidelines for effective measures to prevent and combat trafficking in women for the purpose of sexual exploitation (1997) affirms the multidisciplinary approach of the bodies, imposes the introduction of independent state reporters in the fight against trafficking in human beings, supervision of the work of state institutions and the psychosocial protection of victims of trafficking in human beings (Maderić, 2008).

Of the other documents we cite the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography* (United Nations Human Rights Office of the High Commissioner, 2000a), as well as the *Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victim* (2011), which replaces the *Framework Decision of the Council of the European Union on the Suppression of Trafficking in Human Beings of 19/07/2002* (2002).

National Legal Framework of Croatia and Serbia. Croatia is an EU Member State that has aligned its positive legislation with international documents and harmonized its national criminal legislation. The offense of trafficking in human beings for sexual exploitation is prescribed in art.106 (Kazneni zakon Republike Hrvatske, 2017), which consists of three constituent elements:

- *activities*, (recruits, transports, transfers, harbors or receives a person or exchanges or transfers control of the person)
- *means* (force, threats, fraud, deception, kidnapping, misuse of power or serious position or relationship of dependency, giving or receiving a monetary or other benefit)
- *purpose* (with the aim of sexual exploitation).

The victim is not guilty of perpetrating the offense and can not be held liable. This is evidenced by the jurisprudence that the victims of human trafficking are not charged with the failure to report the offense (Supreme Court of the Republic of Croatia, 2014).

The criminal offense of sexual exploitation, as a form of trafficking in persons, is considered to be formally completed when the perpetrator commits any of the incriminating acts with any of the aforementioned means. If after this there is also exploitation will be an aggravating circumstance, which will have implications in determining the sentence. At the beginning of the exploitation of the object of the act, it is considered that the criminal offense is materially completed. The victim's consent to sexual exploitation is without prejudice to the commission of a criminal offense (Kazneni zakon Republike Hrvatske, 2017).

The law provides for a prison sentence ranging from 1 to 10 years for a perpetrator who commits, transports, conveys, conceals or receives a person or a child, or exchanges or transfers a person or a child for the purpose of exploiting it for prostitution or other forms of sexual exploitation, including pornography, or to commit an unlawful or forcible marriage (Kazneni zakon Republike Hrvatske, 2017) as well as to use victim's services if they knew that it was a victim of trafficking in human beings (Kazneni zakon Republike Hrvatske, 2017). If a criminal offense has been committed against a child or in relation to a large number of persons or life of one or more persons has knowingly been endangered and if the offense has been committed by an official in the performance of his or her service, it is an aggravated form of the criminal offense punishable by a prison sentence of 3 to 15 years (Kazneni zakon Republike Hrvatske, 2017).

Incriminated is retaining, removing, concealing, damaging or destroying travel documents or identity documents of another person, as well as attempt at incriminating acts with the aim of facilitating the commission of the crime of trafficking in persons (Kazneni zakon Republike Hrvatske, 2017).

In addition to the Criminal Code, we also point to other regulations important for combating trafficking in human beings with the purpose of sexual exploitation. Thus, the Law on Liability of Legal Persons for Criminal Offenses (Zakon o odgovornosti pravnih lica za krivična dela, 2012) provides for the punishment of legal persons (caterers, tourist agencies) that are organized into a criminal activity of trafficking in human beings. The Criminal Procedure Act (Zakonom o kaznenom postupku, 2017) and the Law on Juvenile Courts (Zakonom o sudovima za mladež, 2015) provide opportunities for realizing the broader rights of victims of torture and the protection of vulnerable witnesses. The Law on Witness Protection (Zakon o zaštiti svjedoka, 2017) provides process protection to witnesses in criminal proceedings that contribute to the detection and sanctioning of trafficking in human beings. The Law on the Office for the Suppression of Corruption and Organized Crime (Zakon o Uredu za suzbijanje korupcije i organiziranog kriminaliteta, 2017) establishes the jurisdiction of USKOK and the State Attorney's Office for criminal offenses of trafficking in human beings.

Serbia is in a more unfavorable position because it is in the process of applying for EU accession, so it is only about to align legislation and other harmonization measures.

The criminal offense of trafficking in human beings is provided in Article 388 of the Criminal code of the Republic of Serbia (Krivični zakonik Republike Srbije, 2016) under the group of criminal offenses against humanity and other goods protected by international law - Chapter XXXIV. The criminal offense consists of three constituent elements:

- *activities* (recruits, transports, transfers, sells, buys, mediates in sale, hides or holds another person);
- *means* (forces, threats, fraud, deception, abuse of power or trust, relationship of dependence, aggravated position, difficult circumstances of others, or retention of personal documents or giving or receiving money or other benefits); and

- *purpose* (with a purpose of sexual exploitation, use for pornographic purposes and other forms of trafficking in human beings).

The law specifies qualified forms when: offence done against a minor with or without force and threat, grievous bodily harm to an adult or a minor, death of one or more persons (par.5), offence performed by a group or organized group, offence performed with knowledge of the status of the person - victim, minor (Krivični zakonik Republike Srbije, 2016).

The victim is not guilty of a crime and can not be held criminally responsible even in the case of consent to exploitation, slavery or similar status within the main offense, in the case of juvenile victims and part of a criminal group (Krivični zakonik Republike Srbije, 2016).

The criminal offense of trafficking in human beings for the purpose of sexual exploitation has been formally completed when the perpetrator performs any of the incriminated actions. If afterwards the exploitation of the victim occurs, this is an aggravating circumstance, which affects the sentencing. It is considered that the criminal offense is materially completed at the beginning of the exploitation of the object of the offense, while the consent of the victim to sexual exploitation has no influence on the commission of the criminal offense (Krivični zakonik Republike Srbije, 2016).

The law provides for a prison sentence of 3-12 years for a perpetrator who by one of these means of execution recruits, transports, transfers, sells, buys, mediates in sale, hides or holds another person for the purpose of exploitation for prostitution or other forms of sexual exploitation, including pornography. Penalties have been significantly tightened and range from 5 to 10 years in prison if the crime is committed against a minor, in the event of serious bodily injury, death of one or more persons, the execution of a group or organized criminal groups (Krivični zakonik Republike Srbije, 2016).

There is also a special form of trafficking in human beings known as trafficking in minors for adoption (Krivični zakonik Republike Srbije, 2016). In addition to the Criminal Code, we also point to other regulations important for combating trafficking in human beings with the purpose of sexual exploitation. Thus, the Law on Liability of Legal Persons for Criminal Offenses (Zakon o odgovornosti pravnih lica za krivična dela, 2012) provides for the punishment of legal persons (caterers, tourist agencies) that are organized into a criminal activity of trafficking in human beings. The Criminal Procedure Act (Zakonik o krivičnom postupku, 2014, and the Law on Juvenile Offenders and Criminal Protection of Minors (Zakon o maloletnim učiniocima krivičnih dela i krivičnopravnoj zaštiti maloletnih lica, 2005) contribute to the realization of the rights of victims of trafficking in human beings and the protection of vulnerable witnesses. The Law on Protection of Participants in Criminal Procedure (Zakon o programu zaštite učesnika u krivičnom postupku, 2005) provides for procedural protection for witnesses in criminal proceedings that contribute to the detection and sanctioning of trafficking in human beings.

ANALYSIS OF SITUATION AND TRENDS OF SEXUAL EXPLOITATION IN TRAFFICKING IN HUMAN BEINGS WITHIN CROATIA AND SERBIA

In the Republic of Croatia in 2016 a total of 30 trafficking victims were recorded. Most of the identified victims were Croatian citizens aged 22 to 30 who were exploited in Croatia by, mostly, Croatian citizens. These were forms of sexual (16) and labor (13) exploitation. There was also one victim of double (labor and sexual) exploitation (Table 1).

Table 1: *Number of victims of trafficking in human beings recorded by type of exploitation in Croatia in 2016*

Forms of exploitation	Trafficking in human beings in Republic of Croatia in 2016		Frequency
	Number	Percentage	
Sexual	16	53,33	1
Labor	13	43,33	2
Multiple	1	3,33	3
Total	30	100	3

Source: Ministry of the Interior of Republic of Croatia, 2017

We note in particular that the Republic of Croatia in the beginning was only a transit country, but recently is increasingly becoming a country of origin and final destination of victims of trafficking in human beings.

In Republic of Serbia, in 2016, a total of 57 victims of trafficking were recorded. In most cases, victims were sexually exploited (31), while a large number of victims were multiply exploited (11). According to the number of victims, second place is labor exploitation (7), then third forced marriage (4) and the fourth place is trafficking for adoption (2). Two victims were exploited for begging (1) and for coercion to commit criminal offenses (1) (Table 2).

Table 2: *Number of victims of trafficking in human beings recorded by type of exploitation in Serbia in 2016*

Forms of exploitation	Trafficking in human beings in Republic of Serbia in 2016		Frequency
	Number	Percentage	
sexual	31	54,39	1
multiple	11	19,30	2
labor	7	12,28	3
forced marriage	4	7,02	4
trafficking for adoption	2	3,51	5
begging	1	1,75	6
coercion into criminal activity	1	1,75	6
Total	57	100	7

Source: Center for Protection of Victims of Trafficking in Belgrade, 2017

Particularly interesting is the multiple exploitation that in most cases (6 out of 8) included sexual exploitation, associated with yet another form of exploitation. Forced marriages are linked with both begging and labor exploitation. In summary, out of 11 multiply exploited victims 4 were triple exploited, while 6 victims were double exploited.

To conclude, sexual exploitation as a form of trafficking in human beings is most represented (over 50%) in both the Republic of Croatia and the Republic of Serbia. It is interesting that the number of victims of sexual exploitation is twice as high in Republic of Serbia as it is in the Republic of Croatia, which corresponds to the total number of victims on all grounds, which is also twice as big.

COMBATING SEXUAL EXPLOITATION AS A FORM OF TRAFFICKING IN HUMAN BEINGS

The fight against organized crime, trafficking in human beings and sexual exploitation as its leading form takes place at the national and international level. By character and content these are measures and actions that are normative and operational (Nikač, 2015).

In the Republic of Croatia, the Ministry of the Interior - the Police Directorate and the organizational units of the Border Police and Criminal Police Directorate, then Customs, the judicial bodies (court, prosecution, judicial police), and the USKOK, are engaged in the fight against trafficking in human beings and sexual exploitation. Successful work on the fight against trafficking in human beings and sexual exploitation includes the multidisciplinary approach, collaboration and joint work, information exchange, joint operations and joint investigative teams.

The National Framework for the Suppression of Trafficking in Human Beings for the period from 2016 to 2020 (Ministarstvo unutarnjih poslova Republike Hrvatske, 2016), adopted by the Government of the Republic of Croatia, is the starting point for the implementation of the activities in the fight against trafficking in human beings and its forms. The essential elements of the Plan are: normative framework; identification of victims of trafficking in human beings; detection, prosecution and sanctioning of perpetrators of a criminal offense of trafficking in persons; assistance and protection of victims of trafficking in human beings; prevention; education; international cooperation and coordination of activities. In the function of the application, the Ministry of the Interior of RC has implemented the National Anti-Trafficking Program, which addresses the motives for trafficking in human beings, based on the suspicion that it is a criminal offense of trafficking in human beings and cites police activities.

There are specialized bodies in Serbia, the RS Ministry of Interior and the police in its composition - the Police Directorate and the Border Police Directorate and the Criminal Police Directorate, Customs and Judicial Bodies (court, prosecution, judicial police). Multi-agency approach, cooperation, information exchange, and the joint work of law enforcement agencies are the same operating "software". The RS Government adopted the 2017 Strategy for Prevention and Suppression of Trafficking in Human Beings, especially women and children and protection of victims for the period 2017-2022 (Strategija prevencije i suzbijanja trgovine ljudima, posebno ženama i decom i zaštite žrtava 2017-2022, 2017).

Regional cooperation between states and organizations is important in combating organized crime, trafficking in human beings and its forms and involves many countries. Police Cooperation Convention for SEE – PCC SEE2006 i Convention SELEC-Southeast European Law Enforcement Center 2011 have a special importance for cooperation in the Region (Božić & Nikač, 2016). Joint research teams are today one of the most effective tools for combating human trafficking and its appearance in the Region and at the EU level (Nikač, Božić, & Simić, 2017).

Bilateral co-operation between states is based on the conclusion of a cooperation agreement for the application of multilateral agreements and independent agreements on mutual police and criminal law cooperation (Nikač & Juras, 2015).

Significant part of the cooperation is also carried out through specialized organizations, Interpol and Europol. In combating trafficking in human beings, FRONTEX has an important role to play in coordinating border police cooperation between states and controlling migration flows at the EU's external borders.

CONCLUSION

Trafficking in human beings, mostly young girls, for the purpose of sexual exploitation is the leading form of trafficking in human beings as a criminal offense against humanity and human dignity. In the last two decades of this century, trafficking in human beings has gone to unforeseen heights, and the situation was further aggravated by the current migration crisis in the world. In addition to illegal migration, economic crisis in the world, the post-communist transition, the lack of jobs, poorly paid jobs, inequality of the sexes and the discrimination of women have also influenced the increase in the number of criminal offenses of trafficking in human beings.

The Republic of Croatia as a member of the EU has aligned its national normative legal framework with the EU legislative and international documents as well as the legal standards of the European Court of Human Rights. Concerning the implementation of the solution in practice, there is a need to establish better and more versatile law enforcement agencies, since the multi-agency approach provides the basis for more effective combating of trafficking and sexual exploitation. It is particularly important to intensify co-operation between police officers and state attorneys so that perpetrators and traffickers are timely detected and punished. The Republic of Serbia is currently in a disadvantage because it is not yet an EU member, but the submitted membership application obliges it to perform the harmonization of the national criminal code legislation. Serbia has an important role to play in controlling and stopping the current migrant waves, combating trafficking in human beings and sexual exploitation.

Victimological dimension of trafficking in human beings with the purpose of sexual exploitation puts victims in the foreground. A comprehensive approach to victims through a complete help, protection and security, while ensuring confidentiality of personal data in all phases, with an aim of faster recovery and integration / reintegration is of vital importance. In preventing trafficking in human beings and sexual exploitation, it is necessary to supplement the current techniques and methods of recruiting victims in order to better understand the problem of trafficking and its scope. In this context, special attention should be paid to the control of advertising of jobs and the conditions offered, in particular in relation to the fashion world, the summer season and the advertising on the Internet. Of crucial importance are public campaigns, education, studies and research with a view to raising the awareness of citizens about the problem of trafficking in women, girls and children with the aim of sexual exploitation. The repressive aspect includes prompt and effective response of state bodies and the development of methods for the identification of sexual exploitation.

Finally, it is important to note that international criminal law and police co-operation on the bilateral, regional and multilateral level is important in combating trafficking in human beings and sexual exploitation.

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