



**REPORT  
ON INTERNATIONAL CONFERENCE  
PREVENTION AND COMBATING HUMAN  
TRAFFICKING  
- EXCHANGE OF EXPERIENCE, DEVELOPMENT  
OF STRATEGIC APPROACHES AND  
STRENGTHENING OF COOPERATION**

"Developing International Cooperation on  
counter-trafficking in Tajikistan"

**Interdepartmental commission of the Government of  
Republic of Tajikistan on fight against trafficking of human  
beings in cooperation with NGO 'Modar'**

September 15-16, 2006

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## **Report prepared by Afsona Kadyrova- attorney of the Angel Coalition.**

### **Background information about the region. Country and population**

Republic of Tajikistan is situated in the south-east of Central Asia. Its territory is stretched over 700 km from west to east and 350 km from north to south, which constitutes 143 000 km<sup>2</sup>. The borders of the republic have complex shape – a reflection of the historical and geographical specificity of the way Tajik people have been populating this area. On the west and north Tajikistan borders with republics of Uzbekistan and Kyrgyzstan, on the east and south – with People's Republic of China and Democratic Republic of Afghanistan.

Tajikistan includes the following administrative units: Gorno-Badakhshanskaya oblast (with center in Horog), Sogiyanskaya and Hatlonskaya oblasts. The largest republican cities are Dushanbe, Khudzhand, Kurgan-Tube, Kulyab, Ura-Tube, Nurek. Tajikistan is situated within the mountain chain of Pamir-Altai and adjacent areas of Ferghana area and Tajik depression.

### **Population**

Republican population amounts to 6670, 1 thousand of inhabitants, including 3371, 5 thousand of women. Population of the cities is 1794,1 thousand or 26, 5 % of total republican population. The population of villages is 4976,0 or 73,5 % of the total.

Tajikistan is multi-national republic. 59% of population are ethnic Tajiks, 23 % are Uzbeks. Among other ethnicities are Russians, Turkmens, Kyrgyz. Tatars are numerous, there are also ethnic Germans. Among small-numbered ethnic groups are Arabs, Iranians, Central-Asian Roma, Central-Asian (Bukhara) Jews. Gorno-Badakhshanskaya oblast is populated by Pamir Tajik or Pamirians, who make up 91 % of the oblast's population (116 000) and Kyrgyz, who make up 7 % of the population (8,5 thousand).

The capital of the republic of Tajikistan is Dushanbe. City consists of 4 regions: Ismaila Somoni, Sino, Firdavsi, Shokhmansur.

### **Key dates of international conference**

August 2005

The meeting with donors in Moscow

Discussion on the aims and tasks of the conference devoted to combating trafficking in humans in Tajikistan

December 2005

Discussion of dates for conference in Dushanbe and participation of the international experts

February 2005

Budgeting of the conference

Putting an agenda for conference, meeting and discussion of seminar's Agenda – consultations with other donors in Tajikistan – Friedrich Ebert's Foundation

March-April 2006

Discussion and approval of the conference agenda, list of the speakers, attendees, organizational questions with leadership of the Interdepartmental Commission of the Government of Tajikistan on the fight against trafficking of human beings

June 2006

Discussion of additional budget for conference with Friedrich Ebert Foundation

The resolution of organizational matters: selection of the auditorium, restaurant, preparation of handout materials, the printing-out of books, posters, booklets, invitations.

August 2006

Collection of the speeches and thesis of the conference's speakers

Registration of the conference attendees

September 2006

International conference "The prevention and combating human trafficking – exchange of experience, development of approaches and strengthening of cooperation". Conference is financed by international foundations: Qvinnoforum (Sweden), representative Office of Charity Foundation "MiraMed Institute" (USA) in Russia, "Angel" Coalition and Friedrich Ebert Foundation

### **Initial information**

- Conference is carried on with participation of international experts from Sweden, Turkey, United Arab Emirates, Russian Federation, Afghanistan, Kazakhstan, Kyrgyzstan, representatives of the International Charity Foundation "MiraMed Institute" representative office in Russia and "Angel" Coalition.
- Participants: members of the Interdepartmental Commission of the Government of Tajikistan on the fight against human trafficking, state bodies (court, prosecutor's office, militia, border guards, Ministry of Security, Ministry of Foreign Affairs, Ministry of Labour and Social Welfare, Ministry of Health, Ministry of Education, Women's Committee, Youth Committee of Republic of Tajikistan), NGOs, mass media, international organizations, acting on the territory of Tajikistan.
- The total number of those participating: 60 persons
- All the participants are familiar with the problem of trafficking in human beings, can identify the issues and discuss them.
- Conference will be held on both Tajik and Russian languages, with simultaneous translation into English.

### **Goal**

The goal of international conference is to contribute into the fight against the trafficking in human beings, to establish cooperation between the countries of origin and transit, to support rights and interests of the victims of trafficking.

### **Tasks**

- To consider the scale, causes and instruments, available to fight against trafficking in human beings in Tajikistan
- To strengthen the opportunities of target group, consisting of state bodies and non-governmental organizations, to make use of the international experience on how to fight the trafficking in human beings

- To give the opportunity for state bodies, public organizations, international experts, working on this problem, to share and exchange their experience, to improve cooperation between them.

### **Plenary sessions**

The first day of conference starts with major discussion “Overview of the current human trafficking situation in Tajikistan –general trends, causes and consequences”, where the law enforcement bodies, mass media, NGOs, international organizations, which are currently acting in Tajikistan, report on the issue.

Next session “The efficiency of the legislative measures in the fight against human trafficking” is devoted to the discussion of national and international institutes and mechanisms to fight the human trafficking, with special emphasis on the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, which serves a complementary to UN Convention against transnational organized crime.

International experts from Sweden, Arab Emirates, Turkey, Russia, USA share their practical experience, advanced knowledge, with advice on how to adopt these findings to the specific conditions of the region.

Throughout the session called “Current experience of partnership between governmental and public sectors in combating trafficking” the participants exchange with their working experience and give their recommendations on how to extend the cooperation between governmental and public sectors.

### **Work in small groups**

Conference participants work in small groups, in the first day they discuss questions of protection the victims of trafficking, work out recommendations how to improve protection of the rights and interests of both victims and witnesses of human trafficking, as inside, so outside of the country. In the second day they work out recommendations on development of collaboration between the countries, represented in conference, in the area of combating trafficking in persons, also address a letter of appeal to the Government of Tajikistan.

### **Press-conference**

Participants and guests of the international conference meet representatives of local press, radio and television in order to answer their questions and tell about own impressions and expectations from conference

### **Expected results**

Speeches and presentations, delivered to the audience, are being distributed around the whole region in printed form. The Memorandum on cooperation between the countries of origin and destination, which is signed by participants, allows to plan and schedule the further measures to prevent and combat trafficking in Tajikistan.

Important impact of international conference is that it brings to the common floor state bodies, NGOs, mass media, and, together with international experts in this area, allows to elaborate strategy against human trafficking, which would be common for countries of

origin, transit and destination. This is especially important to fulfill today, as the rate of development still can be suppressed.

**Place of conference**

Conference is held on Friday-Saturday September, 15-16, 2006 at the Hall Kofi Vakhdat of state complex (Rudaki street, 107, room 23, 3d floor, phones (992-372) 21-96-37)

**Language**

The conference is carried on in Tajik, Russian and English languages with simultaneous interpretation.

### List of Conference Participants

No	Name	Organization	Title	Contact info
<b>Madjlisi Namondagoni Oliy of Tajikistan - Parliament of Tajikistan</b>				
1.	Salimov Sherhon O.	Committee on Legislation, P.T.	Chairman	918 +63 -97 -04
2.	Chalikov Abdumanon G.	Committee on Defense, P.T.	Chairman	918+ 63-97-05
3.	Tolibov Radjabmurod	Interdepartmental commission under Government of Tajikistan on fight against human trafficking	Executive secretary	221 -62 -20
<b>PRESIDENTIAL APPARATUS OF REPUBLIC OF TAJIKISTAN</b>				
4.	Azimov Abdurakhmon R.	Office of Defense and Law and Order, with Executive Apparatus under President	Chief	221-98 -98 / 223-13 -93
5.	Amirkulov Nuriddin	Office of Defense and Legal Order, with Executive Apparatus under President	Chief specialist	221 -64 -55
6.	Aliberdieva Kimatgul'	Women's Committee under Government of Republic Tajikistan	Deputy chairperson	221-34-71 / 223-32-77
7.	Musaeva Shakhlo R.	Youth Policy Committee under Government of Republic Tajikistan	Deputy chairperson	223-46 -33
<b>LAW ENFORCEMENT BODIES</b>				
8.	Vatanov Makhmadalli M.	Supreme Court of Republic Tajikistan	1 <sup>st</sup> Deputy Chairman	233 -49 -72
9.	Dodoboev Abdusalom S.	General Prosecutor's Office of Republic Tajikistan	1 <sup>st</sup> deputy Chairman	221 -75 -65
10.	Mukhamadiev Abdukodir S.	General Prosecutor's Office of Republic Tajikistan	Chief of department	226-53 -22
11.	Izatulloev Akobir	General Prosecutor's Office of Republic	Chief of Apparatus	235 -46 -78

		Tajikistan		
12.	Rakhimov Ramazon Kh.	Ministry of Interior Affairs, R.T.	Deputy Minister	221-05 -04
13.	Jurakulov Makhmadsaid	Ministry of Interior Affairs, R.T., Department on combating organized crime	Chief of Department on combating organized crime	221 -00 -13
14.	Faizullaev Sharaf J.	Committee on State Border Guard	Deputy Chairman	(917) 70 -67 -65
15.	Gafarov Kosim A.	Ministry of Security R.T.	Deputy Minister	221-35-87
16.	Imomov Azizmat Kh.	Ministry of Justice R.T.	Deputy Minister	221 -77 -72
17.	Nazarov Rustam U.	Agency for control over illicit drug trade	Director	234-80 -29
<b>MINISTRIES</b>				
18.	Juldashev Abdullo K.	Ministry of Foreign Affairs R.T.	Deputy Minister	221-15 -34
19.	Tagaeva Sumangul' S.	Ministry of Labor and Social Protection	1 <sup>st</sup> Deputy Minister	236 -22 -15
20.	Sharopova Nigina M.	Ministry of Public Health Services	Deputy Minister	221-16 -71
21.	Hushvakhtov Faizullo Kh.	Ministry of Education R.T.	Deputy Minister	227 -43 -74
22.	Saifiev Mairuf N.	Ministry for Economics R.T.	Deputy Minister	221 -43 -09
23.	Davlatov Akobir	Department on Religious Affairs	Chief	
<b>EMBASSIES</b>				
24.		Embassy of USA		2 29-23-00/29-20-00
25.	Latipov Ramazan A.	Embassy of Russian Federation	Consul	
<b>LAW ENFORCEMENT BODIES FROM REGIONS</b>				
26.	Urunov Asatullo	Prosecutor's Office in Sogdiysk region	Aide to Prosecutor	8-34-22 -5 -47-13



27.	Gulomov Makhmudchon	Court of Sogdiysk region	Chairman	8-34 -22 -5 -14 -33
28.	Odinaev Sh.	Border Guard of Sogdiysk region	Chief of department	8-34 -22-5 -24 -14
29.	Gafarov Odina	Department of Interior Affairs of Sogdiysk region	Chief of department	8-34 -22 -6 -30 -38
30.	Pirov K.	Prosecutor's Office of Khatlonskaya oblast'	Chief of department	8-32 -22-22-856
31.	Azizova Mukhabbat	Court of Khatlonskaya oblast'	Chairman	8-32-22-2-53-19
32.	Sodikov Isroil	Department Of Interior Affairs of Khatlonskaya oblast'	Deputy Chief of department	8-32-22-2-25-36
33.	Sobirov I.	Border Guard of Khatlonskaya oblast'	Chief of department	8-32-22-2-83-02
34.	Kholov Samandar	Prosecutor's Office of Gorno-Badakhshanskaya oblast'	1-st Deputy Prosecutor	22-449
35.	Khabibullaeva Matlyuba	Court of Gorno-Badakhshanskaya oblast'	Deputy chairman	221-13-58
36.	Imomnazarov Khurshed	Department Of Interior Affairs of Gorno-Badakhshanskaya oblast'	Senior officer of the criminal investigations department	007 (mail)
37.	Kandov G.	Border Guard of Gorno-Badakhshanskaya oblast'	Chief of department	8-35-220-2-37-49
38.	Nieozov Junaydullo	Prosecutor's Office of Rasht region	Prosecutor	21-784
39.	Mirzoev Amrulochon	Court of Tavel'dara region	Chairman	8-31-56-100
40.	Pirnazarov V.	Border Guards of Jirghital' region		8-31-32-222-95/223-93
41.	Rakhmatov Ruslan Kh.	Office of Interior Affairs of Nurobod region	Deputy chief of the office	007 (mail)
<b>MASS MEDIA</b>				
42.	Surae Shuchoyat	Radio "Sadom Dushanbe"	Journalist	23-35-67д, 21-52-54p

43.	Safargul' Olimi	Radio "Ozod"	Journalist	21-57-47/ 24-04-18
44.	Anora Sarkorova	BBC	Journalist	24-83-66
45.	Akhmadshokh Komilzoda	Freelance journalist	Journalist	26-05-08
46.	Egitov Sulaymon	TV "Mir"	Director	221-16-53
47.	Zakirova Nargis	Asian Internet-journal	Journalist	(918) 62-35-01
48.	Khurinisso Alizoda	Journal "Bonuvoni Tochikiston"		33 -33-34
49.	Salimakhon Vakhobzade	Novaya Gazeta	Journalist	33 -08 -15/ 35 -06 -63
50.	Ulmasov Rakhmon	Business I Politika	Chief editor	223-52-50
51.	Mardon Mukhammad	BBC	Journalist	24 -83-66
<b>NON-GOVERNMENTAL ORGANIZATIONS</b>				
52.	Spivak Valentina N.	NGO "Development of Tajikistan via Internet"	Director	21-81-43 <a href="mailto:valentina@tajik-gateway.org">valentina@tajik-gateway.org</a>
53.	Kuvatova Alla	NGO "Traditions and Modernity"	Director	24-49-15
54.	Khamidova Kanoat	League of Women – Jurists of Tajikistan	Chairman	24-2071
55.	Bobosadykova Gulchakhon B.	Association of Women with Higher Education	Chairman	221 -58-08/ 21-17-50
56.	Ibodullo Kalonzod	Mosque of Khudzhand	Imomi Koziyet	<a href="mailto:kalonzoda@mail.ru">kalonzoda@mail.ru</a>
57.	Rakhmonberdiev Alisher J.	NGO "Manizha"	Director	224-20-79
<b>INTERNATIONAL ORGANIZATIONS</b>				
58.	Makhmud Nodiri	IOM in Tajikistan	Director	221-03-02
59.	Daniel Cuest	Office on cooperation in Switzerland	Director	224-73-16/24-38-97
60.	Khalimova Zuhra	Soros Foundation	Director	221-43-92
61.	Mirzoeva Viloyat M.	UNIFEM in Tajikistan	National program manager	221-06-45/ (918)70-78-73
62.	Azizova Nargiz	UNDP		221-06-70/06-80

63.	Khaidarov Rustam	Ebert Foundation	Director	224-61-08
64.	Faizov Edgor	Agakhan Foundation	Chief executive director	221-84-06/ 224-34-42
65.	Shugurov Andrey	OSCE Center in Dushanbe	Deputy Head of Center	221-40-63/224-58-79
66.	Gunta Robiezhnietse	OSCE Center in Dushanbe	Adviser on Gender Issues	221-40-63/224-58-79
67.	Francisco Galindo-Velez	United Nations High Commissariat for Refugees	Head	224-62-65 operator
68.	Maria Lagus	Swedish Agency for International Cooperation in Tajikistan	Head of office	224-62-65/441-04-05
69.	Plinkert Barabara	European Commission in Tajikistan	Temporal attorney in affairs of European Commission	221 -74-07 /223-21-76
70.	Vladimir Sotirov	Bureau on promoting peace-building in Tajikistan	Head of bureau	221-01-10/ 221-01-27
71.	Lilian Zakharieva	Bureau on promoting peace-building in Tajikistan	Adviser on human rights	221-01-10/ 221-01-27

**EXPERTS INVITED TO THE CONFERENCE**

72.	Khomiakov Nikolai G.	Senior officer in Department of Criminal Investigations on Grave Crimes, Ministry of Interior Affairs of Russian Federation	Russia	Tel.: (495) 239-08-14 Fax (495) 239-76-18
73	Kouzbit Oleg R.	Director of "Angel Coalition" Trafficking Victim Assistance Center	Russia	Tel.: (495) 783-58-65 Fax (495) 915-41-47 Email: <a href="mailto:okouzbit@angelcoalition.org">okouzbit@angelcoalition.org</a>
74	Cem Kolcu	Director of Office on Illegal Migration, Criminal Police of Turkey, Ankara	Turkey	Tel.: (0090) 312 419 94 62; (0090) 312 412 32 10

				Fax (0090) 312 466 90 11 Email: <a href="mailto:mterzioglu@egm.gov">mterzioglu@egm.gov</a>
75	Juliette M. Angel	Founding Director, office of Charity Foundation MiraMed Institute, Moscow Director of the international relations of the Angel Coalition	Russia	Tel./fax (495) 915-43-74 <a href="mailto:jengel@miramed.org">jengel@miramed.org</a>
76	Donna Marie Hughes	Professor of the University of Rhode Island, Women's Studies Program, Researcher on the trafficking of women and girls for sexual exploitation	USA	
77	Laura J. Lederer	Senior Advisor on Trafficking to the Under Secretary for Global Affairs U.S. Department of State	USA	
78.	Kadyrova Afsona	Attorney of the Angel Coalition, Moscow	Russia	Tel. (495) 783-58-65 Fax (495) 915-41-47 Email: <a href="mailto:afsona@angelcoalition.org">afsona@angelcoalition.org</a>
79.	Claes Lundquist	Project Manager, International Depart. Stiftelsen Kvinnoforum (Foundation of Women's Forum) Sweden	Sweden	Tel.: + 46 8 56 22 88 51 + 46 8 56 22 88 00 (switch board) Fax: + 46 8 56 22 88 20 E-mail: <a href="mailto:claes.lundquist@kvinnoforum.se">claes.lundquist@kvinnoforum.se</a> Web: <a href="http://www.kvinnoforum.se">www.kvinnoforum.se</a>
80	Patrik Cederlöf	Anti-trafficking project co-coordinator. Office on combating prostitution at the Social Services in Stockholm municipality.	Sweden	Tel. + 46 (8) 508 25 481 Fax: + 46 (8) 508 43 700 E-mail: <a href="mailto:patrik.cederlof@sot.stockholm.se">patrik.cederlof@sot.stockholm.se</a>

81	Kuhistoni Jovid	Chairman, Party Movement for Freedom and Democracy in Afghanistan	Kabul, Afghanistan	
82	Aziz Ahmad Boriz	Consul of the Embassy of Afganistan in Tajikistan	Tajikistan	
83	Munara Beknazarova	Training-coordinator Women support Center	Kyrgyzstan	Tel. (996 312) 548390/91 Fax (996 312) 54-83-92 Email: <a href="mailto:roza@user.kyrnet">roza@user.kyrnet</a>
84	Karimov Ismatulo	Director of NGO "Adept"	Kyrgyzstan	
85	Nadezda Gladir	Director of Crisis Center "Friends"	Kazakhstan	Tel./fax (73272) 98-45-85 Email: <a href="mailto:podrugji@alnet.kz">podrugji@alnet.kz</a>

**September, 15-16, 2006**

**Location:** city of Dushanbe, Governmental Administration facilities,  
hall Kohi Vakhdat, office 23 (story 3)  
Address: Dushanbe, street Rudaki, 107

**September,15, 2006**

**8.30 9.00** Registration of participants

*Host: Abdurakhmon R. Azimov*, Chairman, Interdepartmental commission on combating human trafficking with Government of Tajikistan and *Azizmat Imomov*, Deputy Minister of Justice of Tajikistan..

**9.00 - 9.40** Opening speeches

**09:00-09:10** *Khairinisso U. Mavlonova*, Deputy Prime-Minister of Republic of Tajikistan

**09:10-09:20** *Juliette Engel*, Founding Director, office of Charity Foundation MiraMed Institute, Moscow, Director of the international relations of the Angel Coalition

**09:20-09:30** *Claes Lundquist*, Anti-trafficking Project Manager, Kvinnoforum, Sweden

**09:30 -09:40** *Rustam Khaidarov*, Director, Friedrich Ebert Foundation in Tajikistan

**Session I:**

**OVERVIEW OF CURRENT HUMAN TRAFFICKING SITUATION ON THE  
GLOBAL SCALE AND IN TAJIKISTAN - GENERAL TRENDS,  
CAUSES AND CONSEQUENCES**

**09:40-09:55** “Activities of the Interdepartmental commission of the Government of Republic of Tajikistan on fight against trafficking of human ”. *Abdurakhmon R. Azimov*, Chairman, Interdepartmental commission on combating human trafficking with Government of Tajikistan.

*In his presentation Mr. Azimov A. characterized the situation in the country, analyzed legislative acts of republic of Tajikistan, brought statistical figures on criminal cases instituted against the Article 130 of criminal Code of republic of Tajikistan “trafficking in human beings”. He described governmental programs which are being realized to combat human trafficking and illegal migration; told the audience about the work fulfilled by correspondent bodies and ministries, which counteract trafficking; characterized work of Interdepartmental Commission on fight against trafficking, and work of NGOs in the area of combat with trafficking in human beings. (Presentation is attached).*

**09:55-10:10** Overview of current situation on human trafficking. *Abdusalom S. Dodoboyev*, 1<sup>st</sup> Deputy General Prosecutor of Tajikistan.

*In his presentation Dodoboyev A. has reported on impact made by international legal acts on interior politics of Tajikistan combating trafficking in human beings in the country, made short analysis of Criminal Code of Republic Tajikistan and of National plan of actions by Government of Tajikistan on combating trafficking in human beings, and, also defined the factors inhibiting the work of investigators..*

**10:10-10:25** “Overview of current situation on human trafficking in Russia. Combating human trafficking””. ***Khomiakov Nikolai G.***, Senior Officer in Department of Criminal Investigations on Grave Crimes, Ministry of Interior Affairs of Russian Federation. *The representative of the Ministry of Interior Affairs of Russian Federation has given overview on the current situation with trafficking in human beings in Russian Federation, described legislative acts of Russian Federation, complications in investigating criminal cases of trafficking in humans, brought statistical figures concerning Russia and characterized opportunities for cooperation between law enforcement bodies and non-governmental organizations in the fight against trafficking.*

**10:25-10:40** “Overview of current situation on human trafficking” ***Ramazon Kh. Rakhimov***, Deputy Minister of Interior Affairs of Tajikistan. *RakhimovR.K spoke about work done by law enforcement bodies in educational institutions for children (the orphanages, boarding schools), in medical institutions, in order to prevent facts of trafficking in newborn babies and children of minor age, about meetings with student youth and active anti-trafficking propaganda in mass media done by Department of Security of The Ministry of Interior Affairs of the Republic of Tajikistan. Also he gave information about work and tasks of special Division on fight against human trafficking under the Department on fight against organized crime of the Ministry of Interior Affairs of Republic of Tajikistan. He brought statistical figures concerning Article 132 of Criminal Code of Republic Tajikistan “Recruitment of persons for exploitation purposes” and Article 167 of Criminal Code of Republic Tajikistan “Trafficking in under-aged persons” per each region of Republic Tajikistan.*

**10:40 -10:55** “Overview of current situation on human trafficking in Turkey, International collaboration in investigating crimes; examples of criminal cases between Tajikistan and Turkey” ***Cem Kolcu***, Director of Office on Illegal Migration, Criminal Police of Turkey, Ankara. *The representative of the Turkish police in his presentation has thrown the light on trafficking in humans in Turkey, legislative documents of Turkey in the area of fight against trafficking in human beings, existing and acting state bodies dealing with this problem, complications in investigating criminal cases, especially international cases. He provided statistical figures on criminal cases. He gave essential information about particular criminal cases in Turkey and European countries, work with victims from Byelorussia, Moldova, Ukraine. Mr. Cem Kolcu noted that present conference is an important event, allowing to establish direct contacts between such countries as Tajikistan, Russia, Sweden, Kazakhstan, Kyrgyzstan. Mr. Cem Kolcu has emphasized that human trafficking from Tajikistan into Turkey is a large-scale problem, and it is essential as for Tajikistan so for Turkey to establish direct contacts and develop cooperation mechanisms.*

**10:55 -11:10** “Connection between Human trafficking and drugs” ***Faizullo Abdulloev***, 1<sup>st</sup> Deputy Director of the Agency for Traffic in Drugs, Government of Tajikistan. *In his presentation Abdulloev F. has brought the examples and information about the connection existing between drugs and trafficking in human beings, based on the experience*

*and data of personnel of law enforcement bodies. The experience of work of law enforcement bodies indicates that many victims are forced to take drugs or alcohol substances, or are forced to sell and distribute narcotic substances. He also shortly characterized situation with drug addiction and drug traffic in Tajikistan.*

**11.10 – 11.40** *Coffee-break*

**11:40 - 11:55** “Human Trafficking, aspects of cooperation and strengthening the collaboration between countries of origin, transit and destination” **Sumangul S. Tagayeva**, 1<sup>st</sup> Deputy Minister of Labor and Social Welfare in Tajikistan.

*In her report Tagayeva S.S. gave an information on indicators of economic growth in Tajikistan, on realization of Governmental program of opening new positions for employment . At the same time she noted that growth of economically active population up to year 2004 constituted 2-2,4 %, while from 2004 this indicator rose to 10%. However, if the growth of positions for employment lags behind growth of population able to work, the labor migrations processes have stabilized and according to the household survey for the period of the first half of year 2006 there are estimated 331 404 persons. Along with this she commented a number of problems on labor migration.*

*Tagayeva underlined the important role of an agreement between Government of the Republic of Tajikistan and Government of the Russian Federation “On labor activity and protection of rights of citizens of the Republic of Tajikistan in the Russian Federation, and protection of the rights of Russian nationals in Tajikistan” signed on November, 16, 2004 during an official visit of the President of the Russian Federation V. Putin to Tajikistan. She also presented short analysis of federal law of the Russian Federation “On reporting system of migration of the citizens of foreign states and stateless persons in the Russian Federation.”*

**11:55 -12:10** “Trafficking in humans as a source of terrorism” **Azizmat Imomov**, Deputy Minister of Justice of Tajikistan.

*Imomov A. in his report “On measures to fight against trafficking in human beings and exploitation in Republic of Tajikistan” noted that Department of Security of the Ministry of Interior has included women into operative personnel, who in very prompt manner get into the contact with women – victims of traffickers, which greatly influences the efficiency of work done by this Department. He also emphasized that in 2004 the Academy of the Ministry of Interior of Republic Tajikistan have elaborated and issued the “Practical recommendations to the staff of law enforcement bodies of Republic Tajikistan in fight against human trafficking”, methodical recommendations based on international and national legislative acts, on principles of identification, disclosing, and investigation of this category of crimes, and on work with victim, protection of the victims and witnesses.*

*Speaker also mentioned that among the main causes of this particular crime is illegal migration of population. To regulate and put into order migration processes in Republic of Tajikistan there was created sufficient normative legal basis which was done for quite short period of time. (Presentation is attached).*

**12:10 – 12:40** *Questions, answers and open discussion*

**12:40-13:40** Lunch



**Session II**  
**EFFECTIVENESS OF LEGISLATIVE MEASURES IN THE FIGHT AGAINST  
HUMAN TRAFFICKING**

**13:40- 13:55** "Approaches to Combating Sex Trafficking" **Donna Marie Hughes**, Professor of the University of Rhode Island, Women's Studies Program, Researcher on the trafficking of women and girls for sexual exploitation.

*In her report «Approaches to Combating the Slavery of Women & Children» Ms. Donna Maria Hughes touched upon the important issues of trafficking in women and children, and paid attention of participants to the necessity to fight demand and supply of human trafficking, also domestic and international slavery. There were mentioned the factors causing women to fall into slavery (poverty, absence of positions for employment, political instability, etc.), the causes of existence and development of human trafficking; short analysis of international legislative acts and analysis of legislative acts in those countries where prostitution is legalized. The experience of such countries as Netherlands, Germany and Switzerland and some others illustrates that legalization of prostitution does not encourage fighting against human trafficking – on the contrary, it promotes greater criminalization and further development of human trafficking. Donna Hughes also made short analysis of legislative acts and programs combating human trafficking in those countries, where this fight is most successful. (Power Point presentation is available on Web link )*

<http://www.miramedinstitute.org/pdf/DHughesTajikistan.ppt>

**13:55– 14:10** Overview of situation in criminal prosecution of human trafficking. **Mahmadali M. Vatanov**. 1<sup>st</sup> Deputy Chairman, Supreme Court of Tajikistan.

*In his presentation Vatanov M. described several cases of trafficking in humans, which were instituted in the courts and on which convictions were given, and sentences were issued (within term of deprivation 14 years). There were also discussed problems with which the judge is faced while considering cases in the court, about necessity to improve level of qualifications and to exchange the experience, about teaching new methods to work with new Articles in Criminal Code Of Tajikistan.*

**14:10 – 14:25** “Overview of current situation on human trafficking in Sweden” International collaboration in investigating crimes; examples of criminal cases at the international level. **Claes Lundquist**, Anti-trafficking Project Manager, Kvinnoforum, Sweden.

*In his presentation expert from Sweden informed about situation on trafficking in humans in Sweden, about the legislative acts existing in Sweden to combat human trafficking, the policies of Sweden in the area of combating human trafficking, domestic and international cooperation. Also there was presented very important Swedish experience in the area of cooperation between state bodies and NGOs.*

**14:25 –14:30** *Questions, answers, open discussion*

**14:30 –14:45** Legal problems of criminal investigation in cases of trafficking women. **Asatulo U. Urunov**, chief aide to prosecutor in Sogdyisk region, Tajikistan, Honoured Jurist of Tajikistan.

*In his presentation Mr. Urunov has made the analysis of legislative acts of Republic Tajikistan in the area of combating human trafficking, complete analysis of new articles included into Criminal Code of Republic Tajikistan on trafficking in human beings and exploitation,*

*comparative analysis of legislative acts of Republic Tajikistan and those of Russian Federation, brought statistics on criminal cases in Sogdyisk oblast and Tajikistan in a whole. In his analysis Mr. Urunov has proved that articles in Criminal Code of Tajikistan and a Law on combating human trafficking are not working efficiently as the definition of “trafficking in human beings” does not comply with correspondent international norms and definition. In his report Chief Aide to Prosecutor of Sogdyisk oblast has presented and articulated the following suggestions:*

- 1. Disposition of Article 130.1. of Criminal Code of Republic Tajikistan and Item “A” of the Article 1 of Law of Republic Tajikistan “On fight against human trafficking” would be brought into compliance with UN Protocol, which will fully comply with Article 10 of Constitution of Republic Tajikistan.*
- 2. Necessary is the Commentary or Decree issued by Legislature on understanding and implications of this Law, which would greatly help in prosecution and investigating work.*
- 3. It is necessary that Plenary Session of Republic Tajikistan, taking into account accumulated experience, would give guiding instructions explaining application of the article 130.1 of Criminal Code of Republic Tajikistan, otherwise, law enforcement bodies will not be able to apply this Law and in their fight against human trafficking will be limited to using article 132 Of Criminal Code of Republic Tajikistan “recruitment for exploitation purposes”, as they did before, which is not the same as “trafficking”.*
- 4. It is necessary to conclude inter-state agreements with receiving countries on provision of mutual legal support in fight against human trafficking and in extradition of the accused.*

***(Full text of the presentation is attached)***

**14:45 –15:00** “The problems of repatriation of Tajik citizen – victim of human trafficking from UAE” – **Radjabmurod Tolibov**- deputy director of the Office of Defense, law and order, with executive apparatus under President.

*In his report “ The problems of repatriation of Tajik citizen – victim of human trafficking from UAE” Tolibov R. emphasized complications in cooperation with the United Arab Emirates, difficulties in exchange with important information. After correspondent Presidential recommendation there was created a special working group, consisting of staff from Ministry of Foreign Affairs, Ministry of Interior Affairs and Ministry of Security, Office of General Prosecutor and The Office for Defense, Law and Order under the Executive Presidential Apparatus of President of Tajikistan. This group was sent with mission to United Arab Emirates for establishing cooperative ties and signing a number of agreements on mutual legal support in the area of combating human trafficking. Also speaker said that there was reached an agreement allowing release and return home of Tajik women, who were kept in prisons of United Arab Emirates for violation of visa terms, falsification of passports and commitment of several crimes, entailed by their sexual employment. There was also reached an agreement on running joint police raids to find and return women, who are being used in sex business in restaurants, clubs, hotels and other premises. There were found women of Tajik, Uzbek and other nationalities of Central Asia. By contrast, upon their return to Tajikistan the working group has faced following problems:*

*- incapacity on the part of ministries and agencies (Ministry of Labor and Social Protection, Ministry of Public Health Service) to accommodate victims returned home, to provide them with opportunities for social rehabilitation and employment. The law and order agencies allowed for tactless treatment of victims while interviewing them and visiting their homes. As a*

*result, the returned victims were calling their acquaintances in Dubai, informed them about this and discouraged other victims from returning back to Tajikistan. The principle of confidentiality was violated in treatment of victims. With help from NGO “Modar” there was elaborated a project on appropriate strategies of behavior of law enforcement bodies in their treatment of trafficking victims.*

**15:00 -15:15** “Structuring a comprehensive international approach to an international crime: Human slavery.” - **Juliette M. Engel**, Founding Director, office of Charity Foundation MiraMed Institute, Moscow, Director of the international relations of the Angel Coalition. *In her report Ms. Juliette Engel familiarized the audience with activities of charity organizations, Mira Med Institute and Angel Coalition, described programs of their activities in the area of fighting against trafficking in human beings. Ms. Engel presented short analysis of efficient strategies to combat human trafficking, also she paid attention of the participants to necessity and crucial need to fight demand for cheap labor, for sexual exploitation of women and children. She clearly presented the social profile, the portrait of the woman-victim of trafficking (defining characteristics and factors promoting women to fall into slavery) and the portrait of trafficker – the person, or group of persons, who “buy and sell” victims of human trafficking with the purpose of exploitation. Ms. Juliette Engel once more emphasized the role of NGOs in fighting against this phenomenon, and necessity of cooperation between governmental bodies and NGOs as on local, so on international level. (Power Point presentation is available on Web link.)*

<http://www.miramedinstitute.org/pdf/JEngelTajikistan.ppt>

**15:15 –15:25** Formation of groups for discussion (moderator forms groups, puts agenda for discussion, appoints group leaders).

**15:25-15:55** *Coffee-break*

**15:55-16:55** Work in 2 groups:

**First group:** Measures to improve the protection of trafficking victims in countries of origin: national and regional initiatives.

**Second group:** Protection of Tajik trafficking victims in the countries of destination. Collaboration between the state and non-governmental agencies.

**16:55 –17:25** Presentation of the group work results (10 minutes each)

**17:25 –17:35** Summary of the group work results

**17:35 –18:05** *Press conference* with international experts and attendees

**September, 16, 2006**

**08:30 – 09:00** Registration

**09:00 – 09:10** Brief review of the first day of conference (Sessions I and II)

**Session I:**

**CURRENT EXPERIENCE OF PARTNERSHIP BETWEEN GOVERNMENTAL AND PUBLIC SECTORS IN COMBATING TRAFFICKING**

**09:10 –09:25** “Problems of risk-prone behavior and trafficking young people in Tajikistan”.

**Shakhlo R. Musayeva**, Deputy Chairperson, Youth Committee with Government of Tajikistan.

**09:25–09:40** “Activities of NGO Modar against human trafficking and experience of collaboration between the governmental and public sectors” **Gulchekhra M. Mirzoeva**, Director, Women’s NGO Modar, Tajikistan.

*In her presentation Mirzoeva G. told about activity of NGO “Modar” in Tajikistan, about goals, tasks and directions in the activities and programs that are being realized.*

*NGO “Modar” is the first organization, which started activities in the area of combating human trafficking and already has done following work in this respect:*

- *a great number of trainings, seminars, conferences and round tables were and are being held for law enforcement bodies, youth, NGOs, women.*
- *lobbying to promote changes into Criminal Code of the Republic of Tajikistan with special regard to Article on trafficking in human beings. For example, at round table organized by NGO “Modar” there were elaborated mentioned amendments and the Article itself.*
- *lobbying the Law of Republic of Tajikistan “On fight against human trafficking”.*
- *participation in creation of Interdepartmental commission on fight against trafficking in human beings under the Executive Apparatus of President of Tajikistan*
- *elaboration of National plan of activities and its submission for consideration by Government (at present this National plan was passed and is being implemented). Active work with law enforcement bodies, mass media, youth in order to inform public and prevent human trafficking.*

*Mirzoeva G. also spoke about activity of Crisis Center and shelter opened with NGO “Modar”, about telephone hot line. At present NGO “Modar” is included into Interdepartmental Commission under the Presidential Apparatus, and is working in close cooperation with law enforcement bodies, NGOs and international organizations.*

**09:40 –09:55** “Swedish experience of collaboration between the state and NGOs”

**Patrik Cederlöf**, Anti-trafficking project co-coordinator. Office on combating prostitution at the Social Services in Stockholm municipality.

*In his presentation Mr. Patrik Cederlöf shared his experience and experience of his organization in the area of fighting against human trafficking, on work with those victimized, on cooperation between police and agencies of social service in Sweden, and experience of international cooperation. Mr. Cederlöf said that situation in Tajikistan is much different if*

*compared with Sweden, but good experience of cooperation and collaboration between law enforcement bodies and NGOs may be equally important to learn by all countries. Also Mr. Patrik Cederlöf offered to organize several training seminars for policemen from Tajikistan and Sweden so that to share valuable experience and methods.*

**09:55 – 10:10** “Activities of Angel coalition, cooperation between the state and public Organizations”. **Oleg Kouzbit**, Director of the Trafficking victims Assistance Center of Angel Coalition.

*In his presentation, Mr. Oleg Kouzbit spoke about activities of Angel Coalition in Russia and CIS countries. He presented mission of this organization, its goals, tasks, program and directions of activity. At present Angel Coalition includes more than 60 NGOs from across the whole Russia and CIS. 8 shelters were established and are actively functioning. From 2003 there was opened international 24-hour telephone hotline, active in Russia, Netherlands, Belgium, Germany and Switzerland. Mr. Kouzbit presented information on situation with human trafficking in Russia. He also emphasized, that inflow of illegal migrants and trafficking in persons for exploitation purposes from Central Asia, and, in particular, from Tajikistan into Russia becomes more and more acute problem. Among other, he advanced initiatives concerning cooperation between Angel Coalition, law enforcement bodies and NGOs.*

**10:10 –10:25** “Human trafficking in light of religion” **Murodali Davlatov**, Governmental Committee on Religion, Republic of Tajikistan.

*Murodali Davlatov spoke about Islam condemnation of trade with people and exploitation. In particular, Koran says that selling women, violation against women and children are all considered to be a serious sin. Besides, it is mentioned there, that exploitation of human beings, sexual exploitation of women and children can not be accepted. The trafficking in human beings violates all normative frameworks, religions and laws.*

**10:25 –10:40** “Role of mass media in fight against human trafficking”. **Rano Bobodjanova** (Khudjand).

*In her presentation Bobojanova spoke about the role of mass media in fight against human trafficking. It must be noted, said she, that some of mass media do not have sufficient information on the problem of human trafficking, cannot present the problem in relevant light and therefore cannot provide proper coverage of the topic to population. It is very important to work with mass media and instruct them on ways of proper interpretation of the facts in regard to this phenomenon.*

**10:40 –11:00** Questions, answers

**11:00 –11:30** *Coffee-break*

## **Session II**

### **COOPERATION AND STRENGTHENING COLLABORATION BETWEEN COUNTRIES OF ORIGIN, TRANSIT AND DESTINATION IN THE FIGHT AGAINST TRAFFICKING**

**11:30 –11:40** “Overview of current situation on human trafficking in the world” - **Laura J. Lederer**, Senior Advisor on Trafficking to the Under Secretary for Global Affairs U.S. Department of State. (*Presentation is attached.*)

**11:40-11:50 Kuhistoni Jovid** - Chairman Party Movement for freedom and democracy in Afghanistan.

*With his presentation Kuhistoni Ch. provided a review of events in Afghanistan, and of current legislative acts in the area of combating trafficking in humans. The problem of trafficking in children (especially, boys) from Tajikistan into Afghanistan and Pakistan is especially keen. In his presentation Mr. Kuhistoni emphasized the important role played by present conference and existence of opportunity to directly establish contacts and cooperative networks between countries in order to fight against such an evil as human trafficking. Mr. Kuhistoni advanced a proposition to make a series of meetings in Afghanistan in order to extend cooperation ties between Tajikistan, Afghanistan and Russia.*

**11:50-11:55** - Formation of groups for discussion (moderator forms groups, puts agenda for discussion, appoints group leaders).

**11:55-13:00 Work in groups:**

**1<sup>st</sup> group** – Cooperation and strengthening collaboration between state agencies in represented countries of origin, transit and destination in the fight against trafficking.  
*Moderator: Abdukodir S. Mukhamadiev*

**2<sup>nd</sup> group** – Cooperation and improvement of collaboration between represented countries of origin, transit and destination in the fight against trafficking between law enforcement and military bodies  
*Moderator: Asatulo Urunov*

**3<sup>rd</sup> group** – Participation and role of non-governmental and international organizations in cooperation and strengthening collaboration between countries of origin, transit and destination in the fight against human trafficking  
*Moderator: Claes Lundquist.*

**13.00 – 14.00** Lunch

**14:00 –15:00** Presentation of the group work (10 min. each).

**15:00–16:00** Summary of group recommendations on international anti-trafficking collaboration for the state and non-governmental agencies of Tajikistan and represented countries: Russia, Turkey, Sweden, Arab Emirates.

**16:00 –16:30 Conclusion and summary**

Concluding speeches of international experts, representatives of Tajik government, conference participants

**17:30 – 19:00** Dinner at the restaurant “*Simurg*” (Dushanbe, str. Sino, 2)

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## ANNEX 1

*Presentation made by:*

**Abdurakhmon R. Azimov, Lieutenant-General – Chairman of the Interdepartmental commission on combating human trafficking under the Government of Tajikistan, Head of the Office for Defense, Law and Order with Presidential Executive Apparatus of Republic Tajikistan**

In his presentation Lieutenant-General Abdurakhmon R. Azimov on behalf of Interdepartmental commission on combating human trafficking with Government of Tajikistan, welcomed participants of international conference and wished them fruitful work. He expressed a hope that forum's results would give new incentives for prospective political strategy of Tajikistan in fighting human trafficking.

The speaker reported that from the moment when Republic of Tajikistan acquired sovereignty, it has been constantly developing measures to protect freedoms and rights of its citizens, as inside so outside of the country. He noted that work in this direction became more successful after signing and ratifying the UN Convention against transnational organized crime and the supplementary Protocol to Prevent, suppress and punish trafficking in persons, especially women and children, and other relevant documents.

According to Mr. Azimov, Republic Tajikistan has developed sufficient legal basis to fight trafficking in humans, such as the Law "On combating trafficking in human beings". There was created a number of organizations: Interdepartmental commission on combating human trafficking with Government of Tajikistan against the correspondent Clause, a number of analogous regional Commissions. In the same vein, Government of Tajikistan and IOM Mission have signed Memorandum on cooperation in fight against human trafficking. The Government also issued a Decree approving Complex program on prevention and combating trafficking in humans for years 2006-2010.

Illustrating growing efficiency of law enforcement bodies, speaker has brought an example of international cooperation between Government of Tajikistan and IOM division in United Arab Emirates (according to presidential Decree dated 27.05.2005) which allowed to return home more than 60 victims – Tajik citizens, mostly women. Mr. Azimov cited comparative statistics: in 2005 there were instituted 81 criminal cases of trafficking in people in courts of Republic Tajikistan, (while in 2004 there were 29 cases) with 72 cases of exploitation of humans (16 cases in 2004) and 31 cases of trafficking in under-aged persons (13 cases in 2004). For the past 6 month of current year there were instituted 40 criminal cases (45 in 2004), including 31 case of exploitation (41 case in 2004), and 9 cases of trafficking in under-aged persons. Of all those mentioned, 30 criminal cases against 43 accused persons were directed to court, while 7 cases against 22 accused are pending due to "wanted" status of the accused, and 3 cases are pending due to unidentified offender. 37 criminal cases were already considered by court and issued different sentences on 61 accused.

Another dimension of efficient fight against human trafficking is appropriate education, and with contributions from many republican NGOs there were organized numerous trainings, seminars, explanatory trainings for specialists from the governmental bodies and wide public, which comprehensively informed them about the harmful impact of trafficking and the prospects to combat this danger.

In order to prevent and minimize social and economic causes of trafficking, Government elaborates policies such as Governmental program on economic development of Republic of Tajikistan up to year 2015, Strategy to reduce poverty level in Republic of Tajikistan, long-term programs for development of Khatlon, Sogdyisk and autonomous Gorno-Badakhshan

regions, and other regions. The targets of these policies are opening up new positions for employment, to increase wage level, which will improve standards of living in the republic. In order to illustrate this important precondition for fighting with trafficking in human beings, Mr. Azimov cited President Emomali Sh. Rakhmonov, who stated in his Address to Majlisi Oli of Republic Tajikistan (national parliament) on 20th of April 2006, that in spite of certain success of 1992-2005 (12 new national programs were started, 800 000 positions for employment were opened, provision of employment opportunities for village inhabitants, who received in total 75 000 Ha of land to start their agricultural activities), these measures are obviously not sufficient. President has put a task before Government to improve state policies promoting wider employment of population and job opportunities, embracing as much active labor population as possible, and to elaborate correspondent long-term documents – such as Plan for Creation of employment positions, National concept on employment for years 2007-2015 and National program of support and development of small and middle-level enterprises, also providing opportunities for the realization of these documents.

“Main goals of governmental policies in the sphere of labor migration and social-legal protection for Tajik citizens, temporarily employed abroad, are the following: regulation of the migrant’s movement, prevention of illegal migration and strengthening legal order in the sphere of migration. The approval of the Program of Labor migration for the citizens of republic of Tajikistan, migrating abroad, will become important factor resolving this issue”, - underlined President in his Address, as was cited by the Speaker.

Giving his comments on reform, directed to fight trafficking in humans in the next year, Lieutenant-General Azimov noted that this work would be done within the framework of the documents approved by Government of Takijistan “Complex programme” and the Plan of work of the Interdepartmental commission on combating trafficking in human beings.

Speaker expressed his conviction, that although the efforts undertaken by Government and state bodies to suppress trafficking may result in increasing number of victims found as in Tajikistan, so abroad, such an increase must not be attributed to the current social-economic situation in Tajikistan. In his opinion, this problem was caused by several factors: disintegration of the USSR, civil war, economic and political crisis, which occurred during these years.

Mr. Azimov mentioned in his presentation that on May, 30, 2006 in seminar “The role of law enforcement bodies in prevention and combating trafficking in human beings”, which took place in Ashkhabad, there was expressed positive appraisal of the experience that Republic of Tajikistan accumulated in fight with human trafficking. Governmental efforts in this sphere were in similar way distinguished by Ms. Helga Conrad – special chairman of OSCE during her last –year visit to Tajikistan. The Speaker has also noted that based upon all the mentioned premises they assumed that it is possible to host International conference on human trafficking in Dushanbe, with participation of UNO representatives, experts from Sweden, Turkey and Arab Emirates, embassies of foreign states and NGOs on 15-16. 09. 2006. Mr. Azimov thanked participants for paying visit to Tajikistan and for their taking part in present conference.

Speaker concluded his presentation by stating that Interdepartmental Commission is ready to cooperate with all foreign states, NGOs and international organizations, whose activities are directed towards protection of the citizens’ rights and freedoms.



## ANNEX 2

*Presentation made by:*

**Azizmat Imomov, Deputy Minister of Justice of Tajikistan**

### ***“On means to combat human trafficking in human beings and exploitation in Republic of Tajikistan”***

At the beginning of his presentation, Mr. Azizmat Imomov emphasized that trafficking in human beings becomes more and more widespread and transnational phenomena. Criminal networks of traffickers and exploiters of human beings acquire new technical and informational means, allowing them to extend their activities far beyond the national borders. Criminal groups act on international scale, which results in breaking the law in each and every country, where traffickers are active. At the same time the rights of the victims of human trafficking are violated everywhere.

Moreover, the field of human trafficking and exploitation may include other types of criminal action: kidnapping, rape, depravity, sexual harassment, involvement into commitment of terrorist and extremist activity, prostitution, tortures, forced abortion, blackmail, mercenary, illegal frontier crossing and violation of border regime, theft and fraud on documents, financial dependence, killing, causing bodily injuries, freedom and food deprivation, organization and support of haunts, pimping and pandering, trafficking in human beings, recruitment for exploitation, acts of sexual violence, sexual intercourse or other actions of sexual nature, breach of the principle of equal rights, restriction of movement, of free choice of the place for living, of going out of the country or entry into the country, promoting marriage of the under-aged girl, conclusion of marriage with regard to an under-aged person, child substitution, illegal child adoption, abuse of guardian's rights, taking hostage, etc.

Although in some countries the issue of transnational organized criminal groups involved into trafficking is not so keen, this phenomena will spread to new more “safe” countries or groups of countries. Similarly, problem of trafficking has gradually transferred from South Asian countries, Phillipines, Indonesia, Thailand, Malasia, into countries of Central Asia, including Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan.

The speaker has underlined, that although trafficking is multi-faceted phenomena, having complicated roots and calling for efficient methods of resolution, it is very essential for all countries concerned to interact and cooperate in order to fight trafficking.

Mr. Imomov noted, that without well-coordinated and fundamental approach to the problem of human trafficking and exploitation of world community and national governments it is impossible effectively fight against this crime. On the other hand, it is essential to fight not the consequences of the crime, but its social causes and traffickers' patterns of action. In this regard the role of legislature as methods of trafficking in humans and exploitation can be strictly regulated under the legislative barrier.

At the same time Mr. Imomov has paid attention to positive developments in law enforcement bodies concerning methods to fight human trafficking: inclusion of the women operative personnel into the staff of the Republican Department of security of the Ministry of Interior, who in very prompt manner get into the contact with women – victims of traffickers, which greatly influences the efficiency of work done by this Department. There is instruction of personnel on the tactful methods of dealing with citizens, including victims of trafficking. In 2004 the Academy of the Ministry of Interior of Republic Tajikistan have elaborated and issued the “Practical recommendations to the staff of law enforcement bodies of Republic Tajikistan in fight against human trafficking”, methodical recommendations based on

international and national legislative acts, on principles of identification, disclosing, and investigation of this category of crimes, and on work with victim, protection of the victims and witnesses.

Speaker said that among the main causes of this particular crime is illegal migration of population, the phenomena, which has spread enormously after the disintegration of soviet empire. In Tajikistan, as in many other former soviet republics, theme of migration is the most acute, and among problems concerned here the problem of labor migration is given most serious consideration.

For regulation and putting into order migration processes in Republic of Tajikistan for quite short period of time there was created sufficient normative legal basis:

The following laws of Republic Tajikistan were passed: “On Migration”, “On Refugees”, more reductions of these documents, “On Legal status of the citizens of the foreign countries in Republic of Tajikistan” and “On State border”.

The Government of Republic Tajikistan pays special attention to develop cooperation with international organizations accredited in Republic of Tajikistan, whose activities are promoting and facilitating the resolution of migration issues.

In this regard Mr. Imomov mentioned that Agreement was signed between the Division of the Higher UN Commissar on refugees and the Government of Republic of Tajikistan. In concordance with this Agreement the issues of refugees and persons seeking a refuge in Republic of Tajikistan are being resolved.

Also, as Mr. Imomov said, there was signed a Memorandum on cooperation in the issues of migration between Ministry of Labor and Social Protection of Republic Tajikistan and International Organization on Migration division in Tajikistan, in accordance with which each side elaborated the plan and schedule of joint measures to implement this Memorandum. The Memorandum makes provisions for developing new opportunities to elaborate adequate policies via research and analysis of migration processes.

### ANNEX 3

Presentation made by:

**A.Urunov - Chief Aide to Prosecutor of Sogdyisk oblast**

#### **Some problems of judicial treatment on cases of criminal investigation of crimes concerned with trafficking in human beings**

The problem of human trafficking, especially of women and children, has been an important issue on global scale and Tajikistan alike, as it represents special type of violence and sexual exploitation. Trafficking in human beings violates basic human and constitutional rights and touches upon national interests of the states of victim’s origin.

In Tajikistan as in many other countries, public opinion has not easily accepted the existence of such a problem. As early as in 2001 IOM mission research in Tajikistan showed that “common-sense attitudes to trafficking in human beings are often abolitionist (refusing a problem), in popular understanding trafficking is often understood as prostitution. With this approach one is not aware that innocent victim can be incriminated. Furthermore, there is high risk that common reaction to trafficking in women will be harsh public reproach without being aware of the complex social and economic factors pushing women to go into commercial sex...”

Fortunately, this prediction did not prove itself, despite the fact it had serious foundations in mentality of people. Due to active research and propagating activities of women’s NGOs,

law enforcement and governmental bodies the problem has been sufficiently clarified in public opinion, while previously this problem was not familiar within our national culture, history and mental constructions. As a result of this improved understanding new law was introduced on 1st of August 2003, which included additional article 130 on “trafficking in human beings” into Criminal Code of Republic Tajikistan.

After this on 30th of April, 2004 MAJLISI OLI (national parliament of Republic Tajikistan) passed the Law “On Fight Against Human Trafficking”, which logically follows Tajikistan’s affiliation with UN “Protocol to prevent, suppress and punish trafficking in persons, especially women and children”, complementary to UN Convention against Transnational organized crime (further on – “the Protocol”). In his historic speech on 24 of December, 2004 on occasion of celebrating 80th anniversary of Prosecutor’s Office of Republic Tajikistan, and meeting with military and law-enforcement bodies, President E.Sh.Rakhmonov has stated clearly political will regarding this issue – also an event animating republican bodies dealing with this problem.

The Prosecutor’s Office of Sogdiysk oblast has been active to put into life decisions of general prosecutor Bobokhonov B.K. and executed necessary actions to disclose and investigate cases of bringing girls and women outside of the Republic of Tajikistan for sexual exploitation.

In March 2005 there was created an operational investigating group under the special order of Kalandarov A.D. – Prosecutor of Sogdiysk oblast. For the past 17 month this group has not only efficiently disclosed many facts of recruitment, export abroad and sexual exploitation of the women, but also faced problems and obstacles, inhibiting fight against trafficking, which is often beyond the scope of authorities’ impact. For the mentioned period in total there are 123 facts of recruitment, export of victims abroad and sexual exploitation of women. Against these facts more than 77 criminal cases were brought a suite, which constitutes more than a half of all suits brought in judiciary of Republic of Tajikistan.

There were 123 cases of those victimized by sexual exploitation, of whom 4 were under-aged and 1 person with psychic disorders. All women were mostly trafficked to United Emirates, although there were several cases of taking women to Turkey. If previously during 1999-2002 the route of trafficking was Khudjand – Tashkent – United Emirates, or Khudjand – Dushanbe – United Arab Emirates, now after the checking points have appeared under the initiative of General Prosecutor’s Office of Republic Tajikistan, the criminals invented new ways of trafficking such as Khudjand-Chimkent-United Emirates, Khudjand-Moscow (Tyumen)-United Arab Emirates, Khudjand-Moscow-Istanbul, Khudjand-Ashhabad-United Arab Emirates, Khudjand – Osh (Bishkek) – United Arab Emirates. By the way, in 2000 IOM has predicted opening the route of trafficking via Kyrgyzstan, since introduction of visa regulations for transit Tajik citizens through Republic of Uzbekistan, which would result in choosing the optimal route for traffickers: Khudjand – Osh – Emirates. This supposition has been completely proved by reality. As it was found out by criminal investigation, about 78 % of cases of trafficking are done via this route.

By looking at already investigated criminal cases there were 64 traffickers (54 women and 10 men) who were directly involved into recruiting, transportation and sexual trade, among them there were 4 officers of passport department who collaborated by issuing counterfeited passports.

Part of those convicted were united into 14 organized criminal groups with precise division of duties in their criminal activities – from identifying potential victims to laundering money earned by sexual exploitation of the victims. 18 convicts were doing this business on their own.

The most dangerous, organized and functioning for years were criminal groups of Pochokalonova Samat, Ergasheva Rano, Ziyaboeva Marifat and others. The interesting fact is

that in 7 cases of overall 14 criminal groups were organized on the basis of close family and kin relations. Almost in all cases the organizers and leaders of these groups were women. For example, Pochakolonova's group included her two sons, husband, and a sister with her husband. This group has trafficked 9 women. Similar examples: Ergasheva's group has exploited 11 women from 2002 to April 2003. Ziyaboeva's group has exploited sexually 31 persons. Mother and daughter Pulatova and Kosymova have exploited 3 persons. Brother and sister Domlodzhanovs have exploited 3 women. Husband and wife Bokievs – exploitation of 3 women. Ashurova Sanoat together with others exploited sexually her own under-aged daughter and other victims, and used birth certificate of another daughter which allegedly has died, in order to export abroad and sexually exploit other under-aged victim.

It must be noted that not for all of those being subject to trafficking the sexual exploitation became a tragedy: some have gone through a "school" because they used acquired experience and themselves became criminals, when upon their coming back to Tajikistan started their own criminal groups, recruiting and sexually exploiting other persons. For example, sisters Abdualieva Mavzuna and Kholmirezoeva Mavchuda were exploited by spouses Bokievs and upon return to Tajikistan themselves started trafficking activities and from April 2003 to August of 2005 exploited 3 women in United Emirates. The same can be said about former victims Satorova Muattar, Abdurakhmonova Barno, Toshpulatova Dilfuza, Abdugafarova Gulnora and others.

At present 26 criminal cases on 39 convicts were completely investigated and directed to the court, and convicts were given different sentences by the city district courts. 7 of criminal cases are pending investigation because of 22 criminals are declared wanted and majority of them reside in United Arab Emirates, while we cannot bring them to Republic of Tajikistan because there is no relevant interstate agreement about extradition. However, of those wanted there are 4 who are already caught. The rest of cases are still to be resolved.

Analysis of criminal cases has demonstrated, that almost all convicts were acting in the same way. Craving for profit, criminals were using poor financial state of acquaintances, neighbors or even relatives and suggested them to help and provide to them easy and well-paid jobs abroad. Most often they mentioned jobs of waitresses, salespersons and hotel chambermaids. While recruiting their victims the traffickers were convincing them that only out of feeling sorry for the poor victim they would fix her all documents and pay her transportation cost, which she can cover afterwards as she earns sufficiently.

Having had the consent of the victim and her internal passport traffickers legally fixed documents (via travel agencies and regional visa-and-passport registration departments) or in 12 cases – illegally, fixed visas and tickets and in legal way the victim was brought to United Emirates. There she was met by criminal group representatives, or she arrived under the supervision of trafficker (if the latter acted independently).

Upon arrival to United Arab Emirates victim was taken her passport and she was explained that traveling to United Emirates she ran into large debt, usually they stated sum of 5,000 USD, which she has to pay off by having sexual intercourse only with those whom her "benefactors" would find, and that only after this she would receive her passport back.

The victims, who were consciously put by criminals into dependent position, found themselves in foreign country without knowledge of laws, language and norms of its people, without documents and under the threats to be sent to the police, and being afraid of prison detention, were fully subjected to the will of traffickers. They were forced to fulfill their demands, e.g. the behavior of the victim was fully controlled by criminals. Any resistance was suppressed by threats to apply violence or by direct application of physical violence. We did not find cases when victim was forced by drugs or by forced sexual intercourse.

After the first sexual intercourses the victim was threatened by the fact that her relatives, friends and acquaintances would be informed about her sexual life. In addition, her debt was

increasing every day because the costs of accommodation, living and clothes were added to the initial sum. According to victims' accounts they had to serve up to 20 male persons a day, but all the money paid were taken by traffickers. Thus, criminals completely controlled the wages of victim.

Investigation found out that each service was paid at 25-30 USD rate. If the victim was under-aged the sum rose to 250-300 USD. There were only two ways to get out of servitude: working to pay off all the debt and returning home independently, or, if otherwise, getting deported by local authorities.

The criminals were extremely impudent in their activities as they were continuing trafficking women later after appropriate laws were passed and in spite of Procurator's Office's comprehensive attempts to put a stop to this evil.

It must also be noted that part of those victimized were aware of the character of their future work in advance, because in Tajikistan they were independently involved into prostitution. However, they could not suppose that criminals would get full control of their behavior and wages, because they were all the same deprived of documents and were put into debt servitude.

First of all, it must be noted that victims were recruited not only in Sogdyisk region, but in Khatlon and Dushanbe as well.

The age of victims is within range of 18-50 years, with exception of 4 under-aged persons. This is not surprising, taking into account that they were pushed to serve the poorest strata of the foreign country's society (Aphgans, Pakistans, Bangladeshis, Hindu, etc. – the people, who by their social origin and material circumstances are not capable to create their own families in Emirates and who satisfied their sexual needs by services of criminal groups). This resulted in sexual exploitation of women of different age. Nationality of victims is mostly Tajik and Uzbek.

Among 123 victimized the most part – 79 – formerly were in marriage, 7 were married, and 37 were never married.

31 persons were aware of the character of their future work. 94 persons were deported, e.g. authorities of United Arab Emirates in their documents have cited 94 times that country of victim's origin is Tajikistan, which is a shame for Tajikistan and its citizens.

12 times the transportation of victims was done illegally against counterfeited documents. According to the victims' testimonies the whole income of convicts exceeds 631,000 USD.

Dear participants of the seminar!

There is no doubt that our examples and structure of criminal activities in particular demonstrate classical "trafficking in persons" in the aspect treated in "Protocol".

At the same time we can ask question: Why among so many cases of sexual exploitation of women there is no single one classified as criminal act against Article 130 of Criminal Code of Tajikistan – "trafficking in human beings"? Out of statistics for 2005, 2006 presented by General Prosecutor's office it can be seen that not a single case was directed to court with accusation of "human trafficking" against correspondent Article 130. Instead, all the criminal cases, which are being discussed, have been qualified as "recruitment with aim to exploit" against Article 132 of Republic Tajikistan, which does not correspond with Republic's obligation to fight trafficking in humans.

Certainly, it was not possible to classify all similar crimes, which were committed before 1 August, 2003, as trafficking in human beings, as such type of criminal activity was not stipulated in Criminal Code, therefore we had to use the article stipulated by Criminal Code – Article 132.

Why after introducing the Article 130 into Criminal Code of Tajikistan on 1.08.2003 – the article establishing criminal prosecution for “trafficking in human beings”, and after having 38 cases, do we still continue using Article 132 and not article 130 of Criminal Code of Tajikistan?

We think the problem - why criminal cases committed after 1.08.2003 are difficult to classify against Article 130 as “trafficking in human beings” - lies in peculiar formulation of dispositions in Part 1, Article 130 of Criminal Code of the Republic Tajikistan and Article 1 of Law of Republic Tajikistan “On Fight Against Trafficking in Human Beings” – those formulations which give definition of “trafficking in human beings”.

We must note that there were heated discussions on this problem during “Round Table” in Dushanbe 30.09.2005, concerning problems of trafficking in women, which was organized by Ministry of Foreign Affairs of Republic Tajikistan, and NGO “Modar”. The representatives of law enforcement bodies from all republican regions were present. Then, most participants have agreed that understanding of the 1st Part of Article 130 of Criminal Code of Tajikistan and its practical application are problematic because of several reasons. The problem in our opinion lies in provided by Legislature formulation of “trafficking in human beings” and the meaning, which it has put into to this formulation.

Although at the basis of the correspondent Law N 47 dated 15.07.2004 and Article 130 of CC RT lies the mentioned “Protocol” signed by Tajikistan and in spite of constitutional article 10, which guarantees compliance of national norms with international legal norms (Protocol), the Legislature has coined such a formulation of the term “trafficking in human beings”, which contradicts international legal norm (Protocol). Therefore, this law was “born dead”.

Thus, Article 130 CC RT, unlikely Protocol, treats the notion of “trafficking in human beings” as follows:

“ Trafficking in human beings – is buying or selling human being with or without consent by means of deceit, recruitment, concealment, handing over, transportation, kidnapping, swindling, abuse of dependent position of the other, bribery to get the consent of a person controlling the other person, and other forms of coercion aimed at further selling, involvement into sexual or criminal activity, usage in military conflicts, in porno graphical business, in forced labor, servitude or similar customs, debt servitude or child adoption for commercial purpose, etc.”,

which means that the Legislature out of unintelligible reasons has put into the term “trafficking in human beings” the features characteristic for trade with property (buying and selling) and thereby, willingly or unwillingly, indicated presence of slavery and slave-trade in Tajikistan, because in correspondence with P.1.Art.1 of Geneva Convention “On slavery” dated 25.09.1926:

“Under the notion of slavery is meant a position of an individual, towards whom such authorities or all of them, are exercised, which usually are characteristic for property rights”.

Although, certainly, there is no any slavery or there cannot be talk of any signs of it in contemporary Tajikistan.

The fact, that Protocol itself does not include any elements of “buying and selling” in the notion of “trafficking in human being” is not an occasion: it was based on international practice of fighting against the trafficking in humans.

Protocol has defined in its Article 3 trafficking in human beings as follows:

“trafficking in human beings” includes aimed at the exploitation the recruitment, transportation, handing over, concealment or subjugation of human beings by means of threatening to apply violence or its direct application or by other forms of coercion, kidnapping, swindling, deceit, abuse of power or abuse of dependent position of the other, or by means of bribery, in the form of providing payments or profits to get the consent of a person

controlling the other person. Exploitation, as the least, includes exploitation of prostitution done by other persons or other forms of sexual exploitation, forced labor or services, servitude or similar customs, subjugated position or extraction of organs from the body.

The experience of Regional Prosecutor's Office indicates, that traffickers give women for temporal use (regardless of with or without victim's consent), in our cases for sexual exploitation, in order to get remuneration. Temporality of exploitation is something of which all sides are aware: woman, her traffickers and the person who uses the services of woman.

When Legislature has included "buying and selling" into Article 130 of CC RT and Law N 47 dated 15.07.2004, it made it similar with civil norm of property operations. Thereby Legislature has put before law enforcement bodies the task, which cannot be fulfilled:

In order to prove the fact of "trafficking in human beings" we need to prove that somebody bought woman into property, e.g. there was "buying", and further "selling" e.g. operations with one's own property, which became somebody else's property by purchasing it – thereby to prove the "trafficking in human beings" we need to prove "selling" and "buying" in their relationship, otherwise law's demand will not be fulfilled. But it is impossible to prove such circumstances:

This literal trade with people does not exist in reality, of which we mentioned earlier

Even if we can suppose that this state of affairs would be possible, we only can prove that woman was persuaded, deceived, forced by power or with her consent to go to foreign country (or to another city, or within her hometown) for prostitution within interests of the third party.

But the fact of "buying" by other persons – those who exploit woman or use her sexual services (pimps, owners of restaurants, hotels, bars, den owners, clients) – is impossible to prove, since they reside in foreign country and investigation of this situation is impossible on the spot because appropriate interstate agreements are absent, language and financial problems, visa and other problems. We could escape all these problems by one single act – by bringing our Laws, Article 130 into the correspondence with international Protocol.

That is why, probably, Protocol never included notions of "buying and selling" into the term "trafficking in human beings" and it was fully right.

Analogous problems were faced by our criminal investigation bodies when investigating criminal cases on exploitation of labor migrants.

We consider that international Law is using term "trafficking in human beings" (literally in Russian – "trade in people") as conventional definition for special type of criminal activities and having nothing in common with civil norms of buying and purchasing the goods. In this connection we do not agree with Comments to CC RT published by Academy of Ministry Of Interior RT, stating that in trafficking humans, in our case, woman, is being sold and bought as goods. If to depart from such a situation, then we need to establish criminal prosecution for slave-trade in full concordance with P.1.Art.1 of Geneva Convention "On slavery" dated 25.09.1926.

International law uses the term "trafficking in human beings" as conventional definition, and "Protocol" discloses this meaning in its particular treatment of the term "Trafficking in human beings".

As Protocol in most universal way discloses the essence of "trafficking in human beings", it is enough to prove that if recruitment or transportation or concealment take place, etc., according to text, - then, it already can be qualified as "trafficking in human beings" and it does not demand search for "buyer" or "seller", which are not relevant terms.

Thus, it is precisely the formulation given by "Protocol" which addresses the best the interests of fighting against trafficking in human beings and addresses the principle of lapidary Law.

We already mentioned that in all cases it was impossible to establish the facts of buying the woman by somebody from someone, and then re-selling by the former. If, still, we are to depart from situation that people are being bought and sold, the Legislature should explain us whom it considers “Sellers” and “Buyers”, and from which moments the purchase or sale of the person can be considered the completed deal. It is highly desirable that we, practitioners of Law, would be explained why, contrary to the “Protocol”, the terms “buying and selling” were included into our Laws. Experience shows that criminals use woman with particular purpose of sexual trade, e.g. use her as object of trade because of certain physical characteristics, which are being used by clients for their sexual gratification and for which they pay money, or use her due to her capacity to conceive and carry a child, if the trafficking is aimed at forced pregnancy. In all the cases after exploitation and receiving income, the criminals return victim home and give her freedom back.

At the same time it must be said that limitation of freedom for victims can be understood very relatively. The experience showed that during free time these women were visiting bars and restaurants in hotels where they were kept, and freely communicated with each other. This is an evidence that they could turn to authorities for help, and when some of them did this, they were deported from the country. But majority of victims because of the fear of being arrested and detent, and not having passports, did not turn to anybody for help.

Majority of these women often called their relatives in Tajikistan and convinced their relatives that they are in Russia and earn money. They kept from telling the truth because of the shame and unwillingness to be disgraced among relatives and friends.

If to depart from this and to consider that service is the goods - certainly, all of our convicts can be called sellers of service within “trafficking in human beings”. However, in context of Article 130 CC RT and Law on “Fight Against Trafficking in Human Beings” it cannot be done. The cause that the term “trafficking in human beings” is much wider in its meaning than the term “buying and selling human being”, the latter being only the part of “trafficking in human beings”. In this case the wide scope of illegal actions is included into the notion “trafficking in human beings”. For example, exploitation of certain aspects of womanly body, for which money are paid, and not for the purchasing person as kind of property.

Then there is a question – is there a “Buyer” within this notion of “trade”, this person who uses these services and pays for them? Hardly he knows the history of the woman with whom he has a sexual intercourse. In the worst case he may have guessed it, but it is not possible to convict for this, and it is very hard to identify the client’s personality, as criminals do not perform registration or reckoning of their clients.

Dear Participants of the seminar!

We would like you to pay special attention to the comparisons of the formulations concerning “trafficking in human beings” in Protocol and in two Criminal Codes – that of Tajikistan and of Russian Federation.

Criminal Code of Russian Federation is similar with our Article 130.1 and simultaneously, is much different. If Criminal Code of Tajikistan defines “trafficking in human beings” as two divided notions - “buying” and “selling” – e.g. it divides inter-related activities into two, while in fact they do not exist without each other, - Russian Criminal Code in its Article 127.1 has combined two notions into one as “trafficking in human beings – e.g. buying, selling a human being, or recruitment, transportation, handing over, concealment or subjection of human being with aims to exploit this human being”. Simultaneously Russian Criminal Code has introduced the alternative element “or”, which gives operating space to investigate the facts of trade in human beings, excluding the terms “buying, and selling the human being”.

However, in this case we cannot orient towards Russian legislative practice, since implying the opportunity for “buying and selling human being” Russia has based its legislative



field on the sad experience of Chechen war or its consequences. Exactly Chechen syndrome forced Russian Legislature to introduce into Criminal Code another Article - 127.2., which establishes criminal prosecution for the imposing servitude.

Fortunately, although we went through civil war, we did not have such an experience.

In general, speaking about Article 130 of Criminal Code of Republic Tajikistan, we must comment the existing linguistic paradox. The term of trafficking in human beings was translated into Tajik from Russian, where it sounds as “trade in human beings”.

In Tajik translation of this definition the first part of this crime (where buying and selling are put together as united phenomenon) sounds contrary to the second part where two notions “buying” and “selling” are divided by “or” – which is confusing for us, law enforcing practitioners. We do not understand this and we need clarification. We also demand clarification why the term “trafficking in human beings” (“trade”) is falling out of the context of the Article 130 of CC RT and Law on “Fight Against Human Trafficking”.

All these questions need serious treatment and clarification, otherwise, it is difficult to talk about any effective combating human trafficking in our country.

Thus, summing up the above-said, we consider necessary that:

1. Disposition of the Article 130.1. CC RT and item “a” of the Law of Republic Tajikistan on “Fight Against Trafficking in Human Beings” will be brought into full compliance with the Protocol, which will fully address demands of the Article 10 of Constitution of Republic Tajikistan.

The absolutely necessary is Commentary or Resolution issued by the Legislature concerning the understanding and application of this Law in practice, which would greatly help in prosecuting and investigating activities.

3. It is necessary that Plenary Session of the Supreme Court of Republic of Tajikistan, based on accumulated experience, would give the explaining guidelines on implications of the Article 130.1 Criminal Code of Republic Tajikistan, otherwise law enforcement bodies will be deprived of the opportunity to use this Law and will continue fighting traffic in human beings, as they do now, within the frames of Article 132 of Criminal Code of Republic Tajikistan, with formulation “recruitment for the exploitation purposes” , which not all the same as trafficking in human beings.

4. It is necessary to introduce interstate agreements with countries of trafficking destination about provision of mutual legal help in fight against this evil and, also, about extradition of the convicted criminals.

Thank you for your attention.

**Honored Jurist of Republic of Tajikistan  
Chief Aide to Prosecutor of Sogdyisk Region  
1st Class Justice Counsellor**

**A.U. Urunov**

*(Annexes 4, 5 and 6 illustrating Mr. Urunov’s presentation are available as separate documents.)*

## ANNEX 7

Presentation made by:

**Laura Lederer - Senior Advisor on Trafficking to the Under Secretary for Global Affairs  
U.S. Department of State.**

### **Overview of current situation on human trafficking in the world**

#### **1. Survivor-Centered Approaches**

Survivors have a great deal to offer to our anti-trafficking work. They are the ones who have real-life experience with trafficking. They have a knowledge and expertise that cannot be gained from any textbook or course of training. We need to make our programs more survivor-centered, not out of pity for the survivors, but because every aspect of our programs, whether prevention, prosecution, or protection, will be strengthened, and ultimately more successful, if we do incorporate survivors. Let me give you some examples of why:

- *It was a **survivor** who taught me about the double witness statutes.* These discriminatory statutes, found in many countries in Africa and Asia—as well as in numerous states in the United States, require that there be a second witness to a woman or child who has been trafficked into prostitution, because the word of a woman in prostitution is not to be trusted. Such statutes make it virtually impossible to bring a successful case since, as we all know, there is rarely even one witness, much less two, to many crimes. We don't require two witnesses for any other crime—why for sex trafficking? A survivor showed me why these laws must be changed.
- *It was a **survivor** who traced the trafficking routes for me in one of the first trafficking cases tried in the U.S.* She showed me where the recruiting took place, where the traffickers met to begin transportation (in this case, in Mexico) and where they ended up in the U.S. (in this case, a small rural town in Florida called Avon Park) and traced the routes of transportation, including transit cities and states. The victim intelligence has been critical in designing interventions tailored to the problem. It could not be readily obtained in any other way.
- *It was a **survivor** who returned to her trafficker with a group of anti-trafficking law enforcement officials in South Asia,* and led us to the brothel to which she was trafficked when she was 11, to show us the hollow wall behind which children were hidden whenever there were raids, resulting in the rescue of some fifteen more children that day.
- *It is **survivors** who have designed the most successful rehabilitation programs* for other survivors. Why? Because they know in intimate detail the physical and mental hell of slavery and can therefore shape programs that hit the mark, both for emergency shelters when victims are first rescued, and for longer term employment and education programs that can help people learn new skills to live and thrive.

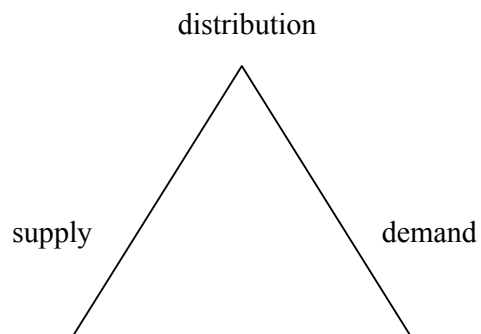
To this day, although we have access to hundreds, indeed, thousands of survivors of labor trafficking and sex trafficking, we have yet to incorporate them into all aspects of our prevention, prosecution, and protection programs. How can we do this? There are an infinite number of ways, but here are three:

- **Prevention:** Have survivors speak at schools, to community groups, in churches, temples, and mosques, about what happened to them, how to avoid being a trafficking victim, what to do if you suspect trafficking. A survivor's story is more compelling in gaining the attention of those vulnerable populations than any expert can be. Better yet, pair survivors with experts in all prevention programs.
- **Prosecution:** Survivors can play a role in investigations, by helping police and other law enforcement officials identify recruiters and places of recruitment, by setting up surveillance efforts (in conjunction with law enforcement, of course) at border crossings; as victim/witness coordinators in interviewing and identifying potential victims for cases.
- **Protection:** Social service providers should partner with survivors to design shelters and services for victims. Such programs are far more likely to be truly comprehensive because survivors will be able to articulate and identify special services needed in particular cases and countries.

If we factor survivors into our programs, we will develop more sophisticated responses and have more successes in the future. This should be our challenge and our goal.

## 2. Dealing with Demand

If we think about human trafficking like drug trafficking, there is a triangle of activity with supply being the women and children, demand being the customer/user/buyer, and distribution the trafficker:



We have spent a great deal of time on “supply” i.e., creating shelters, designing and funding comprehensive sets of services for trafficking victims, including short term aids, like food, clothing, shelter, medical attention, legal services, translation services, and more, for those rescued. We have also spent a lot of time on “distribution”—the investigation, arrest, prosecution, and successful conviction of traffickers. We have spent hardly any, if any at all,

on the demand side of this triangle of activity, and we need to devote more to it. Here are a few ideas for demand reduction:

- *Social marketing*, aimed at boys and young men, talking about why it is bad to purchase sex. These could focus on everything from the public health problems like the spread of HIV and other STDs, to the grim facts about who runs the sex trade and how consumers are helping trafficking flourish and hurting those who have been trafficked.
- *Sanctioning Soliciting*, by enforcing the soliciting laws in our states, and by encouraging other countries to adopt the Swedish model—which penalizes patronizing of prostitution.
- *Second Chance Schools*, such as The John School in San Francisco, California, run by SAGE. These schools, the brainchild of Director Norma Hotaling, operate much like the weekend driver’s training schools for reckless drivers who are first time offenders. They offer first time offenders who have been arrested for soliciting an opportunity to go to school to learn why what they are doing is wrong. In John School, they hear from victims of trafficking; they examine their own motivations for buying sex; they learn about the nature and scope and harm of trafficking. To date, studies show that the recidivism rate for men who have attended John School is less than 2%.

## **Conclusion**

In our country, we put an emphasis on results and results-oriented programs. We must always remind ourselves that we should not judge our success on how much money we spend, or how many programs we have. Instead, we should look solely at how much closer we are to abolishing trafficking.

We must continually ask ourselves the hard questions about what gives us real results in terms of

- Apprehensions, prosecutions, and convictions of traffickers
- Identification and rescue of victims
- Provision of services that rehabilitate, restore, and reintegrate

The United States looks forward to partnering with you to abolish trafficking and related transnational criminal activities. We share a common goal. We must share a common determination and a common strategy to success.

## **ANNEX 4**

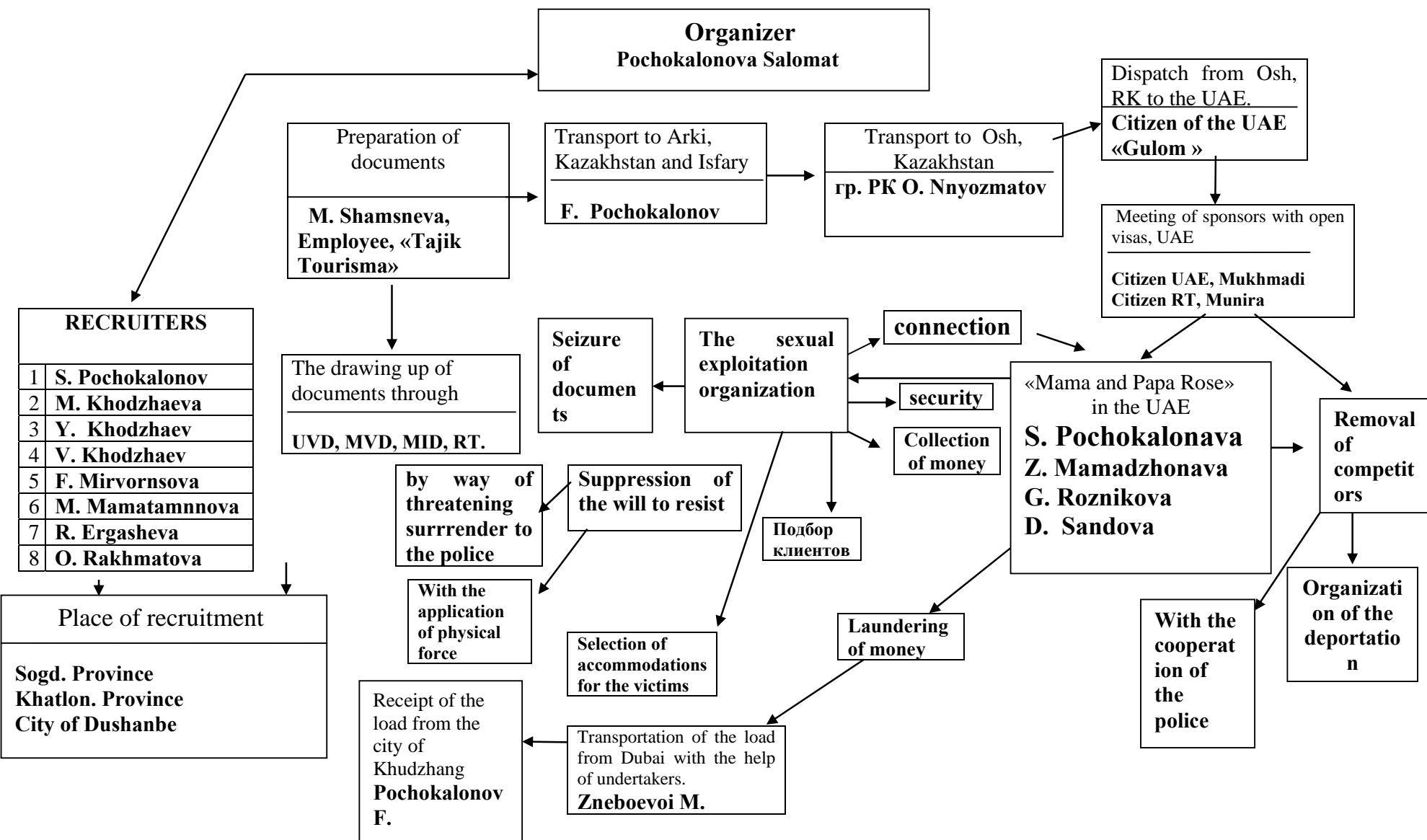
**To the Presentation made by Honored Jurist of Republic of Tajikistan, Chief Aide to Prosecutor of Sogdyisk Region, 1st Class Justice Counsellor A. U. URUNOV**

# **TRAFFICKING ROUTES AND ACTIVITIES**

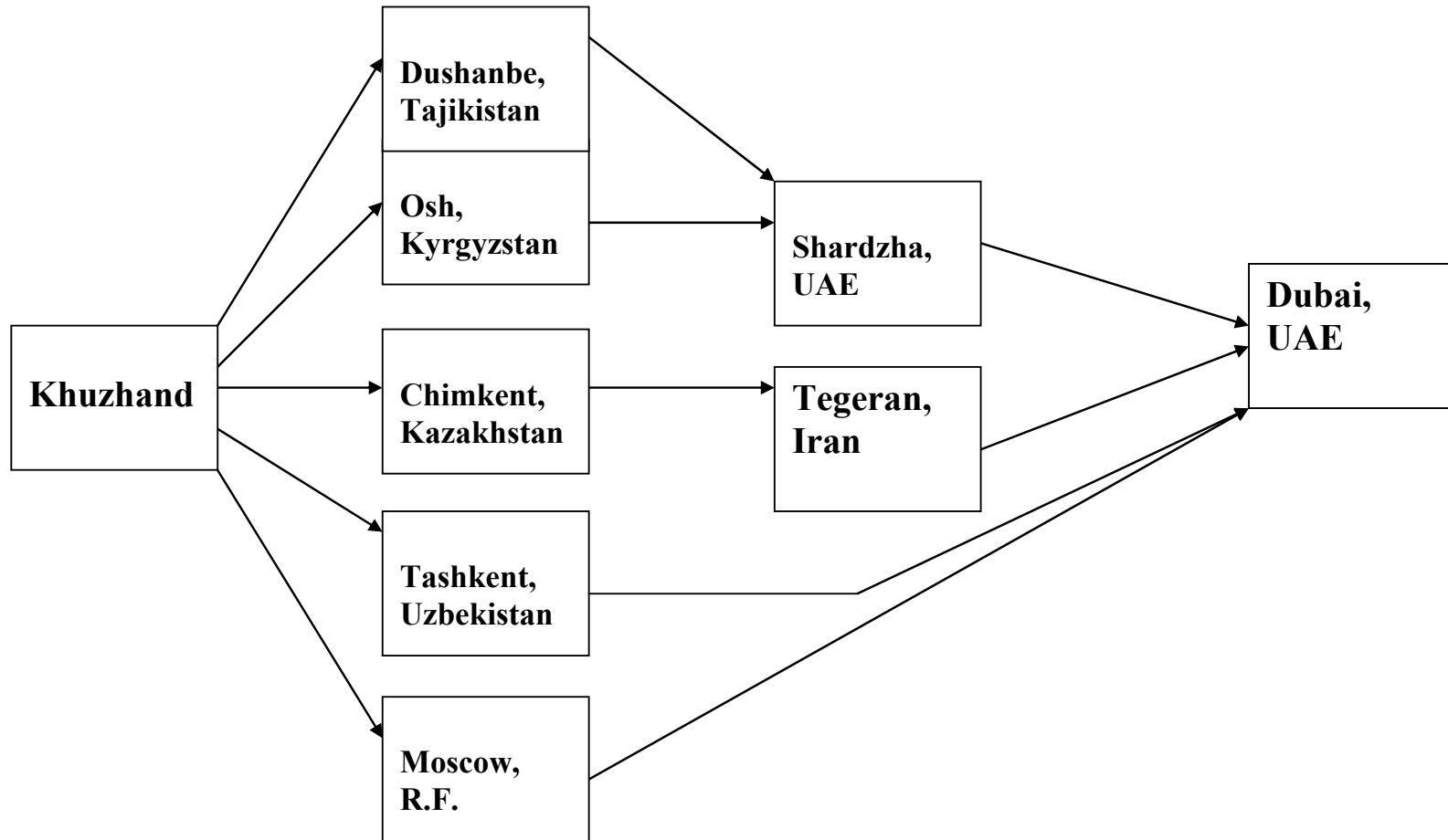
**Khudzhand, 2006**

## DIAGRAM

### The activities of criminal groups in the exportation of women from the Republic of Tajikistan for sexual exploitation

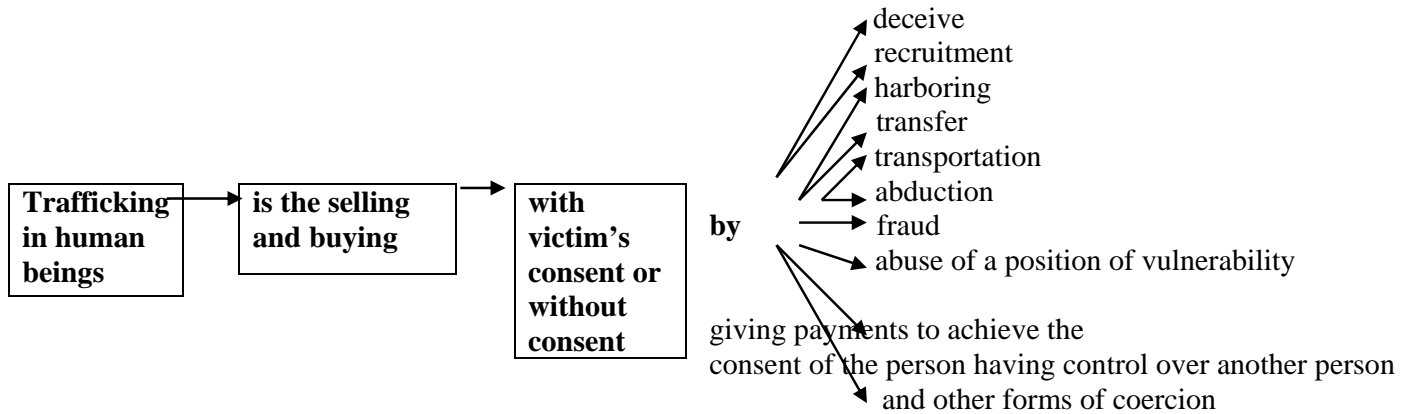


**DIAGRAM**  
**Movement of those recruiting for sexual exploitation**

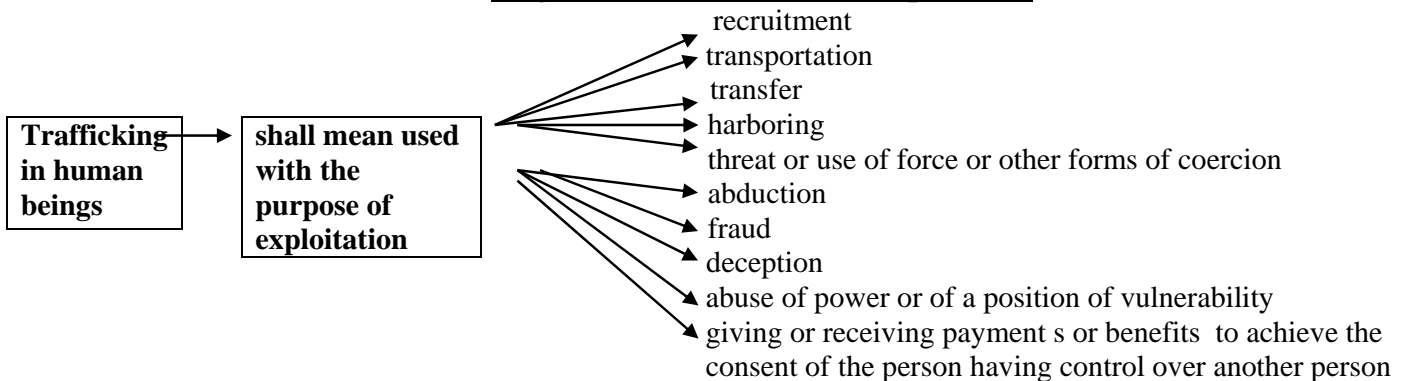


LEGISLATION AND PROSECUTION

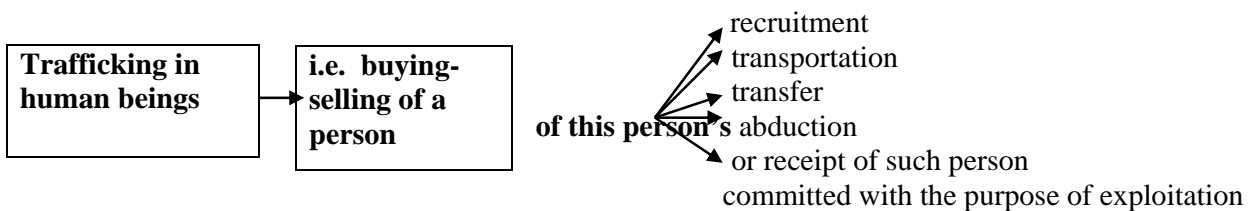
**Article 130.1 of the Criminal Code of the Republic Tajikistan**



**« Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime” (for comparison)**



**Article 127.1 of the Criminal Code of the Russian Federation (for comparison)**

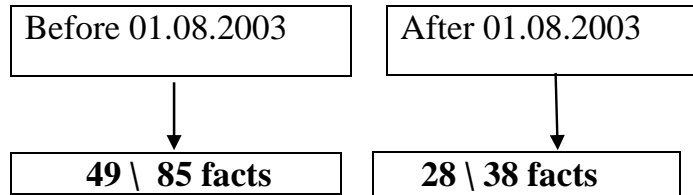




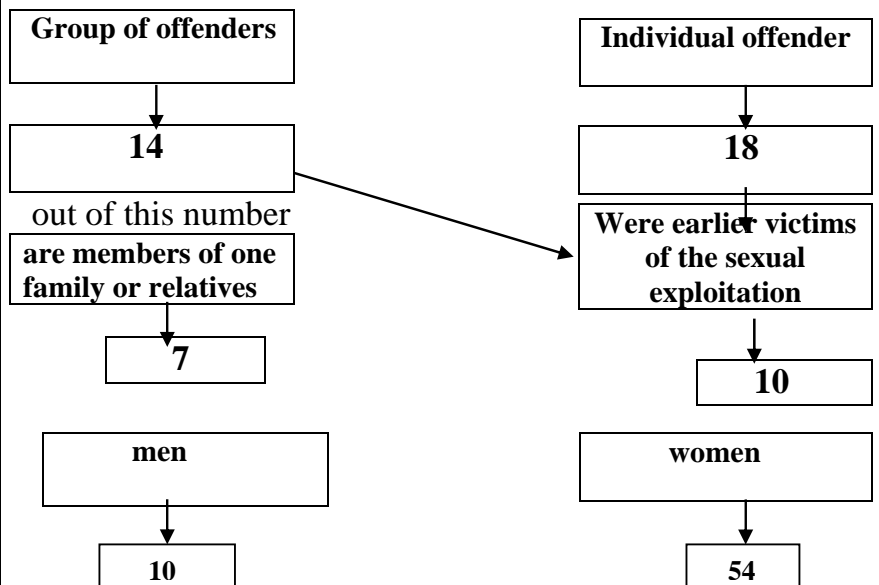
**Results of investigations of criminal cases as on 01.08.2006**

<b>Criminal cases</b>	
Facts revealed	123
Criminal cases initiated	77
Joined in one process	39
Suspended because perpetrators are in search	7 cases against 25 ppl
Terminated	-----
Directed to court with the decision "guilty"	26
Number of accused	64
Number of victims	123
Are in the process	3

**Period of commitment of crime**



**Revealed crimes committed by**



**TABLE  
of victim data**

<b>AGE</b>	Under 18 y.o.	4
	18-25 y.o.	41
	25-30 y.o.	51
	30-35 y.o.	15
	35 y.o. and older	12
	Tadjik	87
<b>NATIONALITY</b>	Uzbek	32
	Other	4
<b>CIVIL STATUS</b>	married	7
	divorced	79
	single	37
<b>AWARENESS</b>	knew that were going to work in sex-industry	31
	did not know	92
<b>Way of repatriation</b>	deportation	94
	auto-return	26
	still in UAE	3
<b>Document falsification</b>	by falsifying name	4
	by falsifying age	2
	by changing address	3
	using other people's docs	3

Total income received from the sexual exploitation is more than \$631.680 US estimated based on victims' witnesses

