Supporting victims of trafficking: towards reconciling the security of victims and states

Vesna Nikolic-Ristanovic

Victims of transnational trafficking\(^2\) often remain outside the broader victim support system and are treated differently in comparison to other victims. They are treated as illegal migrants rather than as victims of crime. Victim services that do not specialize in trafficking in victims are reluctant to offer their assistance to such victims because of their status as well as because they do not feel comfortable in supporting them due to other reasons. As a consequence, the approach to victim support is a more difficult one and less assistance possibilities are available to foreigners as victims of trafficking. They seem to be stigmatized and excluded not only by ordinary people and institutions, but also by those who are supposed to give them assistance and support, including victims’ services.

This paper addresses the challenges related to supporting the victims of cross-border crime, using examples of victims who have suffered from trafficking in human beings. The main aim of the paper is to explore victim support services which are available in destination/transit countries, with special emphasis on how the needs of foreign citizens as victims of transnational trafficking are met and whether this is comparable with services which are available to other (indigenous) victims of crime. Moreover, the paper aims to explore the possible consequences of victim support for both the security of victims and national security.

Victim support for trafficked persons seems to be a great challenge for countries which have well established victim support structures as well as those which do not have such structures but have recently started to develop specialized

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\(^1\) Dr Vesna Nikolić-Ristanović is the director of Victimology Society of Serbia (VDS) and full professor of criminology, victimology and juvenile delinquency at Faculty for special education and rehabilitation/ Belgrade University.

\(^2\) In this paper the notion of a trafficking victim is used in such a way that it encompasses victims of both sexes as well as children, regardless of the form of exploitation from which they suffer. Consequently, gender-specific victim support is meant to take care of the different (gender-related) needs of male and female victims. The concept of victim support is used in a broader sense, including not only the protection of victims and professional assistance, but also information and emotional support which are intended to help victims to make their own decisions and to strengthen or regain a sense of agency (empowerment). Also, the concept of victim support as used in this paper includes supporting a vulnerable population/potential victims which may also prevent victimisation by trafficking (for example, illegal migrants and prostitutes). Thus, victim support is defined as serving the needs of victims because these needs exist and victims ask or agree to be assisted, regardless of what caused them to be victims (trafficking or other crime/victimisation), what happened to the offender(s) and whether the victim is identified as such by others. These definitions are very much in line with the Council of Europe Recommendation (2006)\(^8\) on Assistance to Crime Victims (www.coe.int-trafficking, accessed on 20 January 2010)
services for the victims of trafficking. For the former countries, the challenge is in matching existing services with the needs of foreign victims of trafficking, while for the latter this is connected with setting certain standards and developing comprehensive and well organized victim support structures which are suitable for the needs of all victims.

The questions which I try to answer in this paper include following: Whether and to what extent the victims of trafficking are different in comparison to other victims of crime. Do they really need special treatment, i.e. to be excluded from support services which are available to other victims of crime? Is victim support really meeting the needs of trafficked victims or just someone else, or is it victim or offender-centred? Is there a proactive or reactive approach to victims? Do victim support and protection mechanisms serve victims’ security, a broader (national and regional) security, or both? The latter question is especially important in the Balkans, where, apart from endangering individuals, trafficking is seen as a serious treat to stability, democracy and the rule of law at both the national and regional level. This is particularly connected with the expansion in organised crime, an increase in corruption within the public services, and economic destabilisation due to money laundering and the illegal labour market.\(^3\)

The analysis is based on findings from research carried out in Serbia by the Victimology Society of Serbia and by the FAFO Institute for Applied International Sciences in Norway, as well as on follow-up surveys in both Serbia and Norway. In addition, findings from the Victimology Society of Serbia’s most recent surveys on supporting both male and female victims of trafficking, and other available findings, are used as well.

**Victims of trafficking and other victims of crime**

The victimisation from which trafficking victims suffer is often long-term and multiple, including the consequences of a number of specific crimes. Consequently, although the duration of the trafficking and a combination of various crimes often result in a unique and extremely traumatic experience for victims, they can also be very similar with the experiences of victims of other crimes. Since trafficking can take various forms, its consequences for victims can also be quite different and may range from a long-term and very serious traumatic impact to a short-term and less traumatic effect\(^4\). Exploring and understanding the complexity of these

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