



MEDIA GUIDELINES

**REPORTING ON CASES OF
TRAFFICKING IN HUMAN BEINGS**



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MEDIA GUIDELINES

The Ministry of Internal Affairs of Kosovo (MoIA), the Kosovo Police (KP), and the Association of Journalists of Kosovo (AJK), acknowledge the role of the media in awareness raising and prevention of trafficking in human beings. As a result, in close cooperation they have drafted the guidelines for journalists reporting on cases of trafficking in human beings, in order to provide them with this valuable instrument that will help to cover this crime against human rights through “victims first” approach.

The professional and resourceful reporting on trafficking in human beings is much needed, not only to inform the public about the crime but foremost, to prevent those who are vulnerable from becoming victims of trafficking.

Ending of Trafficking in Human Beings will be possible only with combined and harmonized effort between the Kosovo institutions, the private sector, civil society and the media.

THE ROLE OF THE MEDIA

AWARENESS - Although trafficking in human beings happens around us, most people don't know about it. The media can help raise awareness about trafficking in human beings.

PREVENTION - Information can empower people at-risk, and warn them about dangers and threats. The media can help to empower vulnerable populations.

KNOWLEDGE - Society knows a little about the trafficking in human beings. Media can throw light into the factors, parties, and networks involved. The media can help to increase communities' knowledge about trafficking in human beings to find better solutions.

Therefore, the Media Guidelines related to the Trafficking in Human Beings represent a valuable instrument for journalist when writing about the victims of trafficking as well as when covering the complex nature of trafficking in human beings in a fair, balanced and ethical manner.

WHAT IS TRAFFICKING IN HUMAN BEINGS?

Trafficking in human beings is a process through which individuals are placed or kept in an exploitative situation for economic gain. Trafficking can occur within a country or may involve movement across borders. Women, men and children are trafficked for a range of purposes, including forced and exploitative labour in factories, farms and private households, begging, sexual exploitation, and forced marriage. Trafficking affects all regions and most countries of the world.

KEY ELEMENTS OF TRAFFICKING IN HUMAN BEINGS

The three key elements that must be present for a situation of trafficking in persons (adults) to exist are therefore:

The Act (What is done) - Recruitment, transportation, transfer, harbouring or receipt of persons.

The Means (How it is done) - Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.

The Purpose (Why it is done) - For the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs and cells.

THE MOST COMMON TRAFFICKING IN HUMAN BEINGS RECRUITMENT METHODS

Common methods used to traffic humans include forms of deception like seduction and romance, fraudulent/false promises for marriage or coexistence, promises to study or work abroad (waitresses, dancers, bartenders, promising good monthly salaries and legitimate jobs), offers for modelling / fashion / beauty competitions, contact through social networks (Facebook, Twitter,) etc.

Who can refer victims of trafficking?

Pursuant to the Law on Prevention and Combating Trafficking in Human Beings and Protection of Victims and the Standard Operating Procedures for Trafficked Persons in Kosovo referral can be made by:

- Different governmental institutions and law enforcement agencies
- Various local and international NGOs
- Media
- Citizens in general.

Whereas the following institutions identify victims of trafficking

- Kosovo Police / police investigators from the Directorate for Investigations on Trafficking in Human Beings
- Prosecutor
- Victims' Advocate (State Prosecutor's Office)
- Social Worker from Centre for Social Welfare

SOME OF THE VICTIMS' RIGHTS:

- Right to protection and housing
- Right to confidentiality
- The right to be treated with respect and dignity
- Right to compensation / reparation
- The right to access judicial proceedings
- The right to a trial
- Not judging the victim that she/he is guilty of what happened to her/him.
- Protecting the confidentiality of the victim / care in the presentation of images that impair her/his integrity, etc.

Early indicators for identification of victims of trafficking in human beings

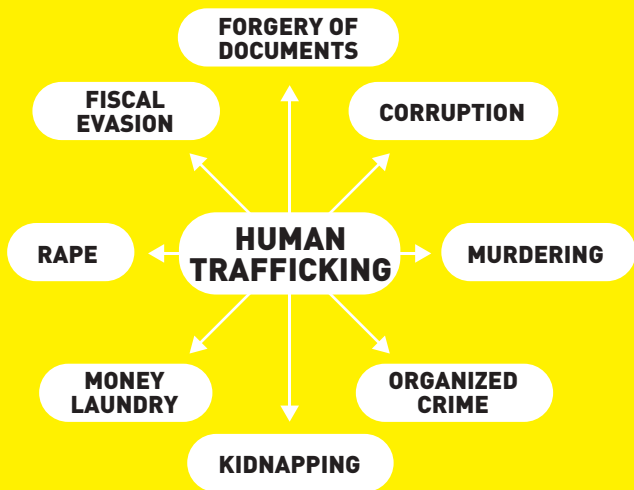
During the fieldwork, journalists often encounter persons who may be victims of trafficking. It is therefore important to recognize some of the early indicators that can contribute to identifying victims of different age and gender.

- When declaring that he has been abused, threatened, exploited and shows clear signs that he is looking for help;
- There are signs in the body that indicate physical or sexual abuse against him / her;
- There is always an adult nearby to check on;
- No contact with the family and no blood related person to care for him / her;
- Unregistered in the place / city where it is brought by an adult with whom he has no family connection;

- The person has come into a situation of exploitation through abduction or through a promise that has proved false.
- The person is obliged to remain in a situation of exploitation due to threats and violence against him / her or those close to him / her.
- The person has no control over his / her life: movement, housing, use of income, control over vital documents (i.e. passports), are led and controlled by other persons.
- The person's transportation, housing, employment are regulated by persons known or known to be traffickers or users.

THE RANGE OF CRIMES RELATED TO TRAFFICKING

Cases of trafficking in human beings can be also associated with other criminal offenses. They can also serve as early indicators!



WHEN REPORTING TAKE CARE OF DIFFERENCES BETWEEN TRAFFICKING IN HUMAN BEINGS AND MIGRANT SMUGGLING

For journalists, and in some cases for the authorities, is very challenging to differentiate smuggling and trafficking as sometimes they overlap. Moreover, identifying whether a journalist has to cover a case of trafficking in human beings or migrant smuggling and related crimes can be very difficult.

Some trafficked persons might start their journey by agreeing to be smuggled into a country illegally, but find themselves deceived, coerced or forced into an exploitative situation later in the process.

Migrant Smuggling - means any action for the purpose of directly or indirectly benefiting a financial or other material benefit from the unlawful introduction of a person in Kosovo who may or may not be citizen of Kosovo.

Crossing the state borders -the essential element to smuggling with a migrant is border crossing. Whereas the trafficking in human beings is both a domestic and global crime, with victims trafficked within their own country, to neighboring countries and beyond.

Victim exploitation - does not exist in smuggling work with migrants even though smugglers pay for travel to the destinations.

To clarify if a case is a migrant smuggling the journalist should look for the following indicators:

Consent - migrant smuggling, while often undertaken in dangerous or degrading conditions, involves consent. Trafficking victims, on the other hand, have either never consented or if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abusive action of the traffickers.

Exploitation - migrant smuggling ends with the migrants' arrival at their destination, whereas trafficking involves the ongoing exploitation of the victim.

Trans-nationality- smuggling is always transnational, whereas trafficking may not be. Trafficking can occur regardless of whether victims are taken to another state or moved within a state's borders.

Source of profits - in smuggling cases profits are derived from the transportation or facilitation of the illegal entry or stay of a person in another country, while in trafficking cases profits are derived from exploitation.

REMEMBER

No matter how insignificant it seems, the confusion may cause audiences to misunderstand the facts. It may also make difficult early identification of the victims by diverting attention from the real problem while the amount of mental manipulation forces the victim to have less belief in anyone other than their illegal handler.

CHILD TRAFFICKING

Trafficking in human beings, whether of children or of adults, is a violation of human rights. In the case of persons who have not yet attained the age of majority, it additionally violates their rights as children, in particular their right to be protected from exploitation. Threat or use of force or other forms of coercion, abduction, fraud or deception, or the abuse of power or a position of vulnerability at any point of the recruitment and movement do not need to be present in case of children (other than with adults), but are nevertheless strong indications of child trafficking. (From ILO, UNICEF, UN.GIFT, Training manual to fight child trafficking in children for labour, sexual and other forms of exploitation, 2009)

HOW TO GET INFORMATION

Rather than relying on secondary sources such as a press release or report, media/journalists should try to conduct interviews with all relevant actors whenever possible in order to get all sides of the story. Interviews should be the primary source, a main tool for journalists reporting on trafficking in human beings cases, as it helps them to put together all the pieces of the story. Interviews with all the stakeholders may be necessary for the complete picture, although not always possible. Use your journalistic judgment to go as far as possible.

Take advantage of experts and knowledgeable professionals in the field to cross check secondary sources!

INTERVIEWING VICTIMS OF TRAFFICKING

Those who have been trafficked have suffered violation of their human rights. Make sure that you have taken all measures to protect the identity of the victim unless you are interviewing a person who may have chosen to reveal its identity.



Do not reveal identity of a child even if you are given permission from parents or legal guardians. Maintain extra sensitivity and let the victim know and feel that it is ok to decline to answer questions they are not comfortable answering.

Do not record/film conversations without obtaining consent from the interviewee/the victim! Let him / her know that you will make public only those parts of the story that they are comfortable.

Do not use the archive photos and video images to illustrate a story. Images accompanying trafficking in human beings news often demonstrate a lack of sensibility to the victims and reduce them to stereotypes.

Make distinction between victims of trafficking in human beings and voluntary prostitution!

Sex trafficking can include prostitution, but not all prostitution is necessarily sex trafficking. Two main factors differentiate the two. Trafficking involves a third party-beneficiary, meaning someone else must be involved.

Exploitation of the victims - include, but it is not limited to prostitution, pornography or other forms of sexual exploitation.



Voluntary prostitution - when someone engages “willingly” in sexual activity in exchange for payment.



Recognize the value of images and think how much can be shown in media without either insulting or pushing away the audience. By intentionally exaggerating, to sell stories, media can indirectly harm victims of trafficking in human beings.

Reporting about children, victims of trafficking in human beings

Reporting on trafficking in human beings stories involving children and young people presents special challenges for journalists. In fact, unethical or inappropriate coverage places children at great risk. Be extra careful when choosing images to illustrate a story. Make sure the children are portrayed with dignity.

Juveniles and children who end up in the hands of traffickers are particularly vulnerable and either understand some or all of the conditions they are in, or have no access to relief services. Even more vulnerable are children with physical disabilities, who are often used to beg.

When reporting about children, victims of trafficking, media should avoid criminalization of minors, by keeping in mind that even if the child is involved in minor crimes, she/he still remains a victim of the crime.

Avoid sensationalism and stereotypes when reporting about victims of trafficking in human beings

Trafficking in human beings by its very nature is a traumatic, sometimes violent crime. It is imperative that journalists present the facts of the case and avoid speculation.

When dealing with trafficking in women, do not use photos of naked or half-naked girls dancing as it simply makes the reader/viewer to equate trafficking in human beings with prostitution, which are different issues.

GLOSSARY TO BE USED WHEN WRITING/REPORTING ABOUT THE TRAFFICKING IN HUMAN BEINGS

Authorities - all Kosovo institutions in accordance to the Article 6 of the LAW NO. 04/L - 218 on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking:

- Ministry of Internal Affairs (MolA),
- Kosovo Police (KP),
- Ministry of Labour and Social Welfare (MLSW),
- Ministry of Health (MoH), and
- Other Ministries and other institutions, service providers within these institutions, which, under the Law or any other relevant Law, are authorized to deal with preventing and combating trafficking in human beings and providing assistance and protection of victims of trafficking.

Child - a person who is under the age of eighteen (18) years.

Country of destination - The country that is the ultimate destination of a trafficked person (also referred to as “receiving country”).

Country of transit - The country a trafficked person travels through to reach her/his final destination.

Exploitation of the victims - a person who is under the age of eighteen (18) years.

Country of destination - include, but not be limited to prostitution of others, pornography or other forms of sexual exploitation, begging, forced or compulsory labour or services, slavery or practices similar to slavery, servitude or the removal of organs or cells.”

Forced labour - all work or service which is extracted from any person under the menace of any penalty and for which the said persons has not offered him/herself voluntarily.

Forced marriage - a servile or fictitious form of marriage of persons, so far as they contain constituent elements of trafficking in human beings, as provided for in the Criminal Code of Kosovo. In case of a child, the child’s consent shall be considered irrelevant for any of the above actions.

Identified trafficked person - a person who has been identified as a victim of trafficking according to a formal or informal identification.

Shelter - Premises where trafficked persons are hosted during reintegration phase. Shelters may be open or with restricted freedom of movement justifiable with reference to the risk assessment.

Illegal adoption- any institution or practice whereby a child, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.

Inter-Ministerial Working Group (IMWG) - is composed of representatives of central institutions mandated to coordinate, implement, monitor, and report on the achieved progress in prevention and combatting of trafficking in human beings.

Kosovo Police, in particular the **Directorate of Investigations on Trafficking in Human Beings (DITHB)** - is responsible for Crime prevention, Criminal investigative activities, Arrest of perpetrators, Protection of trafficked persons, Carrying out the measures as envisaged by the SOPs for Trafficked Persons in Kosovo, Issuing regular reports on data on trafficking cases and trends.

National Authority - the national authority is composed of authorities listed under the paragraph AUTHORITIES and other relevant Kosovo institutions from different scopes, including representatives of the local governmental and non-governmental service providers.

National referral mechanism - This refers to the national level victim referral mechanism, which has been established to identify, return and assist the victims of trafficking. These mechanisms exist in countries of transit, destination and origin and refer (direct) cases throughout the system/referral process at national level, from the initial identification to assistance and protection, by promoting the cooperation between different government institutions and non-governmental actors.

National Anti-Trafficking Coordinator (NATC) - is appointed by the Government and it is mandated to coordinate, monitor and report on the implementation of policies against trafficking in human beings as well as to chair the Inter-Ministerial Working Group (IMWG).

Presumed trafficked person - A person who is presumed to be a victim of trafficking but who has not been formally identified by the relevant authorities or has declined to be formally or legally identified. Presumed trafficked person are entitled to the same treatment as the identified victims from the beginning of the identification process.

Potential trafficked person - Any person (minor or adult) who has not been trafficked but, given her/his profile or the appearance of certain indicators, may be vulnerable to trafficking in human beings.

Protection - It refers to the procedures to ensure the trafficked person's physical safety and safeguard of her/his prospects of social inclusion in the country of origin, destination, or a third country.

Recovery - The process by which trafficked persons are stabilised and their well-being restored psychologically, socially and physically.

Reintegration - Reintegration or integration is focused on empowering the trafficked person, reuniting her/him with the family or her/his community, or her/his integration into a new community.

Social services - Set of services offered to the victims and vulnerable groups, to meet their immediate or long-term needs.

Traf(cked child - Any person under eighteen, who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country, even if no element of coercion, deception, abuse of authority or any other form of abuse is used.

Traf(cked person - A person who is subject to the crime of trafficking in human beings.

Trafficker - Person complicit in the trafficking of another human being (or human beings) for any form of exploitation.

Commission - the panel for receiving, reviewing and deciding on the application for compensation of victims of trafficking in human beings.

Victim of trafficking - a person placed or kept in an exploitative situation for economic gain.

Victims Advocate - is the person assigned by the Victims' Advocacy and Assistance Office.

Vulnerable victim - a child, a physically or mentally handicapped person, a person suffering from diminished capacity, a pregnant woman, or a domestic partner as determined by the Criminal Code of Kosovo.

Report and refer victims of trafficking!

Successful media coverage of trafficking in human beings can highlight the efforts being made against trafficking in human beings, the partnerships in place working to stop the crime and the success stories of survivors, social workers, law enforcers and many other people doing tremendous work. The stories that can inspire people to focus on solutions rather than problems are a powerful way to reach the public. If you notice one of the above indicators cooperate with law enforcement agencies save a life, share the information with the police beforehand for the purpose of early identification and rescue of the victim.

REPORT TRAFFICKING IN HUMAN BEINGS

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