

IMPLEMENTING JUSTICE FOR CHILDREN, A CHALLENGE FOR VICTIMS OF TRAFFICKING IN NORTH MACEDONIA – GAPS BETWEEN LAW AND PRACTICE

Abstract

Child trafficking in North Macedonia represents one of the most serious, darkest and most undetected forms of crime, with profound and long term consequences for victims, while simultaneously testing the functioning of justice and child protection mechanisms. This phenomenon presents at least three related dimensions: serious violations of children's rights, gaps in early identification and inter-institutional coordination, and testing the capacity of investigative and prosecution bodies. Globally, it has been reported that over 40 million people live in forms of modern slavery and trafficking, while about one in four victims is a child, which underlines the massive and systematic dimension of child exploitation (Rafferty 2020). The risk of trafficking affects every child regardless of nationality, gender or age but increases significantly when protective aspects such as family and social are broken due to poverty, economy, family problems, discrimination based on gender, identity, disability, as well as as a result of conflicts, illegal migration or breakdown of the legal order (Gutierrez et al 2021). Forms of modern slavery including psychological control, isolation, forced debt and violence prevent seeking help and remove the victim from recognition, support and research, while prejudices about the “appearance” or behaviour of the victim can lead to non-identification by competent authorities (Identification and Initial Care 2014). As for North Macedonia, in the normative aspect, it has taken important steps to be as close as possible to harmonizing its legislation with international standards, by including principles such as proactive identification of victims, the principle of their non-punishment, child-friendly procedures, the obligation to avoid re-victimization and the provision of legal remedies. But what is important in all this is the emergence of gaps in terms of implementation: potential victims are identified late, not identified at all or misidentified as offenders, interviews are not conducted in a specialized environment, while criminal proceedings are usually proceeded towards lighter offenses (e.g. exploitation for prostitution or aiding illegal migration), with symbolic or not at all proportionate sentences. This shows that the main challenge lies not only in the text of the norm, but in the way it is implemented in practice and in the real capacities of institutions to ensure child-sensitive justice. Therefore, the paper focuses on the gap between law and practice in the implementation of justice for child victims of trafficking in North Macedonia, by building a comparison between: (a) the annual reports of the National Commission for Combating Trafficking in Human Beings and Irregular Migration, which reflect policies, measures and institutional self-assessment; and (b) case analyses published by UNODC, which document concrete procedural and operational obstacles on the ground. The comparison has a particular focus on: early identification and referral, procedural safeguards and child-friendly justice, prosecution, evidence and sentencing, as well as remedies, compensation and long-term reintegration. Methodologically, the paper uses a comparative documentary approach with a qualitative basis, relying on three main categories of sources: (1) national legislation and

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international instruments on child trafficking and justice for children, (2) annual reports of the National Commission and (3) UNODC case analyses. The analysis is carried out by comparing institutional documents with empirical evidence drawn from concrete cases, with the aim of identifying points and inconsistencies, as well as gaps in the chain of protection and justice for child victims of trafficking.

1. THEORETICAL ASPECT

1.1. Child trafficking as a phenomenon and its international definition

What should be emphasized is that human trafficking has a historical dimension that has appeared in all periods of the development of society, where even in the early days of this crime, society has called it the “white slave trade”. This crime, since it is easily modified and adapted to social, economic and political conditions, is therefore known as the darkest and most undetected crime in any period. Since the term “white slave trade” was mentioned, it gives us to understand that in essence, it is closely related to the notion of slavery and forms similar to slavery, where people are treated as goods, objects for sale and a source of profit, while their fundamental rights are systematically violated. Interestingly, contemporary literature emphasizes that as long as there is a profitable market for trafficked persons, combined with poverty, inequality and weak institutions, human trafficking will continue to flourish (Kapur 2005). The typical movement of victims is from less developed to more developed countries (US Department of State 2010, Trafficking in Persons Report), but in reality all countries are affected by trafficking, whether as source, transit or destination countries. In this context, child trafficking is seen as a particularly serious form of violence and exploitation, where children are used for prostitution, pornography, forced labour, begging and criminal activities. The one that best defines what we mean by child trafficking at the international level and that invites all states to harmonize their legislation with it is the Palermo Protocol, which initially defines trafficking in persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of such means as the threat or use of force or other forms of coercion, of abduction, of fraud, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits, for the purpose of exploitation (Palermo Protocol 2000, art 3(a)). In subparagraph 3(c), it specifically defines it for children as follows: that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is considered “trafficking in persons” even if none of the means provided for in subparagraph (a) are used, thus removing the requirement for coercion or fraud (Palermo Protocol 2000, art 3(c)). The reason for removing the “means” element for children is that as long as a child is moved or placed somewhere for the purpose of exploitation, the situation is considered trafficking, regardless of any presumed “consent”. Consequently, the Council of Europe, through the Convention on Action against Trafficking in Human Beings, similarly emphasizes that when the victim is a child, the “means” element is not necessary, placing the principles of the best interests of the child and their enhanced protection at the center (Council of Europe Convention 2005, art 4). The literature also emphasizes that the drafters of the protocol aimed to avoid an excessive focus on the “behavior” of the child and to shift attention to the responsibility of adults and exploitative structures (Vijačk 2016).

1.2. Principles of child rights in the context of trafficking

All international conventions, especially the Convention on the Rights of the Child and other protocols, attach great importance to the principle of the best interests of the child, which should be the primary consideration in all actions related to children, including cases of trafficking.

In practice, this means that identification, interviewing, criminal proceedings and protection measures should be implemented in a way that minimizes harm and prevents revictimization. Other key principles are: the right of the child to be heard and to participate in proceedings in accordance with their age, the principle of non-discrimination, the right to protection from violence, abuse and exploitation, as well as the provision of health services, education and psychosocial support (CRC, arts 2, 19, 24, 28). The contemporary rights-based approach emphasizes that child victims of trafficking should not be reduced to the role of witnesses for the needs of criminal proceedings, but should be treated as rights holders who need long-term support, regardless of the outcome of the criminal process (Rafferty 2020).

1.3. Contemporary models of intervention: Barnahus and child-friendly justice

The Barnahus model, also known as the children's house, has achieved recognition at the European level as the most successful and reference model for child-friendly justice for children who are victims and witnesses of violence and abuse, including cases of trafficking. The concept of "Barnahus" translates to "Children's House" in English and originated in Iceland, the first Nordic country to adopt the model in 1998. The Icelandic Barnahus took the CAC model (US Children's Advocacy Center, CAC Model) as inspiration, which was developed in response to child sexual abuse, starting in Huntsville, Alabama, in 1985. Both models are based on the understanding that child abuse is a complex phenomenon, requiring highly specialized expertise and coordinated services (Johansson et al 2017). A fundamental question for countries discussing the adoption of this model is what constitutes a "Barnahus" and what elements are considered essential in order for a structure to be classified as such (Johansson et al 2017). Barnahus is a highly professional approach to child victims, with two objectives: facilitating the legal process and ensuring that the child receives the necessary support and treatment (Johansson et al 2017). A key element is the principle of "under one roof": the child goes to a single place, while professionals come to him, protecting him from multiple movements between institutions and unnecessary repetition of the story (Landberg and Svedin 2013). This is achieved in particular through a single structured investigative interview, which is audiovisually recorded and followed in real time by the multidisciplinary team in an adjacent room, to avoid multiple interviews and reduce secondary victimization (Guðbrandsson 2010). The Barnahus environment is valued as a safe place and not typical of the police or court, but adapted to children, combining child-friendly justice with the guarantees of a fair process. From all this it is understood that this concept with a multidisciplinary approach, both at the European and international levels, in all the guidelines and documents on child-friendly justice emphasize the importance of close cooperation between institutions in child-friendly environments such as the Lanzarote Convention, the Council of Europe 2010, CRC etc. (Lanzarote Convention 2008), as an example of a promising and successful practice in this direction. Whereas for countries in transition, where specialized facilities are lacking and where the system is often fragmented and uncoordinated, as in the specific case in North Macedonia, these models are concrete ways to help build safer and more effective practices for child victims of trafficking.

2. LEGAL FRAMEWORK IN NORTH MACEDONIA

2.1. Historical development of trafficking

From a historical perspective, the first Criminal Code of the Republic of Macedonia was adopted in 1996 (Criminal Code 1996), after the breakup of the socialist system, but it did not contain an article on “human trafficking”, treating it only indirectly through acts such as prostitution or deprivation of liberty. With the influence of international standards, the first important reform was made in 2002, Article 418-a “Human trafficking” was added, which defined trafficking and provided for more severe penalties for cases involving minors. The National Commission for Combating Trafficking and Illegal Migration (2002) (Official Gazette of the Republic of Macedonia No 18/2001) was also established, with a national coordinator and working groups, including a special group on child trafficking. In 2004, Article 418-a was expanded with new elements such as fraud of the victim, exploitation of pregnancy, disability, pornography and forced marriages. That same year, articles on migrant smuggling were added (418-v), clearly separating trafficking from smuggling. The 2008–2009 amendments toughened penalties, especially for cases where the victim is a child, and provided for the confiscation of the means used in trafficking (article 100). According to the US State Department Report (2009), Macedonia was ranked in “Tier 2”, as a country that meets minimum standards, but remains a source, transit and destination country for trafficking in women and children.

2.2. Relationship with the law on juvenile justice and the law on child protection

Reforms in the field of juvenile justice are framed through a special law on juvenile justice, which establishes a specific system in a single law for the treatment of children in conflict with the law, child victims and witnesses, in accordance with the Convention on the Rights of the Child (US Department of State 2010, Trafficking in Persons Report). The law provides for principles such as the best interests of the child, proportionality and the use of educational and alternative measures, but also includes provisions for the procedural protection of child victims, such as hearings in appropriate premises, the possibility of using audio-video recordings and limiting direct contact with the defendant. Studies on the juvenile justice system in North Macedonia show that important steps have been taken in combating this phenomenon during the post-independence period, but the implementation of protective measures remains insufficient, especially in cases of trafficking and sexual exploitation. National and international reports on women’s safety and gender-based violence in North Macedonia highlight that, although an advanced normative framework exists, institutional capacities to guarantee effective protection, including legal and psychosocial support for child victims, are limited and often depend on short-term projects (Tozija 2020). This shows that the link between the Criminal Code, the law on juvenile justice and the law on child protection is not always functional in practice, especially when it comes to complex cases of child trafficking (Tozija 2020). In this context, the provisions of Article 418-a and related articles in the Criminal Code of North Macedonia are largely aligned with the Palermo Protocol, the Council of Europe Convention on Action against Trafficking in Human Beings and EU standards. The three-element definition “act – means – purpose” follows Article 3 of the Protocol (Palermo Protocol 2000), while the stricter regulation for cases where the victim is a child reflects Article 3(c), where the “means” test is not required. The legislation provides for comprehensive criminalization, severe penalties, confiscation of benefits and the principle of non-punishment of

victims, but practical implementation, especially for children and girls at risk, remains challenging according to international reports

2.3. Legal gaps and conceptual challenges

Although the criminal legislation of North Macedonia is considered to have made progress in terms of the formulation of the crime of trafficking, there are still some gaps that have direct consequences for child victims. One of them is related to the incompletely harmonized use of the terms “child” and “minor person” in some provisions, without a clear legal clarification of the differences, which may create uncertainty in the application of the law. Another challenge is the clear distinction between child trafficking, child prostitution and offences related to illegal migration: in practice, it has been observed that cases containing clear elements of trafficking are prosecuted for “exploitation of prostitution” or “assistance to illegal border crossing”, not activating all the guarantees related to the status of the victim of trafficking and thus minimizing the importance of the serious offence of child trafficking, which leads to lower sentences, non-use of all protection mechanisms and victims remaining outside the specialized assistance system.

Finally, although the law on child justice and other sub-legal acts provide for the possibility of hearing children under special conditions (e.g. through audio recordings or video connection), these measures are not always present and are not applied uniformly at all stages of the procedure and in all courts. These elements demonstrate that, although the legal framework of North Macedonia is largely harmonized with international standards, a major gap exists between the norm and its implementation in practice, especially in relation to the protection of child victims of trafficking.

3. PRACTICE AND CHALLENGES IN IMPLEMENTATION

3.1. Data on recorded cases 2018–2021

The 2018 annual report identifies 9 victims of trafficking, of which 6 are children aged 13–17, mainly girls, exploited for forced prostitution, begging and forced marriages. In parallel, state mechanisms and non-governmental organizations identify over 120 potential victims, most of them children from vulnerable communities (Roma, families in deep poverty, street children), which shows that the number of children at risk is significantly higher than that of formally recognized victims (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018). For 2019, the National Commission’s report finds a continuation of the pattern: a relatively low number of identified victims and a significant number of potential victims, who are treated more in the logic of “vulnerable groups” than as victims of trafficking with full procedural rights (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2019). Although the 2019 report is more focused on legal developments (the draft law on compensation, the principle of impunity, the role of the National Rapporteur), the section on criminal investigations and proceedings shows that most registered cases of trafficking remain small in number and do not reflect the real scale of the phenomenon of child exploitation. Although the Commission’s 2020 report is not included here, the analysis of the 2016–2019 trend shows a similar pattern: in 2016, 6 victims of trafficking (including children) were identified, compared to 125 potential victims, of whom 47 were children, while 120 of these potential victims were identified among irregular migrants (National Commission for Combating Trafficking in Human

Beings and Illegal Migration 2016). This high proportion of cases in the migration context continues in subsequent years, complicating the distinction between trafficking and smuggling of migrants, especially among unaccompanied youth. The profiling of victims shows several recurring characteristics, such as gender, age, ethnic and socio-economic aspects, as well as forms of exploitation (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018). The victims are mostly adolescent girls in cases of trafficking for sexual exploitation and forced marriages, while boys but also girls are present in forced begging and forced labor. The age group from 13 to 17 years dominates. They are mostly children from the Roma community, families with minimal income, street children and unaccompanied migrants. And most importantly, we have sexual exploitation, forced marriage or also known as the "sale of the girl", forced begging, forced labor in agriculture, construction, domestic work and the new trend of online exploitation. However, the official numerical data are relatively low for the period 2018–202, what we should not do is interpret it as a decrease in the phenomenon, but take it as an indicator that there is a gap between the real risk and the official identification of children.

3.2. UNODC findings on early identification and non-initiation of procedures

UNODC, in its regional analysis of trafficking in South-Eastern Europe, emphasizes that the main reason for the failure to identify child victims early is that trafficking offences are not prosecuted as such (UNODC 2022). In its reports, UNODC often gives examples from the Western Balkans, where children caught in the act of begging or undeclared work are treated as “children in a street situation” and not as potential victims of trafficking requiring systematic screening (UNODC 2022). One of the key findings from UNODC reports is that instead of implementing a screening mechanism with specific indicators for children (family that benefits from child labor, control by third adults, signs of violence or fear), the opposite happens in practice when it results in a reduction in rapid assessment by the police or inspectors, without the timely involvement of social work centers or referral mechanisms. This causes many cases of trafficking to be hidden behind "extreme poverty" or "parental failure", while criminal procedures are not initiated under the provisions for child trafficking. UNODC in its reports links the failure in early identification to several factors such as: a) insufficient capacities of the police, prosecutors and social workers to distinguish the indications of trafficking in children, e.g. early marriage of girls is often not conceived as a form of exploitation, b) dominance of the reactive approach that is acted upon only after a denunciation or serious incident, instead of a proactive approach through mobile teams, targeted checks and analysis of the family and economic network, c) lack of trust of children and families in institutions, especially in Roma communities, which makes investigations excessively dependent on the willingness of the victim to testify (UNODC 2022). As a result, procedures for the crime of “child trafficking” are not initiated at all or are initiated late, when the facts are difficult to gather, while action is taken through the administrative-social approach (parental measures) instead of the criminal approach to exploitation networks.

3.3. Requalification to lighter offenses and effects on sentences

A structural problem in the judicial practice of the period 2018–2021 is the reclassification of cases from “child trafficking” at the preliminary stage into lighter offenses, such as “facilitating prostitution”, “exploitation of prostitution”, “aiding illegal migration” or “child abuse”. Open Gate analyses and OSCE observations (reflected in the Commission’s reports) show that this often

occurs due to the high standards of proof that the prosecuting authorities impose on the element of “means” (coercion, fraud, violence), even in cases where the victim is a child, although the Palermo Protocol does not require this for children (Open Gate – La Strada 2022). When retraining is carried out, there are usually direct consequences, starting with the application of provisions with much lower sanctions than those for trafficking, which leads to “symbolic” sentences such as suspended sentences, fines or imprisonment from 1 to 3 years for the perpetrator. The sense of the specific rights of the victim of trafficking is completely lost (right to specialized defense counsel, compensation, long-term support, etc.), since the victim automatically falls under treatment as a “witness” or “child in social protection”. On the part of the trafficker, this is taken as a signal that the real risk of punishment is low, especially if the network works within the family or community and disguises the exploitation as “tradition” or “arranged marriage”.

3.4. Evaluation of the reports of the National Commission

The annual reports of the National Commission (2018, 2019 and then 2022 as a reference point) provide a relatively detailed picture of the number of procedures, inter-institutional coordination and the functioning of referral mechanisms (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018; 2019; 2022). In formal terms, the very advanced system, which consists of: the Commission with a Secretariat and a Sub-group on child trafficking, the National Unit for Trafficking and Smuggling in the Ministry of Internal Affairs, the National Referral Mechanism (NRM) coordinated by the Ministry of Labor and Social Policy, the Center for Victims of Trafficking (now also for sexual violence), mobile teams in several cities, as well as updated standard procedures (SOP). However, when it comes to the number of procedures, in the “pre-investigation” section, the reports for 2018 and 2019 show that the National Unit has registered several cases of offenses under articles 418-a and 418-d, but most of the registered offenses are related to migrant smuggling. Meanwhile, in criminal proceedings, the Basic Court in Skopje in 2019 handled 29 cases related to trafficking and smuggling, with 52 defendants, but no detailed statistical distinction is made for child victims in each case, which makes it difficult to conduct a child-focused analysis. In terms of coordination, the reports positively assess the strengthening of the NRM, with a network of social workers in 30 main municipalities, who coordinate identification, risk assessment and referral to the Victims' Center, the functioning of mobile teams (social worker + NGO) in cities such as Skopje, Bitola, Gostivar, Kumanovo, working with street children, Roma families and persons at risk, and the establishment of the National Rapporteur within the Ombudsman's institution at the end of 2019, as an independent monitoring mechanism for policies against trafficking and illegal migration (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018; 2019; 2022). However, the reports themselves have identified several limitations, including: a) data collection remains fragmentary and not always harmonized between the police, prosecution, social services and NGOs; there is no single integrated database that would enable case tracking from identification to rehabilitation; b) the financing of the Victims' Center and mobile teams relies significantly on temporary funds (GIZ, KBF, IOM, OSCE), while the state budget mainly covers basic costs, which jeopardizes the sustainability of services; c) although the SOPs are adopted and harmonized with international standards, the reports themselves acknowledge that their implementation on the ground is uneven, especially in smaller settlements and in cases of Roma and migrant children (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018; 2019; 2022). This creates a situation that shows us that everything on paper

exists, but its effectiveness towards children at risk depends on the will and capacity of local actors and not on a standardized obligation.

4. INSTITUTIONAL CAPACITIES AND TRAINING

4.1. Institutional framework and key roles

The main role at the strategic and coordinating level is played by the National Commission for Combating Trafficking in Human Beings and Illegal Migration, which works with a secretariat and a specialized subgroup on child trafficking. The Commission is composed of key ministries (Interior, Labor and Social Policy, Justice, Education, Health), the Organized Crime Prosecutor's Office, the courts, as well as international organizations and specialized NGOs, while the subgroup is tasked with observing the specific needs of child victims, proposing special preventive measures and monitoring the implementation of child trafficking strategies. At the operational level of law enforcement, the National Unit for Trafficking and Smuggling within the Ministry of Internal Affairs is the central structure for investigating offenses under Articles 418-a and 418-d, with a mandate to coordinate complex investigations and cross-border cooperation through networks such as the Western Balkans Task Force and ILECU (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2022). Annual reports show that the unit handles a limited number of cases of child trafficking, while the numerical volumes are dominated by acts of migrant smuggling, which reflects the challenges in identifying and processing cases where the child presents himself as a victim of trafficking and not only as an “illegal migrant” or “juvenile delinquent”. The National Referral Mechanism (NRM), coordinated by the Ministry of Labour and Social Policy, constitutes the axis of social protection. It relies on a network of Social Work Centres (SWCs) in around 30 cities, which are responsible for the social identification of children at risk, risk assessment, taking protective measures (for example, removal from the family, placement in a social centre or in foster care) and coordination with the police, prosecution and NGOs. The NRM regulates standard procedures for how information moves from the moment of suspicion of trafficking to the rehabilitation and reintegration of the victim (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018). The Center for Victims of Human Trafficking provides shelter, psychosocial, educational and professional support for children and adults, and coordinates the individual protection plan with the CSW, police and NGOs (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018). Mobile teams composed of social workers and non-governmental organizations operate in several cities (e.g. Skopje, Bitola, Kumanovo, Gostivar), where they work with street children, Roma families and other vulnerable communities, providing proactive identification and field intervention (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2022). From a formal perspective, this composition, the National Commission with a Sub-group for children, the National Unit in the Ministry of Internal Affairs, the NRM with the CSW network, the Victims Center and the mobile teams, supported by national SOPs, is complete and in line with international standards. However, national reports as well as UNODC and GRETA analyses show that effective implementation, especially for child victims, depends on concrete human capacities, sustainable financial resources and the quality of practical cooperation between these actors.

4.2. Training and competencies of professionals

The annual reports after 2018 (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2018) show a significant increase in the number of trainings in the field of trafficking and illegal migration, especially thanks to the support of the Council of Europe, EU, IOM, GIZ and OSCE programmes. In 2022 alone (National Commission for Combating Trafficking in Human Beings and Illegal Migration 2022), 134 police officers participated in 29 training activities, conferences and workshops, covering topics such as victim identification, case management of trafficking for sexual and labour exploitation, use of electronic evidence and cross-border cooperation. In the same year, specialized trainings were held for CSW staff, psychologists and educators, focusing on the prevention of child trafficking, child-friendly interviewing and the use of indicators for early identification. UNODC, based on the “Analysis of cases of trafficking in human beings and children: Challenges for effective prosecution and sanctioning of perpetrators in North Macedonia” (UNODC 2022), developed a National Training Plan and organized multidisciplinary trainings at the national level. In one of them, the focus was on “Procedure of competent authorities in case of suspicion of a child victim”, while the other was focused on the investigation, prosecution and adjudication of trafficking cases with a victim-oriented approach.

The aim was to strengthen the skills for the use of indirect evidence, reduce the dependence on child testimony and improve coordination between the police, prosecution and social services. However, neither the national reports, nor the GRETA reports and NGO analyses evidence the existence of a mandatory, standardized and periodic training system for all actors (police, prosecution, judges, CSW, lawyers) in the field of child trafficking. Trainings are mainly projects, involving limited groups of participants and not always accompanied by mandatory revision of work manuals or professional standards, making their impact uneven across regions and institutions. In the area of legal representation, Open Gate and other organizations report that victims, including children, often rely on legal aid provided by NGOs and pro bono lawyers, while state mechanisms for free legal aid and state compensation have only just begun to be implemented following the adoption of the Law on Compensation for Victims of Violent Crimes in 2022.

5. CHILD PROTECTION AND THE BARNAHUS MODEL

5.1. Barnahus model: content and basic principles

The Barnahus model was originally created in Iceland in the late 1990s and was later adopted in other Nordic countries such as Sweden, Norway and Denmark, as a response to criticism of the traditional way of treating child victims of violence and sexual abuse. The aim of the model was simply to prevent the child from being forced to move from one institution to another, telling the same story to different actors and being confronted with the trauma several times. The basic principle of the Barnahus is a single recorded interview with the child, conducted by a specially trained interviewer in a physically and emotionally child-friendly environment. The interview is recorded (audio-visually) and serves as key evidence in the criminal proceedings, so that the child is not called back for lengthy testimony in court. Within the Barnahus, a multidisciplinary team works, which includes a prosecutor, police officer, psychologist, social worker and doctor who plan and monitor the case, combining investigation with special protection and care. The model envisages that in the same centre the child is interviewed, psychologically and medically assessed, receives psychosocial support and that his/her family is counselled and

involved in the process, reducing to a minimum the child's contact with formal judicial settings. The Council of Europe has promoted this approach as one of the most successful and that it should be implemented in all other states within the framework of the Child-Friendly Justice Guidelines, stressing the need for criminal proceedings to be adapted to the age, development and dignity of the child and to minimise re-victimisation.⁸

5.2. Current situation in North Macedonia

The situation in North Macedonia is that there is still no Barnahus in the sense of a single center where a single interview, medical examination, psychosocial support and investigation coordination can be conducted in parallel. The Center for Victims of Trafficking and Sexual Violence offers a range of specialized services such as shelter, counseling and rehabilitation for children and adults, and works in close cooperation with CSWs, police and NGOs, partially approaching the concept of a "one-stop service" for victims. National reports and evaluations by GRETA and the Council of Europe show that some steps have been taken towards child-friendly justice, such as the creation of some special interview spaces and the use of video recordings in certain cases, but these practices are not mandatory and are not applied uniformly in all cases. Criminal proceedings remain heavily focused on the child's testimony, often with multiple interviews and lengthy processes, while the systematic use of the single recorded interview and specialized facilities is uneven and depends on institutional capacities. Multidisciplinary teams function mainly as networks of cooperation through referral mechanisms and ad hoc inter-institutional groups, but not as a team under one roof as a single structure with codified Barnabas-like procedures. Finally, in North Macedonia children have to move between the police, prosecution, health services, CSWs and the Victims' Center, increasing the risk of re-victimization and procedural fatigue.

5.3. Opportunities and challenges for adapting the Barnahus model

From the perspective, it is seen that there are several elements that favor the adaptation of the Barnahus model in North Macedonia, such as the advancement of legislation on justice for children, the adoption of the law on compensation for victims of violent crimes, child-friendly justice standards and repeated GRETA recommendations on the protection of victims of trafficking. The accumulated experience of the Victims' Center, the network of CSWs and mobile teams, as well as the continuous cooperation with the Council of Europe and EU programs, create a professional basis for the design and implementation of an adapted Barnahus model. However, the challenges are numerous. Starting from the main one, which is the institutional fragmentation between different ministries (Interior, Labor and Social Policy, Health, Justice) and separate budgets, making it difficult to create and finance a single integrated center. The lack of a standardized national infrastructure for interviewing children, especially outside Skopje, and the heavy dependence on temporary donor projects for funding support services constitute a major obstacle. In-depth and continuous training for prosecutors, police officers, psychologists, social workers and doctors is required, as well as the development of common regulations for the investigation, protection and support of child victims in a one-stop environment. In these conditions, a gradual approach seems more feasible, starting with the establishment of a Barnahus in Skopje as a start, integrating the existing Victims' Centre and referral mechanism, implementing single recorded interviews, multidisciplinary team work and providing integrated psychosocial,

medical and legal support to child victims of trafficking and sexual violence. After an evaluation and observation phase, the model could be gradually expanded to other regions by adapting the existing infrastructure and strengthening local institutional capacities.

6. CONCLUSIONS AND RECOMMENDATIONS

In recent years, the State of North Macedonia has developed a sound institutional and legal framework for combating child trafficking, consisting of a national commission, a specialized subgroup on child trafficking, a national unit for trafficking and smuggling of migrants within the Ministry of Internal Affairs, a National Referral Mechanism, specialized centres for victims and mobile intersectoral teams in several cities. This composition is in line with key international standards, including the Council of Europe Convention and the principles of child-friendly justice, and important steps have been taken to harmonize legislation with GRETA recommendations, especially regarding the principle of non-punishment and compensation. However, analysis of practice shows a significant gap between law and implementation. The number of children identified as victims of trafficking remains low, in contrast to high-risk indicators in contexts such as forced marriage, child labour, street begging, irregular migration and online exploitation.

Children in clear situations of exploitation are often treated as offenders rather than as victims of trafficking, which shows that early identification of risk remains inconsistent and dependent on individual professionals rather than on an institutionalised system. Professional capacities have increased through numerous trainings for police, prosecutors, judges, social workers, doctors, teachers and civil society organisations, but these activities are mainly project-based and short-term, not linked to a mandatory system of continuous professional education, which produces uneven quality of response across regions.

In terms of procedure, progress has been made, but the system continues to be oriented around the needs of the criminal process rather than the needs of the child. Children still face multiple interviews, delays and repeated contact with different institutions, while the use of child-friendly interview environments, video-recording of testimony and the principle of a single interview are not regularly applied. There is still no one-stop model where investigation, medical examination, psychological assessment and psychosocial support for the child take place in the same space with specialised teams and internal cooperation; the institutionalisation of a Barnahus-type approach is missing, although certain elements already exist. Legal representation and compensation are another weak point: although initiatives have been taken for new compensation laws and mechanisms, in practice child victims rarely obtain effective compensation from the state, and access to free legal aid often depends on NGOs and donor projects rather than on routine state mechanisms, which harms children's material rights and reduces the preventive effect of the penal system. The system is also characterised by institutional fragmentation and dependence on short-term projects. The Victims Centre, mobile teams, psychosocial services and prevention programmes have achieved important results, but their budgetary support is not yet fully consolidated, which makes the continuity and quality of protection vulnerable, especially if external funds are reduced. In this context, the Barnahus model appears as an opportunity to rationalise existing resources and unite them in a more coherent and child-friendly structure, but it requires political will, multi-year financial planning and further legal harmonisation. Based on these findings, several concrete suggestions for improvement can be proposed. First, it is necessary to strengthen the identification of child victims through mandatory implementation of child-specific risk indicators in social work centres, police, schools, health and migration services,

with clear reporting protocols and institutional responsibilities; mobile teams should be institutionalised and financed from the state budget, with clear mandates and regular public reporting on identified cases and interventions. Second, a system of mandatory ongoing training should be established for all professionals who come into contact with child victims, through a unified curriculum integrated into the Academy for Judges and Prosecutors, the Police Training Centre and social and health institutions, so that concepts such as child-centred approach, early identification, evidence collection without secondary victimisation and the use of circumstantial evidence do not depend on occasional project-based training. Third, procedural reform should move towards institutionalising a Barnahus-like model, so that the interview of the child victim is, as a rule, carried out only once by trained professionals in special child-friendly environments, with video recording and the participation of the judge and parties through filtered questions, starting with a one-stop centre in Skopje integrated with the Victims Centre, social, health and psychological services and, depending on results, replicating it in other regions. Fourth, access to legal representation and compensation should be made effective for every child victim, through simple procedures and short deadlines for compensation, an active role of social work centres and ex officio lawyers in initiating claims, formalised cooperation with NGOs that provide legal aid, and automatic free legal aid for every child identified as a trafficking victim. Fifth, inter-institutional coordination and budget planning should be significantly strengthened, through a permanent mechanism among key ministries with a specific mandate on child trafficking, and through multi-year budget planning for the Victims' Centre, mobile teams, psychosocial services and prevention programmes, reducing donor dependency and ensuring stable standards. Finally, the monitoring and data-collection system should be modernised and the voice of child victims more fully included in policy-making, by creating a unified statistical system linking data from police, prosecution, courts, social services and NGOs, and by involving survivors, including young people who have exited exploitation, in advisory or consultative processes to make the system more responsive to the real needs of children and closer to advanced European standards. These conclusions and recommendations show that the normative and institutional basis already exists, but the main need is to deepen practical implementation, unify standards across the territory and orient the entire system towards a truly child-centred approach, where protection, justice and rehabilitation run in parallel.

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