



**Preventing human trafficking and sham marriages:
a multidisciplinary solution (HESTIA)**

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THE CASE OF LITHUANIA

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1. Introduction

Trafficking in human beings is one of the most common and profitable large-scale crimes in the European Union (EU) and the world. According to the data of the European Council, trafficking in human beings is the most profitable crime exceeded only by trafficking in weapons and drugs. As the official EU document titled ‘The EU Strategy towards the Eradication of Trafficking in Human Beings’ states, every year trafficking in human being brings tens of millions of Euros in income to criminal groups.

For a long time, the concept of trafficking in human beings has consisted of such forms as sexual exploitation, illegal adoption, forced labour, trafficking in organ trade, exploitation in the production of pornography, etc. However, as the flow of international migration has intensified, crimes of trafficking in humans are acquiring new forms. The concerns of the EU are not only about trafficking in human beings (including children) but also are starting to include discussions on organised crime regarding the organising of exploitative-sham marriages. Today trafficking in human beings remains a big challenge in the EU because of the latent nature of the crime,¹ new (often hidden and quickly changing) forms of recruitment, the principal of free movement in the EU and the adaptiveness of organised crime to national and regional policies for fighting human trafficking.² To complicate things further, trafficking in human beings often interacts with other forms of organised crime such as drug trafficking, people smuggling, prostitution and theft. In addition, trafficking in humans interacts not only with other crimes, but also with the processes of migration and mobility. This complicates not only identification of victims but also recognition of the crime in the countries of origin, transit and destination.

In the context of international migration and mobility, the problematics of trafficking in human beings and exploitative-sham marriages has become especially relevant. Expansion of the EU (i.e., in the years 2004 and 2007) and the development of the Schengen zone (2007) affected the geopolitical situation of the European continent. The expansion of the EU borders to the East and the liberalisation of the freedom of movement inside the EU became important factors in ‘liberating’ the processes of international migration. In analysing relationships between trafficking in human beings and exploitative-sham marriages it is important to mention both processes, i.e. migration and mobility. On the one hand, the EU has encountered continuously increasing flows of immigration from non-EU countries, which has helped create a kind of ‘migration industry’ market that gives rise to sham marriages as a legal channel of immigration to the EU. Unfortunately, sham marriages (one of the legal forms of immigration to the EU), were followed by different forms of exploitation, connected to involuntary child bearing, restriction of freedom, sexual abuse and forced labour. On the other hand, freedom of movement has created an additional segment in the ‘migration industry’ that

¹ According to Sirgedienė (2012), up until now the data that is being collected on trafficking in human beings is fragmented, concerning other crimes, from different periods and not compared, therefore it is impossible to evaluate the scope of trafficking in human beings.

² According to Žiobienė (2006), most organised crime groups are quick and flexible in adapting to changing economic, social and legal conditions; in their activities, they take advantage of gaps that exist in national legislation.

is related to recruitment of (potential) victims (mostly EU citizens) in organising exploitative-sham marriages. These victims, similar to the victims of other forms of human trafficking, are being taken to the countries, which are considered traditional immigration destination countries: United Kingdom (UK) and Ireland.

Sham marriages are mostly treated as a crime against the state. This crime is mostly considered as a violation of migration laws by aiming for specific goals: a permit to reside in one of the EU member state or to take advantage of the freedom of movement within Schengen zone. Opposite to sham marriages, exploitative-sham marriages, as one of the forms of trafficking in human beings, is a crime against a person, therefore legal responsibility for the crime (as compared with sham marriages) is much bigger, but the initiation of the pre-trial investigation process and gathering of evidence is significantly more complicated.

As stated in the EU communiqué concerning the possible solution for the problem of sham marriages among the EU and non-EU citizens, it can be observed from the information, provided by the member states about sham marriages between non-EU citizens and EU citizens, who enjoy the right of free movement in the EU, the issue of sham marriages exists in all member states. However, the problem manifests itself differently across countries. Even though the number of sham marriages is not high, the nature of the activities of organised crime networks with regard to sham marriages raises concern (EK 2014). According to Europol data, organised crime networks organise sham marriages between the EU citizens and third country nationals. In this area, first, there is a need to fight the cases of trafficking in human beings (EK 2013). This fact allows talking about sham marriages as a crime against a human, not as a crime against a state.

Trafficking in persons is considered a manifestation of contemporary slavery, a grave assault on individual freedom and dignity, and therefore a very serious crime that is in direct opposition to modern, European democratic principles. The consequences and causes of such crimes can be tackled only with the help of close international cooperation (EK 2012). Human trafficking is considered inseparable from contemporary slavery. According to the Global Slavery Index, there are currently about 35.8 million victims of modern slavery in the World (Global Slavery Index 2014). Accordingly, human trade and modern slavery are inseparable from the processes of international migration, especially in the 21st Century EU, where migration and mobility³ can be described as the constant state of contemporary societies due to the processes of integration and the principles of a common labour market and freedom of movement. Unfortunately, processes of international migration create new challenges for EU member states or remind them about the old challenges concerning undocumented migration, human smuggling and human trafficking. The case of Central and East Europe (including Lithuania) is one of the examples of the relationship between migration, modern slavery and trafficking in human beings; it is illustrated by the international migration net, indexes of modern slavery and human trafficking (see annexes 1 and 2). Among the EU member,

³ The two concepts of mobility and migration are most often used in analysing the processes of international migration. In the first case, EU citizen mobility in the EU context of free movement principal is analysed. In the second case, immigration from third country processes is analysed. Newest research (EMN 2013) reveals one more concept that sort of ‘connects’ mobility and migration because the term of *mobile third country nationals* is beginning to be used in EU migration research.

countries that send out relatively the highest number of migrants to the Northern and Western European countries, there are also those countries that have (and send out) a high number of victims of modern slavery and human trafficking. Unfortunately, Lithuania falls into the category of countries that are noted for a high risk in modern slavery and human trafficking. This fact can be illustrated by the United Kingdom example. The highest number of Lithuanian emigrants is found in the UK. Unfortunately, Lithuanians in this country fall in the list of top ten countries from which the highest number of human trafficking victims arrive in the UK (see annexes 3 and 4).

In Lithuania, the relationship between exploitative-sham marriages and trafficking in human beings has not yet been analysed; however, one can find a lot of information about this topic in mass media.⁴ Especially, one can find diverse information in electronic media channels in the United Kingdom and Ireland⁵ - countries where sham marriages are recognised as a big challenge. In Lithuania, up until now, most information about human trafficking was connected to sexual exploitation (a long established form of human trafficking) or drawing into criminal activity (as the new but especially dangerous form of human trafficking which affects young males, females and children). However, recently the relationship between exploitative-sham marriages and human trafficking became an object of expert discussions.⁶

According to the United States 2015 Trafficking in Persons Report (US 2015), Lithuania is in the category of source and transit countries for women and girls that are recruited into the network of prostitution and sexual exploitation in Western Europe. Lithuania is also considered a source country for males who are subjected to labour trafficking and forced labour. In addition, Lithuania has become a source country of children and adult trafficking victims who are forced to engage in criminal activities in Northern countries, France, Netherlands, Spain and United Kingdom. Even though Lithuania is considered the source and transit country for trafficking victims, it has been observed that it is also a destination country for women who are brought for sexual exploitation and prostitution. So far, exploitative-sham

⁴ For example, 'Į vergystę papuolama ir po fiktyvių vedybų' ['Road to slavery also through sham marriage']: <http://caritas.lt/index.php?id=new&new=99>; 'Fiktyvios santuokos – dar viena landa prekiautojams žmonėms' ['Sham marriages – one more opening for trafficking in human beings']: <http://anti-trafficking.lt/article/fiktyvios-santuokos---dar-viena-landa-prekiautojams-zmonemis-balsaslt-2014-03-13>; 'Fiktyvi santuoka – nauja prekybos žmonėms forma' ['Sham marriage – a new form of human trafficking']: <http://etaplus.lt/fiktyvi-santuoka-nauja-prekybos-zmonemis-forma/>; 'Fiktyvios santuokos patiklioms moterims baigiasi vienodai: išprievartautos ir tuščiomis kišenėmis' ['Sham marriage has the same ending for trusting women: raped and with empty pockets']: <http://www.15min.lt/naujiena/aktualu/emigrantai/fiktyvios-santuokos-patiklioms-moterims-baigiasi-vienodai-isprievartautos-ir-tuscioomis-kisenemis-592-505580>; etc.

⁵ For example, 'Five are deported in sham marriage operation': <http://www.independent.ie/irish-news/five-are-deported-in-sham-marriage-operation-26672994.html>; 'Vicar convicted of conducting hundreds of fake weddings at local parish church': <http://www.theguardian.com/uk/2010/jul/29/vicar-convicted-fake-weddings>; 'Sham marriage busted by UK Border Agency at Scunthorpe Registry Office': <http://www.scunthorpetelegraph.co.uk/BRIDE-GROOM-ARRESTED-WEDDING-DAY/story-11182266-detail/story.html#ixzz3sJJLWBr>; 'Scandal of the sham marriages': <http://www.express.co.uk/expressyourself/180545/Scandal-of-the-sham-marriages>; etc.

⁶ 'Lithuanian Caritas conference against human trafficking took place in Šiauliai diocese pastoral centre': <http://siauliuvyvskupija.lt/siauliu-vyskupijos-pastoraciniame-centre-vyko-lietuvos-caritas-konferencija-pries-prekyba-zmonemis/>; 'Policija ir Caritas: prekybos žmonėms taikiniai vis dažniau tampa vyrai ir nepilnamečiai' ['Police and Caritas: males and minors are increasingly becoming targets of human trafficking']: <http://www.15min.lt/naujiena/aktualu/nusikaltimaiirnelaimes/policija-ir-caritas-prekybos-zmonemis-taikiniais-vis-dazniau-tampa-vyrai-ir-nepilnameciai-59-316402>; etc.

marriages are not recognised in Lithuania as a significant form of trafficking in persons. Organisation of sham marriages (as a crime against the state) has not been criminalised in Lithuania. For this reason, identification of victims, initiation and organising of pre-trial investigation, assistance for victims and recognition of the crime itself are very complex tasks indeed.

Given the above mentioned problems, this research is conducted as a part of the project 'Preventing human trafficking and sham marriages: a multidisciplinary solution' (HESTIA). The goal of the research (further referred to as HESTIA research) is to disclose the relationship between exploitative-sham marriages and the crime of human trafficking. Exploitative-sham marriages are a new under-researched topic in Lithuania. Though, as a phenomenon, exploitative-sham marriages are not new. Consequently, in analysing separate aspects of the (criminal) process, big attention is paid to well-known forms of human trafficking: sexual exploitation and recruitment for criminal activities. This wider-scope approach allows for comparing different forms of human trafficking and for finding common problematic denominators that disclose specific criminal aspects that differentiate sham marriages from other forms of human trafficking.

2. The national context of human trafficking and exploitative-sham marriages

It is not part of the aim of the research to characterise challenges of the wider context of national policies against all forms of human trafficking and exploitation in Lithuania. Since this kind of analysis has been conducted (for example, Ollus et al. 2013; Sirgedienė 2012, 2015), the goal of this research is to analyse a relatively new form of human trafficking, i.e. exploitative-sham marriages and reveal the relationship between this form of exploitation and the crime of trafficking in human beings. In aiming to fulfil this goal, contextual analysis (policies that are put into practice, research that has been conducted, and statistics that can be accessible) is conducted which serves as a basis for disclosing and evaluating the situation of exploitative sham marriages in the general context of human trafficking. In addition, qualitative research was carried out during which 17 experts were interviewed (9 – from non-governmental organisations, state budgetary institutions and crisis centres; 7 – from law enforcement institutions and courts; see Section 3: Research Methodology). The information provided by experts allowed to get a deeper understanding of the data collected during contextual analysis.

2.1 Institutional and legislative structure of fighting against human trafficking

The main legal acts of the Republic of Lithuania that concern trafficking in human beings are the following: Criminal Code of the Republic of Lithuania (law No VIII-1968 of 26 September 2000) articles 147 (human trafficking), 147(1) (exploitation for the forced labour or services), 147(2) (profiting from other person's forced labour or services), 157 (child trafficking), 307 (profiting from other person's prostitution) and 308 (forced prostitution). The crime of trafficking in human beings is also regulated by the Code of the Administrative Violation of the Republic of Lithuania (No ADM of 12 November 2015), article 182(1) (engagement in prostitution or use of prostitution services for money).

2.1.1 Institutional structure

The Ministry of the Interior of the Republic of Lithuania is responsible for the governmental policies in fighting against human trafficking, including control of activities of different government institutions and non-government organisations and conducting surveys in evaluating the effectiveness of government policies and actions against human trafficking. A three-level coordination and prevention system functions in Lithuania. The first level, the national coordinator, whose role is to organise activities and coordinate the functioning of the system;⁷ the second level is also coordinated by the Ministry of the Interior. This level is represented by inter-departmental work groups, which consist of experts from the Ministry of the Interior and other institutions that implement programmes of national prevention and

⁷ It should be noted that the national coordinator was appointed in 2007, but after his resignation in 2010, a new coordinator was not appointed.

control aimed at fighting human trafficking. According to Sirgedienė (2012), non-governmental or international organisations (International Organisation for Migration and Lithuanian Caritas) are not included in the work group even though those organisations are actively engaged in implementing tools for fighting human trafficking. The third level consists of law enforcement institutions, when officers cooperate with representatives of municipalities, non-governmental organisations, social workers, social pedagogues, psychologists, etc. At this level, non-governmental organisations play an important role by implementing tools for the fight against human trafficking and victim reintegration.

As was revealed in HESTIA research, regardless of the coordination system, systematic implementation of tools for combating and preventing human trafficking in practice does not function as effectively as it may appear when analysing political documents and seeing how the system functions ‘theoretically speaking’. Research data has revealed that even though government institutions and non-governmental organisations are actively engaged in the fight against human trafficking, there is a lack of cooperation and coordination of joint actions. For example, there is no formal procedure that would direct a victim to the right government institutions or non-governmental organisations. In addition, organisations, that assist victims and implement tools of prevention, do not have their roles formally defined. It appears that, at a theoretical level, the national coordination system allows for the establishment of a strong background for cooperation and a network of expert-institutions to combat human trafficking; however at a practical level this mechanism does not seem to be very effective or successful. Practical barriers to implementing the fight against human trafficking can be illustrated by the lack of political priorities, on the one hand, and the absence of programmes for the control and prevention of human trafficking since 2012, on the other hand. Representatives of non-governmental institutions illustrate this problem as follows:

<... It is clear to see that there is no unified system in our country. Information is neither recorded nor held by one department; once the information is received, there is no unified strategy for what to do with that information; there is no any coordinating ‘brain’ that would create rules or instructions for how we should all respond to particular types of information or cases. We are all scattered, there are several agencies that are chasing that information; we are not obligated. There are no explicit forms of cooperation, nor a priori obligations that would make us distribute information amongst each other...> (N: 2015.07.13).

2.1.2 Legislative structure

Lithuanian institutional and political responses to the crime of human trafficking have been changing depending on the dynamics of change in the forms of human trafficking; in other words, it was implemented according to an *ad hoc* principal. In the first Programme for Human Trafficking and Prostitution Control and Prevention 2002–2004 (No. 62 of 17 January 2002), the specific focus was on trafficking for sexual exploitation and prostitution. The second Programme for Human Trafficking Prevention and Control 2005–2008⁸ (No. 558 of

⁸ This Programme is the continuation of the Programme for Human Trafficking and Prostitution Control and Prevention 2002–2004.

19 May 2005) brought attention to tasks of broader scope and acknowledged various forms of exploitation. The Third Programme For Human Trafficking Prevention and Control 2009–2012 (No. 1104 of 9 September 2009) highlighted new challenges; therefore, goals and tasks were related to prevention and control, protection of victims, international and inter-sectoral collaboration.⁹

After a ten-year period implementing long-term programmes to fight against human trafficking, it was decided to fight by including more institutions into the fight than previously. Therefore, on 14 November 2012 Government adopted “The inter-institutional action plan for the implementation of the national crime prevention and control programme for 2013–2015” (No. 1381 of 14 November 2012). One of the main priorities of this action plan was to strengthen the fight against human trafficking. According to Sirgedienė (2015), the following institutions have prepared the tools for this priority direction, allocated budget money and implemented them: Ministry of Interior, Police Department, Ministry of Social Security and Labour, Ministry of Foreign Affairs, Lithuanian Labour Exchange.

In analysing these programmes, it is important to underline a few aspects of this new programme. First, some of these measures were never implemented or, due to a lack of funding, were only implemented to a limited extent. Second, since 2013, determining the modus operandi and regulatory mechanisms for the fight against human trafficking in Lithuania has been based on the common measures rather than, as before, on long-term strategies and action plans. Regulations based on this new charter raise essential questions about the effectiveness of the fight against human trafficking. Third, the secretary of the Ministry of Interior of Lithuania was appointed as the national coordinator for the prevention and fight against human trafficking in the implementation of the Programme for Human Trafficking Prevention and Control 2005–2008. Unfortunately, after this national coordinator resigned in 2010, a new coordinator was not appointed.¹⁰ Fourth, since 2013 the Public Security Policy Department of the Ministry of the Interior was commissioned to collect, analyse, evaluate and summarise information about the situation of human trafficking and the methods being used to fight human trafficking. This report was also expected to summarise the results and provide explicit suggestions regarding the effectiveness of the current programme. It was to be delivered to the Minister of the Interior. Therefore, a national coordinator performs the main functions of overall communication and reporting in the Ministry of the Interior, which mean, that the same institution also performs functions of implementation and evaluation.

⁹ The aim of the programme is to effectively and consistently solve problems related to the prevention and control of trade in people at the state level. Goals: to stop and combat trafficking in human beings; to defend the rights of victims who suffered from the trade in people and provide them with complex assistance; to guarantee efficient functioning of the systems of assistance to victims and witness protection; to assure effective international cooperation of competent Lithuanian and foreign state institutions and nongovernmental organisations in the fight against human trafficking.

¹⁰ The national coordinator was authorised to: report to the Government and Parliament about the implementation of the programme and the status of human trafficking in Lithuania; coordinate implementation of the programme; and maintain relationships between government institutions, non-governmental and international organisations.

At the EU level, solutions to human trafficking issues are a priority task, which requires coordination between agents and agencies as well as a set of common, explicit tools to combat human trafficking and its consequences (the EU Rights of Victims of Human Trafficking 2013). Opposite to EU priorities, Lithuania has shifted its strategy from long-term programmes to common measures. To make matters worse, in July 2013 the Government dismantled the anti-trafficking police unit. Responsibilities of this unit were transferred to the police section investigating serious crimes. This shows that the fight against human trafficking is not a political priority on the government agenda. Not surprisingly, 2015 United Nations report on human trafficking (US 2015) emphasises that efforts in the fight against human trafficking do not really meet even minimal requirements in Lithuania. The report stresses that investigators, police, prosecutors, and judges are still not completely prepared to apply regulations to fight human trafficking and adequately treat its victims consistently. Protection of victims is implemented in a negligent way, government funding for organisations assisting victims does not cover all expenses. Government institutions do not take any measures to identify victims among vulnerable groups in the society; it does not always direct victims to the organisations that provide assistance. However, the strongest critique in the report concerns policy coordination. It has been observed that the government does not have a formal coordinating organ that would organise efforts at all government levels. In addition, there is a lack of a standardised system, which would provide specialised assistance to victims.

In summarising the above given analysis of the situation it can be stated that up until now exploitative-sham marriages, as a form of human trafficking, has not been defined either on a legalistic, formal basis (including the Criminal Code of the Lithuanian Republic) or in political programmes, action plans or strategies. In this case, the biggest challenge is that the organisation of (and participation in) sham marriages (and its component parts) has not been criminalised in the Criminal Code of Lithuania;¹¹ therefore, it is not surprising that exploitative-sham marriages, as a form of human trafficking, has not been prioritised in the fight against human trafficking. During the HESTIA research, representatives of law enforcement agencies and courts emphasised, that the non-criminalisation of exploitative-sham marriages has an effect on the fight against this crime:

<... In some way, the existence of sham marriages is also probably one of the forms of exploitation, but we don't even have this marked out, so perhaps attorneys for these [criminal] characters will say, 'hey listen, why is there a pre-trial investigation being started, if there is no such norm.' It is really some kind of neologism...> (P: 2015.07.14).

Besides, considering critical remarks of the United Nations report it can be asserted that, especially, given that Lithuania faces big challenges in the fight against well-established forms of human trafficking (sexual exploitation, trafficking of children, forced labour), challenges might become even bigger in the perspective of relatively new forms of human

¹¹ According to Sipavičienė and Jeršovas (2012), Lithuanian national politics does not distinguish sham marriages as a process that raises special threat in the area of illegal migration (Sipavičienė and Jeršovas 2012); therefore, it is not surprising that methodological landmarks on how to conduct investigation are missing.

trafficking (in this case – exploitative-sham marriages). Data, collected from representatives of law enforcement agencies and courts during HESTIA research, confirms this:

<... This is only the tip of the iceberg, we see very little, because most of these victims do not identify themselves as victims. Again, when it is offered as additional income to students, the latter accept it in a playful form, they think it is nothing terrible, we will travel there, get married, get some money, in one word, we will return here and everything will be all right and so there is nothing to worry about. But in principal yes, the scope is big and we see only the tip of iceberg...> (P: 2015.09.21).

2.1.3 Policies in the fight against human trafficking: conclusion

The norm of trafficking in persons was first introduced into the Criminal Code of the Republic of Lithuania in 1998 m. The norm of human trafficking did not appear by accident. It was the growing scope of the human trafficking crime, which prompted lawmakers to include it as a crime in the Criminal Code (LŽTC 2006). In conclusion, it can be stated that the Lithuanian law codes against human trafficking are part of a body of international codes of law, all related to fighting human trafficking. However, the above-mentioned problems related to the national fight against human trafficking clearly show that Lithuania still needs to walk a long road in order to achieve a more effective political response at the national and local levels. In addition, the appearance of relatively new forms of exploitation (for example, exploitative-sham marriages) shows that human trafficking is becoming a ‘part’ of international migration and, as was shown by HESTIA research, limits the ability of the government to initiate an adequate political response. This is due to several reasons. First, sham marriages (including those that are intentionally exploitative) are treated as a challenge of migration, but not a challenge of migration *and* human trafficking. Second, sham marriages (their organisation and participation in them) are not criminalised in Lithuania. Third, researchers, police, persecutors, judges, and practitioners, working at the local level, are still not adequately familiarised with the problematics of exploitative-sham marriages; therefore this crime is not always recognised. Fourth, as human trafficking is not a political priority in Lithuania at this time, there is a lack of coordination, long-term strategy, financing, human resources and competency in fighting against both traditional and new forms of human trafficking. This conclusion can be illustrated by the insights given by experts (in this case – representatives of law enforcement institutions) during HESTIA research:

<... here [in Lithuania]...it is not considered a big problem. Yet, it is, in fact, one of the main problems. Everyone thinks, that sham marriages occur in Europe, but that it does not concern us. Some time ago it was a priority area in the public prosecutor’s office, but then it was rejected. Now, what is fore grounded, are economic, financial matters, illegal enrichment. There is a greater emphasis on finding money that is illegally trafficked as part of a shadow economy, than it is to find out about human trafficking, which is also part of a shadow economy. From what I know, the European council has confirmed that trafficking in people will be a priority area. If this is indeed so and there is movement in that direction, then, perhaps, our nation will start paying more attention to human trafficking, as a national problem. You understand, there is also another pragmatic issue why we lag behind

the EU in addressing the problems, associated with human trafficking; that is the problem of a lack of staff. For instance, in Tauragė, there are reported high rates of crime of this nature, large masses of people are emigrating; yet, the biggest shortage of employees in a Lithuanian police department is in Tauragė, where it can be least afforded. A year ago, there was a 20 percent shortage, there simply are no qualified people to hire. There are no people, so you can do all you want, they simply can't do more than they already do. I can see now, there is a lot of work, you can work, but you can't do it physically because there are only two investigators for trafficking in human beings area in Tauragė. Imagine, two investigators, so what can they do? There are all kinds of cases, not only human trafficking, but also drugs, car thefts, etc., that are being investigated by the same two people. They can't make it physically, if there were more employees, technical capabilities, there would be more cases that can be investigated and brought to court... no doubt...> (P: 2015.09.21).¹²

In 2014 m. research conducted on child trafficking confirmed these insights. According to Žibas (2014), more effective implementation of the fight against human trafficking simply lacks financial support, long-term political strategy, systematic action plan and a coordinating institution. Finally, political priorities should be set so that political will can be mustered for the fight against human trafficking. Involvement of various non-governmental organisations and government institutions in the fight against human trafficking is intensive; however, it is fragmented, due to a lack of coordination. Because of this institutional-political barrier, some regions in Lithuania are even 'untouched' (or not sufficiently touched) by implementation of preventative measures. HESTIA research revealed that a few forms of human trafficking dominate preventative policies – sexual exploitation, forced labour and forced criminal activity. Unfortunately, exploitative-sham marriages, as one of the forms of human trafficking, appear only gradually in the implementation of preventive actions. Therefore, identification of this crime in some regions is a problematic task for judicial institutions, social workers or pedagogues. Research data revealed that specialists and practitioners, working at the local level (police officers, pre-trial investigators, social pedagogues, judges, etc.) are influenced by stereotypes and prejudices that are directed against vulnerable and marginalised groups of society, which further complicates identification of the crime of human trafficking, identification of victims and assistance to them.

Summarising the system for combating human trafficking it can be state unequivocally, that the infrastructure for fighting this crime has been created (together with experienced experts from non-governmental organisations, the gradual recognition of the vulnerability of victims, intensifying discussions about different forms of human trafficking, etc.) However, there are also some challenges, related to the systematic attitude in introducing political measures and implementing preventative activities. For example, it is not enough to initiate pre-trial investigation in the area of trafficking in human beings. Accordingly, identification of a crime and a victim (which, as the research has revealed, is not as affective in the area of exploitative-sham marriages as in the area of other forms of human trafficking) has to be followed by an intervention system. This system has to respond to such questions as victim protection, prevention of repeat victimisation, introduction of observation mechanisms of vulnerable society groups (potential victims of human trafficking), focusing not only on

¹² Quotes of the respondents were edited.

economic factors, but also on the importance of the psychological and emotional environment.

2.2 Overview of project based activities

In Lithuania, trafficking in human beings is actively combated by non-governmental and international organisations, which assist people, who became victims of human trafficking. Lithuanian Caritas, Save the Children, Missing Persons' Families Support Centre, International Organization for Migration, Women's Issues Information Centre, Klaipėda Social and Psychological Services Centre and other organisations not only provide complex assistance to victims of human trafficking, but also implement preventative work.

In 2014, Ministry of Social Security and Labour has allocated funding for five non-governmental organisations (see Annex 5) to implement activities, related to victims support and assistance. The report (Sirgedienė 2015) states that in implementing the projects, financed by the Ministry of Social Security and Labour in 2014, non-governmental organisations provided assistance to 133 persons (50 males and 83 females), out of which 80 were victims of human trafficking, including 30 males, 9 minors; 13 people were provided with a shelter (temporary housing service), 41 persons were victims of forced prostitution, 49 persons became victims abroad, 37 persons cooperated with judicial system; assistance was also provided to 53 persons in a risk group that were identified as potential victims of human trafficking.¹³ As it is seen from the above mentioned statistics and Annex 5, until now, exploitative-sham marriages have not constituted priority activity area for non-governmental organisations.

However, in recent years activities of non-governmental organisations begin to reflect different forms of human trafficking. It is also important that these activities are not limited only to implementation of preventative measures and victim protection. Special attention is given to intersectional cooperation. It is illustrated by the projects carried out by Caritas Lithuania. For example, 'European Communities Against Trafficking (ECAT)', 'Lithuanian Society Against Trafficking in Persons: the Model of Systematic Approach', 'Systematic human trafficking prevention model: interdepartmental cooperation'¹⁴ and other projects related to the enhancement of intersectional cooperation as well as bringing attention to other forms of human trafficking: forced labour, sexual exploitation, recruitment for forced criminal activities and organising exploitative-sham marriages. It should be noted that the project 'Preventing human trafficking and sham marriages: a multidisciplinary solution' (HESTIA)¹⁵ is the first attempt to systematically evaluate and combat exploitative-sham marriages in Lithuania.

¹³ You can read more about measures for fighting human trafficking in the report 'Situacija kovos su prekyba žmonėmis srityje Lietuvoje. 2014 metai' [Situation in the area of trafficking in human beings in Lithuania. 2014].

¹⁴ For more details see: <http://www.anti-trafficking.lt/page/musu-projektai>

¹⁵ For more details see: <http://www.heuni.fi/en/index/researchareas/humantrafficking/hestia-preventinghumantraffickingandshammarriagesamultidisciplinarysolution.html>

In 2013-2015, taking into account the significance of preventative action in various regions of Lithuania, the International Organization for Migration Vilnius Office has implemented the project ‘Fighting trafficking crimes by increasing social responsibility.’ This project was accompanied by the information campaign ‘Trafficking in human beings: an increase in the variety of forms’ as well as training for social services providers.¹⁶ Project based activities by Missing Persons’ Families Support Centre¹⁷, Women’s Issues Information Centre¹⁸ and Klaipėda Social and Psychological Services Centre¹⁹ are directly related to implementing tools for fighting human trafficking. However, HESTIA research revealed, that project-based activities of non-governmental organisations remain fragmented, as they are not supported by a long-term strategy to combat human trafficking. On the one hand, the above mentioned project activities include different facets in the fight against human trafficking (e.g., victim safety, prevention, strengthening of inter-departmental relationships). On the other hand, these activities lack a common coordinator; therefore, there is also a lack of effective cooperation, operative exchange of information, and, finally, an adequate attitude toward victims and the crime itself.

2.3 Statistics and problematics of collecting statistical data

A definition of human trafficking was presented in Lithuania in 2000, when it was officially recognised in the Criminal Code of the Republic of Lithuania (No. 89-27. No. X-272 of 25 October 2000) that trafficking in human beings is a crime against a person (or as it is stated in the code, a crime against person’s freedom). In 2005, the Criminal Code of the Republic of Lithuania was amended (No. 81-2945. No. X-272 of 30 June 2005) by adding an article, concerning the exploitation of forced labour. Therefore, until 2012, according to the Criminal Code of the Republic of Lithuania, prostitution, pornography and forced labour constituted aims of exploitation. Finally, in 2012, new amendments of the Criminal Code were introduced (No. VIII-1968 of 26 September 2000), which made provisions for new forms of exploitation – recruitment for forced begging and forced criminal activities. In 2014, the Parliament of the Republic of Lithuania passed amendments to the articles 307 and 308 of the Criminal Code, which criminalised profiting from or involving another person in prostitution. As of today, the Criminal Code of the Republic of Lithuania does not define exploitative-sham marriages as a separate form of exploitation or human trafficking.

2.3.1 Criminal Persecution²⁰

According to data stored at the Operational Activity Unit of the Lithuanian Criminal Police Bureau, in 2013 there were 23 pre-trial investigations, started concerning trafficking in people. Sixteen pre-trial investigations were initiated based on the Article 147 of the Criminal

¹⁶ For more details see: <http://prekybazmonemis.lt/apie-projekta/>

¹⁷ For more details see: <http://www.missing.lt/index.php/lt/home/prekyba-zmonemis>

¹⁸ For more details see: <http://www.moteruinformacijoscentras.lt/projektai/>

¹⁹ For more details see: <http://www.moteriai.lt/projektai/>

²⁰ The articles of the Criminal Code of the Republic of Lithuania (No. VIII-1968 of 26 September 2000) that regulate the crime of human trafficking: 147 (trafficking in human beings), 147(1) (exploitation for forced labour or services), 147(2) (profiting from forced labour or services), 157 (buying or selling children), 307 (profiting from other person’s prostitution), 308 (forcing another person into prostitution).

Code of the Republic of Lithuania; five – based on the Article 157, one – based on the Articles 147 and 157, and one – based on the Article 147(1). Out of recorded pre-trial investigations in 2013, seven investigations were started because of criminal activities concerning trafficking in people, six – because of human trafficking for sexual services (prostitution and pornography), four – because of human trafficking for forced labour, other investigations concerned other aims of exploitation. The main countries of destination where the victims were transported were Germany (seven pre-trial investigations registered in Lithuania), United Kingdom (seven pre-trial investigations registered in Lithuania), Lithuania, Denmark, France, Netherlands, and Norway (one registered pre-trial investigation in Lithuania each). In the case of two pre-trial investigations, the person was exploited on internet.

By 2014, the situation in Lithuania had not changed noticeably as 24 pre-trial investigations, concerning human trafficking, were initiated. Twenty pre-trial investigations were started based on the Article 147, two – based on the article of 157, one based on the Articles 147 and 157, and one based on the Articles 157 and 147(1). In 2014, for the first time in Lithuania, suspicions were raised based on the Article 147(2) of the Lithuanian Criminal Code – use of forced labour or services. Most (11) pre-trial investigations, registered in 2014, were a result of trafficking in human beings for criminal activities, seven – for trafficking for prostitution, two – for trafficking for forced labour, two for trafficking for prostitution and for forced criminal activities, one for forced labour and forced criminal activities, one for trafficking for forced marriage. Three pre-trial investigations concerned internal trafficking in human beings, others – international trafficking. Most popular country of destination for victims remained Germany (six pre-trial investigations registered in Lithuania). Other countries of destination: United Kingdom and France (three registered pre-trial investigations in Lithuania each), Sweden (two pre-trial investigations), Denmark, Spain, Netherlands, Switzerland, Armenia (one pre-trial investigation registered in Lithuania per each country). Two pre-trial investigations did not identify the country of destination.

It should be noted that in 2014, just as in 2013, most pre-trial investigations concerned trafficking in people not for sexual exploitation. This shift, occurring in 2013, could be explained by the changes in the Criminal Code of the Republic of Lithuania, which defined other forms of exploitation – forced begging and forced criminal activities. Therefore, after 2012 (when these changes were incorporated into the Criminal Code) there was a gradual rise in the trafficking of people for forced criminal activities, which in 2013 exceeded the number of pre-trial investigations concerning trafficking in human beings for sexual exploitation.

Between the first and third quarters of 2015, there were 16 pre-trial investigations, initiated in Lithuania: nine of the pre-trial investigations were based on Article 147 of the Criminal Code of the Republic of Lithuania; one each based on the Articles 147, 147(1) and 147(2) as well as five investigations based on the Article 157. Out of 16 pre-trial investigations that were registered in 2015, six were started due to trafficking for sexual exploitation (prostitution), five – trafficking for forced criminal activities, one – trafficking for forced labour, one – trafficking for prostitution and criminal activities, two – trafficking for forced marriage.

As it can be seen from the review of statistical data, starting in 2014, a new form of exploitation emerges – i.e., sham marriages. Even though, up until the present (i.e., the end of 2015), there have been only three pre-trial investigations into these marriages, the HESTIA research has shown that the problem is much bigger than it may appear. The lack of a higher number of investigations into sham marriages is due to a lack of political priorities, shortage of financial and human resources, the latent nature of the crime and gaps in the judicial system. Hopefully, after criminalising sham marriages in the Criminal Code of Lithuania, the number of pre-trial investigations would increase.

It should be noted that statistics, presented by non-governmental organisations, reveals more than the ‘official’ statistics, received from government institutions. For example, Lithuanian Caritas identified 120 victims of human trafficking in 2013 and 135 victims in 2014.²¹ Research revealed, that due to various factors (financing, coordination, psychosocial state of victims, attitude to victims, failure to recognize a crime, etc.), the cases of human trafficking (including exploitative-sham marriages) do not reach pre-trial investigations and courts:

<... It is a fact that in reality it does not work. When we talk about the legal base – that is not the main problem. The problem is that we do not implement what we already have. We have a Criminal Code norm regarding human trafficking, with all the criteria listed. We have enough cases when Lithuanians are being sold, so why don’t we have any trial practice? It means that we don’t have a system, if we don’t have real trial cases, with victims...> (N: 2015.07.30).

2.3.2 Number of mixed marriages in Lithuania

The number of third country nationals married to permanent residents of Lithuania based on citizenship and gender from 2000 to 2014 (Annex 6) shows that in 2004–2005, the number had increased and in 2009–2010 the number started receding or stabilised. It is necessary to consider a few important factors when analysing this data. First, differences are noticed when mixed marriages are analysed based on gender and judicial status of migrants (EU and non-EU citizens). More males (permanent residents of Lithuania) are willing to marry third country nationals while females (permanent residents of Lithuania) are more willing to get married to the citizens of other EU member countries (Blažytė 2015). Second, the increase in the number of mixed marriages in 2004–2004 can be illustrated by the expansion of the EU (2004), thus in no ways does it show the potential for sham marriages. Third, marriages are registered not between Lithuanians and third country nationals, but between permanent residents in Lithuania and third country nationals, which means, that not all marriages can be considered ‘mixed’. Fourth, the database includes marriages registered in Lithuania and in embassies abroad. However, a presumption can be made, that not all permanent residents of Lithuania register marriages that were made abroad. Therefore, numbers given in the Annex are not completely accurate.

²¹ It can be presumed that the number of victims is higher as there are more organisations, working in the field of victim support: Missing Persons’ Families Support Centre, Public organisation Klaipėda Social and Psychological Services Centre, The Association of HIV/AIDS Affected Women and Their Families, Men’s Crisis Centre.

2.3.3 Number of marriages considered sham in Lithuania

The number of marriages that were identified as sham in the Republic of Lithuania between third country nationals and Lithuanian citizens from 2010 to 2015 (Annex 7) shows a certain dynamics. In 2010, 30 marriages were identified as sham, in 2011 – 33, in 2012 – 14, in 2013 – 16 and in 2014 – 32 marriages. It should be noted that, first of all, this number includes only marriages, registered in Lithuania and between citizens of Lithuanian Republic and third country nationals, which, based on the court decision, were proclaimed as sham marriages. Second, organisation of these kind of marriages (and taking a part in them) is not criminalised in Lithuanian judicial system. In addition, they are not considered to be a form of exploitation or trafficking in human beings (at least according to the data collected during HESTIA research, experts said they had no basis to believe that there could be exploitative marriages among sham marriages). Third, this number does not include marriages that were registered in other EU member states between Lithuanian citizens and third country nationals. Unfortunately, information of this sort is not being collected neither by the Ministry of Foreign Affairs, nor by the embassies or consulates of the Republic of Lithuania, established in other EU member states. Fourth, data analysis by citizenship shows, that a higher proportion of sham marriages is with those third country nationals, whose migration to Lithuania is noticeably bigger (Belarus, Russia, and Ukraine). Still, it is not purposeful to make more detailed conclusions due to small numbers.

Even though this research focuses on exploitative-sham marriages made abroad, an interview was done with the specialists from the Migration Board of the Vilnius County Police Headquarters, who collect information about suspicious marriages made in Lithuania between Lithuanian and third country nationals. Even though, registered sham marriages do not have indications of exploitation or human trafficking, responses of the specialists allow considering about preconditions for appearance of exploitation. The research revealed that organisation of sham marriages (especially, recruiting) in Lithuania is similar to the organisation of exploitative-sham marriages in the UK and recruiting in Lithuania, when third country nationals recruit especially vulnerable females, who have psychological disorders or they are physically disabled:

<... There are suspicions about Pakistan, mostly they select girls who have some physical disability. Maybe not so much mental, there are no such [cases], but who have some signs of physical disability. We've observed such [cases], and they are introduced and somehow they are able, the same person brings them. It seems that at first they don't speak English so he participates in conversations as a translator...But these are only suspicions and completely unverified.... How many such marriages I have seen, namely Pakistanis find these girls. Either with a disability, or orphans, or from an orphanage or foster homes. Parents have died, an apartment has been left. Those girls are not beauties by any standards...> (P: 2015.09.28).

Summarising the above statistical data it is important to emphasise the limited proportion of the data, reflecting exploitative-sham marriages. Therefore, at present, statistical data do not allow for making deeper analysis or generalisations. However, several challenging aspects can

be emphasised. First, the number of pre-trial investigations does not reveal the reality of the situation. This is illustrated by the data from Lithuanian Caritas on victim support (and comparing this data with the data received from Lithuanian Criminal Police Bureau) as well as the argument by representatives of law enforcement agencies and courts about political priorities and human resources in the field of human trafficking:

<If there were more employees...there would be more cases started... no doubt...> (P: 2015.09.21).

<... Without collecting information, we very much decrease the number of Lithuanians who became victims. I don't even talk about those Lithuanians who stayed in Great Britain providing testimony, stayed and then became residents. I hear that the anti-trafficking centre in London mentions 560 Lithuanians in one case, 40 in another. That was labour exploitation. Today, even the Minister of the Interior begins with statistics when talking about the problem, and he makes his own conclusions, based on statistics. He says, the phenomenon is not growing; it is just new forms appearing. It means, statistics is important, so if suddenly someone calculated and told him that there were not 24 victims but 124, how flustered the minister would become? How flustered would we all become? And maybe, it would not be 100 people or 200 or even more than a thousand? (N: 2015.07.13).

Second, we can only get partial information from Lithuanian non-government organisations and state institutions, because most information about exploitative-sham marriages can be found in the institutions of the destination countries (in this case, United Kingdom or Ireland). Undoubtedly, one could perform a more detailed characterisation of the situation, if Lithuanian diplomatic agencies (i.e., embassies and consular offices) would start collecting and analysing information about exploitative-sham marriages abroad. Third, even though sham marriages (as breaking migration laws or a crime against a state) have existed since 2004, when Lithuania became an EU member state and, at the same time, has become an attractive country for third country nationals to enter,²² exploitative-sham marriages (as a crime against a person) appears as a statistic only in 2014. HESTIA research has shown that this does not mean that exploitative-sham marriages did not exist in Lithuania prior to 2014. Such marriages have been recorded and witnessed by representatives of non-government organisations:

<... It's been three years that we hear about this theme intensively. The first case was in Lithuania, a woman married a Kazakh, in the region of Marijampole, it was all fictive, and

²² The role of Lithuania as a transit country for third country nationals trying to enter the EU was recorded by Lithuanian media: 'Fiktyvios santuokos su lietuvėmis – nelegalų vartai į Europą' ['Sham marriages with Lithuanian women – the gateway to Europe for illegal immigrants']: <http://lietuvosdiena.lrytas.lt/-12319961941230204912-fiktyvios-santuokos-su-lietuv%C4%97mis-nelegal%C5%B3-vartai-%C4%AF-europ%C4%85.htm>; 'Landa į Lietuvą – fiktyvi santuoka' ['The passage to Lithuania – sham marriage']: <http://kauno.diena.lt/naujienos/kaunas/miesto-pulsas/landa-i-lietuva-fiktyvi-santuoka-670385>; 'Nelegalai siekia fiktyvių santuokų' ['Illegal immigrants seek sham marriages']: <http://lzinios.lt/lzinios/Mokslas-ir-svietimas/Nelegalai-siekia-fiktyviu-santuoku>; others.

then huge problems started because it was a sham marriage, she was vulnerable, a mother of many children, she needed help very much. She was not able to get divorced and two of the witnesses in her marriage were a lawyer, known by the town, and a representative of municipality. He took some loans and disappeared, and she suffered for many years, could not divorce him and I think she still has not divorced him. This was the first case, then stories from Great Britain started pouring. We had a case in Panevėžys region that is connected with great violence. A girl, a student, rather naive, was raped very roughly. It was a gang rape and she was locked, barely came back, we had to take her to psychiatric [place] and still she practically couldn't stand up on her feet. There were moments of other kinds of violence when a document is taken and one has to serve all relatives, to be married to more than one person. There were fears about pushing into prostitution. Threats from a groom that if you don't do something you may end up in prostitution...> (N: 2015.07.13).

Fourth, even though sham marriages that get registered are supposedly without exploitation, experience of specialists from Migration Board witness about the potential of exploitation, especially in organising sham marriages between third country nationals arriving to Lithuania and vulnerable citizens of Lithuania. Fifth, even though considering that human trafficking is an international crime (connected to processes of immigration and emigration), HESTIA research has revealed internal problematics of human trafficking, which is the one being discussed by representatives of law enforcement agencies and courts.

<... It started a long time ago in our centre. We've had suspicions about these sham [marriages]. First it all started ten years ago in prisons. Here, inside, in Lithuania. If you are sitting [in prison] for committing some crime, then having a small child, being a father defuses the penalty and provides conditional release – then sham marriages appeared first, when our girls would go into town to take care of some business and would return having married a prisoner... > (N: 2015.07.27).

<... So far we've been looking at the international trafficking in people. We don't look into local [practices]. We've started a couple of investigations, we'll see how the court will look at them. For an article on human trafficking you don't need to take the person out, he can stay at home...> (P: 2015.10.15).

2.4 Problematics of definitions

Problematics of exploitative-sham marriages (as well as other forms of exploitation and trafficking in human beings) should be analysed using the twin pillars of immigration and emigration. In the first case, attention should be paid to marriages that are made in Lithuania between permanent residents of Lithuania and third country nationals. In the second case, focus should be marriages abroad between permanent residents of Lithuania and third country nationals. HESTIA research emphasises the emigration perspective as all three pre-trial investigations, that were initiated in Lithuanian, are connected to marriages made abroad. However, attention should be paid to the fact that marriages made abroad are connected to the

Criminal Code of the Republic of Lithuania (which does not criminalise sham marriages) as well as Lithuanian immigration policy or more precisely regulations regarding family reunion.

2.4.1 Migration and family reunion

‘The Law on the Legal Status of Foreigners’ in the Republic of Lithuania (No. IX-2206 of 29 April 2004) provides that family reunion is the entry and residence in the Republic of Lithuania by family members of a non-EU citizen who is a legal resident of Lithuania with the purpose of preserving family, irrespective of whether the family relations arose before or after the foreigner’s entry. Legislative regulation of family reunion in Lithuania allows acquiring permits for temporary and permanent residence in Lithuania. Part 5 of paragraph 1 of Article 43 of this law provides that a permit to temporary residence in Lithuania may be issued on the basis of family reunion, if the foreigner’s spouse or the person with whom a registered partnership agreement is signed and who is a citizen of the Republic of Lithuania or a foreigner who has a residence permit resides in the Republic of Lithuania. Part 4 of paragraph 2 of the same Article provides that if a temporary residence permit is issued to a foreigner in compliance with point 5 of paragraph 1 of this Article, it should be evaluated in accordance with the procedure established by the Minister of the Interior whether the marriage or registered partnership is a made out of convenience.²³ Part 3 of Article 53 provides that a permanent residence permit in Lithuania is issued if a foreigner entered the Republic of Lithuania together with a citizen of the Republic of Lithuania as his family member.

If a citizen of the Republic of Lithuania marries a third country national in another EU member state, legislation of that member state or EU laws are applied; more precisely – a Residence Card of a family member of an EU citizen is issued based on the directive of 2004/38/EB of the European Parliament and of the Council of 29 April 2004, regarding their right to free movement and residence within the territory of the Member States. Since all three pre-trial investigations regarding exploitative-sham marriages are connected with exploitation in the territory of the United Kingdom, it is important to emphasise that this directive was incorporated in the UK legislation on 30 April 2006.

2.4.2 Trafficking in human beings

Trafficking in human beings is defined in the Article 147 of the Criminal Code of the Republic of Lithuania as such: ‘he/she who sold, bought or in other ways transferred or acquired, recruited, transported or kept a human being in captivity by means of physical violence or threats or otherwise deprived the person of the ability to resist, or using the victim’s dependence or vulnerability, or deception, or accepting or paying money or receiving or providing other benefit to the person who in fact controls the victim, if the perpetrator

²³ When a spouse or a registered partner arrives and applies for a residence permit based on a family reunion, Migration Department and Migration Boards evaluate whether the marriage (or the registered partnership) is not a sham. Evaluation is done if the marriage or registered partnership was made within the last 5 years before the application to issue or change residence permit has been submitted and, at the same time, if the marriages raises valid suspicions (Sipavičienė and Jeršovas 2012).

knew or intended that the injured person, irrespective of whether he/she agreed to this, should be exploited for slavery or similar conditions to slavery, prostitution, pornography or other forms of sexual exploitation, forced labour or services including forced begging, involvement in criminal activity or for other forms of exploitation.’²⁴ This Article is amended by the Paragraphs 1 (exploitation for forced labour and services) and Paragraph 2 (profiting from person’s forced labour or services). Even though exploitative-sham marriage has not been distinguished as a form of exploitation in the Criminal Code of the Republic of Lithuania, in the context of criminal persecution, there have been initiated three pre-trial investigations regarding forced marriages²⁵.

2.4.3 Sham and exploitative-sham marriages

EU and Lithuanian legal and academic literature provides several definitions of a sham marriage. First, marriage is considered a sham, when it is made only for the purpose of the opportunity to use the right of freedom of movement and reside in the EU. Therefore, the member states can implement necessary measures to refuse, cancel or annul any rights that were bestowed due to any marriage, if those rights were abused or gained by cheating (EK 2014). Sipavičienė and Jeršovas (2012) confirm, that a marriage or registered partnership are defined as a sham, when they are made with the purpose of receiving a permission to reside in the Republic of Lithuania and not having the purpose to create other legal consequences of a marriage or registered partnership that are established by the legislation. Kudinavičiūtė-Michailovienė and Sagatys (2012) state that a sham marriage is a fiction of a marriage, an imitation when a marriage is made ‘just for the eyes, without the purpose of creating legal family relations.’

However, definitions of sham marriages can be criticised. According to Jakulevičienė and Biekša (2009), ‘one of the conditions to recognise a sham marriage in Lithuania is that members of the family had never met before marriage.’ However, the authors emphasise that this requirement does not take into account traditional practices that are widespread in foreign countries. Therefore, such definition could be considered a too wide concept of a sham marriage. In addition, this requirement does not take into consideration new trends such as marriage over internet.

2.4.4 Forced marriage, vulnerability and exploitative-sham marriage

In attempts to find the most suitable term to define the relationship between a sham marriage and human trafficking, it is important to discuss the terms ‘forced marriage’ and ‘exploitation’ as exploitation is the essential element of human trafficking. According to Augutienė (2014), a forced marriage is an exploitation of a person by means of marriage for securing social or financial guarantees. By the means of coercion and blackmail, by creating an illusion of a happy family life, by promising big sums of money people are forced into marriage with

²⁴ Unofficial translation

²⁵ The term of forced marriage is used by the Operational Activity Unit of the Lithuanian Criminal Police Bureau citing statistical information about initiated pre-trial investigations in the area of human trafficking.

citizens of foreign countries and later they are exploited in that marriage. In this case, the author emphasises taking advantage of a woman's psychological, social, emotional and physical vulnerability as a means of coercion or deception. Women are especially vulnerable since they, rather than men, most frequently marry third country nationals. As we see from this definition, an essential element of forced marriage is exploitation, while exploitation is defined as 'a state in which the person concerned has no real or acceptable alternative but to submit to the coercion' (The EU rights of victims of trafficking in human beings 2013).

Considering the above discussed concepts, this research used the concept of exploitative-sham marriage, which combines both deception and exploitation as essential elements used for human trafficking.

The problematics of the concept of exploitative-sham marriages can be illustrated by the opinions of the law enforcement institutions and non-governmental organisations, presented during HESTIA research, regarding how to apply various aspects of these different concepts:

<... There are many questions because of the terms: sham and forced marriage. Sham marriage may not be forced, while claims of forced marriage may be fictitious as there is no initial, overt element of coercion, exploitation. One of the differences between forced marriage and human trafficking is the element of coercion, but it is done in a legal way when by means of marriage another person is exploited. Since they got married everything is somewhat legal, in the eyes of lawyers, marriage is made, but after that, there is exploitation in that marriage, either sexual or with the purpose of forced labour or turning the person into a servant, etc. The whole form is legal...> (N: 2015.07.23).

<... I think it is most difficult for them and for us to understand where fictitiousness begins; when the marriage is made everything rather happens officially, that process, so nobody will notice any coercion or threats. Only in the other stage when the victim realises that she has been caught in a net. Everybody says maybe that's personal family relations, maybe it is them doing it themselves, other activities, if it is coercion then what kind of human trafficking is this...> (P: 2015.07.14).

3. Research methodology

3.1 Research methods

For conducting the research on the connection between human trafficking and sham/exploitative marriages, the semi-structured (in-depth) interview method was used. This form of interviewing is one of the most widely applied methods in qualitative research used for collecting information provided directly by the respondent to the researcher. Questions are typically open-ended and the goal is to ask the same questions to all the target respondents. Over the course of conducting semi-structured interviews (the structure of the interview and the sequence of questions) changes are likely to occur due to various reasons (e.g. how the situation develops in the course of an interview, conversation environment, social and demographic characteristics of the respondent). Nonetheless, the interviewer must focus on the problem questions that were identified beforehand, which, depending on how the interview flows, the researcher will introduce even it is necessary to improvise new techniques (for example, asking additional questions or requesting an additional interview).

Information collected using qualitative methods cannot provide accurate numbers and correlations in social research. However, what qualitative methods do is reveal tendencies such as dominant attitudes, experiences, values and perceptions. The research instruments used to analyse connections between human trafficking and exploitative-sham marriages reveal a wide field of problematics due to several reasons. First, the number of initiated pre-trial investigations (three in total) allows using the advantages of qualitative research (expert interviews and a semi-structured questionnaire) effectively. Second, the number of experts working in the area of human trafficking in Lithuania is not high. Therefore, qualitative methods provide an effective means to establish the criteria for selecting questions for statistical analysis and implement new criteria by organising the course of research. Third, the selection of experts, a deep contextual review of the human trafficking situation, the researcher's notes and communication with non-governmental organisations allows for a deeper insight into the connections between human trafficking and exploitative-sham marriages, regardless of the interpretational limits of qualitative research data.

3.2 Target group and selection of experts

Expert selection indicators and a research organisational scheme were determined after taking into account the following: the number of pre-trial investigations in the area of exploitative-sham marriages, data provided by non-governmental organisations and the current system for implementing policies to combat human trafficking. In preparing the expert selection, research instruments and organising the course of qualitative research, fifteen interviews were planned with experts from various institutions that were subdivided into two levels. The first level included non-governmental organisations, budgetary institutions and crisis centres that work in the area of prevention and assistance to victims (e.g. social workers, psychologists, project managers, etc.). The second level included law enforcement institutions (police,

prosecutor's office) and courts with specialised officers: pre-trial investigation investigators, prosecutors and judges. In the scheme for the primary selection, seven interviews with experts were planned from the first level, and eight interviews with experts from the second level.

This selection criterion was determined for several reasons. First, the research aimed to find a balance (of differences in opinion) between the positions of non-governmental organisations and judicial institutions regarding human trafficking and exploitative-sham marriages. Second, only the experts who have the most experience in the fight against human trafficking (also in organising victim protection) were chosen. Third, consideration was made with regard to experts working at different levels: pre-trial investigation investigators, prosecutors, social workers, national level experts. Fourth, interviews were conducted with experts from different cities and towns: Vilnius, Kaunas, Klaipėda, Alytus, Panevėžys, and Tauragė. In such way, local and national levels were sought to be incorporated in the research.

The chosen criteria of selection were implemented successfully, evidenced by the fact that 17 experts were interviewed during the research: nine from non-governmental organisations, budgetary institutions and crisis centres; eight from judicial institutions and courts (see the details of the area of activity of the experts who participated in the research and interview codes in table 1).

Table 1. Area of activity of the experts who participated in the research and interview codes		
Area of activity	Code	Number of Experts
Non-governmental organisations, budgetary institutions and crisis centres that work in the area of prevention and victim assistance (social workers, psychologists and project managers)	N	9
	P	8
TOTAL		17
<i>Note:</i> each citation from the expert interview in the text is marked by the code and date. For example, P: 2015.09.21		

3.3 Research tools and data analysis

In conducting qualitative interviews with experts, questionnaires that were prepared in advance were used. Taking into consideration the area of activity that the experts are engaged in (non-governmental organisation, government institution, national level expertise), different questionnaires were used, with the purpose not to lose important data and extract as much as possible of the experts' information. Expert questionnaires were created/adapted with regard to the dominating problematics in the area of the fight against human trafficking in Lithuania as well as given statistical data and pre-trial investigations in the area of exploitative-sham marriages.

A large database was accumulated therefore in the attempt not to ‘lose’ important data. The data were analysed using the principles of qualitative data analysis. In analysing data, the main problematic themes were extracted, analytical categories were defined, data inter-relationships were analysed, premises were systematised, conclusions and recommendations were formulated and evidence for these recommendations provided. In analysing qualitative research data, quotations that best illustrate research results, arguments, opinions and problematics, were provided.

4. Research findings

Parallel to the analysis of problematics of exploitative-sham marriages, this section describes cases in which pre-trial investigations were initiated.²⁶

Case No. 1

The Klaipėda law enforcement institutions initiated one of the pre-trial investigations, when officers from United Kingdom received an inquiry about suspected criminals in exploitation. At the same time, in the town of Plungė, a young woman contacted the police commissariat. During the interview, she said that she was taken to the United Kingdom by means of deception when she was promised a job at a factory for clothes sorting. Together with a female suspect, the woman was taken to the United Kingdom in a microvan. The costs for the trip were covered by an unknown third country national, who did not speak Lithuanian. The guess was that a third country national paid for the trip and, with an assistance of Lithuanian citizen, recruited the victim. The victim saw how money was dropped on the bed, out of which the suspect took 200 pounds and handed it to the victim, after that the suspect left saying ‘We’ll see each other next Sunday, in exactly a week.’ The victim did not understand what was happening then. In the evening, the third country national who paid for her trip started harassing her. The victim did not speak English. The third country national demanded sexual services from her and kept harassing her, but the victim managed to elude him. The victim did not have her phone and identity card that was taken away from her by the suspect during the trip. Later, the victim asked the third country national if she could use his phone to call her friend who lived in Plungė. Since her friend had acquaintances in Ireland, the victim was able to contact those acquaintances living in Ireland and they phoned London police by giving approximate location of the victim. Police arrived, released the victim and, at the same time, released another young female who was held in the apartment of the same third country national. Then the investigation started in London Metropolitan Police Service. In Lithuania, on the same basis, criminal intelligence investigation started, which later grew into a joint international investigation. Therefore, Lithuanian judicial institutions started a pre-trial investigation with four victims. It was later discovered that young women from the Klaipėda region were recruited, sold and transported for marriage to the UK, where they would be married to third country nationals for a certain sum of money. So-called intermediaries would receive a portion of the payment. They would take one third of the total sum. The remaining portion of the sum would go to the marrying woman. Afterwards, these women would return to Lithuania, but from time to time, they would have to appear before migration officers regarding the truthfulness of marriage. Therefore, before marriage so called a groom and a bride would be given information about each other so they would learn it, absorb it, and answer correctly each time they would have to appear at the migration office. At the end of the investigation, a cohabiting couple (Lithuanian citizens) and an Afghani were sentenced for trafficking in human beings for organising sham marriages. The woman was sentenced 10 years in prison, her cohabitant – 6 years in the prison and the Afghani (who ‘bought’ the bride) – 5 years in prison.

²⁶ Since pre-trial investigations are being implemented now, given information is fragmentary.

The information provided above is only one part of the case as the other part is a continuation of the same investigation in Lithuania, due to involvement of other young females, who have not been identified yet and whose numbers, according to the data of representatives of judicial institutions, could be bigger. There were three women, which were officially recognised as victims in the UK, but initially there were more. However, some of them refused to cooperate. Right now, law enforcement institutions are investigating how these three women are connected to the case in the UK. According to representatives of the law enforcement institutions, these victims most probably got married in the UK, but they are not willing to communicate with the law enforcement institutions as they received money, so, they will hardly identify themselves as victims. During the investigation, it was revealed that one of the victims is the sister of the suspect, and she has a mental disability. Education level of all victims is of high school. None of the victims had a job at the time of the recruitment and they had heard that ‘one can earn good money in London.’ One needs to emphasise that the woman who is the suspect in this exploitation case, was a victim herself before this. During the investigation, victims provided information about the suspect – that she was married to a third country national. The woman was sold and, later, she understood that it was an easy way to make money.

4.1 Recruitment mechanisms, the profile of the criminals, exploitation (of vulnerability), and sociodemographic profile of the victims

4.1.1 Recruitment

Some experts stated that they did not see a big difference between recruitment for exploitative-sham marriages and other forms of exploitation (sexual exploitation, forced crime), since in all cases recruiters attempt to exploit the vulnerability of (potential) victims, psychological problems (not only mental disability but also risk behaviour, dependence on alcohol or psychotropic substances), family situation (victims who grew up in socialisation centres, families with only one parent and impoverished families, single mothers) and socioeconomic status (poverty, unemployment, low indicators of education). However, there are differences. For example, in the cases of exploitative-sham marriages, recruiters use less alluring tactics as, according to social workers, there is no need making the victim ‘fall in love’. It is enough to offer a good payment, good conditions and an opportunity to see the world. These promises to (potential) victims who experience poverty and live in rural areas are especially effective. Besides, as representatives from non-governmental organisations say, in recruiting victims for organising exploitative-sham marriages, a personal contact and internet are important: social media (Facebook), dating sites and advertisements. Employees who work with victims of exploitation notice that there are many people in Lithuania, who are lonely, have psychological problems, ‘live’ in social media and dating sites. This pattern of behaviour can become a serious cause for recruitment.

According to the representatives of law enforcement institutions, there was a widespread phenomenon in 2011, when British men would go to Latvia on their own, visit local strip-

tease clubs and other places, where they could find vulnerable young women. British men would see that these women easily fall for different forms of recruitment. These women would be offered to go to UK 'for a visit' and after that these recruited victims would be offered for sham marriages to third country nationals. According to experts, there was no phenomena of this nature registered in Lithuania, but that does not mean that such a recruitment scheme did not exist in Lithuania.

According to the representatives of non-governmental organisations and law enforcement institutions, for criminals, recruitment for exploitative-sham marriages is easier than recruitment for other forms of exploitation as (potential) victims feel 'safer', and recruiters have more opportunities to provide incentives. In addition, victims not only do not feel threatened, but they are also seduced with complex arguments: easy earnings, decent 'work' conditions, an opportunity to see a new country and experience adventures. Easier modes of recruitment influence the massive character of the phenomenon and extend the areas for recruitment even to unexpected places: that is, as opposed to large urban places, rural villages are potential sites for recruitment (see citation below). In addition, as research data revealed, it is often ex-victims, who were involved in exploitative and exploitative-sham marriages and recruit victims themselves. This way a network is created that covers previous and current victims and organised criminal groups:

<... The tactics that they prepare is referred to as so-called multipliers. For example, the case of Tauragė, when our victim became the accused one. Other cases that did not reach the pre-trial investigations...the girl would go to the village where she lived (or another such place) and convincingly explain that everything that happened to her is fine, 'everything ended well for me, so the same will happen to you'. Another thing that draws my attention, is very massive recruitment, very large numbers of recruiters. I remembered one more case, which did not reach the investigation level as the victim decided that she had nothing to say. For example, some women met in the hospital suddenly they started to recruit for marriage...> (N: 2015.07.13).

One of the essential aspects of recruitment – professionalism of criminals. According to the representatives of non-government organisations, victims often do not understand how they are being recruited. (Potential) victims have an impression that everything is happening accidentally, when in reality everything is planned in advance, so, it looks persuasive.

<... Victims may completely fail to understand, how they are being recruited, as they do not see the whole chain, it appears to them something came up when in reality everything was planned, roles were directed, visits at home, an unexpected flat tire... Victims think that it is accidental and then you see, when you read the case and talk to the investigator that everything was planned, a long time ago...> (N: 2015.07.13).

According to the representatives of non-governmental organisations that work in the area of victim protection, a recruitment technique is gaining popularity that has not been very

popular earlier and which connects the circle of family, friends and acquaintances. This kind of recruitment is especially observed in organising exploitative-sham marriages. It seems that not only family members and friends, but also neighbours get involved in the network. According to experts, all persons participating in the network receive payment in one way or another, for recruited victims. Besides, networks of acquaintances and different tools of recruitment allow access (potential) to victims individually and use measures that are meant for a particular victim. For example, if a victim is well-educated, then certain kinds of measures are used; if a victim is not educated – completely different measures of recruitment are applied. Besides, this way recruiters begin to know their victims personally. It means that an opportunity emerges to take advantage of vulnerability not only in a general sense, but also of particularly weak spots of the victim, for example, interests, psychological barriers, victim's life history, etc. This way a recruiter and (potentially) a victim become so-called best friends:

<... One needs to read messages, what they write. It is hard to believe. They write for two weeks, they become such best friends, it is such hard work... they really do their work and you would think that they have graduated in psychology. They adapt to each girl and they write 'hi, my little friend, what are you doing? How are you today, was your mom messing up your brain or not? It must be really hard for you, I transferred 20 pounds into your account, buy something for yourself. How is your little mood?' In this sense, it is going through the emotional side, the side of creating a connection and a relationship. She writes to someone else 'do you have cigarettes to smoke or, perhaps, your mother took all your money? You know that you are my friend? It is so cool here and I am waiting for you... is everything ok with you?' They know what to write to everyone. And, perhaps, they read what she [victim] wrote about herself, so they ask about their intimate environment, relationships with friends, ex-boyfriends, one of them was even told not to worry that she was dumped, everything is ok, you will come, you will see how much money you will have, he will be jealous when you come back. They approach everyone... it is total manipulation...> (N: 2015.08.11).

Considering all these aspects of recruitment, it can be stated that there is not one general recruitment scheme. Just the opposite, recruitment measures are individualised and adapted to each victim. If recruitment tools are different depending on the victim's social and demographic characteristics, the general economic recruitment argument remains the same:

<... Recruitment for sham marriages and other forms of exploitation rely on the same argument – for economic benefit. Of course, when you recruit for forced labours, it is one thing, when you recruit for marriage, you promise other things. Recruitment itself, the nature of it, the method is very similar.....> (N: 2015.08.11).

According to pre-trial investigation investigators, the nature of recruitment can vary depending on different forms of recruitment. For example, if recruiting is for forced criminal activity, then recruiters look for asocial persons with a 'criminal bend'. For sham and exploitative-sham marriages, recruiters look more for the element of social and

economic vulnerability as easy money without having to work at all is being offered. In this case, not asocial, but girls or women with two or three children, no husband, living in a countryside, not well off financially, are recruited. According to officers, ‘playful forms’ can be used for recruiting students, who can be enticed to ‘additional’ earnings and adventures:

<... There are vulnerable persons, mothers of many children, who do not have husbands, who have 3 or 4 children, piles of loans or live in countryside. Those are being talked into, offered, here you go, you will get married, you will receive money, your life will improve, and you will be ok. That is recruitment. If a student is offered an additional income, without any obligations, than I would not think that it is recruitment...> (P: 2015.09.21).

One more method of recruitment – to recruit not victims, but recruiters. For example, human traffickers in the United Kingdom are interested in drawing young local women from Lithuania or other countries into United Kingdom and making them not victims, but their friends. This way the network of recruiters expands (Lithuanian women go to Lithuania to recruit) and real crime coordinators avoid responsibility:

<... During the investigation, it turns out that those girls are not recruited by third country national, who do not speak Lithuania, but other Lithuanian girls, who make friends with them and talk them into coming to Germany, Great Britain or other countries. Third country national says ‘I am not at fault, we met, we were friends, but I have no connections to human trafficking’, even though they have the whole control, everything goes through them.....> (P: 2015.07.14).

With the spread of access to the internet, the potential for recruitment online is increasing. If internet does not play a decisive role in the last stages of recruiting, it plays a decisive role in establishing first contact. Later, more people (criminals and victims) join the ‘recruitment chain’. Recruiters use different approaches to different victims:

<... First sparrows always appear online and only later the circle expands. The one who marries is being offered, she says, I will pay you, you find friends – they get enticed...> (P: 2015.07.16).

4.2.2 Exploitation of vulnerability

Since establishing the proof of vulnerability and exploitation constitutes an especially important part of pre-trial investigation, it is important to analyse, how representatives of different governmental institutions and non-governmental organisations understand the aspects of vulnerability and exploitation. Research revealed that most experts admit that

vulnerability and exploitation (or exploitation of vulnerability of a victim) starts not in the destination country after sham marriage is made, but during the time of recruitment, when recruiters take advantage of the vulnerability of the victim. This shows that experts working in the area of human trafficking adequately understand the essential element in the crime of human trafficking.

<... Recruitment itself, exploitation is the moment of recruitment, and that is recognised as trafficking in human beings. Advantage is being taken in vulnerability and inability. Psychological moments come into play...> (N: 2015.07.30).

<... Exploitation begins from the moment when a victim is being recruited and ‘hooked on’, when she begins to want that trip. We realise that it is exploitation from the very beginning. I speak as a human being – exploitation is when they see such [person], and make an offer to her, already when they hook such a person, there is the start of exploitation, then they start to explain to her, draw a story how well you will live. Her interests are their least concern, it is the manipulation of a person...> (P: 2015.07.16).

Other experts illustrated the aspect of exploiting vulnerability as not only recruitment in the country of the victim’s origin but also ‘work with the victim’ in the destination country, when the victim is already involved in exploitative-sham marriages, but has not yet received payment. It means that it becomes even easier for criminals to manipulate the victim. It should be noted that criminals not only promise a reward, but in some way they ‘invest’ in the victim by buying clothes, telephones, giving money for small expenses. In this way, victims are ‘tamed’ for further criminal activities.

<... It is manipulation of a person. It depends on the girl, her character. Let us say, I have 1000 pounds. Here... take 200, you will visit your mother, father... buy a telephone to your younger sister and, when you return, I will give you the money. Why not to trust me? I emphasise, this is manipulation and manipulation can be with love, money, the fact that there are no ties in Lithuania, family is all drunk, you have nothing...only one girlfriend is needed. So they search... > (P: 2015.07.16).

According to representatives of law enforcement institutions, exploitation is the way to incline especially, when recruitment is done because of a difficult financial situation. In proving trafficking in human beings, it is necessary to prove three processes: the way of inclining/recruitment, transportation and purpose of exploitation/selling. In the case of exploitative-sham marriages, it is most difficult to prove the purpose of exploitation. Therefore, according to experts, information is available only about the most cruel cases, when victims are locked up, raped, their freedom is limited and they are not allowed to return to their country of origin, their documents are taken away.

On the other hand, often victims do not understand that they are committing a crime or participating in it. Besides, they do not understand that the purpose is to take advantage of them. On the opposite, victims think that criminals give them an opportunity and they are trying to take advantage of it. However, the biggest problem arises when not strangers, but acquaintances from a circle of friends are recruiting. In that case, victims are under the impression that acquaintances or friends are doing a favour:

<... They do not understand that they are committing a crime; they do not understand very well that somebody wants to take advantage of them. They think that there is an opportunity, that they found a friend, who sees how it is hard on them... And here, one day the friend offers, here I get everything organised, make the documents, go, if you want... I brought 10000 litas home after getting married myself and look how well off I am... how well I live and I do not need social welfare payments...> (N: 2015.07.30).

According to representatives of non-governmental organisations, if the nets of human traffickers catch victims, everything that is possible will be squeezed out of them. This fact witnesses complex nature of victim exploitation, connected to pushing victim into borrowing money, restriction of freedom, taking away personal documents, etc.

<... The other side... recruiters... are really good psychologists. They know really well, when to push and when to frighten. I judge this by the fact that now, in media, when they started [advertising] our SOS call, we have never received calls for help because of prostitution, but we did receive a few calls for sham marriages and labour exploitation. However, all of them... victims... essentially stayed there to live, but out of that horror, that everything was so nice in the beginning, so indescribably nice, that a husband was so wonderful and now she walks with blue spots, she is locked up and without a passport... In my opinion, it is known very well when to do what. One thing is clear – all the benefits are being squeezed out of them, if social welfare payments can be taken, they will take them, if a loan can be taken – the loan will be taken...> (N: 2015.07.03).

When talking about exploitation of vulnerability, experts emphasised that there are many vulnerable people in Lithuania, therefore the ‘market’ for recruitment is large. Besides, easily accessible statistical data makes the criminals’ job easier as it is easy to find information about persons at social risk on internet portals of state institutions.

<... There is an order, there is a big target group – open statistical data, how many orphans, how many without care, how many children at social risk, boys, and girls. You open [sites of] the Department of Statistics, Ministry – here you go, the whole market, even by territory. What... they do not know how to read? If they know how to make money, they know how to read. Then they orient themselves – there are many orphans in that area, there is a children’s home – that is the territory, they actively work ...> (N: 2015.07.27).

4.3.3 The profile of the criminals

According to the representatives of law enforcement institutions, the profile of criminals, who organise exploitative-sham marriages, in essence is not different from other forms of exploitation. In fact, it is just the opposite; it is mostly the same criminals, who recruit different victims for different forms of exploitation. That means that even though exploitative-sham marriages is a relatively new form of exploitation in Lithuania, criminals have a big experience in recruiting victims for different forms of exploitation.

According to experts, the biggest portion of the money goes to the criminals. For example, a third country national pays about 5000 pounds for marriage, while the victim mostly receives about 1000 pounds (or less) and the intermediaries receive 4000. This sum does not go to one person as, according to representatives of non-governmental organisations and law enforcement institutions, the area of trafficking in people is mostly controlled by organised criminal groups. According to experts, it does not necessarily have to be big groups. On the contrary, it is mostly small groups of a few persons.

<... It has always been an organised crime, because traffickers in people are working alone very rarely. There are networks, a certain kind of a system, there is no difference between them; they see a person as a commodity. You either are selling that person for forced criminal activity, or forced marriage – the more ways you can sell – the better. You have one person and you see where you can [sell] – for sexual exploitation or forced marriage – you sell where you can. Those new forms, I think, we are only discovering them now. They have probably existed for a long time...> (N: 2015.07.30).

In analysing the structure of organised criminal groups, it should be observed that crime coordinators often work not in Lithuania, but in those countries, where exploitative-sham marriages are organised. Experts say that coordinators are those people, who have ties and who can serve as liaisons. Mostly criminal groups consist of Lithuanian citizens who are looking for a supply, or ‘brides’, and third country nationals, who are looking for demand, or ‘grooms’, who become the main source of income for criminals. According to the investigators of pre-trial investigations, large groups work in the cases of sexual exploitation, while smaller groups organise exploitative-sham marriages.

Non-governmental organisations, which cooperate with law enforcement institutions of United Kingdom, notice that in organising exploitative-sham marriages, there are ‘centres’, created in which crimes are coordinated. These centres have ‘working’ groups that consist of EU (mostly from Eastern Europe) and third country nationals. These centres search for third country nationals, who need a ‘bride’, and victims, who would not only be the ‘brides’, but later would join the processes of recruiting. Experts notice that gradually these centres cover wider and wider criminal networks. Besides, the size of criminal groups depends of how big the demand is. If the demand is big, then the supply is needed.

Therefore, more people join the ranks of recruiters. Still, according to officials, it is not a 'traditional' organised crime that works in big groups.

<... The network is incredibly wide as many women get offers. I can say that Lithuanian women always participate, but I cannot tell where the brain is. It is not so simple. They are organised as some brain is really managing, organising, or, at least, controls some territory. They also look for intermediaries, who do this work and know how to do it, who have access to the contingent of Eastern Europe...> (N: 2015.07.13).

<... They arrange things ahead of time, they divide roles. Everything depends on demand. If the demand is so big, an organised group of two, three, five persons can be formed, who collect, search, recruit and transport young women. Everything depends on demand...> (P: 2015.07.16).

In analysing the profile of criminals, it is important to emphasise that the crime of human trafficking is not a specific phenomenon that has nothing in common with other crimes or forms of exploitation. On the opposite, trafficking in human beings often interacts with other forms of organised crime. According to the data of the representatives of law enforcement institutions, different groups of organised crime begin to get involved in the crimes of human smuggling and trafficking gradually.

<... I had a chance to ask one drug-courier personally... he tried a few times for transporting drugs and now he was caught for illegal transporting – it was not a case of human trafficking, but human smuggling. I had a chance to see him in the court, we asked why he changed his profile, his answer was very simple – 'I get the same amount for trafficking one kilogram of cocaine as for smuggling two Vietnamese, but risk is much lower'. He says, 'if you catch me with one kilogram of cocaine, it will not seem too little for me – 8 years or more [in prison]. For Vietnamese I will get 3 years, but money is the same'...> (P: 2015.10.15).

4.4.4 Socio-demographic profile of the victims

Trafficking in human beings is a complex crime. Therefore, in analysing it, one needs to pay attention to such factors of vulnerability as unemployment, poverty, education, social and family status, etc. Victims of this crime mostly come from vulnerable groups of society. Still, according to Žiobienė (2006), victims of human trafficking can be people of any age, gender or social status. However, victims are usually people who are socially vulnerable, naively believing in the opportunity to emigrate, get a well-paid job and improve their living conditions. This is confirmed by the opinion of experts, who participated in the research, regarding victim vulnerability:

<... Such things are not comprehensible for the regular public, but is very important for victims with disturbed intellect... here she was a pawn, an object of mockery, not clean, but there she gets everything, she is being slept with, she is told you are so incredible, wonderful. It is enough for her, so when she returns to Lithuania, she is ready to interest a few others from her school. The lowest, most primitive feelings are played...> (N: 2015.07.03).

A lot is known about the social and demographic profile of human trafficking victims. According to the experts, who participated in the research, the indicators of victims of exploitative-sham marriages are similar to those of other forms of exploitations – prostitution, sexual exploitation, forced crime. Even though every person, every victim is unique, it has a common denominator – social and economic vulnerability that is characteristic of all human trafficking victims. This fact was confirmed by the experts, who emphasised particularly vulnerable groups of the society:

<... You cannot export economically, psychologically, socially stable person, you cannot talk this person into doing these things, no chance at that. They take [people] from villages, from the bottom, from families of many children, people who have small children. They live in a small village of the district and here they are being offered to go abroad. She may not have been beyond Vilnius and here she is offered to go abroad – it looks very enticing. Everything is much simpler...> (P: 2015.07.16).

In this case, it is important to emphasise the aspect of complexity of vulnerability that is related to connections of concrete indicators of vulnerability. Mostly victims live in poverty and are uneducated. Therefore, they cannot recognise recruitment schemes that are used on them. Besides, such victims do not completely understand the content of the human trafficking crime and its consequences.

<... There cannot be any other motives as there is no love, there is nothing, and they are being offered more than they can get in Lithuania. Those girls do not have 12-grade education. Imagine, she is being offered 1000 Euros, she cannot imagine what she can buy for that money. Besides, they are not told that it will be hard to divorce, that there would be piles of problems. They are not told about this, she is told, let us stay together for a month or two, you will get 1000 Euros, maybe you will even fall in love, maybe will stay together...> (P: 2015.07.16).

Even though the main indicators of vulnerability are similar to the profiles of victims of other forms of exploitation, the level of indicators is different. In other words, victims of exploitative-sham marriages are economically, socially and psychologically vulnerable, but the level of vulnerability is not the same as for those victims, who end up in prostitution or are recruited for criminal activity.

As observed by the representatives of non-governmental organisations, anybody can become a victim of exploitative-sham marriages as recruitment mechanisms can conceal the fictitiousness of the marriage and for a long time use so-called ‘lover boy’ methods. This way, economically sufficient and educated women can fall into the trap of human trafficking:

<... Mostly there is the attitude in society that the victim has this profile: I live in some deep village, I have alcohol problems and my financial situation is very difficult. Yet, the opposite profile can also occur. For example, I can be an educated woman and I can get this offer...you will fall in love, will go to another country, your passport is taken away from you, documents are taken away and they tell you, sit here...When speaking about the profile of victims – mostly it is young women, under age 25. Not necessarily uneducated or of low intellect. Anybody can be a victim of human trafficking. However, people, who are in the risk zone, constitute a higher percentage...> (N: 2015.07.30).

As we can see from social and demographic characteristics of (potential) victims of exploitative-sham marriages, women of different socioeconomic status can be trapped in the nets of the crime. Therefore, it is necessary to take into account this fact while implementing preventative actions.

Case No. 2

The pre-trial investigation, that was initiated by Alytus law enforcement institutions, identified three young women as victims. Some person in Alytus sub district contacted police, having suspicions that a young woman was being sexually exploited. Police got involved and during the interrogation, it was discovered that the same woman was taken abroad by the same man, who sexually exploited her. The victim told the police that one time she went abroad with some woman, later – with another. Police started searching for the other women. In total, three victims were identified. Since all women were from the countryside, they were all related in one way or another. An inquiry regarding sexual exploitation was made on behalf of one of the three women who had a mental disability. According to representatives of non-governmental organisations, the woman who had a mental disability was naive and trusting. Therefore, it was easy to take advantage of her. The other two women did farming tasks for the same man. One of the two girls working on the farm knew the above-mentioned woman, who had a mental disability and was sexually exploited. Those two girls met, when they both were transported to United Kingdom to make sham marriages. They were told that ‘you will go there, you will meet guys, you will get married, will stay a little, in two weeks we will take care of the documents, you will get the money and we will bring you back to Lithuania’. A Lithuanian citizen accompanied them to the United Kingdom, but not the same man who recruited them. Upon their arrival in the United Kingdom, other Lithuanian citizens (a man and a woman) met the recruited women. The recruited women lived in a flat together with three or four third country nationals. One woman was sexually exploited – the one with the mental disability. The other woman was not sexually exploited. After two weeks, they returned to Lithuania. They did not get the money as they were told that not all documents

were taken care of. Therefore, money will be handed after marriage. After some time, the woman with a mental disability, together with another woman, who had a social and communication disorder, were taken to the same place abroad. The women, again, stayed for two weeks, until documents were taken care of. Finally, a conflict between the Lithuanian intermediaries and third country nationals started, so the women were brought back to Lithuania and sham marriages were not made, but pre-trial investigation was initiated. According to social workers, one of the victims came from a rather well established family, but came to live in the village at her boyfriend's place. In the village, she did farming work at the above-mentioned man's place, the same man who recruited her. Another woman was from a poor family that lived in a house without water and electricity. Her parents had a dependency on alcohol. The woman grew up in socialisation centres, she had a tendency to consume alcohol; she would do occasional work. According to the representatives of non-governmental organisations, the main aspect of recruiting – money and 'seeing the world' – as recruiters promised a reward and an opportunity to see United Kingdom. All women were recruited separately. Organisers were Lithuanian citizens of different ethnicities; the clients were third country nationals (Pakistanis). There was an intermediate in United Kingdom; she was a Lithuanian citizen, who looked for 'clients' for sham marriages. As it was discovered during the investigation, the women knew recruiters. They talked to them, accompanied them and drove them. One of them went to United Kingdom with them.

4.2 Main travel routes, transportation and arrival in the destination country

Exploitative sham marriages exhibit different main travel routes, transportation and arrival in the destination country than other forms of exploitation. Opposite to victims of sexual exploitation and criminal activities, victims of exploitative-sham marriages move from their country of origin to their country of destination and back. As a rule, it does not happen that criminals are able to take care of all necessary documents for a sham marriage in one visit. Besides, such victims are mostly not accompanied by anyone; they go on their own and upon returning to Lithuania, they bring clothes and other things to their relatives. Methods for transporting victims for sham marriages and for other forms of exploitation are similar: busses, micro vans and planes. In all cases, victims were taken to United Kingdom.

<...Nobody would accompany them. They would buy tickets for them; the victims do not use their own money to travel; the trip is paid by the inviting side, the so-called groom. In some cases it is plane tickets, or a micro van that runs between Lithuania and United Kingdom. They go to the place where they agreed to meet; they are being met in all cases, so they do not get lost. As much data as we had in these cases, there was no force used with these women except for one case, when a woman was locked in a basement, in other cases they were greeted, provided with a place to live with full support...> (P: 2015.09.21).

4.3 Organisation of exploitative-sham marriages

Since there are only three pre-trial investigations regarding exploitative-sham marriages initiated in Lithuania, there is not much information about organising marriages in the country of destination. However, research data allows us to make a general conclusion about the organisation of exploitative-sham marriages in the destination country. Usually, organisers of exploitative marriages are foreigners who are fictitiously married to an EU citizen, mostly from Eastern or Central Europe. These women are EU citizens. The women, in turn (after their sham marriage), will also search for young women, who would be able to make sham marriages. These foreigners, after finding women, become intermediaries for other foreigners, who need permits to live in the EU. According to the opinions of representatives from law enforcement institutions, the main coordinators are residing and operating not in Lithuania, but in the United Kingdom, Republic of Ireland, the Netherlands or other EU member states.

According to representatives of non-governmental organisations, sham marriages are organised following the principle of a ‘conveyer’. There are many marriages being organised all at once, that have the same participants and witnesses. It is often the case that citizens of different countries, who do not understand each other, get married without the help of a translator. In some cases, organisers of marriages prepare a celebration, which is enjoyed by the recruited women. These parties are often organised following clients’ tradition. The same people attend parties. Wedding organisers not only organise parties, but also take wedding pictures and conduct other rituals that are characteristic of weddings:

<... They organise a celebration. Those girls like it even more, so they make a celebration for them. Yes, they do it mostly according to the customs of those men, but the girl can wear a white bride’s dress. Bride’s dress is bought for them and the party is attended by the same people. Those, who are getting ready to get married and those who have married, they all participate in the same party. They make pictures. Really they make a celebration, everybody gets drunk in a friendly fashion, eat, in some little room. I think there is a photograph where they get tied together according to come customs – they even conduct those rituals so it all seems more persuasive...> (N: 2015.08.11).

According to social workers, even though organising celebrations may appear unnecessary, concerning recruiting and keeping the victims, celebrations of this kind are especially important as victims begin to feel ‘important and needed’. Such connection of a victim to the criminals is especially important in the perspective of drawing these victims into further organising of exploitative-sham marriages and recruiting victims:

<... Getting married is not significant. What is most important is being accepted. That they are a joint circle, that they go to each other’s weddings, and that they have friends. They think of it as being accepted, a common company, that they are visited, that they are brought alcohol. They think that somebody accepted them. Nobody nowhere accepted them before and here it is nice, a cool company who accepts, and we are all friends...> (N: 2015.08.11).

Case No. 3

An investigation is being conducted in the town of Tauragė that is connected to organising exploitative-sham marriages in the United Kingdom. According to the representatives of law enforcement institutions, the organisation of marriages, the interview in the migration office and payment are very similar to those in another case in Klaipėda. During the investigation it was discovered, that a young woman fictitiously married in the United Kingdom and the intermediary, was a Lithuanian citizen. It should be noted that in this case the intermediary gave all the money to the women who got married. There was a completely different situation with other women. This woman left Lithuania to get married on her own will but in the United Kingdom, her future husband brought her home and locked her in the basement before the marriage registration and interview in the migration office. Then she phoned a representative from Caritas Lithuania and asked for help, being able to provide an approximate address of the place. Police came but could not find her. After a while, the victim that was kept in the basement phoned the police again and asked them to come once again. A woman who was locked in the basement said that she heard the police when they arrived first time. After arriving a second time, the police freed her and handed her over to the embassy and the embassy returned her to Lithuania. At this time, the law enforcement institutions are working to find out how many of these kind of victims could be in the United Kingdom. According to the representatives of law enforcement institutions, there should be around 7-8 women in the Tauragė case, who were fictitiously married in United Kingdom.

<... I asked her, if someone is going to come pick you up. She said, 'I flew here, some man will come and get me.' I tell her, 'if something happens, you call me or write me'. In the evening, she wrote me that he came, I tried calling her, but she kept not answering. She is from a much-neglected family, mental retardedness is obvious – they did not even take her phone from her. She had been taken to the basement, where there was only a mattress. Apparently, he planned the fictitious marriage and she started resisting. I asked her, 'what will you do now?' She said that, 'he is upstairs, I am in the basement.' She did not understand where she was and she was screaming and crying. She said, 'he won't let me out.' It was strange and after a day or two it became uncomfortable, as he did not let her out, he was manipulating her. We contacted the criminal police bureau, I told them I do not know what to do, how to help. Therefore, after few days, we contacted everyone through her acquaintances in England. The man only had begun to bring her water; he yelled at her, she did not understand anything. The police were dispatched, when it was determined where she was kept, they came, asked that man if she was there. He said no, so they turned around and went back. Then I called her, she was screaming into the phone, saying 'he is going to take me somewhere. He packed my things, I hear, he is making noises upstairs.' Really, I could hear how he was coming downstairs and yelled at her, she was screaming, crying. Then I called the investigator again, I told him they have left, so they announced some kind of a red signal and they arrived and caught him, but he was already dragging her into the car. It is not clear how it would have all ended up...> (N: 2015.08.11).

4.4 Forms of exploitation in the destination countries

According to the representatives of law enforcement institutions and non-governmental organisations, exploitation begins at the time of recruitment in Lithuania, when recruiters exploit potential economic, social, and psychological vulnerabilities of victims. However, when the victims arrive at the country of destination (in the case of exploitative-sham marriages, United Kingdom or Republic of Ireland), a different kind of exploitation, i.e., physical exploitation begins. Upon arrival at the destination country, victims begin to realise that everything is developing not how it was planned and agreed upon. For example, completely different people come to meet them than they saw on social media sites (Facebook) or dating portals; they are taken to an apartment, where third country nationals live and they are given sheets of paper with all the information that they have to memorise; their documents are taken away from them, waiting and exploitations begin.

<... Mostly they see that they are greeted completely not by the face that was on Facebook...a beautiful picture of an actor...someone who barely speaks English comes, he takes her to an apartment and there her life begins. She is shown her little place, she is handed, as they say, a fairy-tale. A few pages are printed out, she has to memorise those pages and then the waiting begins. Her document is immediately taken away from her and everything begins... > (N: 2015.07.13).

As observed by social workers, depending on the social and demographic profile of the victims, criminals treat them differently. Therefore, forms of exploitation are also different: from restriction of the freedom of movement and forced household labour to sexual exploitation. In addition, victims are being talked into searching for other women, who would be able to come to United Kingdom for sham marriages. In other cases, there is no obvious exploitation, so it is not always possible to prove different forms of exploitation.

<... That young woman who finds herself without knowing the language, without any social skills in a foreign country, and she comes under the influence of third country national – they can see who is sitting in front of them. They can calculate to what degree they can play with that person. If they see that she does not even understand what and how, then they know that they can exploit her in other ways too. There is a person who is in their will, they are not tied by any mutual interests, not any love – it is a fact that they can exploit her, it also depends on the woman. The degree of exploitation depends on the character of the women, her inner intellect, ability to stand up for herself, if she is as obedient as a sheep then they will take advantage of her, will have sex with her, and not one but 5 or 10 of those... They will use her and finally will throw her out on the street. It depends, also, on how she behaves, her understanding of the situations. There are many nuances, which you need to evaluate individually...> (P: 2015.07.16).

Besides, as it was observed by the representatives of law enforcement institutions, even judicial officers in the United Kingdom or the Republic of Ireland do not always consider exploitative-sham marriages as a form of exploitation and trafficking in human beings.

Sometimes, these kind of marriages are identified as an infringement of migration laws. In those cases, both sides are punished – marriage organisers and the new spouses (including victims).

However, exploitation in the country of destination is directly related to the processes of recruitment in the country of origin. For example, if victims are promised money and material things in the country of origin, then the whole sum is not given in the country of destination. Just the opposite, criminals give them a little bit at a time (they buy them clothes, give them a few pounds) with the purpose to ‘tame’ and ‘tie’ the victim to a long-term perspective. It is not surprising then that victims, having not received the payment, return to Lithuania and later go back to the United Kingdom again. In time, the situation changes, not the psychological, but the physical exploitation of victims begins. Their documents are taken away from them, their freedom is limited, they are sexually harassed, and threats are made about the wellbeing of the victims’ children.

However, according to social workers, some victims have a high degree of economic vulnerability, so it is enough for them to buy a few tasty food products or some clothes for children. The victim is ‘bought’ in this simple way.

<... Her document is taken away from her and she is told that her document will be in our hands from now on. She cannot leave the house alone, she is, in a manner of speaking, being sent to pasture. Sexual services may be demanded from her, of course, this was not told her in the initial agreement. Suddenly, she sees the other side. I start noticing, when after the first trips they return, when they bring all kinds of little things. You can see targeted exploitation, they take their kid’s photos, you can simply see that some information is needed. She has to bring her documents, whatever documents she has, children’s documents, then you can see. Sometimes one tasty thing is enough...> (N: 2015.07.13).

Social workers, who work with victims say, that exploitation may not be visible from the first sight, but after detailed analysis of victim recruitment, transportation and life story in the country of destination, completely different aspects, connected to specific forms of exploitation, come to the surface. As mentioned earlier, criminals sexually exploited one young woman who had a mental disability; another case was connected to forced labour, when the victim was forced to do household tasks and live in inhuman conditions. In this way, during some period, women are turned into slaves, unfortunately, with psychological traumas that remain for a long-time:

<... We had one case, where she was doing household tasks, but she was turned into a complete servant for the whole tribe, she served them, did laundry for all of them, cooked, slept like an animal on the floor. Practically, she returned having gone out of her mind, completely gone. Because I think she had some mental disorder, but she came back completely not herself...> (N: 2015.07.13).

Parallel to labour and sexual exploitation, victims experience psychological exploitation, coupled with threats. Criminals not only rape, but threaten the women to force them into the networks of prostitution. Given this data it can be stated that exploitation for sham marriages is often related to different forms of exploitation and, therefore is not different from other forms of human trafficking. On the opposite, exploitative-sham marriages, as a form of human trafficking, include different forms of exploitation (forced labour, sexual exploitation, restriction of freedom, psychological trauma, etc.). Therefore, in fighting this crime it is imperative to consider the general context of human trafficking, victim profiles and preventative actions.

<... We had a case in the district of Panevėžys that was connected with great physical and psychological violence. A girl, a student, rather naïve, was raped very roughly. It was a gang rape and she was locked, barely came back, we had to take her to a psychiatric institute and still she practically could not stand up on her feet. There were moments of other kinds of violence when a document is taken and one has to serve all relatives, to be married to more than one person. There were fears about pushing into prostitution. Threats from the groom that if you do not do something you may end up in prostitution...> (N: 2015.07.13).

In summarising, it can be argued that it is not accurate to separate exploitation in the countries of origin and destination as exploitation in the country of destination is a kind of continuation of exploitation in the country of origin. If this kind of exploitation is seen not from the perspective of victim vulnerability, but from the perspective of organised crime, then the profile of the crime and exploitation becomes even clearer. From the recruitment procedures and transportation until the organising of the sham marriages, exploitation and slavery are there and the crime itself should be seen as such – trafficking in human beings. According to the representatives of the law enforcement institutions, it should not be important, whether a victim is given a portion of the payment or not. In any case, the victim is being exploited due to the victim's vulnerability, deception and use of force a group of persons (recruiters, intermediaries and crime coordinators) make a profit.

Besides, as observed by the representatives of non-governmental organisations, the second part – third country nationals – in certain situations may also be considered as victims. According to experts, third country nationals do not always understand that a profit is being made out of them.

4.5 Recognition of crime, identification of victims and assistance

One of the biggest challenges in the area of human trafficking – recognition of crime and victim identification. According to the representatives of law enforcement institutions, mostly victims are identified, when 'residual' phenomena become apparent. For example, when women cannot get divorced. Only in those cases, women start understanding that they were

cheated and they were used as a tool to achieve concrete goals. According to experts, often these women begin to feel anger that they were deceived, just like commodities they were taken advantage of in meeting the needs of other people

Unfortunately, not always do victims understand that they are really victims. A portion of women believe that they themselves are partners in crime (criminals persuade them of this). Therefore, they do not identify themselves as victims of exploitation. In this case, the crime of trafficking in human beings is not recognised. On the other hand, especially vulnerable women do not want to communicate with police as, according to social workers, they have been threatened. Threats are made using various arguments: wellbeing of children (children's documents are taken away) or pressure on the victim (psychological violence, threats, etc.).

Challenges of this nature are dominant in those cases, when exploitation is not recognised in the country of destination. In other words, when the victim herself does not understand that she is being exploited. In other cases, when exploitation is obvious, victims themselves try to ask for help a different situation arises: women realise that they have become victims of exploitation, they communicate with law enforcement institutions and non-governmental organisations (see for example, case no. 2, discussed in this section).

Non-governmental organisations receive information about victims in different ways in Lithuania. According to the experts, there are a few channels: the International Organisation for Migration, law enforcement institutions, other non-governmental organisations in Lithuania and countries of destination for exploitation. Organisations, which work in the area of prevention of human trafficking and victims assistance, react operatively too all the information received. However, organisations and services operating in Lithuania only play an intermediary role as the most important role in the processes of victim identification and crime recognition of exploitative-sham marriages is played by the institutions of the countries of destination (in the case of Lithuania thus far the United Kingdom).

<... Yes, but the marriage is not made here, it is made elsewhere. So, how are they supposed to identify this forced marriage? Only by seeing the victim they can identify. For example, in Great Britain, when that fact happens, it is not registered here anywhere, you can understand it only from stories of the victim. So here, we are without a victim... You register a victim and then you can register a forced marriage... I think that namely the source for identifying sham marriages is the offices of local social services. Having received even the tiniest scraps of information, even not the most accurate, we jump to check it, dig into it, raise noise and ask what, where, how does this behaviour seek to justify itself – we dig something out...> (N: 2015.07.13).

Trafficking in human beings is an international crime, which covers different countries (of origin, transit, and destination) and various groups of criminals. Therefore, recognition of the crime, especially in the case of exploitative-sham marriages becomes an especially problematic task in several respects. First, frequently, these marriages are interpreted only as

fictitious; eventually, they are treated as a crime against the state due to the violation of migration laws (in other words, trafficking in human beings ‘hides’ under the processes of international migration). In this way, victims are not identified and the crime of human trafficking is not recognised. Second, government institutions, working in the countries of origin and destination, do not always adequately and effectively react to concrete cases of exploitation. Third, non-governmental organisations and municipality institutions working at the local level often do not understand the content of the crime – i.e. the indicators of victim identification and crime recognition.

<... When we did training in Raseiniai and Naujoji Akmenė, we really saw how taken aback they were and we saw that it was worth it for us to take pains over this hard work for two days, because they completely do not understand, do not register like they should register. Ireland, also has a hard time identifying, maybe in England they are more flexible, but judging by the articles and numbers, how many of our nationals have been put in prison, they hardly see anything beyond economic deception...> (N: 2015.07.13).

The research revealed that seeing from the perspective of Lithuania as a country ‘sending’ victims of human trafficking, identification of victims, recognition of crime and assistance to victims are especially problematic aspects here. There is still a lack of adequate information about the crime of human trafficking (its complexity), particularly, in the small towns and villages. Practitioners working at the local level do not fully understand the scale of the crime and assistance to victims is not effective. All these issues can be illustrated by the already discussed lack of financing, shortage of political priorities and absence of coordination. In other words, when talking about recognition of a crime, identification and assistance to victims, it serves no purpose to mark out exploitative-sham marriages as a specific form of exploitation as, according to the representatives of non-governmental organisations and law enforcement institutions, challenges remain the same with regard to other forms of exploitation. Until structural problems (financing, strategy, education, and coordination) are resolved, it is naive to expect that problems of exploitative-sham marriages (as well as other forms of exploitation) will be effectively resolved.

<... Assistance to victims...it is really not sufficient and really not effective. As much as we would like, it is very hard for us to cover the whole Lithuania... In the provinces (i.e., rural areas), I think, there is no help and it is very complicated. That assistance...in the provinces is not even ready...> <... non-governmental organisations are not very obligated. They receive funds from the ministry, they are obligated to perform some actions, but they are not obligated to expand, to be proactive – completely unobligated. The quality of their work is not checked or questioned...> (N: 2015.07.13).

Parallel to the abilities of different countries to recognise the crime of human trafficking, it is very important to talk about international cooperation. As the research has revealed, international cooperation is not always effective due to a few reasons. First, is the varying interpretations of the problematic contexts within which human trafficking occurs. Second, due to the current lack of flexible methods for cooperation, a great expenditure of resources

must be spent. Third, there is a lack of human resources. Fourth, there are different roles that countries play in the processes of international migration (for example, United Kingdom and Lithuania). Variety in migration experiences creates understandings that are noticeably different across countries. For example, Lithuania is a country of emigration and at the same time, it is a country that sends human trafficking victims to other countries. While United Kingdom is a country of destination for immigration and, at the same time, the receiving country for human trafficking victims. Therefore, it is not surprising that indicators of crime recognition are different across these two countries. According to the representatives of law enforcement institutions, international cooperation is not always as affective as would be desired:

<... In essence, yes, we make identifications through the investigatory process. It is stated in Tauragė's case, that girlfriend got married to such and such a citizen, girlfriend got married to that... I also heard that this other one got married too. We have dug up those rumours, we have made an inquiry through Interpol and received answers that our women really got married to certain citizens. There are ten of them, it seems. Some time ago, we sent inquiries to the Britain that they give us an answer how those marriages were or were not certified; we also asked what the conditions were and how everything happened. We do not have any answers from them. Therefore, we do not know now if they were really victims or they got married on their own will. Even though the British declare that illegal immigration, combat of human trafficking and namely these sham marriages come in the second place after terrorism in their country...> (P: 2015.09.21).

However, in analysing relationship between human trafficking and sham marriages, it is necessary to emphasise that the organisation of exploitative-sham marriages is connected to the processes of international migration more than other forms of exploitation are connected to it, due to the fact alone that the main cause of creating a demand is to get a permit to live in the EU.

<... In order to talk about the crime, there has to be coercion with regard to another person. And here, if we take only arrival and departure – there does not seem to be coercion. It is tangible only when the women finds herself abroad in the hands of traffickers and then it starts – either the documents are taken or she is forced, beaten up, threatened, drawn into debt, then some nuances start when you can feel that your freedom is restricted. However, while she is in transit, even though the bills of international law say that even given your consent does not eliminate the crime of trafficking in human beings, it will not be enough to prove, you need more interconnections. In my opinion, it is a much-unregulated thing, that free movement of persons, it is not prohibited...> (P: 2015.07.14).

One of many cases that has not reached the stage of pre-trial investigation

A young woman received an offer on the internet to go work as a nanny in Ireland, to watch after a child. She agreed and she was paid for her trip. Even though she made some money by

watching the child, however, upon her return to Lithuania she had to pay back the debt for travel ticket. She did not have the money so she agreed to go to Ireland once again. For one week, she lived in a house where third country nationals resided, but there were no children in that house. The recruited woman asked why there were no children as she would like to start her job. She was told that she needed to get used to the environment, get to know the town while the children were at their grandmother's place. They would return in a week and work would start then. One week passed by but nothing changed. One day the recruited woman accidentally caught the recruiter talking to the third country nationals about marriages. One of the nationals wanted to get married for a specific payment. The woman understood that something was wrong so she managed to escape.

4.5.1 Attitude to a victim

One of the problems in identifying victims and recognising the crime is the attitude to victims that is shared by governmental institutions, non-governmental organisations and courts. As it was revealed by the research, in Lithuania, there is still a lack of an adequate attitude to exploitation and victims of exploitation: children, women, men that are being exploited in the context of different forms of human trafficking. According to the representatives of non-governmental organisations, prejudice and stereotypes with regard to victims of different forms of exploitation persist in Lithuania. If the talk is about trafficking in children for forced criminal activities, sometimes victims are seen as criminals. A similar situation characterises victims of prostitution and rape. These issues were emphasised in the 2014 United Nation's report about human trafficking (US 2015) and in HESTIA research:

<... Victims of sexual violence. Here comes a young women, 22 years old, in the district of Panevėžys, she was raped when she came home on the last bus from town into her countryside place, she was walking down the path, it seems somewhere on the outskirts of a forest, Around 11:20 p.m. a car stopped, she was dragged into the car and gang raped. She came to write her statement and she was told, 'child, where were you going at 11:30 at night? How were you dressed? A little summer skirt?'...The investigator is asking these questions. That girl is a student... the stereotype is that she provoked. Those men could not drive past without raping. And attorneys are staring at you – well, no, they couldn't...> (N: 2015.07.16).

Social workers, working with victims, illustrated dominating stereotypes with regard to victims of different forms of exploitation. According to experts, the earlier prevalent view of victims of prostitution are slowly moving into the field of exploitative-sham marriages, when the belief is that victims go voluntarily to the countries of destination. According to officials and social workers, this attitude is not correct as an important aspect of human trafficking is missing – exploitation of vulnerability in the recruitment procedures.

<... With regard to sham marriages, this attitude used to be also stereotyped in the field of prostitution, that [victims] want that themselves, go on their own... now it is sham marriages, that they were stupid, wanted to make money, to get money for nothing. The

girls went there and showed themselves. It is really a stereotypical attitude, unwillingness to go into the details of the situation...> (N: 2015.07.30).

One of the solutions to this problem is education and training, which, according to the representatives of non-governmental organisations, should be carried out at all levels and should be individualised. In addition, training is necessary not only for officers and judges, but also for specialists working in institutions of education and healthcare. It is understandable that fight against human trafficking includes not only judicial institutions, but also sectors such as healthcare and education.

<... Cases of human trafficking – the person went voluntarily. Or cases of sexual coercion – she was guilty herself, she dressed in a provocative manner, she talked provocingly, why did she have to walk when it was late at night and dark? This attitude is shared by the judges as well. We come to the point, where we need to do training about new forms of human trafficking – it is always a relevant topic. The entire judicial and law system, starting with police officers, regular patrol officers, who go to the places of crime, investigators, prosecutors, judges – they all need training. I would even say that training needs to be organised initially not together, but individually... Also for physicians – if there are forced marriages, childbirths, miscarriages... For teachers, at schools. Our schools do not have any education with regard to questions about violence against women, sexual exploitation...> (N: 2015.07.30).

According to research data, parallel to the attitudes of officials, working at the local level, social workers, working with victim support and other practitioners, courts of the lowest instance do not recognise the crime of trafficking in human beings or different forms of exploitation. Representatives from both law enforcement institutions and of nongovernmental organisations confirmed this fact.

<... It is very difficult to try these cases in the courts as... in the courts, they look sceptically at it. Let us say, those so-called victims. Those victims, there are cases here in the courts, when they are simply afraid to appear in the court session... they are physically shaking, they are afraid, they do not want to go to the court session, they send a letter to the court that they will only testify if the court organises the examination in a different way [than exposing her to the public]. Of course, there are possibilities to do it with the assistance of visual technologies, but the victim refuses to stand in the courtroom together with those bandits. The law also provides for this possibility but courts do not look at that and it is not interesting for them so they refuse saying, ‘no, you bring her here, we want to examine her in the court.’ Why it is needed, I do not know, but courts act that way. Then they beat off any desire of those victims to testify, then you do not understand what is going on, but it is as it is and what is most important is that you cannot change anything...> (P: 2015.09.21).

In attempts to illustrate the attitude of courts to victims, it is purposeful to discuss the conception of vulnerability which, unfortunately, is not always understood adequately. As the research revealed, taking into account different forms of human trafficking, there is no understanding of the vulnerability of the victim and the kinds of ways they are victimised, so that the public (and often official) attitude towards victims is flawed.

<... Courts do not understand the problem very much. We had a court decision last summer, when the court of appeal changed it. The criteria of vulnerability was argued using the fact that he does not have a job and does not have a place to live, poor education, parents in jail, he lived in children's home, then his father returned home from prison, he took him from the children's home, conflicts started at home again, he was kicked out of his home when he was 15 or 16. Not having a place to live he slept under balconies, did some occasional work for farmers and so forth. And this is how I tried to prove to the court his vulnerability, using this aspect, but the court said, what kind of vulnerability is this? This is how most residents of the countryside live, this is not any kind of vulnerability...> (P: 2015.09.21).

Some officials argued that the biggest problem is not the conception of vulnerability, but the organisation of pre-trial investigations. If strong evidences are collected during pre-trial investigation, which explicitly shows exploitation of the victim's vulnerability, then the court, carrying out its functions, will evaluate the victim adequately. The vulnerability and the fact of exploitation are clearly shown. Unfortunately, pre-trial investigation does not always work well.

<...If we, as a police and prosecutor's office, do not show that these are signs of trafficking in human beings and still seek to escalate it to a case of exploitation, but do not base our position on any legal argumentation, then it will be hard. We need to do it in such a way that signs of human trafficking would be clearly visible and they would say – it was a transaction, she is vulnerable...We need to look for such cases, where forms of human trafficking are visible and clear...> (P: 2015.07.16).

Finally, both representatives of judicial institutions and non-governmental organisations agree that the court system of Lithuania is oriented to suspects and not to victims. In fighting the crime of human trafficking and working with victims of exploitation and, especially, in initiating judicial procedures, this problem is even more exposed. It should be noted that it is not only a problem, related to the politics of the fight against human trafficking. To the contrary, it is a problem that is connected with the general fight against organised crime. Even though, there is a possibility for victims to testify outside the court, this practice is not always applied and that makes the judicial process and protection of the victim even more difficult.

<... I do not talk about attorneys, who spit on the whole thing and they are not interested, they are, excuse me, snickering contemptuously at the victim during the court sessions, saying in effect 'that you went voluntarily, stole voluntarily, what do you want, what kind

of victim are you anyway?’ Of course, courts do not react too much to such victim humiliations and remarks but you try and tell and explain it to the victim afterwards that if she would testify nothing will happen to her. Afterwards, she looks at you and says, we talked about this, that you would protect me and that everything would be fine, and what’s happening now...> (P: 2015.09.21).

However, it has to be emphasized that, together with preventative measures (training sessions and information campaigns), gradually, a good practice and an adequate attitude of officials and judges to the crime and victims of human trafficking are developing. According to the representatives of non-governmental organisations and law enforcement institutions, a long way still awaits in order to reach the point, where the crime of human trafficking would be recognised in different implementation levels of politics of the fight against human trafficking. Parallel to recognition of crime, there should be changes in how exploitation, vulnerability and victims are perceived.

<... The situation is improving. Now practically the centre has gone into courts. Officials, persecutors, we teach them, non-govern mentalist teach, everybody teaches, the ice has been broken. I have not heard lately that somebody would have complained that they are being taken abroad and the response would be, be happy, you will have a place to live and a job. There are no jokes like this nowadays. However, there is still a problem with courts...> (P: 2015.10.15).

4.6 Prevention of trafficking for exploitative-sham marriages in the context of human trafficking

At the level of the EU, the agreement is that victims of human trafficking are mostly persons from the most vulnerable groups of society. Therefore, countries must strive to lower the influence of risk factors (Žiobienė 2006). One of the possibilities is the implementation of preventative policy at the national and local levels, especially, focusing on small towns and villages, where there is no information (or information is insufficient) about continually changing forms of human trafficking and new mechanisms for recruitment. In addition, small towns and villages exhibit higher risk of poverty, unemployment and social exclusion. Therefore, it is not surprising that experts emphasised problems that dominate in small towns and villages.

However, with changes regarding the ‘face’ of the crime of human trafficking and recruitment techniques, new challenges are arising that need to be tackled in a complex manner. For example, recruitment on the internet, through social media channels and dating sites. Representatives of non-governmental organisation and law enforcement institutions emphasised that there are a multitude of advertisements, related to organisation of sham marriages in virtual space. As experts have noticed, frequent advertisements of this nature do not even disguise their ultimate purpose connected to fictitiousness of marriage and payment:

<... There has to be a way to somehow limit those ads, that certain portals are virtually shimmering with. You can find them on dating sites, where they offer to get married. They do not call it a marriage, just getting to know each other, travel around the world, huge sums of money. I do not know, if these ads can be removed as realistically the whole exploitation, which would materialise if women agreed to, is hiding namely behind them. These things need to be limited. That is how they are labelled, to marry a third country nationals and sometimes even sums of money are indicated...> (N: 2015.07.30).

The research revealed that non-governmental organisations understand preventative action in a wide and complex way. According to experts, in the fight against human trafficking, not only education is important, but also the cooperation of EU member states, participation of international organisations in preventative actions and, finally, criminal responsibility, which should be strictly enforced with regard to human traffickers and their clients. In striving for synergy of these actions, it is imperative to have a clear vision, a strategy, a coordinator and a plan of action for solving concrete crises. According to the representatives of law enforcement institutions and non-governmental organisations, in aiming to find an effective response to this crime, first, problems need to be resolved at the national level, by turning municipalities, social services, schools and other institutions into more active participants in the fight against human trafficking.

The next step is not only to encourage international cooperation (which is currently not effective), but also exchange visits by institutions that work in the countries of origin and destination to share information and best practices that would allow to see a much broader context of human trafficking. For example, officials and social workers coming to Lithuania from United Kingdom could understand better the role that poverty, vulnerability and exploitation of vulnerability play in recruiting (according to experts, conceptions of poverty and vulnerability are different depending on development levels of each country). In this way, experts would understand better and more adequately implement measures to combat human trafficking in the country of destination. For example, in the cases of exploitative-sham marriages, officials would more frequently recognise the crime of human trafficking. In their turn, Lithuanian officials, judges and social workers could use the experience about different forms of exploitation in the countries of destination. In this way, the process of victim exploitation would be more adequately perceived when recognising that an event is a crime, and facilitate initiation of pre-trial investigations and judicial procedures. It is noted that these kind of measures could be implemented in the general context of the policy of fight against human trafficking.

<... First, we have to create an effective means to coordinate relations and communications between persons involved in a crime of human trafficking; that is, to coordinate persons on the sides of both judicial and social assistance. Institutions that coordinate these fields have to have a strong grip over this. In my opinion, we simply have to start analysing cases. I would include municipalities where vulnerable people and victims live...I think social services, if they understood and would like to take responsibility, they would be more able to put a stop to it. Though, another thing, which we clearly see, is that there is never going to be stop to any form of human trafficking, until there is real international cooperation. I do not say that it does not exist at all, but it is rather fragmented as selfish, 'when I need it'.

But if there really were those golden words of all agencies, that a victim is in the centre, let us try and implement this, what it really means when a victim is in the centre. Then we will see. If they would come from countries of destination, they would see a lot what they do not understand, they really do not understand neither recruiting methods, nor conditions, under which potential victims live, nor their vulnerabilities. They could really learn a lot here, just like our people could understand better the mechanism of exploitation. Now they do not understand how those marriages are made, how that is prostitution...> (N: 2015.07.13).

Trafficking in human beings is an international crime that is related to international organised crime. Therefore, in attempts to combat it effectively international cooperation is necessary. According to experts, exploitation of victims in the United Kingdom or Ireland should be the area of interest of not only British or Irish organisations. In Lithuania, as the country of origin, there should be a better understanding of recruitment techniques. The field of action should not only be Lithuanian judicial institutions.

<... Not once have I said to foreign colleagues that if we see it as a British job or an Irish job, then we will only be catching the intermediaries, as the organiser will be sitting in Tauragė. We will be automatically catching those drivers and intermediaries, but then the one who is sitting alone in Pakistan and the other one in Tauragė – we will not even know about them. When we will all be catching [the recruiters] in our territory.....> (P: 2015.10.15).

However, international cooperation does not always function in a way that representatives of law enforcement institutions in Lithuania would like to see it. In this case, the biggest problem is that officials, working in Lithuania, cannot check the given information in the country of destination and they do not have legal levers to do so. In addition, activities of this nature require a lot of financial and human resources, which officials in Lithuania simply do not have. According to representatives of law enforcement institutions, coordinating institutions and funding is needed in striving for a more effective exchange of information and implementation of mechanisms for observing concrete situations. At present, there is not sufficient funding to meet such needs.

<... Is she is a victim or does she really live with him? In order to do that, I would have to have some control to conduct my investigation in United Kingdom: to observe what she does, whom she really lives with, what he does there. But we do not have these kind of resources. There is no centre here, some kind of institution that would coordinate information and funding. We are practically in the country, where major actions should be implemented, but our hands are kind of tied, we sort of have data but we cannot verify it. Officials in United Kingdom do not always have a well-wishing attitude to cooperation, simply those are not their problems and you go ahead and figure this out using your own channels. (P: 2015.09.21).

On the one hand, officials emphasised that the lack of cooperation stunts the ability to initiate an adequate response to the crimes of human trafficking. On the other hand, in the context of international cooperation, Lithuania and United Kingdom already have examples that illustrate good cooperative practices in international investigations. An investigation in the country of destination (i.e., the UK) created a basis to consolidate a joint group of investigators and start a pre-trial investigation in Lithuania. However, there are still a lot of barriers of communication that are connected with the exchange of strategic and other kind of information:

<... In cases where Lithuanians were convicted, British themselves showed a wish to cooperate. They themselves proposed that we establish a joint group of investigation, which is a very rare thing... so we met in the beginning of the year in The Hague, discussed it and sort of worked out a plan to establish that joint group. Everything is going well so far. But in the other case, the Tauragė case, it is the opposite. Enquiries are being sent but somehow they are not very willingly responding to them...we need to verify, but to verify without any control from United Kingdom, that is impossible, so it became like a vicious circle, neither going forward nor backward...> (P: 2015.09.21).

According to the experts, any fight against human trafficking will not be effective until poverty, social exclusion and the high level of unemployment are reduced in Lithuania, especially, in small towns and villages. Social workers and officials emphasised that not only poverty, but also dependency on alcohol is prevalent in small towns and villages. In other words, economic problems create social and psychological problems, which, in turn, increase people's vulnerability, which is exploited by recruiters, who travel around the countryside and looking for vulnerable victims. According to officials, prevention programmes may not affect such persons or have an insufficient influence:

<... Prevention, you see, what prevention is, there is a lot of social advertising here. But here [in Lithuania], let us say, it is economic problems, already that cause vulnerable people to be exploited. Economic and social problems, more social problems, as everything goes through exploitation and material means, as who do they take away, they take away not those who have jobs or live not bad. Many years ago, it used to be that they throw you in a trunk of a car and take you away. Now, there are no such things and I doubt that they could exist. But now, again, in rural villages, they [the recruiters] look for poor guys who, they know, will go to steal. These petty criminals will be offered a life in the United Kingdom, but they will have to pay back the recruiter; but that is fine with them, they understand that life as normal. You see, we think that she is a victim and we have to persuade that person that he is a victim, but he does not feel it in reality. You are explaining to him that he is being exploited that they take away from him. And, he says...come on, everything is fine for me here...> (P: 2015.09.21).

Representatives of social services said they did not notice improvement in the situation. To the opposite in fact, the situation may be described as stably strained. Structural unemployment and poverty prevail. Therefore, the number of families at social risk are not

decreasing. Not surprisingly, the potential for human trafficking and exploitation is not decreasing either.

<... Help mechanism for socially at-risk families in Lithuania is oriented to results, not to the process. If they were listed as a family at-risk 12 or 10 years ago, when they had two children, then now they have seven children and stand in lines. As they used to eat European macaroni, so they continue to eat that. The kids did not study, they still do not study. That is a process. We continue to wait until the children reach 18 years of age...> (N: 2015.07.27).

In addition, the research revealed that in the small towns and villages of Lithuania, there are cases of vulnerable persons selling their children for sham marriages. It is important to emphasise that these cases fall in the field of action of non-governmental organisations and social workers, but judicial institutions are not always informed. Not surprisingly, exploitative-sham marriages are not reflected in official statistics or they are reflected insufficiently. As these cases show, cooperation between different institutions (social services, non-governmental organisations and judicial system) is necessary.

<... We had a case in Lithuania when parents sold their daughter for 600 litas to a Ukrainian guy and he left for Germany. The parents said, 'she will get married, so what?' They get money. They got married and immediately from the civil metrication, he flew...> (N: 2015.07.27).

By taking a deeper look at vulnerability, it is important to emphasise that frequently, victims of human trafficking experience 'extreme' poverty from which they try to escape using any means. One of the possibility is the offer to go abroad for work, marriage or even thefts. As social workers emphasised, for most vulnerable persons (victims), 'it cannot be worse'. If social workers and officials are able to understand this kind of vulnerability, then services of United Kingdom or Republic of Ireland may not understand or not even imagine it. Therefore, it is necessary to promote international cooperation, that expert could discuss with each other the profiles of victim of human trafficking, their vulnerabilities and how these are exploited. A presumption can be made that after understanding the economic and social context in which recruitment of victims takes place, officers of foreign countries would take a look at the exploitative-sham marriages more broadly, not only in the context of migration, but also in terms of human trafficking.

<... When a person, especially from a socially at-risk family, when he is told that his bathroom will be normal, that he will even go abroad, he does not hear, he does not see, it is most important for him to escape those drunkards, rapists. Also for those living in a foster home, it is important to say, I lived in England. That is a rise in status...> (N: 2015.07.27).

Speaking about exploitative-sham marriages, experts emphasised that opposite to prostitution (when especially vulnerable young women are sought after), in recruiting for exploitative-sham marriages, such vulnerable people are not needed as the nature of the crime and the 'job' abroad are different. Young women believe that they leave without any obligations. Unfortunately, not always everything ends up well. As the research revealed, after having arrived at the country of destination, some of these women are exploited more than those who are recruited for prostitution. Even though there were only a few such cases registered, representatives of non-governmental organisations and judicial institutions do not doubt that there might be more cases.

Without any doubt, any prevention is not possible without educational measures. Eventually, an absolute majority of experts emphasised education as one of the main corner stones for preventative policy. Experts self-critically viewed challenges of the fight against human trafficking stating that training is necessary for officials, prosecutors and judges as well as social workers and pedagogues who work at the local level. Politics of the fight against human trafficking changes fast. Simultaneously, the models of organised crime for recruiting, transporting, and selling victims is also changing. Therefore, specialists working at all levels have to be ready to react to changes in the situation.

<... But here we approach another problem that training needs to be organised for judicial officers, for those who conduct pre-trial investigation and for persecutors as well as judges and other specialists...There are many indicators of how to recognise victims. If a judge has heard about this problem, if he has attended at least one training session, he is already equipped to handle that case differently, to look at those risk factors differently. Legal matters – yes, you need evidence, but there is a lot of room for interpretation there, when you interpret one or another norm...> (N: 2015.07.30).

4.6.1 Gender (in)equality

In analysing problems of human trafficking, it is also important to consider questions of gender equality, which are directly related to recruitment and exploitation. Most experts in non-governmental organisations stated that the model of victim recruitment for exploitation in prostitution is more or less clear, even though it is gradually changing. However, concerning exploitative-sham marriages, completely different aspects come into play, which are related to the concept of the traditional family, the role of women in the family and society. According to experts, the impact on female exploitation is big, especially considering exploitative-sham marriages, domestic violence and sexual exploitation. The research revealed that most often, exploitative-sham marriages are inseparable from violence and sexual exploitation.

<... It is, I think, different with forced marriages than with other forms, because, if we talk about sexual exploitation, then everything is very clear, the model is rather clear. But when we speak about marriage, it is still, up until now, that both our grandparents and parents will ask, 'How old are you, you still have not gotten married?' That pressure from society to get married is big, to create a family, to have children. If you have not been successful

and here comes a wonderful young man, a foreigner – why not, what are you waiting for, go there, you will get married, your parents will be satisfied and, I would say, there is even support from the family side, everyone is maybe even rejoicing...> (N: 2015.07.30).

<... They all remain at risk and that condition becomes normalised. For example, a girl who married into that family – she never saw a model of a family. She was always told, it was explained to her, an environment of a small town, that a women must fulfil her duties – to make food, tidy the rooms, give birth to children, satisfy her husband. And how do you tell her that she is forced to do that if it already flows in her blood that she has to do it. She does not know an alternative...> (N: 2015.07.16)

According to social workers and psychologists, childhood experiences of sexual or other kind of violence can be related to higher vulnerability and thus a higher risk to be caught in the net of human trafficking in the future (Žibas 2014). As the experience of non-governmental organisations shows, it is not infrequent that a young woman, who has experienced sexual violence or has seen how this violence is inflicted upon the people she is closest to, finds herself in the nets of human traffickers. According to experts, it is one of the biggest consequences of gender inequality that needs to be combated, just like human trafficking.

<... If it is hard to prove trafficking in human beings, it is even harder to prove a sham marriage. Forced marriage is one of the forms of violence against women, and violence against women is one of the consequences of gender inequality. Of course, gender imbalances, woman as the weaker sex, in a forced marriage...there is often an element of violence. Of course, violence is inflicted upon her, psychological and physical; where there is physical violence, there are a lot of cases where there is also sexual violence. Then children are born in this marriage, children may be born out of coercion. If there are children, it is easier to stay in another country...> (N: 2015.07.30).

However, there are cases when social workers are unable to alter the situation due to the so-called institutionalisation of gender inequality, when persons, who grew up in the centres of socialisation or children's homes, do not understand neither consequences of gender inequality, nor forms of exploitation. Experts say that it is especially hard or sometimes even impossible to change such situations:

<... Life is such: she receives social welfare payments, her boyfriend, perhaps, 24 years old, much older than her, his father and brother also live there. His brother is even older, father drinks a lot, that boyfriend, so they say, is still on the edge, and since she is receiving the money, as it is suspected, she simply does housework, cleans up and she also gives them the money. Forced marriage – not yet. Of course, she will get pregnant soon, maybe will even get married, will live there and will be imprisoned. But how to identify and pull her out, if she says, I love him and I want to live with him, it is ok the way it is. Social pedagogues will say that they have done everything they can do and all they can do

now is to observe, as she is swearing to god that everything is fine, she is the happiest on earth, most loved...> (N: 2015.07.16).

On the one hand, representatives of non-governmental organisations emphasised poverty, gender inequality and low indicators of education as being the main factors in human trafficking. On the other hand, a part of experts offered a different opinion, related to the general situation of safety in the country. In other words, trafficking in human beings cannot be the only question in the fight against human trafficking. It must also be a question of guaranteeing public safety. This argument is illustrated by the opinion of one of the representatives of social services:

<... Until we see this as a problem of gender equality, poverty experienced by women and not as a question of public safety, this will continue. Until the question of public safety is raised. And that will be very soon. Let us not pressure this women, let us see in essence why men do that, if the talk is that only women get married. We are viewing the problem from the wrong side...> (N: 2015.07.27).

4.7 General political approach towards human trafficking and exploitative-sham marriages

In analysing the politics in fighting against human trafficking, it is not purposeful to separate exploitative-sham marriages as it is only one of many forms of exploitation, which is not distinguished in the Criminal Code of the Republic of Lithuania. The absolute majority of experts, who participated in the research, emphasised the general context of challenges, related to human trafficking: absence of strategy, lack of funding, ineffectiveness of inter-institutional/inter-sectional coordination. This context can be used to discuss the challenges of exploitative-sham marriages as well as other forms of exploitation.

The majority of experts from non-governmental organisations, social services, law enforcement institutions and courts agreed with the above mentioned problematic aspects of the political fight against human trafficking. Unfortunately, shortcomings in the system were mentioned more frequently than its merits.

<... I started working with human trafficking since 2012, I saw that it is really a chaos. Nobody knows who does what. Everybody is equally pointing to someone else. Efforts are needed... Until there are no specialised subdivisions, I think, it will not move...> (P: 2015.10.15).

<... Listening to them talk, they talk very nicely in the Seimas. But the Queen left²⁷, and they all left. We stayed. I agree that we need one person responsible, maybe not one, because he will be always the guilty one, but a person who would at least do the coordination...Nobody again wants to take this task here. There should be a separate agency...> (P: 2015.10.15).

According to experts, the legal base (in the context of the Criminal Code of the Republic of Lithuania) for fighting human trafficking is sufficient, but the biggest problem is application or, more precisely, insufficient application of the criteria of human trafficking that are listed in the Criminal Code. This is where bigger challenges emerge, rather than only insufficient application of the criteria as, according to experts, strategy and financing are needed in order to effectively apply the criteria. Unfortunately, currently Lithuania does not have a strategy to fight human trafficking. In addition, it is not a political priority. Therefore, it is not surprising that law enforcement institutions and non-governmental organisations run into challenges of inter-institutional, inter-sectional and international cooperation as well as human and financial resources.

<... I think that laws are passed, we just need to learn them and start applying them. So what that we create new laws – none of them work...> (N: 2015.08.11).

<... There is zero strategy. The Ministry of Interior does nothing. They absorb the funding that is received from international projects, they participate in conferences, organise training, travel around the world, write reports – in reality that work is zero. Every organisation looks down from their bell tower. There is not any relationship between them. Instead if they somehow joined then there would be a common direction. In general, there is not even a direction at the state level. Earlier there was at least that prevention of human trafficking, a programme, and now I do not know. Everything is paper work. It is obvious there is a hole in the place of human trafficking. And it has been there for many years...> (P: 2015.07.14).

While analysing statistical data, presented by law enforcement institutions and nongovernmental organisations on the one side, and challenges of the policies of fight against human trafficking on the other side, it can be observed that the system of the fight against human trafficking in Lithuania finds itself in a ‘vicious circle’, when, due to absence of political priority, there are deficiencies in coordination and resources. This, in turn, does not permit the initiation of an adequate response to the crime. Therefore, it is unsurprising that the number of cases are low. On the other hand, if problems of human trafficking are to be made more urgent at the political level, then there is a need a high (or higher) number of cases brought to court and official victims than there is now. However, the number of official cases

²⁷ A note by the author of the research: a conference themed human trafficking took place in the Parliament of the Republic of Lithuania. The Swedish Queen participated in the conference. See more (*in Lithuanian*) <http://www.delfi.lt/news/daily/lithuania/karforeignere-silvija-primine-16-metes-ziezmariskes-d-rasalaites-istorija.d?id=69222630>

of human trafficking is much lower than that indicated by information supplied by non-governmental organisations.

<... I am trying to understand, I had a three year break, I thought what will I find when I come back. I return and I find things even worse. According to the data of European Commission Report, there are only three victims identified in Lithuania. It is regulated by the Ministry of the Interior; that we do not have a problem, so it means everything has been done. Nothing is done, it is only being imitated that work is being done...To have a systemic funding, unified attitude – it does not exist. First, in order to solve a problem of violence, it is necessary to want to solve it. Recognising that there is a problem is already a big step...There is no coordinator in Lithuania, he should be appointed like, for example, the ombudsmen of children rights. Who appoints him – the President, the Minister of the Interior? If so then he represents the interests of the Ministry. What if it is [the Ministry of] Social Security? Justice? There is a document prepared by the Ministry of Social Security and Labour, the Ministry of Justice, that we have everything. As long as this persists, not much can be done. As said, ‘the fish rots starting from its head.’ The will has to come from above (N: 2015.08.11).

5. Conclusions and national policy recommendations

In analysing the political system and structure of the fight against human trafficking, it is not relevant to distinguish exploitative-sham marriages as it is only one of many forms of exploitation. In analysing the political system and structure, it is important to emphasise the general context of challenges of human trafficking: the absence of a comprehensive strategy, the lack of funding, the ineffectiveness of interinstitutional and/intersectional coordination. Regardless of the coordination system that is in place to combat human trafficking, systematic implementation of combat and preventative measures against human trafficking in practice has not been effective. Even though there are government institutions and non-governmental organisations, actively working in the fight against human trafficking, there is a lack of cooperation and coordination of joint actions. There is no formal procedure to direct victims to corresponding government institutions or non-governmental organisations. The roles of those organisations intended to provide assistance to victims and implement preventative measures are not defined. Since 2013, the Lithuanian policy for the fight against human trafficking is regulated not on the basis of a long-term strategy combined with action plans, but, instead, is meted out in general measures. Lithuania does not have a national coordinator for the prevention of human trafficking and to coordinate the fight against this crime. It should be noted that the Ministry of the Interior is performing both functions of implementation and evaluation. Regardless of efforts of non-governmental organisations, the project-based activity of nongovernmental organisations remains fragmentary, without a long-term strategy in the area of the fight against human trafficking. These problematic aspects in the fight against human trafficking raise questions about the effectiveness of the existing system.

With regard to the gaps in the political system and the structure of the fight against human trafficking, it is recommended to return to long-term programmes in order to create a strategy and action plan, with adequate funding and appointment of a national coordinator (or an independent coordinating agency) who will serve as an independent speaker. In addition, with regard to the processes of international migration and the role of Lithuania in these processes, more attention needs to be paid to the questions of human trafficking and exploitative-sham marriages in the contexts of both the emigration of Lithuanian residents and the immigration of third country nationals to Lithuania. In other words, new strategies have to include both – victims that are carried out of Lithuania (Lithuanian citizens) and victims that are brought to Lithuania (third country nationals). Parallel to international trafficking in people, it is necessary to pay more attention to the internal exploitation of Lithuanian citizens. These recommendations include problems related to the politics of exploitative sham marriages as well as to issues related to the general fight against human trafficking. In pursuit of more effective cooperation, it is of utmost importance to create an interinstitutional, intersectional and international model of cooperation, which would be coordinated by the appointed agency. Long term strategic funding is imperative in order to create an effective model.

Until now, there has been no definition of exploitative sham marriage as a form of human trafficking either in the Criminal Code of the Republic of Lithuania, or in government sponsored programmes, action plans or strategies. The organisation of sham marriages (and participation in them) is not criminalised in Lithuania, and exploitative-sham marriages, as a form of human trafficking, is not separated as an area of priority in the fight of human trafficking. With regard to gaps in the Lithuanian legal structure, which regulates the crime of human trafficking, it is recommended to criminalise the organisation of sham marriages and define exploitative-sham marriages as a separate form of exploitation in the Criminal Code of the Republic of Lithuania.

Statistical data and the number of pre-trial investigations do not reveal the real situation, while Lithuanian institutions provide only partial information because most of the information about exploitative-sham marriages is found in the institutions of the countries of destination. With regard to the lack of statistical data, it is recommended that Lithuanian diplomatic agencies (i.e., embassies and consular offices) collect and analyse information about sham marriages and the connections of these marriages to different forms of exploitation. It is necessary to distribute this information in the law enforcement institutions, social services and nongovernmental organisations of countries of destination and origin.

There is no major difference between recruitment for exploitative-sham marriages and other forms of exploitation. In all cases, recruiters attempt to exploit the vulnerabilities of victims: psychological problems, family situation and socioeconomic status. However, there is no common scheme of recruitment as measures of recruitment are individualised and adapted to each victim specifically. If measures of recruitment are different depending on social and demographic characteristics of the victim, then the common economic argument of recruitment remains the same throughout different cases.

With regard to the problem of victim recruitment, it is necessary to reduce social exclusion and vulnerability as well as strengthen mechanisms of observation of persons who belong to socially at-risk groups, while paying much attention to different forms of exploitation, especially in small towns and villages. In this case, it is important to emphasise the issue of exploitative-sham marriages as persons who do not conform to the traditional profile of victims of human trafficking can become victims of this crime.

Vulnerability and exploitation begin not in the country of destination after a sham marriage is made, but during the time of recruitment when the recruiter takes advantage of the victim's vulnerability. Exploitation continues in the country of destination when the victim is already drawn into the organisation of exploitative-sham marriages. Therefore, in the fight against different forms of exploitation (including exploitative-sham marriages) and in initiating pre-trial investigations and cooperation with countries of destination, it is recommended not to separate exploitation in the countries of origin and destination, as exploitation in the country of destination is a sort of continuation of exploitation in the country of origin.

The profile of criminals organising exploitative-sham marriages is, in essence, not different from other forms of exploitation. Just the opposite, frequently these are the same criminals, who recruit different victims for different forms of exploitation. Organised criminal activity prevails in the area of human trafficking. In the cases of exploitative-sham marriages, it is mostly small groups, consisting of a few persons. Coordinators of the crimes do not work in Lithuania, but in those countries, where exploitative-sham marriages are organised. Criminal groups mostly include Lithuanian citizens, who are in search of the ‘supply’ (i.e., prospective brides) and who then serve the third country nationals, who provide the ‘demand’ (i.e., the prospective groom).

As noted, the social and demographic profile of the victims of exploitative-sham marriages is similar to those of other forms of exploitation – prostitution, sexual exploitation and forced criminal activity. Even though the profile of each victim is unique, it has a common denominator, i.e. social and economic vulnerability, which is characteristic of all victims of human trafficking. While analysing the problematics of exploitative-sham marriages, it is important to emphasise, that even though the main indicators of vulnerability are similar to the profiles of victims of other forms of exploitation, the level of indicators is different. Victims of exploitative-sham marriages are also economically, socially and psychologically vulnerable, but the level of vulnerability is not the same as that of the victims of prostitution or forced criminal activity.

For sham marriages the main travel routes, modes of transportation and arrival at the country of destination are different from that of other forms of exploitation. Opposite to victims of sexual exploitation and forced criminal activities, victims of exploitative-sham marriages are mobile. These victims are usually not accompanied by anyone, they travel on their own. The transportation methods of victims, just as in the case of other forms of exploitation, are similar as victims are transported in various ways: buses, micro vans, planes. In all recorded cases, victims were transported to the United Kingdom.

With regard to the social and demographic profile of victims, exploitation of victims in the country of destination is different from the country of origin and ranges from restriction of freedom of movement to forced household work and sexual exploitation. Parallel to labour exploitation and sexual violence, victims experience psychological coercion and threats. Exploitative-sham marriages are a form of human trafficking as they include different forms of exploitation (forced labour, sexual exploitation, restriction of freedom, psychological coercion, etc.). Therefore, it is necessary to consider the general context of human trafficking, victim profiles and preventative actions in the fight against this crime.

Recognition and identification. Small towns and villages lack information about the crime of human trafficking, practitioners working at the local level do not fully comprehend the scale of the crime, and assistance to victims is not effective. In this case, it is not relevant to separate exploitative-sham marriages as a specific form of exploitation as challenges with regard to other forms of exploitation are the same. Without resolving the question of political

priorities, it is hard to expect that the problem of exploitative-sham marriages will be resolved.

With regard to the profile of criminals, the forms of victim exploitation, the issues of crime recognition and victim identification, in the context of the problem of exploitative sham marriages, it is necessary to separate two processes: migration and trafficking in human beings. In other words, when initiating preventative programmes and conducting pre-trial investigations or cooperating with judicial institutions of the countries of destination, it is necessary to separate sham marriages and exploitative-sham marriages. The most effective method of separation is the indicator of exploitation of the victim's vulnerability. Recognising the methods allows experts to identify the factors used for breaking the will of the victim during the recruitment process.

Attitude. There is still a lack of an adequate attitude to both – exploitation and to victims of exploitation in Lithuania. Prejudice and stereotypes prevail with regard to victims of different forms of exploitation. The earlier prevalent view about victims of prostitution has been gradually moving into the field of exploitative-sham marriages, when the normative belief is that victims travel to the countries of destination on their own will. This attitude is not correct as an important aspect of the crime of human trafficking is missed – the exploitation of vulnerability in recruitment of victims

In attempts to alter the given attitude to victims, it is desirable to initiate not only 'traditional' preventative measures (education about the risks of human trafficking and visits of good practices), but also organise courses, regarding questions of gender equality and equal opportunities. Educational measures of this kind are especially necessary for health care and for the educational institutions in smaller towns as well as social services and law enforcement institutions and courts. Simultaneously to changing the perception of victims of human trafficking, it is imperative to create an effective mechanism of victim re-direction with all the necessary instruments: victim security, psychological and social help and promoting an adequate attitude.

Prevention. In fighting human trafficking, not only education is important, but also obtaining the cooperation of EU member countries. International cooperation helps ensure the participation of international organisations in preventative actions and criminal responsibility. On the one hand, it is necessary to have a clear vision, a strategy, a coordinator and a plan of action to solve concrete crises. On the other hand, it is necessary to observe that any fight against human trafficking is not going to be effective until poverty and social exclusion are mitigated.

In organizing preventative measures, it is important to consider the complexity of trafficking in human beings. In other words, intervention of preventative measures is necessary in the social services of smaller towns and villages as well as target groups – i.e. vulnerable families and persons. With regard to poverty and social exclusion and the fact that preventative

measures may not always be effective, it is equally important to strengthen observational mechanisms of the persons belonging to socially at-risk groups and make sure that these mechanisms include institutions of education and health care as well as social services. Another important measure of preventative policy is the training of social workers and pedagogues, officials and judges, social services employees and psychologists. The training should cover different aspects of human trafficking: understanding of vulnerabilities and exploitation, conceptions of poverty and social exclusion, discourses of gender equality and equal opportunities. It should be emphasised that training should not be fragmentary but continuous, with a focus especially on the newest changes in the area of human trafficking.

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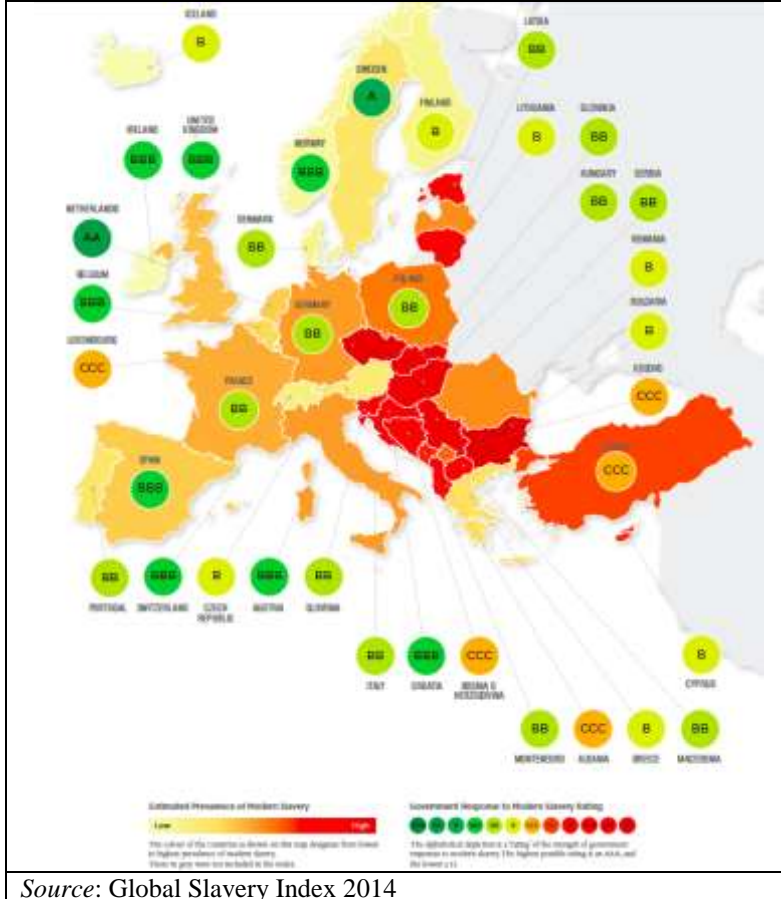
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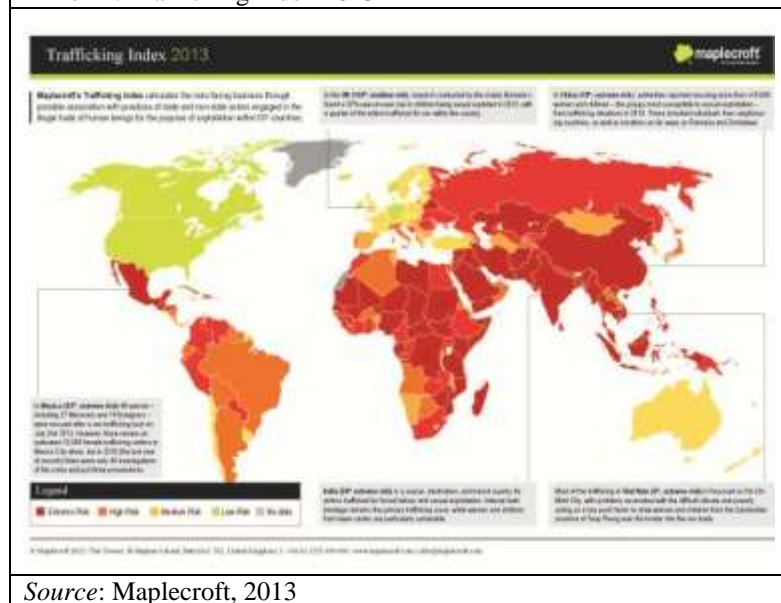
8. Annexes

Annex 1. Global Slavery Index, 2014 m.



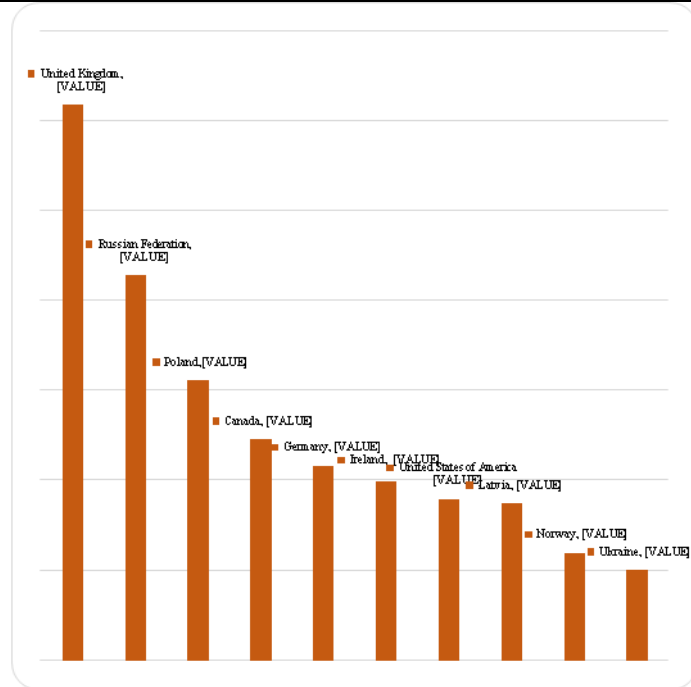
Source: Global Slavery Index 2014

Annex 2. Trafficking Index 2013



Source: Maplecroft, 2013

Annex 3. Countries which receive the highest numbers of Lithuanian emigrants, 2005–2014 data



Source: European Migration Network, <http://123.emn.lt/en/home>

Annex 4. Human trafficking in Great Britain, 2013



Source: <http://flarenetwork.org>

Annex 5. Information about projects of non-governmental organisations funded in 2014 ²⁸			
Order No.	Project applicant	Project Title	Approved Funding
1.	Missing Persons' Families Support Centre	Assistance to victims of human trafficking and forced prostitution, their return to society and work force as well as preventative work in Lithuania	8659,6
2.	Klaipėda Social and Psychological Services Centre	Complex assistance to victims of human trafficking and sexual exploitation for purposes of prostitution and preventative work	8659,6
3.	Lithuanian „Caritas“	Assistance to victims of prostitution and human trafficking	17 319,2
4.	The Association of HIV/AIDS Affected Women and Their Families	Complex assistance to victims of human trafficking and prostitution in the city of Vilnius	7 4315,3
5.	Men's Crisis Centre	Complex assistance to the victims of human trafficking – preventative education of adult and young adult men in the city and district of Kaunas	4315,3
<i>Source:</i> Sirgedienė 2015			

²⁸ Unofficial translation

Annex 6. The number of third country nationals, married to permanent residents of Lithuania by citizenship and gender, 2000–2014							
Citizen-ship	Year	Number of married males	Number of married females	Citizen-ship	Year	Number of married males	Number of married females
Afghanistan	2000			Azerbaijan	2000	5	4
	2001				2001	10	1
	2002	1			2002	7	4
	2003	6			2003	7	5
	2004	1			2004	6	7
	2005	5			2005	10	3
	2006	6			2006	14	5
	2007	6			2007	7	3
	2008	8			2008	10	2
	2009	7			2009	14	3
	2010	1			2010	12	2
	2011				2011	5	4
	2012				2012	6	2
	2013	3	1		2013	7	4
2014	5		2014	10			
Albania	2000	2	1	Belarus	2000	37	58
	2001	1			2001	78	82
	2002	3	1		2002	73	100
	2003				2003	58	86
	2004	11			2004	49	70
	2005	13			2005	75	84
	2006	9			2006	77	102
	2007	38	1		2007	95	132
	2008	39			2008	135	211
	2009	35	2		2009	107	244
	2010	15			2010	74	133
	2011	20			2011	96	146
	2012	19			2012	91	169
	2013	12	1		2013	79	152
2014	12	1	2014	87	220		
Algeria	2000			Egypt	2000	1	
	2001	3			2001	3	
	2002	1			2002	4	
	2003				2003	6	
	2004	10			2004	8	
	2005	10			2005	10	
	2006	9			2006	13	
	2007	5			2007	16	
	2008	8			2008	16	
	2009	15			2009	25	
	2010	19			2010	30	
	2011	20	4		2011	34	
	2012	19			2012	31	1
	2013	16			2013	32	
2014	28	8	2014	21			
Armenia	2000	11	1	China	2000	7	1
	2001	10	6		2001	1	
	2002	15	3		2002	4	
	2003	13	6		2003	5	
	2004	13	9		2004	3	3
	2005	3	6		2005	2	1

	2006	4	2		2006	3	
	2007	4	2		2007	2	2
	2008	14	5		2008	3	1
	2009	4	2		2009		
	2010	7	1		2010		
	2011	2	2		2011		
	2012	9	4		2012		
	2013	7	5		2013		
	2014	9	3		2014		
Lebanon	2000	13	1	Pakistan	2000	4	
	2001	12			2001	1	
	2002	12	1		2002	4	
	2003	14			2003	8	
	2004	30			2004	9	
	2005	23			2005	20	
	2006	8			2006	17	
	2007	15			2007	33	
	2008	15			2008	33	
	2009	20	1		2009	50	
	2010	18			2010	42	
	2011	16			2011	33	
	2012	8			2012		
	2013	5	1		2013	66	1
2014	14		2014	71	1		
Morocco	2000			Russia	2000	146	132
	2001				2001	133	139
	2002	1			2002	131	166
	2003	5			2003	137	189
	2004	2			2004	158	1
	2005	2			2005	163	1
	2006	4			2006	180	2
	2007	10			2007	186	281
	2008	9			2008	190	318
	2009	14			2009	216	375
	2010	11			2010	225	414
	2011	10	10		2011	231	425
	2012	11	1		2012	248	384
	2013	10			2013	238	395
2014	1		2014	208	317		
Republic of Moldova	2000			Turkey	2000	8	
	2001				2001	9	
	2002				2002	29	
	2003				2003	33	
	2004				2004	38	
	2005				2005	37	1
	2006				2006	37	
	2007				2007	49	
	2008				2008	87	1
	2009				2009	66	2
	2010	12	6		2010	76	2
	2011	11	6		2011	78	
	2012		8		2012	69	
	2013	8	6		2013	57	1
	2014	5	6		2014	56	1
Nigeria	2000	2		Ukraine	2000	37	38
	2001	1			2001	37	46
	2002				2002	44	48
	2003	4			2003	46	69

	2004	4			2004	73	85
	2005	9			2005	78	79
	2006	10			2006	87	117
	2007	18			2007	108	99
	2008	26			2008	99	120
	2009	13	1		2009	118	120
	2010	18			2010	92	124
	2011	25	1		2011	98	118
	2012				2012	77	136
	2013	14			2013	69	129
	2014	46			2014	61	137
<i>Source:</i> prepared by the author using data provided by the Statistics Department							

Annex 7. Recorded number of sham marriages between third country nationals and Lithuanian citizens 2010–2015			Number of verdicts					
			2010	2011	2012	2013	2014	2015*
Citizenship	Age	Gender						
Armenia	34	M	1					
Azerbaijan	24	V	1					
	42	M						1
	43	M					1	
	48	M					1	
Bangladesh	27	V				1		
Belarus	21	M					1	
	22	M		2				
	24	M		1				
	27	M			1			
	27	V	1					
	28	M	1					
	28	V				1		
	31	M					1	
	31	V	1					
	32	M				1		
	33	M	1					
	33	V		1		1		
	36	M						1
	39	V	1					
	40	M	1					
	40	V	1	1	1			
44	M			1	1			
46	M				1			
51	V					1		
57	M					1		
China	25	M	1		1			
	46	M	1					
	47	M	1					
Cameroon	22	V					1	
Ecuador	30	M		1				
Egypt	34	V	1					
	37	V				1		
	49	V					1	
Georgia	26	M		1				
	26	V					1	
	28	V	1	1				
	32	V			1			
	44	V	1					
55	M				1			
India	22	V						1
	24	V	1	1				
Israel	31	M				1		
Jordan	31	V					1	
Kazakhstan	31	V					1	
Lebanon	23	V	1	1				
	24	V		1	1			
	25	V	1	2				
	26	V		1				
Moldavia	26	M		1				
	30	M			1			

Mexico	42	V					1	
Nigeria	21	V					1	
	25	V				1		
	28	V						1
	29	V					2	
	30	V		1				1
	39	V					1	
Pakistan	22	V						1
	23	V			1			
	25	V	1					
	26	V		1				1
	28	V	2	1				
	30	V	1					
	37	V		1				
Russia	22	M	1					
	22	V			1			
	23	M			1		1	
	26	V				1		
	27	M		1		1		
	27	V		1				
	30	V		1				
	31	M				1		
	32	M					1	
	33	V	1					
	35	V					1	
	37	M						1
	37	V			1			
	39	V					2	
	42	V		1				
	43	M		1				
	52	M					1	
	53	M						1
54	M		1					
60	M					1		
Thailand	48	M					1	
Turkey	27	V					1	
	28	M			1			
	29	V	1					
	30	V		1				
Ukraine	21	V	1					
	22	V				1		
	24	V	1		1			
	25	V		1				
	29	M					1	
	32	M		1				
	32	V	1					
	33	V	1	1				
	35	M	1					
	35	V				2		
	36	V					1	
	38	M			1			
	39	M		2				
	43	M		1				
	43	V					1	
	48	M					1	
	50	V		1				
51	V					1	1	
55	M					1		

	57	M					1	
Total			30	33	14	16	32	10
<i>Source:</i> prepared by the author using data provided by the Migration Department by the Ministry of the Interior of the Republic of Lithuania * Data not for the whole year of 2015								

Annex 8. Areas of activity of the experts who participated in the research and interview codes		
Area of activity	Code	Number of experts
Non-governmental organisations, budgetary institutions and crisis centres that work in the area of prevention and victim assistance (social workers, psychologists and project managers)	N	9
Courts (judges)	T	1
Judicial institutions (police, prosecutor's office): officers, pre-trial investigation investigators, prosecutors	P	7
TOTAL		17
<i>Note:</i> each citation from the expert interview in the text is marked by the code and date. For example, P: 2015.09.21		

About the author



Dr. Karolis Žibas, founder of NGO 'Diversity Development Group', is a sociologist, researcher and NGO activist in the areas of human rights and equal opportunities, migration, asylum and migrant integration, fight against human trafficking. Karolis is a researcher in the Institute for Ethnic Studies at the Lithuanian Social Research Centre and in the Centre for Demographic Research at Vytautas Magnus University.

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Lithuanian Caritas programme 'Assistance to victims of human trafficking and prostitution' has been in effect since 2001. A total of 1950 persons were assisted during this period of time.

60% of these persons were victims of different forms of human trafficking in Lithuania and abroad (Germany, Great Britain, Ireland, Greece, Check Republic, Italy, Holland, Norway, Sweden, Denmark, Australia, Japan, and Turkey). These persons included women, men and children from towns and villages in Lithuania. Their age range was between 13-55 years-old.

25% of these persons were women and children forced into prostitution. Their bodies were sold on the streets, roadsides, in flats, massage salons, parties and strip-tease clubs. The age range was between 11-42 years-old.

15% of these persons were victims of sexual coercion and paedophilia. Those were children, women and men who were victims of individual criminals or criminal groups. These criminals were strangers, friends, colleagues, and closest family members of the victims. The age range of the victims was between 3-52 years-old.

Twelve social workers consult with injured persons in the programme; they work in the districts of Kaunas, Klaipėda, Šiauliai, Panevėžys, Marijampolė, and Tauragė. Experienced psychologists and private lawyers regularly assist them.

This programme is accomplishing a huge preventative work in the attempt to stop the way vulnerable people fall into the nets of exploiters. Training for specialists is organised in municipalities as well as at the national and international levels. The aim of the training is to teach participants how to recognize injured persons and provide them with expert forms of substantive help as well as show them how to strengthen networks of cooperation.

Assistance to victims of prostitution and trafficking in human beings

Lithuanian Caritas programme

Central Location of the programme: 5 Papilio st, 4427 Kaunas

Tel. (8-37) 323300 / caritas@anti-trafficking.lt