

# **European International Virtual Congress of Researchers**

**EIVCR  
May 2015**

**Progressive Academic Publishing, UK**  
[www.idpublications.org](http://www.idpublications.org)

## SEXUAL TOURISM

**Muhamet Lama**

Universiteti Biznesi- Gjakove, Republic of Kosovo  
European University of Tirana

### ABSTRACT

Even sexual tourism, or business monitoring, belongs to one of the legal forms and prostitution tolerable intake. Although there but still not official in Kosovo, in many developed countries of the world, there are certain tourist agencies offering escort and companionship of women to various businessmen and tourist visitors. This type of prostitution, the last time, with large circles are using the institutional state, in this form, providing attractive female friendship their foreign friend's politician and diplomat.

**Keywords:** Sexual tourism, right, women, trifurcation, companionship.

### INTRODUCTION

If you look carefully these tolerant or permissible forms of prostitution in advanced modern societies, we see that the same, as in legal ways and semi-legal, largely are present in Kosovo? And finally, to return once again that questions concerning the beginning, which, apparently, still will be left without an adequate response: Do is also a risk that other very painful to have to pay us Kosovars for freedom and the inevitable modernization of our society as a continuation? Have there been or not prostitution in Kosovo in the past? In the historical context of Kosovo must take as part of Albania as the population belongs to the same lineage, with docks, customs, culture, religion, the same mentality. And until the time until the new states did not exist then this issue in historical terms should be treated as unique in Kosovo, Albania, Macedonia west, south east and south Serbia Montenegro. Besides different geographical atlas which is called Illyria and a rare note we do not have any knowledge regarding this phenomenon to the Illyrians and later to modern Albanians throughout their ethnicity.

### Elements of sex tourism

But according to some indirect data it emerges that Illyria was present at the institution of slavery that had to work the land in peacetime and in wartime put under the orders of the master for the defense of the country. In this, scientific wasteland "seem just thought that in Illyria had, sexual freedom" and that the roads, Via Egnatia "<sup>1</sup> inns were full of inns where guests were served by women is popularly known as harlots women. And given that there have been these guesthouses and inns (those built at the crossroads, near the main roads the same as today the existence of motels and hotels) think that even in this area there was the phenomenon of prostitution.

However, when it comes to Albanians some researchers examine the phenomenon that is contemplated from different perspectives and with very negative connotations. They issue of organized crime, especially Albanians human trafficking, prostitution and smuggling of people attribute, Albanian gene" based on the Kanun of Lek Dukagjin. So these authors

---

<sup>1</sup> Sokol L., (2006), Prostitution as a profession: Sociological, p. 63

Kanun of Lek Dukagjin consider, Bible Albanian Mafia "while others see this phenomenon as part of a global business," organized crime where criminal groups are involved from different sides of the globe.<sup>2</sup>. Not being put to protect researcher Barbara Hanel Canon quote which says that "Kanun of Lek Dukagjin," Albanian law Habits Ancient represents a value system that contains detailed rules for the conduct of "right" and trial ... code behavioral offenders to prevent dissonant and order was before their tribe "<sup>3</sup>. To see the truth of the Kanun of Lek Dukagjin just need the right approach and unambiguous and patience in his study. If bias aside and consider the issuance of the facts then it is clear that nowhere can you find a letter a row who desecrates the figure of Albanian women. Kanun of Lek Dukagjin has several paragraphs where women thus you defended by guns. Paragraph 835 says: "I waited to begin on men and not on women, children, the home of the cattle ..." otherwise "... will shade on defamation defamation rifle, then tribe on tribe, village by village of mermaid flag flagged".

Section 767 items a) of the Kanun of Lek Dukagjin say: "for women Hick blood drops to 500 penny will give villager to fine". Albanian women after the Kanun of Lek Dukagjin is protected, even if someone kills the blood does not fall in the 28 states in his head. According to the head (Nye) 31 if the bride who marries is not "properly" (virgin) husband has the right to wait then a hair or by released but if the husband agrees with her condition allows it Canon but living with Never sell or kill. Researchers who have not ever read Canon violence against women in Albanian family base its rates exactly but the reality is different. Paragraph 61 has the following encryption:

- (A) The Canon of Lek Dukagjin says "My husband has no right over the life of the woman";
- c) The son of assassinated parents ";
- d) With the beat with blood, or with the husband killed the wife of a foreign hand honor it requires her husband's blood wound parent ";
- e) The husband beat his wife kunetija Women parents beg him not honor on shelves behind her husband. "

So, as you may see the Canon of Lek Dukagjin institutionally it protects women from violence that can be exercised even by her son, husband or brother-and none of these is not entitled to exercise violence upon. Woman under the Canon of Lek Dukagjin has the right to mediate between persons in immediate nuisance and its word must be respected, rifle must be stopped.<sup>4</sup> The rape of the woman or her abduction considered received honor of her husband and he seeks revenge honor trampled under section 601 and 597 of the Kanun of Lek Dukagjin but you can forgive the perpetrator nobly and without compensation pursuant to paragraph 598 of the Kanun of Lek Dukagjin.

In the new history of Kosovo have dramatic political developments which were also reflected in the social aspects of the population. In such a situation was found former Yugoslavia 90 years to which under Milosevic medieval and with the blessing of various circles within and outside the country violated the constitution and destroy the autonomy of the Socialist Autonomous Province of Kosovo. Parliament, the Government of Kosovo and all its

---

<sup>2</sup> Ibi.. f. 54

<sup>3</sup> Hanel B., (2004), Fundamentals of Management for Supervision and Management of Police Service School Policor--Vushtrri, p. 68

<sup>4</sup> Gjeqovi Sh., (1999), the Kanun of Lek Dukagjin, Tirana, p. 123

institutions were dispersed by police and military violence. After institutional destruction of Kosovo, Serbia began a fierce military campaign against Yugoslavia and other areas Kosovar youth wanted to send to the war fronts in Slovenia, Croatia and Bosnia and Herzegovina later. Kosovo alternatives do not accept to be part of the scenario of creating a Greater Serbia, "and therefore underwent an unprecedented political pressure and military-police. Not to serve the invading army of Kosovo Serb youth begin to leave the country and seek refuge in Western European countries.

This migration largely started between 1990-97 through legal and illegal ways to, help "and under the supervision of various traffickers and smugglers who for this, help" pay from 2000 to 20,000 DM per head. The money was paid to hand traffickers who were connected with police and judicial officials installed in Kosovo, especially police officers who work in the sector of issuing passports, border police sector, customs etc. The route they followed to leave was road, sea and air. For transporting them abroad mostly used road transport which was included some Kosovo local transport company. The route they followed was the direction Peja - Mitrovica - Raska - Belgrade - Subotica - Segedin (Hungary) and continues to Germany, Switzerland or any other European country. Another automobile road was Pristina - Podujevo - Merdare - Nis - Belgrade - Kelebi (border between Vojvodina and Hungary) and continues to European countries. Third Way was Pristina - Peja - Rozhaje Podgorica - Debeli Brijeg - Croatia - Slovenia - Italy and went further in Europe.

Podgorica sometimes proceed the way to Albania through Tuz passing boat (locals call Sule) night and day through Tuzi - Hill Budanit - Nënhelm - (Montenegro) Skadar Lake - Shkodra - Tirana - Durres Italy sub. This violence committed against Kosovar youth in particular after the 90 intended strategic implementation - ethnic cleansing, which affect the growth of prostitution, people smuggles and human trafficking<sup>5</sup>. Since the methods of pressure and military police violence did not meet the policy goals of Milosevic (its military failure in Croatia after the Dayton agreement for Bosnia and Herzegovina, Serbia began military operations against the forces of the newly established KLA and the civilian population which was the basis of its logistics. Serbia impregnated with hegemonic designs based on its military lead projects start qubrilloviqiane ethnic cleansing operation to activate the infamous, Horseshoe "which began with the expulsion of the civilian population (Albanians, and others) from Kosovo.

In making the operation the infamous (December 98- April 99) army and Serbian police began the ethnic cleansing of Kosovo, performing systematic rape of women and girls in camps, rape<sup>6</sup> being turned into sex slaves<sup>7</sup>. Their madness had reached as far as they had created a motivational song, "singing soldiers before military operations" during which heroes might be required before the children and women of enemies ". Rape of women and children had dual purpose: first sexual exploitation by Serb soldiers and paramilitary forces and the second to reduce the moral influence of the people's enemies (Croatian, Bosnian and Albanian) and their defense forces fighting against Serbian aggression.

---

<sup>5</sup>The Kvinna till Kvinna Foundation, 2001 Getting it Right? Presents their concern about multiple brothel that operated in Kosovo during the OSCE Verification Mission in September 1998 and their concern with human trafficking, F. 20,

<sup>6</sup> Blakaj S.,Rrahmani Z., (2007) Kosova Facts that Won't Keep Silent, ATV Media, Prishtinë f. 160 -161

<sup>7</sup> Assessment Report on Sexual Violence in Kosovo UNPA 28 May 1999 By D.Serrano Fitamant

Despite military lead Serbia in the fight fuck in Kosovo (Kosovo local forces, KLA helped by the intervention 78 days of NATO) but left behind many mass graves, many people missing, many women and girls violated<sup>8</sup>, economy and infrastructure destroyed, many villages and towns burned. But how is the situation today in the territory of Kosovo state. Regularly in the media heard that the Kosovo Police intervenes where arrests, releases and expels citizen of Serbia, Albania, Romania, Moldova, Ukraine, Russia, etc., because they were dealing with prostitution. That all they entered the country primarily through three border crossings as Končulj Merdare, Morin, etc. Also in these information media also announced the arrest of pimps. But one issue is highly significant that the majority or we can say that all the girls that Kosovo police has identified the victim, nor ever returning to the country they came from. In between can be two factors that define this phenomenon.

The first is that there may be a lack of communication or no cooperation between the police, or that it is even possible to return these girls in Kosovo and continue their activity in prostitution. Of special importance is the fact that most of these girls are adults, are previously known to police and alleged economic exercise as waitresses or dancers (strip). But not even the minors missing. "None of them declared that deals with prostitution, or that he was a victim. Those in the statement to police in Kosovo say they have gone voluntarily where they worked in nightclubs, while the Macedonian border authorities had stopped them entering "And he adds" there is no evidence that they are dealing with prostitution, or that the organized one ".

So in order to satisfy girls they are well prepared what to declare, or are afraid. It is very difficult to prove that girls imprisoned in Kosovo someone has recruited, enticed, and has introduced the organized crime of prostitution. The phenomenon of prostitution continues its size to enormous growth, the girls that "imported" but also Kosovo Albanian girls that "exported" to the boss-driven scams that will work an honest job. This phenomenon in Kosovo has received the largest size mainly after the war, was until a few years without status and in its absence it has only grown, and now after independence there is no change to reduce its signs. It should be emphasized that for the period from January to the second ten days of March this year have returned from Kosovo more than 70 women in Albania, which in whole Kosovo police motivating "for lack of documents."

According to a police report of Kosovo, Albania ranks third for the number of Albanian women into prostitution in Kosovo, but with a small percentage compared with the first two countries to keep Moldova and Bulgaria, where Albania is 5-10 % of women who practice prostitution activity.<sup>9</sup> In Kosovo there are still no proper legislation prohibiting prostitution, while there is no regulation that would legitimize it. Without legal cover, pimps organize prostitution ring through so-called "nightclubs" and "bars" different, where the scene appear "professional dancers", which can accompany you during this evening if you're willing to pay (of course, the money goes Bossy). "The expulsion of more than 70 girls from Albania in less than three months indicates a worrying social phenomenon. By law it is not legalized phenomenon although it is a de facto legalization silent that incorporate mechanisms to enrich the politicians who are part of the government and the traffickers who in some cases are associated with power.

---

<sup>8</sup> Laison Office of Sweden in Prishtina, Kosovo gender analysis, faqe 12, 17 May 2004

<sup>9</sup> Kosovo Police report 2011

Even developed countries have made the legalization of this phenomenon, unable to fully eradicate. This form has also brought its positive aspects:

- Increase the budget from taxes and girls clubs exercising this "craft".
- Minimize the possibility of the spread of infectious diseases through forms of prostitution, as health authorities would be obliged to make the supervision of the girls who exercise this activity.
- State Oversight girls who do not wish to continue this activity and their involvement in social networks and real,
- Lack of traffickers to manipulate the "work" that they do, etc. Government of Republic of Kosovo is obliged to take the phenomena that plague the citizens of Kosovo and their impact on the awareness of the consequences of each type of crime. It is a moral and civic duty of all of us to talk about these topics, discuss and make moves that are in the interest of respecting human rights, but without infringing on someone else. I hope that the opening of this debate will encourage further steps debates, which later materialized with legal action. After all, Kosovo is obliged to respect all international conventions understood any of those which are for prostitution.

Reaffirming the provisions relating to trafficking of women and girls found in the documents that have emerged from the relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing Declaration and Platform for Action adopted by the Conference of Fourth World Women observed that there is a greater commitment to combating and elimination of prostitution, trafficking and all phenomena which violate women's rights. But in spite of all these efforts again this phenomenon not only not going to eliminate or at least reduce its size but in one form or another is growing. Economic aspect is very important in between. In countries with high economic growth have increased prostitution elite while small countries with economic development have increased prostitution among the poorer classes.

So looked at in terms of the overall security of a country, but also in the global prostitution is a complex challenge that requires effort, commitment and concrete programs to cope keeps, always bearing in mind the legal basis and the respect of human rights. To succeed in combating this phenomenon believes that certain conditions must be met, inter alia:

- Political will of each country in particular,
- Legal basis of each country in full compliance with international norms which should be taken into account respect for human rights,
- Commitment of various scientific institutions professionally studied the causes, consequences and measures to be taken to prevent prostitution,
- Establishment and professional advancement for law enforcement bodies,
- Cooperation and inter-regional cooperation of law enforcement authorities in fighting organized crime,
- coordination of work between the family, the school, the Center for Social Work, community, community police, prosecution, courts and NGOs, and
- Precision implementation of the Action Plan of the Government in combating trafficking in human beings.

Relying on applicable laws in Kosovo and time requirements to combat this deviant phenomenon in Kosovar society Kosovo Government Action Plan which aims to institutionally ensure the protection of women and children, protection of the family , their health care, assistance to be approached victims of human trafficking, their return to normal life, and advancing their professional preparation for their future, the preparation and

education of law enforcement bodies and cooperation between regional fight against organized crime.<sup>10</sup> Also, it is very important be viewed on the problem of prostitution, human trafficking, smuggling of migrants, sale of children and human organs from the angle of national security of each country individually.

These inhuman and illegal acts committed by criminal groups directly contribute to political instability, economic and demographic country. And, in this regard must mobilize all relevant national and international level that is responsible in the field of security for cessation of criminal activities of organized crime. Termination of criminal acts is an important challenge that affects the whole course of economic stability, demographic and policy not only of the country in particular. This effort is not only the duty of the enforcement of public order but for all people everywhere, of all well-intentioned people irrespective of color, religion, idea, nationality and language. Without the contribution of all people of good will wherever you are and are not going to stop this phenomenon which destroys not only moral but also existential values of each nation in the world today.

### **Trafficking in persons under criminal law in Kosovo**

Criminal Code of Kosovo<sup>11</sup> the offense of trafficking in persons provided for in section 139. This offense is envisaged under Chapter XIV entitled: Crimes against international law. Under Article 139 of the Criminal Code of Kosovo, the expression "trafficking in persons" meaning: "the recruitment, transportation, transfer, harboring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, forgery, fraud or abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation".<sup>12</sup>

The provisions of the Criminal Code of Kosovo give the definition of the term "exploitation". This term includes, inter alia the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or removal of organs.<sup>13</sup> The object of the offense of trafficking in persons are legal relationship established by the state to ensure freedom of movement under the rules in force, health and human life, and the rules for crossing the state border protected by criminal law against the criminal actions illegal trafficking of persons.<sup>14</sup> During the commission of this offense harmed and endangered the most important values of man and society, such as life, health, human dignity, morality, freedom and human rights etc. Therefore, these legal and good values are also considered as protective object of this criminal act. The offense of trafficking in persons can carry anyone who participates in human trafficking.<sup>15</sup> This means that this offense carries anyone who recruits, transports, transfers, harbors or receives persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception or

---

<sup>10</sup> Government of Kosovo Action Plan to Combat Trafficking in Human Beings in Kosovo, Pristina May 17, 2005

<sup>11</sup> Kosovo's criminal code promulgated UNMIK Regulation No.2003 / 25, dated July 6, 2003 and entered into force on 6 April 2004.

<sup>12</sup> Kosovo Criminal Code, Article 139, paragraph 8, point 1.

<sup>13</sup> See Article 139, paragraph 8, section 2 of the Criminal Code of Kosovo

<sup>14</sup> I. Elezi, Criminal Law, special part, Tirana, 2009, fq.145-146

<sup>15</sup> Shin Article 139 paragraph 1 of the Criminal Code of Kosovo.

abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. So, as can be seen, the action of the commission of this offense is defined alternatively. For this basic form of committing this offense is punishable by two to twelve years in prison.<sup>16</sup>

## CONCLUSION

The phenomenon of prostitution is a problem for all human society and to this problem is concerned the international community namely institutions largest organizations worldwide. Since the formation of the United Nations Organization is say that a dozen conventions, treaties, regulations, directives and protocols. In this regard these documents are designed to protect women from prostitution, trafficking, or even to each violation of their rights. Of the many documents are: the Convention on the Elimination of All Forms of Discrimination against Women<sup>17</sup> and its Optional Protocol<sup>18</sup> Convention on the Rights of the Child<sup>19</sup> and its Optional Protocol on the sale of children, child prostitution and child pornography childish<sup>20</sup>, Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of others<sup>21</sup> and the United Nations Convention against Transnational Organized Crime<sup>22</sup> and their protocols, in particular the Protocol to Prevent Suppression and Punishment of Trafficking in Persons.

Especially Women and Children, that supplements the United Nations Convention against Transnational Organized Crime<sup>23</sup> and the Protocol against the Smuggling of Immigrants by Land, Sea and Air, subsidiary of the United Nations Convention against Transnational Organized Crime<sup>24</sup> as well as previous resolutions of the General Assembly and its subordinate body of the Council for Human Rights and the Economic and Social Council and its functional commissions on the issue.

## REFERENCES

- Sokol L., (2006), Prostitution as a profession: Sociological, p. 63  
Hanel B., (2004), Fundamentals of Management for Supervision and Management of Police Service School Policor--Vushtrri, p. 68  
Gjeqovi Sh., (1999), the Kanun of Lek Dukagjin, Tirana, p. 123  
The Kvinna till Kvinna Foundation, 2001 Getting it Right? Presents their concern about multiple brothel that operated in Kosovo during the OSCE Verification Mission in September 1998 and their concern with human trafficking, F. 20,

---

<sup>16</sup> Neni 139, paragraphs 1.

<sup>17</sup> United Nations, Treaty Series, Vol.1249, no. 20378

<sup>18</sup> Ibid., vol. 2131, No. 20378

<sup>19</sup> United Nations, Treaty Series, Vol.1249, no. No. 27531

<sup>20</sup> Ibid., vol. 2171, No. 27531

<sup>21</sup> Ibid., vol. 96, No. 1342.

<sup>22</sup> Ibid., vol. 2225, No. 39574.

<sup>23</sup> Ibid., vol. 2237, No. 39574.

<sup>24</sup> Ibid., vol. 2241, No. 39574.



Blakaj S.,Rrahmani Z., (2007) Kosova Facts that Won't Keep Silent, ATV Media, Prishtinë f. 160 -161.

Assessment Report on Sexual Violence in Kosovo UNPA 28 May 1999 By D.Serrano Fitamant

Liaison Office of Sweden in Prishtina, Kosovo gender analysis, faqe 12, 17 May 2004  
Kosovo Police report 2011.

Government of Kosovo Action Plan to Combat Trafficking in Human Beings in Kosovo, Pristina May 17, 2005.

Kosovo's criminal code promulgated UNMIK Regulation No.2003 / 25, dated July 6, 2003 and entered into force on 6 April 2004.

I. Elezi, Criminal Law, special part, Tirana, 2009, fq.145-146

United Nations, Treaty Series, Vol.1249, no. 20378 / 20378/ 27531/ 27531/ 1342 / 39574 / 39574 / 39574.