



**Report by the Inter-Ministerial Working  
Group for combating trafficking in  
human beings  
for the year 2016**

**Ljubljana, May 2017**

*For the Inter-Ministerial Working Group for combating trafficking in human beings, the report prepared by Sandi Čurin MA, national coordinator for combating trafficking in human beings*

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## Introduction

Also in 2016, the Inter-Ministerial Working Group for combating trafficking in human beings (hereinafter referred to as: MDS TZL or Inter-Ministerial Working Group) implemented its mandate defined in Decision of the Government of the Republic of Slovenia, No. 01201-7/2012/4 of 5 July 2012 which replaced the previous Decision, No. 240-05/2003 of 18 December 2003.

The Inter-Ministerial Working Group comprises representatives of line ministries, government offices, the National Assembly, Supreme State Prosecutor's Office, Specialised State Prosecutor's Office and civil society whose scope of work addresses the issue of trafficking in human beings. In the reporting period, the national coordinator, who is also the head of the MDS TZL, convened four meetings of the respective group, namely on 11 March, 7 June, 29 September and 13 December, and an additional two meetings of small working groups, namely on 28 January on the issue of forced labour and on 27 September on amendments of the Penal Code.

In addition to the action plan, the decisions adopted at meetings are a binding mechanism to implement efficient policies for combating trafficking in human beings. Nevertheless, poor responsiveness of some ministries and representation at the MDS TZL meetings is also noted in the reporting year.

The methodology used to prepare an annual report is based on collecting and harmonising statistical data and quality summarising of contributions of individual ministries. The report is divided into chapters referring to legislation and operation policies, followed by activities relating to preventing trafficking in human beings, i.e. raising the awareness of the general public and risk groups, and professional training at individual ministries. The Chapter on detection, investigation and prosecution of criminal offences mainly covers the activities of the police and prosecutors' offices, including measurable results on the number of offenders dealt with, the number of indictments and final convictions. This Chapter also includes the activities of the Labour Inspectorate of the Republic of Slovenia (IRSZD) and the Financial Administration of the Republic of Slovenia (FURS), mainly according to the sectoral legislation for which these two authorities are competent. In these cases, the content of activities intertwines and generally relates to the issue of labour exploitation, undeclared work and employment and exploitation of migrant workers. This is followed by the Chapter on the assistance and care of the victims of trafficking in human beings, with the emphasis on non-governmental and humanitarian organisations responsible for the respective form of assistance programmes which are funded by the state based on tenders. The last, but also important section addresses international activities and partnerships. It mainly states the events and activities of the MDS TZL relating to international integration and partnership projects in the state.

The conclusion of the report highlights key activities typical of the reporting period and measures that contributed to preventing and combating trafficking in human beings as well as to its visibility.

# 1 Legislation and policies

## 1.1 Changes to the national legislation

On 4 March 2016, the National Assembly adopted the International Protection Act (ZMZ-1; EPA 958-VII) the provisions of which indirectly also relate to the trafficking in human beings. In its provisions relating to the treatment of vulnerable persons with special needs, the Act follows the provisions of Directive 2013/33/EU, which in Chapter IV stipulates that Member States take into account a special situation of vulnerable persons when transposing the Directive into national law, and the provisions of Directive 2013/32/EZ, which in Article 24 stipulates that Member States examine in a reasonable time whether an applicant requires special procedural safeguards, and in Article 25 determines safeguards for unaccompanied minors. In its definition of terms, the Act in Article 2 also defines the victims of trafficking in human beings as vulnerable persons with special needs. In Article 15 of the respective Act, when treating minors in the proceedings as per this Act in assessing the best child's benefit, the issues related to safety and protection are also taken into account, in particular if there is a risk that the minor is a victim of trafficking in human beings.

On 14 July 2016, the National Assembly adopted the Residence Registration Act (ZPPreb-1; EPA 1152-VII) which, inter alia, provides anonymous stay at a secret location for victims of trafficking in human beings. Due to necessary measures of registration and accommodation of victims of domestic violence and victims of trafficking in human beings in safe houses, the Act stipulates that these persons may also have a registered statutory residence at the address of a social work centre at the proposal of the State prosecutor's Office, police or social work centre.

## 1.2 Implementation of the Action plan for combating trafficking in human beings for the 2015–2016 period

At its 14th regular session on 8 June 2016, the Commission for Petitions, Human Rights and Equal Opportunities of the National Assembly was with the Report informed about the work of the Interdepartmental Working Group on Combating Trafficking in Human Beings in 2015. The report was presented by the national coordinator for combating trafficking in human beings.

In the Research Division of the National Assembly, a comparative review of "Legal regulation of the combating trafficking in human beings" was prepared in February 2016 and published on the websites of the National Assembly – Research Projects and of the Government of the Republic of Slovenia – Topics and Projects, Combating trafficking in human beings.

The Committee on the Interior, Public Administration and Local Self-Government of the National Assembly was presented with the Annual Report on the work of the police for 2015 (EPA 1348-VII) where the level of investigated cases and detection of criminal offences in the field of trafficking in human beings is also addressed.

The Committee on the Interior, Public Administration and Local Self-Government of the National Assembly was informed of the content of the Report on the implementation of the Resolution on the National Programme of Prevention and Suppression of Crime for 2015 (EPA 1401-VII) which partially also relates to the issue of trafficking in human beings (mentioned within the

scope of Point 6.7.4.5 of the Strategy/Programme – Analysis of statutory protection of victims of domestic violence).

At its regular session on 5 May 2016, the Government of the Republic of Slovenia adopted the Guidelines on the identification, assistance and protection of victims of trafficking in human beings (Decision of the Government of the Republic of Slovenia, No 02402-2/2016/5). In addition to the Guidelines, there are also indicators intended for recognising individual categories of victims of trafficking in human beings. Apart from its educational function, the Guidelines are intended for all who are within their scope of work faced with the issue of trafficking in human beings, in particular with potential victims of trafficking.

### **1.3 Implementation of other activities as per the adopted international obligations**

The Committee on the Interior, Public Administration and Local Self-Government of the National Assembly endorsed the Proposal of the position of the Republic of Slovenia on the proposal of the Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC), No. 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC, EPA 1112-VII, EU U 635. The Regulation proposal also foresees the transformation of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) into the European Border and Coast Guard Agency, whereby a centre for risk monitoring and analysis is to be established which can monitor migration flows coming to the European Union and in the European Union and perform risk analysis used by the Member States and comprises all aspects related to integrated border management, in particular border control, return, illegal secondary movements of citizens of third countries in the European Union, prevention of cross-border criminal, including the provision of illegal immigration, trafficking in human beings and terrorism, and situations in neighbouring third countries to develop a pre-arranged warning mechanism for analysing migration flows coming to the European Union.

The UN Human Rights Committee (a supervisory body comprising 18 independent experts who regularly verify how State Parties implement the provisions of the International Covenant on Civil and Political Rights) invited the Republic of Slovenia to present its 3rd regular report on the implementation of provisions of the Covenant at its 116th meeting on 15 and 16 March 2016. The national coordinator for combating trafficking in human beings was also a member of the Slovenian delegation which presented the report.

## 2 Prevention

The prevention and its related activities are one of the basic missions in a comprehensive countering of the issue of trafficking in human beings. These are mainly actions and measures that prevent any damage which is often irreversible in cases of trafficking in human beings. For this reason, various forms of awareness raising among risk groups of potential victims of trafficking are needed. Furthermore, the prevention also includes the raising of awareness of general lay public which is informed of the scope of the addressed issue through the media. The last of the three sections of prevention activities includes the training of persons who encounter the issue of trafficking in human beings in their work.

### 2.1 Raising awareness among the general public

- **18 October – EU Anti-Trafficking Day**

On October 18, the Government Communication Office of the Republic of Slovenia (UKOM) in cooperation with the national coordinator prepared and published the **infographic** with statistical data on trafficking in human beings in Slovenia in the 2010–2015 period. The media were sent press releases with a summary of statistical data for the respective period and information on the Handbook "**Prevent covert forced labour**". UKOM also published the press release, infographic and Handbook on social networks – on the Government Facebook, Twitter and LinkedIn accounts.

Upon this event, on 21 October 2016, the Ključ Society held a concert, free of admission at the Kino Šiška Centre of Urban Culture where three musical groups performed in front of 500 people. The concert was co-funded by the City Municipality of Ljubljana, Office of the Republic of Slovenia for Youth and UKOM, while contributions from individual donors were also collected.

- **Website**

In 2016, UKOM complemented the contents of some sections of the website and provided updating of the contents on the website in the Slovenian language ([http://www.vlada.si/boj\\_proti\\_trgovini\\_z\\_ljudmi/](http://www.vlada.si/boj_proti_trgovini_z_ljudmi/)) and revised contents in the English version of the website

([http://www.vlada.si/en/projects/combating\\_trafficking\\_in\\_human\\_beings/combating\\_trafficking\\_in\\_human\\_beings/](http://www.vlada.si/en/projects/combating_trafficking_in_human_beings/combating_trafficking_in_human_beings/)). The website provides content about the trafficking in human beings, information on the activities of the MDS TZL, basic documents the group prepares, international documents in this field, surveys and studies, while it is also possible to submit anonymous e-reports and contact non-governmental organisations which provide assistance to victims. Key activities in the field of detection, investigation and prosecution of criminal offences and prevention of these offences were also presented.

The statistics show that in 2016, 8,342 visitors visited the Slovenian version of the site and 658 visited the English version.

- **Media**

According to the available data, the Slovenian print, electronic and on-line media published over 150 articles related to trafficking in human beings. In particular, the media paid a lot of attention to the activities of detection and prosecution of criminal offences of trafficking in human beings.

The investigation into the Marof Trade company from Loška dolina received much attention, since it is mentioned in a third of all announcements. The case stimulated the publication of several in-depth articles which addressed trafficking in human beings in relation to labour exploitation and forced labour of migrant workers. Several articles also dealt with poor working conditions and slave labour and child labour in several countries of the world, whereby they emphasised the responsibility of multinational corporations and the importance of ethical consumption. The media also addressed the preventive activities of non-governmental organisations and unions and at the EU Anti-Trafficking Day they summarised key messages of the MDS TZL, an infographic and statistical data on the trafficking in human beings in Slovenia in the 2010–2015 period.

On the topic of trafficking in human beings, other non-governmental organisations also appeared in the media – independently or with joint announcements.

Thus, the Ključ Society had mainly independent announcements with the travelling photography exhibition *Moje Sanje (My Dreams)*, namely in Maribor, Murska Sobota and at the Faculty of Criminal Justice and Security in Ljubljana. In October, a festive event was organised upon the 15th anniversary of the Ključ Society, which was also an opportunity to publish the book entitled *Boj proti trgovini z ljudmi v Sloveniji – pregled področja od 2001 do danes (Combating trafficking in human beings in Slovenia – an overview of the field from 2001 until today)* and present a documentary. The general public was presented with an article on labour exploitation, namely at the Conference of the *Gibanje za dostojno delo (For Decent Work)* movement and within the scope of the *Živa knjižnica (Live Library)* project. Both events were visited by approximately 220 people. The media announcements of the Ključ Society addressed particularly the topics of forced prostitution, forced marriage, EU Anti-Trafficking Day, labour exploitation, and the 15th anniversary of the Society.

With numerous articles and statements, Caritas Slovenia also participated in the Slovenian media, e.g. on 25 April in the broadcast *Tarča* on Channel 1 of TV Slovenija, in November on the *Ognjišče* radio station with the contribution entitled *Ne podpiramo trgovine z ljudmi s svojim denarjem (Don't support the trafficking in human beings with your money)*, in internal paper *Žarek dobrote (Beam of kindness)* with the article entitled *Trgovina z ljudmi: resna grožnja otrokom in mladostnikom (Trafficking in human beings: a serious threat to children and minors)*, upon the EU Anti-Trafficking Day with the press release intended to raise the awareness on the trafficking in human beings, and with the article entitled *Kruta globalizacija izkoriščanja otrok brez spremstva v primežu kriminalnih združb trgovine z ljudmi v Evropski uniji (Cruel globalisation of exploiting unattended children within crime groups dealing with trafficking in human beings in the European Union)*, which was published in the expert bulletin *Socialni izzivi (Social challenges)* published by the Social Chamber of Slovenia.

## **2.2 Raising the awareness of high-risk target groups**

On the basis of a public tender for co-funding the information, communication and educational activities of non-governmental organisations, **UKOM co-funded four non-governmental projects in the total amount of EUR 20,000** in 2016.

Two projects were intended for raising the awareness of adolescents on the dangers of trafficking in human beings and the methods of recruitment, and on training to recognise the risk, appropriate action and self-protection behaviour.

The third project was intended to raise the awareness of foreign workers, refugees and migrants about a more efficient exercising and protection of their rights, protection against exploitation, caution against possible intertwining of exploitation with forced labour and trafficking in human beings, and identification of possible victims that are in need of additional support and protection.

The goal of the fourth project was to reduce the demand from victims of trafficking in human beings for services provided by raising awareness of users of these services, the general public and economic operators.

Individual activities of the non-governmental organisations were announced by UKOM on the MDS TZL website and social media.

- **Raising the awareness of minors**

The first project – Bodi strpen - bodi previden (**Be attentive - Be careful**) was implemented by **Caritas Slovenia**. Within the scope of the project, **workshops were conducted in 36 primary schools** in twelve Slovenian regions (Savinjska, SE Slovenia, Podravska, Central Slovenia, Gorenjska, Spodnje Posavska, Zasavska and Obalno-kraška, Primorska, Goriška, Koroška, Pomurska region). 2,325 pupils participated in workshops which related to children and the local general public. Two workshops were conducted in the local communities with 60 minors participating and one workshop which included 40 children coming from a less supportive environment and thus being even more vulnerable. Within the scope of the project, six evening discussions were also organised with a broadcast of the film Back to Life, acquired by the Caritas Slovenia in 2015 from Secours Catholique-Caritas France for educational purposes. Three of the aforementioned evening discussions were intended for parents and teachers (Domžale, Gornji Petrovci, Trbovlje primary schools) and were attended by 29 people in total. Three evening discussions took place in a broader local community (Sevnica Youth Centre, Laško House of Generations and Križe Culture House) and were attended by 152 people.

In cooperation with the criminal police and the European School of Law, a lecture was held on trafficking in human beings for students of law in Ljubljana and attended by **52 people**.

A prize competition was also organised, in which a total of 52 products competed and the winner received a special prize. Children and mentors who participated in the prize competition were given a total of 68 USB flash drives. In addition to bookmarks, an on-line quiz was also prepared –**Se znaš obvarovati? (Can you protect yourself?)** – which is available on the website of Caritas Slovenia and enables verification of the suitability of actions when a potential serious threat of becoming a victim of trafficking in human beings is detected.

The second project, called "Telesnica" – how to recognise trafficking in human beings and avoid it, was carried out by the **Ključ Society** – centre for combating trafficking in human beings. Within the scope of the project, there were **60 workshops in ten secondary schools and four educational institutions organised in Slovenia. 1,516 secondary school students** participated in workshops. The workshops took place in educational institutions in Maribor (2 workshops), Višnja Gora (2), Kranj (2), Malči Beličeva Youth Home (2), Novo Mesto Grammar School (6), Koper Grammar School (5), Ilirska Bistrica School Centre and Grammar School (6), Ravne na Koroškem Grammar School (4), Secondary Medical School Celje (9), Jesenice Grammar School (4), Poljane Grammar School (8) Vič Grammar School (6) and Roška Secondary School of Economics, Ljubljana (5).

Owing to a great interest, the workshops were extended to last 60 minutes and were conducted in several classrooms at the same time. They were interactive and dynamic. A short film was

shown first which presented various forms of trafficking in human beings, followed by a presentation of individual types of trafficking with the Telesnica on-line shop. Since the presentations were based on specific cases and the advice was also included in true stories, the young people in the workshop attentively listened and participated with their questions and thoughts. The young people considered the workshops interesting, they liked the film, on-line shop and direct nature of the lecturers in presenting topics and answering the questions. There are still many who were hearing about trafficking in human beings for the first time, but the discussion proved that they knew more than initially assumed. The workshops stimulated the young people to be interactive and prepare products. They were also asked to follow the information relating to trafficking in human beings. During the project implementation, there were 5,990 visits to the Telesnica website, of which 826 were website users.

In addition to the foregoing projects, Caritas Slovenia performed 27 prevention workshops at Slovenian secondary and primary schools in five Slovenian regions within the co-financing contract "Providing Assistance for Victims of Trafficking in Human Beings – Crisis Accommodation in 2016. A total of **248 children** or young people participated in prevention workshops, the purpose of which was to provide information to and raise the awareness of children, young people and personnel working with them as well as other target populations on the dangers and traps of trafficking in human beings.

- **Raising the awareness of foreign workers, refugees and migrants**

The third project "**Combating trafficking in human beings – expansion of information is a weapon against exploitation**", was carried out by **Slovenian Philanthropy**, the association for the promotion of volunteering. The project was aimed at providing information to refugees and applicants for international protection, migrant workers, other workers and the general public on trafficking in human beings, its potential dangers, how to recognise it, on the potential relationship between exploitation with forced labour and trafficking and mechanisms that help workers to prevent exploitation.

**Five workshops** were carried out in cooperation with the **Ključ Society** for a total of 52 applicants for international protection:

- at the Asylum Centre in Vič, Ljubljana: 20 Farsi and 10 Arabic speaking participants;
- at the Asylum Centre at Kotnikova, Ljubljana: 15 Farsi speaking participants;
- at the Asylum Centre in Logatec: 7 Farsi and 10 Arabic speaking participants;

The project activities provided easier integration of applicants for international protection who due to language barriers and unfamiliarity with the laws could be recognised as potential victims of trafficking in human beings.

**200 posters and leaflets "Stop trafficking in human beings"** were printed. The leaflet addressing refugees and applicants for international protection was printed in 3,900 copies (900 in Slovenian, 1,000 in English, 1,000 in Farsi and 1,000 in Arabic). 1,100 copies of the **leaflet Stop exploiting migrant workers**, prepared in 2015 and which addressed migrant workers and workers posted abroad, were reprinted. These leaflets were in English, Albanian, Bulgarian, Bosnian, French, Macedonian, Romanian, Russian and Slovenian.

Activities providing **thorough information in Ljubljana, Maribor, Celje, Nova Gorica and Logatec** were organised within the scope of the project – social work centres and administrative unit provided material for raising awareness, expert workers discussed the topic.

Material was also available at Ljubljana Jože Pučnik Airport. Thus, 120 posters were used and 5,062 leaflets distributed. Cooperation also took place with the embassies of Austria, Germany, and Italy, which were provided with information material for workers posted in the respective countries. Posters were displayed in Ljubljana, Nova Gorica, Celje and Maribor with the aim to raise the awareness of general public. The project's activities were promoted in the media, on social networks and online. Based on the experience, it was established that workshops for applicants for international protection should be also organised in future, since in the case of continuous presence the workshop providers would gain greater trust of people who would decide to participate and share their stories more easily.

In terms of prevention, the **Ključ Society** was also active and, in addition to the Telesnica project and its cooperation with Slovene Philanthropy, carried out **12 workshops of the "Violet" project** for the 9th grade pupils of primary schools, i.e. 276 participants in total and **12 preventive workshops** on trafficking in human beings and non-violence at Slovenian faculties for **305 participants** in total.

- **Raising the awareness of the Roma community**

**On 8 January 2016, the Office of the Government of the Republic of Slovenia for National Minorities** published a public tender in the Official Gazette of the Republic of Slovenia for the co-financing of programmes of the Roma community organisations in 2016, JR-PRS2016. The aim of the tender was to stimulate active operation of the organised Roma community in different fields, in particular through activities to improve the situation of Roma community members in the local environment. These activities also especially emphasised the raising of awareness of the Roma community members of the negative consequences, i.e. early marriage and forced marriage.

Representatives of the office participated in all activities related to combating trafficking in human beings, raising awareness of negative consequences of early and forced marriage and activities for the empowerment of the Roma. Thus, on 22 September, the conference entitled "Strong women, strong society" was held in the Pušča Roma settlement in Murska Sobota, organised by the Preporod Society – an association for the development of the Roma minority. The national coordinator for combating trafficking in human beings also made a contribution at the conference on the topic of illicit and forced marriage.

### **2.3 Raising the awareness of consumers and users of services performed by the victims of trafficking in human beings**

- **Online guidelines for preventing covert forced labour and labour exploitation**

UKOM, in cooperation with the **national coordinator** and the members of MD TZL within the scope of the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) and the Association of Free Trade Unions of Slovenia (ZSSS) prepared and published online the Slovenian variant of the Danish e-Handbook **Prevent covert forced labour**. It is an interactive preventive tool for employers, in particular those employing a large number of unskilled workers, engaging sub-contractors or operating in high-risk industries. The online handbook is a practical tool for risk management and prevention since in addition to basic guidelines it includes the steps to avoid involvement in cases of trafficking in human beings in the direct employment procedures and in cases of cooperating with sub-contractors.

UKOM published the handbook and promoted it at the celebration of 18 October, EU Anti-Trafficking Day. The Inter-ministerial Working Group provided its publishing on suitable websites and its promotion among target public groups. By the end of 2016, the handbook had been viewed by over 300 users.

- **The Resnica (Truth) project**

Based on a public tender, in 2016 UKOM also co-financed a project intended to lower the demand for services performed by the victims of trafficking in human beings. The project in particular emphasised:

- raising the awareness of users and consumers on the services and everyday products which are the result of child labour, work in extremely poor conditions, labour exploitation, forced labour and trafficking in human beings;
- raising the awareness of economic operators on the need to verify whether the products in their entire supply chain are the result of child labour, work in extremely poor conditions, labour exploitation, forced labour and trafficking in human beings;
- media partnership.

UKOM selected and co-financed the Resnica project implemented by the **social enterprise Iz Principa** operating under the auspices of the **DrogArt Society**.

DrogArt prepared numerous creative solutions which are at first glance similar to ordinary sales advertising of selected products. The products were called Renica (the Truth), since they reveal the background of their production. The Truth provides information revealing that numerous everyday products are the result of child labour, work in extremely poor conditions, labour exploitation, forced labour and trafficking in human beings.

To reach a large number of Slovenian consumers, the central and most popular online portal, 24ur.com, with 46.5% reach, participated in the project. The result is a special section "Fair for all?", in which 27 articles were published, all of them listed in the portal's top three headline news articles of the day. Thus, the articles were noticed and read by many readers; according to the information provided by the portal, 168,828 people read at least one of the articles (single website visit). Journalists provided information to the public with true stories of several categories of products that are on sale in Slovenian stores and thoroughly addressed the issues, talked with relevant people, researched the Slovenian market, etc. The section is available on the following link: <http://www.24ur.com/novice/pravicno-za-vse/>, later the articles were included in the archive. The written articles in the section were soon joined by five television reports filmed within the scope of the information broadcast Svet na Kanalu A.

A special website on the issue was also prepared: [www.resnica.info](http://www.resnica.info). The website is intended to raise the awareness of consumers and is designed to offer in-depth stories on everyday products that are the result of labour exploitation in one of the phases of the supply chain. The focus was placed on products such as chocolate, clothing, cotton, electronic devices, orange juice, rice, coffee and frozen seafood. The published list included 136 everyday products in question that are allegedly the result of human and labour rights violation. The list of countries was also published where the violation took place, and tips for the consumers were also provided about their actions that contribute to the reduction of the respective issue. All communication tools included in the project were used to invite visits to the website. with banners on the 24ur.com portal and others, e.g. posters, leaflets and direct mail sent to economic operators. In May, the website was visited by 17,807 unique visitors or 574 visitors

per day. After first few day of its operations (from 29 April to 12 May 2016), the website had had 12,746 visits, whereby 4,780 unique users visited the website. In June, the website was visited by almost 6,000 unique users.

The DrogArt Society prepared four banners which presented the true stories behind four products. These website elements were harmonised with the visual image of the project and alternated for seven weeks in the 24ur.com portal and the websites of some other organisations. A click on the banner brought users to the website: <http://www.resnica.info/>. The banners, included in the articles, were seen by approximately 70,000 users.

To raise the awareness of the general public, four posters were designed which revealed a part of the issue to toilet users in 70 bars, and visitors to cinemas and shopping centres and invited them to visit the foregoing website. The project operator assumes that the posters were seen by approximately 60,000 guests.

800 leaflets were prepared as well which at first glance were reminiscent of a bar of chocolate with the name The Truth, but managed to draw attention of passersby. In the week around the World Day Against Child Labour, they were distributed in shopping streets in Ljubljana and at two shopping centres.

The last part of the campaign turned its attention to companies which import or sell products which are produced in one of the supply chain phases as the result of labour exploitation, or produce their products by using raw materials extracted by workers in inhuman conditions in other parts of the world and are thus also responsible for the entire process.

Four visual and text messages were prepared for different segments of products which the economic operators sell or produce. Each of the addressees received a direct mail referring to its economic activity. The mail was sent to 170 addresses throughout Slovenia, of which approximately two thirds were to dealers and one third to producers of the products.

The operator and stakeholders actively published the content of the project on social media. Despite their limited financial means, they managed to provide a very high number of publications in the media as well as the channels which normally require a significantly higher media budget. The posts on the 24ur.com Facebook profile had the highest value of presence on social networks since 20,000 visitors to the website or articles clicked from Facebook posts.

## **2.4 Raising the awareness and training of the expert public**

The training of the expert public is a basis for prevention and combating of trafficking in human beings to be successful and efficient. A mere word "combating " indicates the need for sufficient equipment and qualification in the procedures of detecting and identifying the occurrence and also for appropriate prosecution of criminal offences and sanctioning of offenders. Since on the one hand the trends of forms of trafficking in human beings are changing and becoming more sophisticated, while on the other hand the selection of experts dealing with the respective issue is changing, permanent training or at least upgrading of knowledge is needed. In particular, this applies to law enforcement authorities, courts and inspection services operating in the respective field. When planning the respective training sessions, expert discussions and case analyses must be foreseen according to the ministry for which the training is intended. A summary of implemented training sessions in 2016 is presented below.

The Criminal Police Directorate at the General Police Directorate (GPU UKP) constantly educates and trains criminal investigators and police officers at the local level. The training sessions draw attention to the identification of forms of trafficking in human beings, indicators of potential victims of trafficking and perpetrators of these criminal offences and focus on the investigations in pre-trial proceedings.

In terms of the afore-mentioned, in 2016, the Criminal Police Directorate, Sector for Organised Crime carried out the training of criminal investigators from regional sectors of the criminal police (hereinafter referred to as: SKP) dealing with investigating a criminal offence of trafficking in human beings. The training dealt with the identification and implementation of procedures with victims of trafficking in human beings. It was attended by 42 criminal investigators from all regional SKP, the General Police Directorate and representatives of the Specialised State Prosecutor's Office, Ljubljana District Court, Labour Inspectorate of the Republic of Slovenia and non-governmental organisations.

In cooperation with the Police Academy, GPU UKP carried out the basic training of candidates for police officers supervising the national border for the identification of the indicators of trafficking in human beings. The training was attended by 121 candidate police officers supervising the national border. The basic training of candidates was also organised within the scope of the criminal investigation course.

The GPU UKP, in cooperation with the Ključ Society, conducted a one-day training course for criminal investigators and police officers related to the implementation of procedures with victims of trafficking in human beings. 47 criminal investigators and police officers from eight police directorates attended the training.

State prosecutors at the Specialised State Prosecutor's Office attended the training sessions in the field of trafficking in human beings abroad and trainings organised by the Police and FURS. They actively participated in the training with their contributions and experience.

The Internal Administrative Affairs, Migration and Naturalisation Directorate of the Ministry of the Interior organised training for administrative units on statutory amendments related to the acquisition of a single permit for work and residence.

The Social Chamber of Slovenia within the scope of the programme for the implementation of public authorisation of the Social Chamber of Slovenia for the period from 1 January 2016 to 31 December 2016, financed by MDDSZ, carried out training of professional workers and expert assistants dealing with victims of trafficking in human beings. The seminar took place on 2 June 2016 and was attended by 48 professional workers or expert assistants of social work centres.

The Judicial Training Centre organised a school of European law at the Bernardin Congress Centre from 9 to 10 May 2016. It also included a session on the topic of Trafficking in Human Beings, where the national coordinator presented an article entitled "Kritičen pogled na problematiko trgovine z ljudmi v Sloveniji ob upoštevanju mednarodnih priporočil in evropskega pravnega reda" (A Critical View of the issue of Trafficking in Human Beings taking into account international recommendations and the European Acquis). The session was attended by 40 judges and prosecutors in total.

The Ministry of Foreign Affairs conducts regular forms of trainings of employees posted to diplomatic missions and consulates and regularly provides them information on the potential dangers of trafficking in human beings.

In 2016, the national coordinator for combating trafficking in human beings also implemented training for diplomats preparing to be posted abroad. The employees training for consular posts

undertook individual training at the Ministry of Foreign Affairs where they obtained detailed information on the respective issue.

The employees of the Ministry of Foreign Affairs are also educated on potential dangers of trafficking in human beings at regular annual consular consultations. Consuls are among the first to communicate with victims of trafficking in human beings or perpetrators of these criminal offences. Given the significance and frequency of the issue, employees of the General Police Directorate gave lectures to consuls and other employees of the ministry preparing for consular posts abroad at the consular consultation in 2016. They presented the operation of organised crime groups and emphasised the importance of cooperation between Slovenian missions abroad and the Slovenian authorities in Slovenia, and the significance of cooperation in security clearance of applicants for travel documents and entry permits. The purpose of educating the consuls is to detect the signs that could indicate potential trafficking in human beings. These are specific skills related to quality reporting of consuls, establishing reasonable grounds for suspicion of offences, and the search for similar or recurring patterns of groups of people, intermediaries, professions, etc. The training also dealt with obtaining information from victims, such as leading an active conversation with an applicant who wants to obtain a permit to enter Slovenia, and asking appropriate questions to detect potential trafficking in human beings.

Similar training topics are presented at regional consular consultations. In 2016, two trainings sessions focusing on the issue of trafficking in human beings in an individual region were organised and attended by consuls from the area of the Western Balkans, Turkey, the Russian Federation, Ukraine, Egypt, India and China.

Such training is very important, since the good results of Slovenian investigations have often been achieved on the basis of quality reporting of Slovenian consuls from the foregoing countries or areas.

On 17 June, the Labour Inspectorate of the Republic of Slovenia (IRSD) organised professional training for all labour inspectors on the topic of trafficking in human beings. In implementing training with the main emphasis on the forms of trafficking in human beings and detection of its signs, representatives of the State Prosecutor's Office and the Police cooperated together with the national coordinator for combating trafficking in human beings. During the training, inspectors and other IRSD employees were provided with many pieces of useful information relevant to more quality inspections.

The IRSD representatives also participated in training abroad. Thus, they visited Vicenza, where training on the trafficking in human beings due to labour exploitation took place from 14 to 18 November 2016. The participants were the representatives of state prosecutor's offices, labour inspectors, police and non-governmental organisation from several countries. The training was organised by the Organisation for Security and Cooperation in Europe (OSCE).

In 2016, Caritas Slovenia carried out a three-hour training session for legal representatives of unaccompanied minors "Trafficking in human beings – Assisting and protecting the victims" within the scope of the contract on co-financing the project called "Providing assistance to victims of trafficking in human beings – Crisis accommodation". The training was attended by 28 legal representatives.

In 2016, the Ključ Society conducted three expert consultations for social workers, police officers, state prosecutors and representatives of local media on the topic of forced marriage. The consultations were attended by 88 participants. Five training courses for health-care workers, in total 77 participants, one basic training session on trafficking in human beings for police officers, employees of administrative units and employees of employment service

agencies, in total 54 participants, and two meetings of a focus group for (re)integration of the victims of trafficking in human beings and training for volunteers of the Ključ Society were also implemented.

### **3 Detection, investigation and prosecution of criminal acts of trafficking in human beings**

Trafficking in human beings is a severe criminal offence and a severe violation of human rights occurring through the world. Any country may be a country of origin, transit country or a destination, since trafficking in human beings is boundless. Usually, this is an international organised criminal activity of many people during a long time period, which makes detection and providing evidence of these criminal offences hard, long-lasting and complex. Perpetrators are usually connected by the profitability of the respective criminal offence. The trend of increasingly sophisticated forms of execution of criminal offences also continues which makes collecting of evidence in the cases processed even harder and thus the use of covert investigation measures is necessary in these cases. To obtain evidence, international cooperation is also needed. This phenomenon is typical for all modern societies and is becoming a structural element in some economic sectors, and in particular it violates the human rights and basic freedoms of individuals who become victims of such trafficking and exploitation.

Activities, findings and statistical indicators of individual authorities dealing with detection, investigation and prosecution of the criminal offence of trafficking in human being and other forms of preventing the consequences of such acts are summarised below.

#### **3.1 Police activities**

Based on the police findings stemming from investigations of the criminal offence of trafficking in human beings, as per Article 113 of the Criminal Code (KZ-1) and based on cooperation with foreign security services, Slovenia is in this respect mainly:

- A destination country for citizens of third countries from Eastern and South-eastern Europe who were exploited in Slovenia for prostitution (from Ukraine and Serbia), for girls from the EU (Hungary and Slovakia) with no temporary residence, unemployed and with no proper social or health-care insurance, but being engaged in prostitution in Slovenia, and for persons from the EU (Slovakia, Bulgaria and Romania) who are involved in organised begging in Slovenia;
- A transit country for persons from the EU (Slovakia, Bulgaria, Romania) who are identified as victims of trafficking in human beings due to forced labour, in particular begging and forced execution of criminal offences. In Slovenia, the police detect the occasional presence of criminal groups dealing with trafficking in human beings due to forced begging and travelling from countries of origin (e.g. from Bulgaria, Romania and Slovakia) through Slovenia to other EU countries (e.g. Italy, Austria and France). They remain in Slovenia for a short time, generally in rest areas along the motorway.

In 2016, the police discovered and dealt with several forms of trafficking in human beings. They established that a majority of cases were recognised as a form of prostitution exploitation and other sexual abuse of victims of trafficking in human beings. In cooperation with other state authorities, the police also investigated other detected suspicions of exploitation of victims of trafficking in human beings due to forced labour, in particular begging.

Thus, in 2016, criminal offences of trafficking in human beings were investigated within the scope of **five police investigations**, dealing with **31 criminal offences** against **15 suspects** and **27 injured parties – victims of trafficking in human beings**.

In 2016, as per Article 175 of KZ-1, the police did not detect or deal with any suspicion of the criminal offence of prostitution abuse or detect and dealt with any criminal offence of enslavement as per Article 112 of KZ-1.

**Table 1:** Display of the number of suspects of the crime of trafficking in human beings in 2016 as per Article 113 of KZ-1

Gender	Citizenship	Age	2016
	Bulgaria	over 64	1
	Unknown	24-34	2
	Unknown	34-44	1
	Slovenia	24-34	3
	Slovenia	34-44	1
	Slovenia	44-54	1
	Slovenia	54-64	2
<b>Men in total</b>			<b>11</b>
	Slovenia	18-24	1
	Slovenia	34-44	1
	Serbia	24-34	1
	Ukraine	34-44	1
<b>Women in total</b>			<b>4</b>
<b>Total</b>			<b>15</b>

In 2016, no cases of recruiting of victims of trafficking in human beings where the victims would be later exploited in the territory of any other state were detected in Slovenia. The table below shows the data on citizenship, gender and age structure of injured parties recognised as the victims of trafficking in human beings.

**Table 2:** The number of injured parties – victims of trafficking in human beings dealt with in 2016

Gender	Citizenship	Age	2016
Men	Bulgaria	54-64	1
	Unknown	54-64	1
<b>Men in total</b>			<b>2</b>
Women	Unknown	24-34	2
	Unknown	34-44	2
	Bosnia and Herzegovina	24-34	1
	Moldova	24-34	4
	Moldova	34-44	3

	Unknown	44-54	2
	Slovenia	18-24	3
	Serbia	24-34	3
	Serbia	34-44	1
	Ukraine	24-34	2
	Ukraine	34-44	2
<b>Women in total</b>			<b>25</b>
<b>Total</b>			<b>27</b>

### 3.1.1 Fields exposed to trafficking in human beings

#### Exploitation through prostitution

When monitoring the issue of prostitution, the Slovenian police found similar trends as in previous years. Due to the lack of reliable data on the number of people involved in offering and performing prostitution, trading in prostitution, the demand for the services and the use of payable sexual intercourse, the actual situation is hard to be determined precisely.

Nevertheless, the Slovenian police estimate that Slovenian citizens as well as citizens of other EU countries, e.g. Slovakia, the Czech Republic and Romania, and in the recent period also the citizens of third countries, in particular Ukraine and Serbia, are engaged in prostitution in Slovenia.

The characteristic of prostitution in Slovenia is its invisibility since it takes place in closed premises of leased or owner-occupied apartments, hotel rooms, etc. Street prostitution or prostitution in the open has not been detected. What prevails is the so-called middle level of prostitution, while prostitutes with permanent residence in Slovenia and independent in their work are mainly occasionally involved in the higher level of prostitution. In particular female aliens, residing in Slovenia on the basis of a temporary residence permit due to work or employment, are engaged in the prevailing form of middle level prostitution which takes place in hotels, apartments and night clubs. Female aliens are usually employed in night clubs as dancers, entertainers, assistant workers and stage performers.

In 2016, the police detected and dealt with exploitation of prostitution in all cases of the criminal offence of trafficking in human beings. The victims were recruited in the country of origin and transported to and accommodated in Slovenia. By abusing vulnerability, subordinate or dependent position and by deception, the perpetrators of criminal offences achieved their subordination and prostitution.

#### Employment in night clubs

In terms of the identification of potential victims of trafficking in human beings in night clubs, the police established the same trends as in previous years. The perpetrators of criminal offences of trafficking in human beings due to exploitation of prostitution and other forms of sexual abuse usually seize, accommodate or in any other way handle alleged victims, whereby abusing the legislative framework regarding the acquisition of the work permit. Exploitation of the dependent and subordinate position of alleged victims and exploitation of their vulnerability, causes the victims to subordinate and become involved in prostitution. The perpetrators as suspects of criminal offence of trafficking in human beings do not force victims into prostitution by using physical force or restriction of movement, but apply sophisticated methods of economic migration or financial dependence to control them. Such forms are detected in particular as

financial sanctions for breaking house rules and rules at the workplace, fictitious minimum wages, repayment of a debt for acquiring a work permit and travelling to the Republic of Slovenia and similar.

The exploitation of the vulnerability of the victims of trafficking is still shown in the way that victims do not regard themselves as such. They mainly come from socially and economically poor environments, and their stay in Slovenia forcing them into prostitution provides them means of survival. With the money earned they support their families and relatives in the country of origin. Thus recognised victims rarely cooperate with the police or State Prosecutor's Office and criminal procedure.

#### Advertising prostitution

Advertisements of prostitution in the printed and online media show photographs of persons and locations and contact telephone numbers and prices of sexual services. The activity usually takes place in apartments, hotel rooms and erotic massage parlours. Users give comments on online forums on the level of services, locations of night clubs and prostitutes.

#### Forced labour

In 2016, the police in cooperation with other competent state authorities (e.g. Furs and IRSD) detected and dealt with suspicions of committing a criminal offence of trafficking in human beings as per Article 113 of KZ-1, the purpose of which was the exploitation of forced labour of victims. Based on the information collected, in pre-trial proceedings the police did not establish sufficient elements for a criminal complaint, but submitted a report on the Specialised State Prosecutor's Office as per the paragraph 10 of Article 148 of the Criminal Procedure Act (ZKP).

In terms of recognising forced labour as one of the forms of exploiting victims of trafficking in human beings, the police prepared and with the Specialised State Prosecutor's Office harmonised the guidelines to demarcate the criminal offence of trafficking in human beings as per Article 113 of KZ-1 and other criminal offences referred to in Section 22 of KZ-1 (criminal offences against employment relationship and social security).

It should be noted that many criminal offences related to the violation of fundamental workers' rights as per Article 196 of KZ-1 was detected and dealt with in 2016, whereby the elements of labour exploitation of injured parties were found. In pre-trial proceedings dealing with the foregoing criminal offences and based on guidelines of competent district state prosecutors' offices, no elements of forced labour as forms of exploitation of victims of trafficking in human beings were detected, and these elements were also not established in further criminal proceedings.

**Table 3:** The number of criminal offences related to the violation of fundamental workers' rights as per Article 196 of KZ-1

Type of criminal offence	Number of criminal offences		
	2015	2016	Increase/decrease (in %)
<b>Violation of fundamental workers' rights (Article 196 of KZ-1)</b>	2,552	3,151	24.9

## Begging

In monitoring the issue of trafficking in human beings related to forced begging as one of the forms of forced labour, the police established that organised groups of beggars to whom begging means a way of life occasionally stay in Slovenia. The respective groups come from Slovakia, Bulgaria and Romania and are active mostly in the area of Ljubljana, Celje, Maribor and Koper. In these cases, the police has failed to identify the people forced into begging and the people who would recognise themselves as victims of trafficking in human beings.

The trend from previous years is established which indicates that these beggars do not wish to cooperate in police procedures or recognise themselves as victims of trafficking in human beings.

### **3.2 Activities of the State Prosecutor's Office**

Also in 2016, the Specialised State Prosecutor's Office (SDT) which is exclusively competent to prosecute criminal offences related to trafficking in human beings, actively performed its function in the field of criminal offences of trafficking in human beings as per Article 113 of KZ-1, criminal offences of enslavement as per Article 112 of KZ-1 and criminal offences of exploitation through prostitution as per Article 175 of KZ-1. The following was received and dealt with in the reporting period:

- **4 criminal complaints** due to criminal offences of trafficking in human beings as per Article 113 of KZ-1, namely against **14 natural person** and to the detriment of 61 victims (of which 2 were males);
- **4 reports** as per paragraph 10 of Article 148 of ZKP due to criminal offences of trafficking in human beings as per Article 113 of KZ-1, namely against **5 persons** and to the detriment of 6 victims (all females, of which one minor);
- **1 report** as per paragraph 10 of Article 148 of ZKP due to a criminal offence of trafficking in human beings as per Article 113 of KZ-1 and a criminal offence of the exploitation of prostitution as per Article 175 of KZ-1, namely against **2 persons** and to the detriment of 1 victim (female).

In terms of adoption of state prosecutors' decisions, in the reporting year state prosecutors of the Specialised State Prosecutor's Office of the Republic of Slovenia:

- in five cases issued a decision on dismissal due to a criminal offence of trafficking in human beings as per Article 113 of KZ-1, namely against 6 persons and to the detriment of 6 victims (all females, of which one minor);
- in one case issued a decision on dismissal due to a criminal offence of trafficking in human beings as per Article 113 of KZ-1 and a criminal offence of the exploitation of prostitution as per Article 175 of KZ-1, namely against 2 persons and to the detriment of 1 victim (female);
- filed **6 requests for investigation** due to criminal offences of trafficking in human beings as per Article 113 of KZ-1, namely against 17 persons and to the detriment of 63 victims (of which 2 were males, 61 were females, of which 1 minor);

- lodged **3 indictments** due to criminal offences of trafficking in human beings as per Article 113 of KZ-1, namely against **21 natural persons and 2 legal entities** and to the detriment of 107 victims (of all were females).

Regarding the presented statistical data it should be noted that individual cases in the same reporting period go through various phases, i.e. from the receipt of criminal complaint or report to be supplemented as per paragraph 10 of Article 148 of ZKP to the adoption of state prosecutors' decision, i.e. to the filing of request for investigation, filing of indictment and to the issue of decision on dismissal, also only in an individual part. Given the above, it is often that the same case is reported in the item of receiving a criminal complaint or report as per paragraph 10 of Article 148 of ZKP, in the item of dismissal, filing of a request for investigation and filing the indictment. Among these are also cases from previous years which are in different phases of the procedure.

The cases related to trafficking in human beings are usually larger cases, initiated against several people operating in a criminal group, and in almost all cases covert investigation measures had to be used for investigation and detection. Given the above, the procedures before the court are longer, in particular the phase of main hearing which can also last several years. In the reporting period, the courts concluded two cases, namely they:

- found **1 person** (to the detriment of 2 victims) guilty of two criminal offences of trafficking in human beings as per paragraph 1 of Article 113 of KZ-1 and pronounced a sentence of two years and six months imprisonment for the first criminal offence and three years imprisonment for the second criminal offence, followed by the **total sentence of five years' imprisonment** and payment of the obtained proceeds in the amount of EUR 1,240;
- **5 persons** (to the detriment of at least 51 victims) were found guilty of a criminal offence as per paragraph 1 and 2 of Article 175 of KZ-1 (and not of the criminal offence of trafficking in human beings as per Article 113 of KZ-1), and imposed the sentence of **five years' imprisonment** and 1,000 day-fines (EUR 34,100) on the first person, and imposed the sentence of **three years and six months imprisonment** and 300 day-fines (EUR 10,230) on the second person, and imposed the sentence of **one year and six months imprisonment** on the third person, and imposed a **probationary sentence** on the fourth person, setting the sentence of one year and six months imprisonment which will not be imposed if the accused does not commit another criminal offence during the probation period of four years. In 2015, the fifth accused person concluded an agreement with the Specialised State Prosecutor's Office confessing guilt. The agreement set the sentence to **three years imprisonment which will not be imposed if the accused person does not commit another criminal offence during the probation period of five years**, and a secondary sanction of 500 day-fines (the daily amount is determined in the amount of EUR 20), i.e. EUR 10,000. With its sentence, the court also confiscated items and money (in the total amount of slightly over EUR 26,000) and **confiscated** from the first person **criminal proceeds in the amount of just over EUR 850,000**. The court decided that the accused legal entity was not responsible for the alleged criminal offence.

Currently, there are six cases in the phase of judicial investigation, eight cases in the phase of pre-trial hearing or main hearing, and one case is referred for trial in Bulgaria. A measure of temporary insurance of property as per Article 502 of ZKP is imposed in six cases. In two cases, a legal action is filed as per the Confiscation of Proceeds of Crime Act (ZOPNI) and the respective cases are in the phase of main hearing, and a financial investigation is still under way in one case.

**Table 4:** Criminal proceedings and sanctions for perpetrators of the criminal act of trafficking in human beings (Article 113 of KZ-1)

<b>Criminalisation of trafficking in human beings</b>	
Number of persons in criminal proceedings	
Number of investigations launched	<b>6</b> against <b>17</b> natural persons
Number of indictments	<b>3</b> against <b>21</b> natural persons and <b>2</b> legal entities
<b>Sanctions and measures</b>	
Number of convictions for the criminal act of trafficking in human beings (convicted persons)	<b>2 (1 + 5*)</b>
Number of convictions with respect to the use of services of a victim of trafficking in human beings	<b>0</b>
<b>Length of imprisonment related to deprivation of freedom:</b>	
– minimum duration	
– maximum duration	
Number of court decisions resulting in confiscation or seizure of property	<b>1</b>

**Table 5:** Processed cases of perpetration of the criminal act of trafficking in human beings as per Article 113 of KZ-1, 2010–2016

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Number of suspects</b>	5	16	13	15	8	42	15
<b>Number of convicts</b>	4	6*	8	2	0	5	1 + 5*

### 3.2.1 Trend of exploiting the vulnerability of victims of trafficking in human beings

The SDT established that collecting evidence of criminal offences related to trafficking in human beings is very hard and specific. The majority of criminal offences related to the respective issue refers to the execution form due to the exploitation of prostitution, an individual case to slavery/servitude and forced labour. Based on the cases still dealt with by the SDT it may be established that in the past such criminal offences were executed along with physical violence, restriction of personal freedom and illegal accommodation and labour in a country. However, the cases dealt with in recent years indicate that members of criminal groups do not have to execute violence and coercive methods any more. The recent trends of traffickers in human beings indicate the exploitation of vulnerable persons to obtain proceeds. The execution of these criminal offences refer to a common characteristic, namely the accused treat people like objects to exploit their vulnerability or some personal characteristics, specifics, simplicity. It is

\* Judgements in which the court changed the legal definition of trafficking in human beings into exploitation through prostitution.

typical that victims usually have some personal freedom, personal documents, they are allowed to use phones and the internet, have some of their own money, usually voluntarily enter into relationships with a criminal group, often have legal Slovenian residence permits.

Almost always, the victims of the foregoing criminal offences are aliens, usually women, exceptionally minors. Without exception, victims come from economically poor countries (Ukraine, the Dominican Republic, Moldova, Bulgaria, Romania, Serbia, Bosnia and Herzegovina, Hungary) and are due to some personal reason vulnerable, e.g. unemployment, poor employment possibilities, low level of education, exceptionally low earnings, indebtedness, obligation to maintain minor children, disability, serious illness in the family, personal simplicity, etc. Injured persons usually do not recognise themselves as victims making the process of collecting evidence even harder since they justify, minimise the actions of the accused, they pretend ignorance, feel ashamed or even deny such actions.

Due to their vulnerability, the victims are seemingly satisfied with earning at least some money, although the major share goes to the accused (perpetrators). On the other hand, in relation to members of criminal groups, the victims find themselves in such financial situation that they intensively perform deeds for the criminal group to fulfil all obligations and stay and persist in this relationship. Persons staying and persisting in such relationship and coming back are the circumstances implicating that they are gripped by a high level of subordination.

In their own striving for large profits the accused brutally and ruthlessly exploit the difficult economic situation and vulnerability of victims who, striving to improve their lives and thus also the lives of their loved ones, agree also to the degradation of their own dignity. The accused are well aware of their powerlessness. They systematically exploit the vulnerability of victims and make great profit. Usually, they do not use physical violence, do not deprive the victim of their freedom, personal documents and mobile phones. However, the accused often use sophisticated physical violence which the victims have difficulty in recognising and describing since they accept it as a part of their lives enabling survival.

The victims are economically exploited (profit sharing) and in terms of personal dignity, they are in the grip of the accused, since in the case of losing their job the victims have no chance of survival or providing for the survival of their family members. Notwithstanding some final court cases, where the courts already recognised statutory elements of a criminal offence of trafficking in human beings as per Article 113 of KZ-1 not executed through physical violence, deprivation of personal freedom and personal documents and contemporary communication devices, recently there have been legal decisions made in open court or just concluded cases at the SDT stating that it is not trafficking in human beings, but "only" exploitation through prostitution. It can be concluded from the court decisions that the statutory elements of recruiting do not consider the recruitment of victims through modern electronic channels and by using friendly connections, staying at locations in the domain of the accused is not deemed a statutory element of accommodating, while the trafficking in human beings is linked with physical violence, deprivation of personal freedom, personal documents and mobile phones and complete control over the victim. In particular, the courts do not associate the actions of leaving no acceptable option to the victims with the vulnerability of a victim, through which the accused recruited the victims to work for them under their conditions and rules.

Contemporary forms of trafficking in human beings are different since there is no slavery with shackles any more. Today, traffickers do not have to use violence, since the profits are greater if victims work for the accused "of their own volition". The accused must only find vulnerable people/victims who accept the work under certain conditions which is reflected in different forms of exploitation. Since people – human beings – are the subject of trafficking and consequently exploitation, it is fundamental to protect them. Certainly, we cannot ignore the fact that

trafficking in human beings exists in Slovenia, since the disposal of human beings comes in different forms. Victims of trafficking in human beings suffer severe mental and physical consequences since members of criminal groups repeatedly exploit them, and are often scarred for life. The accused closely monitor court decisions and also skilfully adapt their operations and forms of exploitation. Furthermore, in some recent cases the SDT established that in the phase of main hearing against the accused the courts eliminated the measures to ensure the presence and risk of recidivism since the courts do not act "reasonably" quickly and thus the detention does not last the shortest time possible, although only one year of two had passed after the filed indictment as per ZKP regarding the duration of detention.

### **3.3 Activities of the Labour Inspectorate of the Republic of Slovenia**

Below, there are findings of labour inspectors in 2016 regarding the execution of control over employment and work of aliens according to the Employment, Self-employment and Work of Aliens Act (Official Gazette of the Republic of Slovenia, No 47/15, hereinafter referred to as: ZZSDT) and the Employment Relationship Act (Official Gazette of the Republic of Slovenia, No. 21/2013 with corr. and amend., hereinafter referred to as: ZDR-1).

Similar to previous years, labour inspectors did not find a greater number of violations of the provision governing the conditions of employment, self-employment and work of aliens in Slovenia. In 2016, **20 violations** of the respective act were established in total. Since some work permits, issued in relation to the employment and work of aliens as per the previously applicable Employment and Work of Aliens Act (Official Gazette of the Republic of Slovenia, No 26/11, with amend., hereinafter referred to as: ZZDT-1), were still valid, in 2016 inspectors also recorded **five violations** of this Act. All five violations of the previously valid ZZDT-1 referred to Article 53 of timely return of work permits to the issuing authority if the employer or the person responsible for registration of work of an alien failed to conclude employment or other contractual relationships or if employment or other contractual relationship was terminated prior to the expiry of employment or work permit.

Inspectors found the most violations of the applicable ZZSDT in relation to Article 7 (**eight violations**) – in these cases the employers ensured that aliens carried out other work for which the consent was given or seasonal work permit was issued defined in the procedure of issuing or extension of a single permit or EU Blue Card or issuing of written approval. In the reporting period, financial controllers also found **four violations** of Article 45 of the ZZSDT regarding the keeping of documentation at the location of performing services between the posting of workers to Slovenia at the location of performing services or regarding the cooperation of employers and contracting authorities with supervisory bodies (including the provision of access to all available evidence on the basis of which the document permitting the employment, self-employment or work in Slovenia was issued). Also in **four cases** in 2016, labour inspectors found violations of Article 10 of the ZZSDT which stipulates that employers and work contracting authorities who also provide aliens with accommodation in Slovenia must provide minimum living and hygiene standards.

Also in terms of failure to report services with posted workers, in 2016, inspectors found **four violations** (they are violations of Article 35 and 36 of the ZZSDT governing the provision of services of companies with their registered office in a EU Member State, EEA or the Swiss Confederation (Article 35) or performance of short-term services of providers from third countries (Article 36)). The foregoing violations can be verified exclusively on the basis of received reports and findings of other inspection authorities which establish on-site that the

provision of service is not registered with the Employment Service of Slovenia (e.g. findings of FURS's mobile units). In these cases, quick action and good cooperation between the supervisory authorities are crucial, since the period during which the services are provided in Slovenia is often very short, even one day. Without prior report of the supervisory authorities discovering irregularities on-site, the failure of reporting the service is actually impossible to detect.

### **3.3 Findings of the Labour Inspectorate of the Republic of Slovenia**

According to the labour inspectors, the employment and posting of alien workers or workers who are the citizens of EU Member States occur frequently in employers carrying out a direct production process since there is a lack of adequate workers in the Slovenian labour market. In practice, the inspectors notice that in such cases several legal entities or individuals provide those employers with workers from abroad or the EU Member States (Bulgaria, Romania, etc.). In 2016, through their actions in individual cases the labour inspectors achieved that the workers who were citizens of the EU Member States were employed directly by employers with their registered office in Slovenia, where the respective workers carried out a work process.

The inspectors noticed that there are still many workers in Slovenia who perform their activity mainly abroad or in EU Member States, in particular in civil engineering and road transport.

In 2016, within the scope of target-oriented supervisions in the field of hotels and restaurants, they also dealt with cases where aliens in the field of tourism conducted practical training or internship. The internship was conducted by students from countries established in the territory of the Republics of the former Yugoslavia. Upon the detected violations, the inspectors took actions as per their competences within the offence procedures and by issuing a decision by which a labour inspector prohibits the performance of work of workers or work process or the use of resources until the elimination of irregularities if it is established during the inspection that inter alia an employer provided work for an alien or stateless person in contravention of the regulation governing the employment of aliens.

The reporting of the employment and work of aliens is very complex, and inspectors have many obstacles in supervising the respective field. They are faced with practically insolvable problems when the violators of labour legislation are employers with alien citizens (citizens of EU Member States or third countries) who have no residence in Slovenia acting as legal representatives. These cases can be divided in two situations:

- from the establishment of a company, its representative is an alien without residency in Slovenia;
- a company was established and represented by a Slovenian citizen, but when it ran into difficulties, the Slovenian citizen sold it to an alien who became its legal representative; such companies were often left without assets and with their legal representatives unreachable abroad and workers left without any rights.

In these cases, the representatives of employers are often unreachable for inspections, and **the actions of labour inspectors are in the majority of cases inefficient.**

In terms of the employment of aliens, inspectors noticed an issue where employers in some cases present on payslips a higher salary (even by several thousand euro) for workers who lodge an application to obtain a residence permit in Slovenia for family members (family reunification) than they actually pay. Thus, aliens provide evidence of their ability to maintain

their family members at administrative units. Before and after a three-month period of filing an application, which is a legal period for which payslips must be submitted, inspectors found that the salaries of these aliens usually do not exceed the amount of minimum wage or are not even paid. Thus, aliens or their family members, after receiving the residency permit, immediately apply at social work centres to exercise social assistance rights – and on the basis of the data on low or non-paid income, social work centres approve them the respective rights. Inspectors presume that in these cases this is **an evasion in the field of social security**.

In terms of providing rights to workers posted for temporary work in Slovenia based on an employment contract as per foreign law, no violations of Article 210 of ZDR-1 governing the status of posted workers were established in 2016. As per the respective Article of ZDR-1, the employer must ensure posted workers' rights according to the regulations which apply in the Republic of Slovenia and the provisions of collective agreement for a particular branch of activity, which regulate working hours, breaks and rests, night work, minimum annual leave, payment, safety and health at work, special protection of workers, and affirmative action if this is considered more favourable for workers. It is true, though, that violations of labour legislation are recorded according to the content of violation and not necessarily as a violation of Article 210 of ZDR-1. Violations referring to inappropriate arrangement of working hours of posted workers, annual leave or payments, etc. are recorded as violations related to working hours, annual leave or payment, and not specifically as a violation of the arrangement of the status of posted workers. Therefore, there are no specific data on the number of cases these rights were violated only (or also) for posted workers, but the detected violations are recorded as per the content of violation.

Given that the data on the IRSD findings do not indicate that the field of employment and work of aliens in Slovenia is specifically problematic since there are only a few violations and reports in the respective field, it may be concluded that presently **Slovenia is not a country receiving foreign labour**, but mainly **a sending state** which posts workers abroad. This is confirmed by the violations of Articles 208 and 209 of ZDR-1 which govern the rights of workers posted from Slovenia to other countries and are higher in number (**246 violations** in 2016) as violations established in relation to provision of rights to workers posted to Slovenia from other countries. That Slovenia is mainly a state sending "labour force" is also proven by the high number of issued A1 forms, i.e. in 2015 over 120,000, in 2016 even more.

There is an increasing number of reports or procedures dealing with violations of rights of workers posted abroad or to EU Member States by employers registered in Slovenia. It should be noted that employers post workers from Slovenia who are the citizens of Slovenia and foreign workers. The reports mostly refer to payment of wages, handing over of payslips (also there are uncertainties regarding the content of payslips since they do not clearly present what is basic salary, supplements and reimbursement – additional confusion in this regard is also caused by a different comprehension of a salary and its items in different countries), irregularities upon the termination of employment relationships, and deregistrations from social insurance. In these cases, a knowledge of labour legislation of other countries and international cooperation between competent supervisory bodies are crucial. To implement cross-border services with posted workers, there is the established so-called IMI system providing the exchange of information with competent authorities of the EU Member States. Still, there are many open issues related to inspections of implementation of services in other countries (e.g. regarding the servicing of decisions of inspection authorities related to collection of fines imposed in Slovenia on foreign employers, etc.), while inspectors also have problems reaching employers of subjects to inspection. By introducing the new Transnational Provision of Services Act it is expected that this issue will be more clearly regulated and that the issuing of A1 forms

will be prevented for employers who do not fulfil conditions for transnational provision of services.

In May 2016, labour inspectors in cooperation with FURS and the Police joined in a European action taking place in 21 European countries at the same time. In Slovenia, inspections were carried out in 45 employers with their responsible persons being Chinese citizens. The inspection was performed in the field of occupational safety and health and in the field of employment relationships. The findings were sent to the Police and Europol. At its headquarters in the Hague, a working meeting took place in November with the presentation of IRSD operation and findings of the joint European action of target-oriented supervision in companies with responsible persons being Chinese citizens.

### **3.4 Activities of the Financial Administration of the Republic of Slovenia**

In 2016, the Financial Administration of the Republic of Slovenia (Furs) detected offences in the field of the Prevention of Undeclared Work and Employment Act (hereinafter referred to as ZPDZC-1) and denounced or reported them for criminal offences as per the Criminal Code. Numerical values were also given for those criminal offences that may be connected with labour exploitation.

The most frequently controlled activities conducted under the auspices of FURS as per ZPDZC-1 by mobile divisions and financial controllers are civil engineering, transport, hotels and restaurants, traffic, commerce, maintenance and repair of motor vehicles and processing activities.

In the reporting period, in terms of procedures on offences referring to violations of ZPDZC-1 (undeclared work, undeclared employment), **1,197 decisions concerning minor offences and payment orders** were issued, which amounted to total of **EUR 2,947,333.20**, and **608 cautions**. Classification according to fields is as follows:

- **314 minor offences** for the violation of **undeclared work**, of which 67 minor offences referred to violations including foreign citizens,
- **1,603 minor offences** due to violation of **undeclared employment**, of which 116 minor offences referred to the violations of individuals – aliens, four minor offences referred to violations of employers employing an alien or a person without citizenship against the regulations governing employment of aliens (indent 5 of paragraph 5 of Article 23 of ZPDZC-1), 31 minor offences related to violation of employers illegally employing a citizen of a third country (indent 6 of paragraph 1 of Article 23 of ZPDZC-1).

In 2016, FURS filed or reported the total of **18 criminal complaints as per Article 199 of KZ-1 – Undeclared employment**, all as per paragraph 1 of the respective Article; in 12 cases they referred to Slovenian citizens, in four cases to foreign citizens, and in two case to Slovenian and foreign citizens at the same time.

As per **Article 196 of KZ-1 – Violation of fundamental workers' rights**, **nine criminal complaints and three reports** were filed. In 2016, FURS **did not file any criminal complaint or report as per Article 113 of KZ-1 – Trafficking in human beings**.

## 4 Assistance and protection

### 4.1 "Providing Assistance to Victims of Trafficking in Human Beings" programme

#### 4.1.1 Crisis accommodation

The MDDSZ funded the project called "Providing Assistance to Victims of Trafficking in Human beings – Crisis accommodation", namely for the period from 1 June 2016 and the whole of 2017. Caritas Slovenia was elected to implement the project. This is up to 30 days of assistance provided to recognised victims, i.e. adults as well as children, who need immediate withdrawal from their environment.

In 2016, from 1 June to 31 December, **three persons** were accommodated in crisis accommodation: two men, both Bulgarians, victims of forced begging and a citizen of Slovenia suspected to offer sexual services, a suspicion of forced prostitution. At their request, the men were assisted to return to their country of origin.

Thus, 38 care days were conducted in the crisis accommodation. In the respective period, the MDDSZ allocated EUR 26,250.00 for the crisis accommodation project, i.e. 80% of salary of one employed person and accommodation costs. The actual costs that were compensated to the project holder amounted to a total of EUR 14,212.26.

Persons placed in the crisis accommodation were provided with accommodation, food, first psycho-social aid, emergency medical care, counselling, information about their rights in accordance with legal rights, interpreting, advocacy, social activities, socialisation, escort, protection and safety, assistance in return to their homeland and material aid. Persons in crisis accommodation are monitored by expert workers and trained volunteers 24 hours a day.

The continuity of implementing the programme of crisis accommodation is important for undisturbed provision of first care and is one of key activities of the action plan.

#### 4.1.2 Safe accommodation

In October 2015, the Ministry of the Interior issued a call for applications for the project "Providing assistance to victims of trafficking in human beings – Placement in safe accommodation", namely for the 2016–2017 period. It is a programme following crisis accommodation, namely for all recognised victims of trafficking in human beings who need further comprehensive care or are prepared to cooperate with the law enforcement authorities in the criminal procedure against the perpetrators. Caritas Slovenia was elected to implement the programme.

In 2016, **one person – a victim of trafficking in human beings**, a citizen of Slovenia was included in the programme "Providing Assistance to victims of trafficking in human beings – placement in safe accommodation", i.e. from 15 to 19 July.

From 1 January to 31 December 2015, the Ministry of the Interior allocated EUR 40,000.00 for the crisis accommodation project, which includes a salary of one employee and accommodation costs. The actual costs that were compensated to the project holder amounted to a total of EUR

18,604.75. It should be noted that the project holder, Caritas Slovenia, when applying for the programme, registered only 50% co-funding of salary of the first employee on the project, which significantly decreased the labour costs.

In 2016, the project holder issued a brochure and printed it in 25,000 copies. The brochure is very convenient, its two sided print of content clearly and transparently notifies the readers about the issue of trafficking in human beings and contact information for assistance. It provides the most important information on trafficking in human beings in nine languages (Slovenian, English, Serbian, Russian, Arab, Spanish, Hungarian, Chinese, Romanian) in a readable and transparent manner. The brochure was delivered to primary and secondary schools, student halls of residence, social work centres, labour offices, youth centres, crisis centres, safe houses and maternity homes, juvenile homes, residential treatment institutions and groups for children and minors and organisations and interest groups working with minors, embassies, health care centres, border crossings, police stations.

**Table 6:** Number of identified victims of trafficking in human beings

2016				
	Women	Men	Children	Total
<b>Identification of victims</b>				
Number of victims identified in 2014	25	2		27
<b>Forms of exploitation of the identified victims:</b>				
– sexual abuse	25			25
– forced labour or services				/
– slavery or similar condition, begging		2		2
– servitude				/
– removal of organs				/
<b>Number of victims:</b>				
– trafficking in human beings at the national level	3			3
– trafficking in human beings at the international level	22	2		24
<b>Assistance for victims</b>				
Number of victims of trafficking in human beings who received any kind of assistance				27
Number of victims of trafficking in human beings who refused the assistance offered				24
Number of victims of trafficking in human beings who were accommodated in asylums	1 + 1*	2		4
<b>Period of recovery and reflection</b>				
Number of victims (including those believed on reasonable grounds to be victims) who received approval for a 'period of recovery and reflection'	1	2		3
<b>Residence permit</b>				
Number of victims of trafficking in human beings who were issued a residence permit:				
- due to personal circumstances	1*			1*
– due to cooperation with the authorised authorities in the investigation or criminal proceedings				/

\* Extending accommodation in a safe place and extending a temporary residence permit.

<b>Compensation and legal means</b>				
Number of victims of trafficking in human beings who received compensation				<b>0</b>
Compensation granted:				
- minimum amount granted to victims (in EUR)				
- maximum amount granted to victims (in EUR)				
<b>Repatriation and return of victims</b>				
Number of victims of trafficking in human beings returned to Slovenia				<b>0</b>
Number of victims of trafficking in human beings who were returned from Slovenia to other countries				<b>0</b>

*Table 7: Number of identified victims of trafficking in human beings in 2016 according to country of origin, gender and age*

Number of victims by country of origin	2016	
	Men (age)	Women (age)
Bulgaria	2 (54–64)	
Bosnia and Herzegovina		1 (24–34)
Moldova		4 (24–34)
Moldova		3 (34-44)
Slovenia		3 (18-24)
Serbia		3 (24-34)
Serbia		1 (34-44)
Ukraine		2 (24-34)
Ukraine		2 (34-44)
Unknown		2 (24-34)
Unknown		2 (34-44)
Unknown		2 (44-54)
<b>TOTAL</b>	<b>2</b>	<b>25</b>

#### **4.2 The project "Introducing a mechanism for identification of, assistance to and protection of victims of trafficking in human beings and/or sexual abuse in asylum procedures in Slovenia (PATS)"**

The project started to be implemented upon the signing of the agreement between the Ministry of the Interior and the contractor, the Institute for African Studies. The project was co-funded by the European Commission from the Asylum, Migration and Integration Fund. In the period from 23 October 2015 to 27 December 2016, when individual information on trafficking in human beings, sexual violence and violence by gender and on the most suitable forms of behaviour that foster prevention and identification of potential victims of trafficking in human beings, sexual violence and violence by gender started to be provided in their own language, **194 persons** were provided with information, namely 149 men and 45 women. In terms of the country of origin of the applicant for international protection, the information was provided to persons from

Afghanistan (93), followed by Syria (29), Iraq (11), Iran (15), Algeria (7), Libya (6), Pakistan (6), Albania (6), Morocco (5), Turkey (4), Gaza (2), Serbia (2), Bangladesh (2), Kosovo (2), Ukraine (1), Cuba (1), Eritrea (1) and Russia (1). The provision of information took place in the Asylum Centre in Ljubljana and the branch of the Asylum Centre in Logatec and in crisis centres in Ljubljana and Radovljica.

It is important to emphasise that after the concluded provision of information to a vulnerable person, the contractor wrote a report on the concluded provision of information and presented its personal opinion. Upon identifying a potential victim of trafficking in human beings, sexual violence and violence by gender, the contractor immediately informed competent employees of the Asylum Centre, who, based on the opinion, convened a meeting of the members of expert group for preventing sexual violence and violence by gender in 48 hours as per the standard operational procedure for preventing and taking actions in the cases of sexual violence and violence by gender. This group was convened in ten instances, the majority of them referring to a suspicion that a person was a victim of torture, violence or some traumatic events.

Upon the EU Anti-Trafficking Day, the Asylum Centre in Ljubljana organised two workshops carried out by the Institute for African Studies. One group was intended for applicants speaking Farsi, Eritrean, Turkish and English, while the other was organised for Arabic-speaking applicants for international protection.

## **5 International activities and partnerships**

### **5.1 International activities**

In 2015, within the framework of the mandate, **the national coordinator** actively took part in international events which with their various mechanisms and measures have an impact on the prevention and combating trafficking in human beings. The national coordinator actively participated in the following events:

– in 2016, the EU coordinator for combating trafficking in human beings together with the presiding state organised two meetings of the non-formal network of national rapporteurs or equivalent mechanisms. The first meeting was held on 19 and 20 May and co-organised by the Netherlands as the state presiding over the EU Council. The Handbook for experts in the field of cooperation for combating trafficking in human beings for the purpose of labour exploitation was also presented. It was followed by a presentation of some financial institutions and their roles in preventing and detecting suspicions of trafficking in human beings. In addition to some local banks, the main focus was on the representative of Western Union, through who all financial transactions are usually made, the funds of which originate from this kind of criminal offences. The next day, the European Commission presented some starting points on the new EU strategy for preventing and combating trafficking in human beings. The second meeting in 2016 was held on 5 and 6 December and was co-organised by Slovakia. A summary of replies of Member States was presented on the implementation of Council Directive, No. 2004/81/EC on residence permits issued to citizens of third countries who are victims of illegal trafficking in human beings or were a subject of actions providing illegal residence cooperating with competent authorities; this was followed by a discussion. The next day, reports as per Article 23 of Directive 2011/36/EU were presented;

– on 11 and 12 April 2016, the 16th conference of the Alliance against Trafficking in Persons was held in Vienna, namely led by the Organisation for Security and Cooperation in Europe (OSCE). The conference related to the unpredictability of the phenomenon of trafficking in human beings with the focus on the exploitation of victims due to the execution of criminal offences;

– On 7 and 8 September 2016, in Berlin, the OSCE prepared a conference on preventing trafficking in human beings due to labour exploitation in supply chains. The conference thoroughly dealt with the topic of labour exploitation and its consequential inclusion of individual economic sectors in the cycle of preventing this issue. The mere agenda indicated an active participation of representatives of international corporations which could also be an integral part of a supply chain in cases of trafficking in human beings, in particular in their direct exploitation in employment or in their indirect supply of products and semi-manufactured products based on labour exploitation of victims of trafficking. Thus, representatives of Lidl, H&M retail chain, Ikea, Electronic Industry, Philip Morris, the Tesco retail chain and some others participate in active discussions. The discussions were based on the findings of independent research of the International Labour Organisation indicating the issue of 20.9 million people forced into various forms of labour exploitation. According to the estimates made by experts, USD 150 billion of illegal profit is generated annually. On the other hand, there were only 216 of 4,443 convictions (less than 5%) for trafficking in human beings due to forced labour at the global level in 2014. The statistics clearly indicate that the area needs more engagement of law enforcement agencies as well as proper awareness raising and inclusion of a broader selection of stakeholders in prevention activities;

– on 21 October 2016, in Vienna on EU Anti-Trafficking Day, the conference entitled Human Trafficking and its Victims – New Developments was held. The event was organised by the OSCE together with the Austrian operational group for combating trafficking in human beings and some other organisations active in the respective field. The first discussion dealt with the issue of trafficking in human beings in the context of migration crisis. A BKA organisation representative from Austria emphasised that the Austrian security authorities failed to identify a single victim of trafficking in human beings during the migration wave affecting Europe at the end of 2015. This proves that migration and trafficking in human beings are not necessarily directly linked in the first phase. Later in the discussion, this was also confirmed by a representative of the Federal Ministry of the Interior (Germany) saying that German security authorities also failed to identify a single victim of trafficking in human beings in the last migration wave and that 75% of victims of trafficking in human beings in Germany come from European countries and not other continents. The central topic of the second discussion was labour exploitation in all forms. The discussion shows that in some other developed European countries, such as Germany and Austria, trafficking in human beings due to labour exploitation is also not the most frequently recognised form. The speakers thus presented the efforts of individual organisations to strengthen activities to recognise this issue;

– on 27 and 28 October 2016, the national coordinator participated in the conference of regional OSCE office in Macedonia. The subject of the conference dealt with the issue of trafficking in human beings along the migration path of the Western Balkans. Some sections, into which the subject of the conference was divided, included the topics of detecting the phenomenon of trafficking in human beings in the respective migration path, challenges and opportunities to recognise the victims and efficiency of judicial response to criminal offences of illegal migrations and trafficking in human beings;

– within the anticipated deadline, i.e. by 7 February 2016, Slovenia submitted to the Council of Europe the information on the adopted measures and implementation of 26 recommendations

of Supervisory Mechanism of GRETA as per the implementation of the the Council of Europe Convention on Action Against Trafficking in Human Beings (Official Gazette of the Republic of Slovenia, No. 62/09 – International Treaties, No. 14/09). The contents of the report were then addressed at the 18th meeting of the Committee of the Parties to the Council of Europe Convention on 23 May 2016 attended by the national coordinator summoned to give comments and present the report. The chairperson of the Committee initially mentioned that the Ključ Society had submitted a letter noting some deficiencies of the report in Slovenia. In relation to the content of the letter of the respective non-governmental organisation or reporting, there were no additional questions or comments;

– between 21 and 23 June, a meeting of national coordinators for combating trafficking in human beings was held under the Council of Europe. A joint project of the Council of Europe and the International Centre for Migration Policy Development (ICMPD) on the Transnational Referral Mechanism was presented which is expected to contribute to better responsiveness of national institutions in cases of trafficking in human beings at the international and regional levels. At the same time, the meeting was an opportunity to exchange opinions and positions on other open issues in the field of combating trafficking in human beings;

– on 15 and 16 March, the Slovenian delegation at the 116th meeting of the UN Human Rights Committee in Geneva presented the third regular report on the implementation of the International Covenant on Civil and Political Rights and participated in the interactive dialogue with the Committee. One of the topics was the issue of trafficking in human beings in Slovenia and combating this phenomenon. A member of the delegation was thus the national coordinator for combating trafficking in human beings;

– national coordinators for combating trafficking in human beings in Southeastern Europe (NATC JVE) usually meet once or twice a year according to agreement and within the organisation of an individual hosting nation. Due to rationality, these meetings are held within the framework of other international meetings, or, if possible, are organised by an individual country hosting the meeting. Based on the decision of the ministerial conference of the Brdo Process in 2010, the ICMPD is the secretariat of this incentive.

Thus, from 11 to 13 May 2016, a regular meeting of national coordinators combating trafficking in human beings in Southeastern Europe was held. This was organised by the Albanian national coordinator Elona Gjebrea Hoxa in cooperation with the OSCE office in Albania. The national coordinator for Slovenia attended the meeting. It was focused on the topic of unattended children and familiarisation with the current situation regarding this issue in individual participating states. On this occasion, the coordinator also met with the ambassador of the Republic of Slovenia in Tirana, Lea Stančič, and exchanged views on the issue of trafficking in human beings in Albania.

**The Ministry of Foreign Affairs** participates in detection and reporting on the issue of trafficking in human beings through the network of Slovenian offices, in particular in Kiev, Moscow, Beijing, New Delhi and Buenos Aires. The diplomatic and consular network also cooperates in promotion activities of awareness-raising in host countries. Within the scope of international organisations, the ministry cooperates in the preparation of statements and drafting of resolutions in the field of combating trafficking in human beings. In May, in the Council of Europe, Slovenia presented the report on the implementation of recommendations of the monitoring mechanism in compliance with the Council of Europe Convention on Action against Trafficking in Human Beings.

In investigating the criminal offence of trafficking in human beings, **the police** exchange information with EU Member States within its cooperation with Europol, and with third countries within its cooperation with Interpol.

Cooperation and exchange of information with EU Member States are conducted at the operational level, namely for investigating the criminal offences of trafficking in human beings and in the project activities of the Europol European Multidisciplinary Platform against Criminal Threats (EMPACT). The latter stem from the operational action plan for 2016 and relate to Chinese organised crime groups. This issue is not detected in Slovenia, meaning that Chinese citizens are not recognised as victims or perpetrators of the criminal offence of trafficking in human beings.

**The Labour Inspectorate of the Republic of Slovenia** (IRSD) with its representatives also actively participated and operated in the international field:

– in January, the representative of the IRSD, together with two representatives of the General Police Directorate, attended the conference and workshops in Amsterdam organised by the Netherlands Presidency of the EU Council. Representatives of labour inspectorates, police, unions, and representatives of employers from all over Europe were invited to the conference and workshops.

– The IRSD also actively participated in the international project called Posting of workers: Sharing experiences, promoting best practices and improving access to information, led by the Research Centre of the Slovenian Academy of Sciences and Arts (SAZU). In terms of its content, the project referred to posted workers, exchange of experience, promotion of good practices and improving the access to this kind of information. The Association of Free Trade Unions of Slovenia, Chamber of Commerce and Industry of Slovenia, Croatian ministry responsible for labour, Faculty of Philosophy Zagreb, University of Rostock, and the Labour Inspectorate from Belgium also participated in the project. The goals of the project were to increase through different activities the accessibility, transparency and coherence of information on the posting of workers in the framework of the provision of services for different target groups and maximum familiarisation of stakeholders and general public with directives of the European Parliament on the posting of workers in the framework of the provision of services. The project was also intended to create a more efficient dialogue between institutions and better familiarisation of workers, employers and competent services with the process of posting, rights and obligations and possibilities of actions in the case of irregularities in this field. One of the gains of the project is also a website which provides comprehensive information in four languages (Slovenian, Croatian, German and English) to the general public on the rights and obligations related to posted workers, the Slovenian version of the website available at: <http://www.napotenidelavci.si>.

## **5.2 Partnerships and research**

In the reporting year no special research on trafficking in human beings was conducted. Partnerships between organisations dealing with the prevention and combating of trafficking in human beings were already established on the basis of their nature of work. In particular, these are forms of operational and direct cooperation in specific cases. Thus, the cooperation of the police (UKP), State Prosecutor's Office (SDT) and non-governmental organisations (Caritas Slovenia and Ključ Society) is a basis in dealing with individual cases of trafficking in human beings. The same also applies to the field of prevention between the Government

Communication Office and non-governmental organisations as providers of prevention programmes and between the Asylum Centre and non-governmental organisation in recognising cases of trafficking in human beings in the procedures including applicants for international protection.

The operational cases of detecting cases of trafficking in human beings, as well as the success of the cooperation of the police with diplomatic and consular representative offices abroad is evident, and also the joint cooperation with the Labour Inspectorate of the Republic of Slovenia and FURS. In 2016, the police in cooperation with the IRSD and FURS implemented stricter supervision of the operations of several companies. The goal was in particular to recognise persons who could be victims of the criminal offence of trafficking in human beings related to forced labour. Together with FURS and the IRSD, the police conducted supervision in 43 companies throughout Slovenia. During the implementation of control, no victims of trafficking in human beings were recognised.

## Conclusion

The MDS TZL report for 2016 summarises the main measures and activities in the field of prevention and combating trafficking in human beings included in the sections of legislation, policies, prevention, detection and prosecution, assistance to victims and international activities. In addition to the contributions of individual authorities included in the activity of preventing and combating trafficking in human beings, the report also states the implementation of the second part of the MDS TZL Action Plan for 2015 and 2016.

In the field of legislation, the adoption of the International Protection Act must be mentioned, the provisions of which indirectly also refer to trafficking in human beings and within its scope the definition of vulnerable persons with special needs as victims of trafficking in human beings as well. The adoption of the Residence Registration Act (ZPPreb-1; EPA 1152-VII), inter alia, provides anonymous stay at a secret location for victims of trafficking in human beings. Due to emergency accommodation in safe premises, a legal residence can be registered for these persons at the address of the social work centre.

On 5 May, the Government of the Republic of Slovenia adopted the Guidelines on the identification, assistance and protection of victims of trafficking in human beings (Decision of the Government of the Republic of Slovenia, No. 02402-2/2016/5), which in addition to assistance in recognising the victims is also used for education purposes.

The field of prevention as one of the basic elements of comprehensive actions against trafficking in human beings is focused on three target groups, namely the general public, risk groups of potential victims and the expert public. The first two segments are completely covered by co-funding programmes of the Government of the Republic of Slovenia and close cooperation with non-governmental and humanitarian organisations. Training and raising the awareness of experts is arranged according to individual ministries, depending on the organisational and substantive jurisdiction. In the reporting year, training and awareness raising were well implemented in almost all segments of operation. Still, quality progress in training individual expert groups, e.g. judges and prosecutors and social workers and employees in education, must be made.

Detection and prosecution of criminal offences of trafficking in human beings is a subject of regular harmonisation of measurable records between the police and the State Prosecutor's Office. Criminal offences relating to trafficking in human beings for the purpose of sexual abuse are still the most common. A slight decrease in the number of suspects is detected in 2016 compared to the previous year. The police dealt with **fifteen** suspects in total. However, the number is still above the average of suspects investigated in the last five years. Taking into account cases from recent years, the State Prosecutor's Office filed charges against **21 natural persons** and **2 legal entities**. In **two cases**, courts passed judgements of conviction against **six persons**.

In addition to the law enforcement authorities, this segment also includes activities of the Labour Inspectorate of the Republic of Slovenia and the Financial Administration of the Republic of Slovenia. Their activities in the context of legislation in their competent fields are mainly focused on the field of **labour exploitation and forced labour**. This is due to growing trends, and the connection of trafficking in human beings with problems of the exploitation of workers' rights, in particular of foreign labour. Perhaps, this is also due to the police detecting an increase in the number of criminal offences as per Article 196 of KZ-1 Violation of fundamental workers' rights from 2,552 in 2015 to **3,151 in 2016**.

The assistance to and protection of victims of trafficking in human beings are constant. The activities are directed in particular towards the direct care of victims of trafficking in human beings with the programme of crisis accommodation and programme of accommodation in a safe place. In the reporting year, both programmes were also implemented by the humanitarian

organisation Caritas Slovenia along with co-funding by the Government of the Republic of Slovenia. In total **27 victims** who were offered a suitable form of assistance were recognised. No cases of accommodating or similar treatment of minor victims of trafficking in human beings were detected.

In the international field, representatives of individual ministries, and in particular the national coordinator participated in established events and conferences regularly organised by the OSCE, Council of Europe, United Nations and European Commission and in operational meetings mainly within the scope of the operation and support of Europol. At the strategic level, the cooperation of the EU network of national mechanisms (i.e. NREM) and network of national coordinators of Southeastern Europe is still active and current.