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Summary

In 2011, the issue of trafficking in human beings was addressed by activities in the fields of legislation, the prevention, detection, investigation and prosecution of criminal offences, assistance to and protection of victims, and international cooperation. In compliance with the Action Plan for 2010–11, these activities were also more or less successfully implemented.

In the field of legislation, it is worth pointing out the amendment to Article 113 (Trafficking in Human Beings) of the Criminal Code (KZ-1) with amendment KZ-1B, resulting in harmonisation with the new European Directive 2011/36/EU adopted on 5 April 2011. In the field of medical assistance to victims of trafficking, the minimum standard of medical care provision in the form of “emergency medical treatment” remains.

Prevention is the field which allows the maximum creative scope in the operations of all organisations concerned with combating trafficking in human beings. Numerous activities aimed at raising the awareness of the general public were performed, primarily through the website and media support. Raising the awareness of high-risk target groups was mostly defined through governmental projects of funding for non-governmental organisations, particularly in the categories of primary and secondary schools. In 2011, the field of raising awareness and training of expert public was seen to be deficient. Given that trafficking in human beings is one of the worst criminal offences, destroying the foundations of human dignity and, at the same time, one of those offences which tie the victim emotionally and economically to the perpetrator, it is essential to reinforce and disseminate knowledge as to the nature of this offence to all those participating in the fight against it.

In the field of detection, investigation and prosecution of criminal offences there was a total of 15 criminal proceedings for criminal offences of trafficking in human beings and enslavement. There were also six convictions in which the court changed the legal classification of trafficking in human beings into exploitation through prostitution. Based on this, it should be noted that a slight decrease in matters both in the phase of successfully completed pre-litigation procedures due to trafficking in human beings under Article 113 of KZ-1 and of convictions under this article were observed in the reporting year.

Considering that, for actions which by their nature constitute trafficking in human beings, but do not qualify as criminal offences as recognised by our criminal law, criminal proceedings are instigated due to exploitation through prostitution as laid down in Article 175 of KZ-1, it can be concluded that perpetrators have changed or adapted their methods, and found ways to evade the law enforcement and judicial authorities in carrying out methods of trafficking in human beings. For example, methods have become concealed, with disposition being disguised as concern for accommodation, and restriction of freedom disguised as concern for safety. Similarly to the majority of criminal offences, the above is evidence that perpetrators are extremely flexible in their methods, and always a step ahead of law enforcement agencies, which are able to catch up rather quickly and successfully, although these new methods are difficult to define in terms of content as being elements in trafficking in human beings such that they would lead to convictions of perpetrators.

The field of assistance and protection for victims of trafficking in human beings is one of the pillars of the activities funded by public tenders of the competent ministries for the implementation of which non-governmental and humanitarian organisations are responsible. The programme of crisis accommodation has enabled such accommodation for five victims, and the programme of safer, long-term, accommodation for another two. A total of 21 victims of trafficking in human beings were identified. The issue of Dominican citizens employed in night-
clubs in Slovenia should be additionally taken into account, as they might be victims of trafficking in human beings, but do not recognise themselves as such. This issue is addressed in a separate section of this report.

**International and regional cooperation** is essential for the exchange of information, experience and good practice. In 2011, cooperation was upgraded with a European project of more effective action in investigating trafficking in human beings in South-Eastern Europe. The two-year project is managed by the Ministry of the Interior of the Republic of Slovenia, which also obtained European funds for it. In 2011, the foundations were established for cooperation on various training projects, mostly in the field of labour exploitation as one of the purposes of trafficking in human beings. These activities will continue in 2012 and 2013.
Introduction

In compliance with the Government of the Republic of Slovenia’s decision No. 240-05/2003-1 of 18 December 2003, the Interdepartmental Working Group on Combating Trafficking in Human Beings (hereinafter referred to as: IWG) prepared a report on the work done in 2011.

The members of the IWG are representatives of line ministries, government services and non-governmental and humanitarian organisations active in this field. In 2011, the National Coordinator called five IWG meetings, held on 11 March, 5 July, 5 October, 26 October and 6 December. The decisions from the minutes of the meetings directing the operation of the different sectors in this field were passed on to IWG members after each meeting.

Considering the fact that trafficking in human beings requires a comprehensive approach in the fields of prevention, prosecution of perpetrators and assistance to victims, the content of these fields has been defined in the Action Plan for 2010–2011 approved by the Government of the Republic of Slovenia in January 2010 (Decision No. 23100-4/2009/3 of 7 January 2010). In this respect, the report on the work of the IWG has been prepared so as to reflect the implementation of the planned activities by substantive chapters. In addition to the tasks defined in the Action Plan, numerous supportive and coordination activities necessary for a comprehensive approach to the problems were also carried out. Most commonly, these included the preparation of answers and papers in the field of trafficking in human beings and related topics at the request of various international organisations, and other activities required to highlight the issue of trafficking in human beings at other forums.

In the report for 2011, the IWG continued with a new method for the statistical monitoring of cases of trafficking in human beings as defined by the GRETA monitoring mechanism of the Council of Europe Convention on Action against Trafficking in Human Beings. In this way, the system for recording cases of trafficking in human beings is being adapted according to requests.
I. Legislative framework

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, is a part of the comprehensive action against trafficking in human beings, which also encompasses measures to include third countries which are aimed at global action by the EU against trafficking in human beings. The main objective of the Directive is the more decisive prevention and prosecution of criminal offences and the protection of victims' rights. Understanding of various forms of trafficking in human beings should be taken into account with a view to providing the most effective measures for each of them. Trafficking in human beings as defined by the Directive is understood in a broader sense and includes various types of exploitation, such as begging, exploitation for criminal activities (pickpocketing, shoplifting, distribution of illegal drugs, etc.), the removal of organs for commercial purposes, and other behaviour, such as the illegal adoption of children or forced marriage. The IWG took note of the Directive, and recognised that the document includes newly emergent trends in the field of trafficking in human beings and is required in the European area.

On the basis of the Directive, the Ministry of Justice proposed amending Article 113 of the Criminal Code (KZ-1) with amendment KZ-1B. The amendment enters into force on 15 May 2012 and is intended to complement the criminal offence of 'Trafficking in Human Beings' under the first paragraph of Article 113 of KZ-1 with a new form of implementation. The purpose of trafficking in human beings can also be, in addition to sexual exploitation, forced labour, slavery and servitude, the use of persons being trafficked to commit criminal offences (e.g. recruitment for street thefts). A novelty in the first paragraph is an additional text that eliminates any doubt regarding the criminality of trafficking in human beings committed with the consent of the injured parties. Since victims of this criminal offence are in a completely subordinate position, their potential consent cannot be taken into account, which means that absolute incapacity to consent has arisen.

Amendment KZ-1B includes “giving or receiving payments or benefits to achieve the consent of a person having control of another person” in the second paragraph as a qualified form of trafficking in human beings. More severe punishment is justified in this case in the additional direct economic exploitation of control of people by selling or buying withdrawal from such control with a view to the commission of offences referred to in the first paragraph of Article 113 of KZ-1. The amendment of the constituent elements of trafficking in human beings allows a more appropriate framework for the prosecution of all known forms of this criminal offence and the imposition of proportionate criminal sanctions.

The stated provisions of the Code are thereby harmonised with the above Directive, which also criminalises such actions. Article 113 of KZ-1 now reads as follows:

*Trafficking in human beings*

**Article 113**

(1) Whoever purchases another person, takes possession of them, accommodates them, transports them, sells them, delivers them or uses them in any other way, or acts as a broker in such operations, for the purpose of prostitution or another form of sexual exploitation, forced labours, enslavement, servitude, commission of criminal offences or trafficking in organs, human tissues or blood, shall be, notwithstanding possible consent by this person, given a prison sentence of between one and ten years.
(2) If an offence from the preceding paragraph was committed against a minor or with force, threats, deception, kidnapping or exploitation of a subordinate or dependent person or by giving or receiving payments or benefits to achieve the consent of a person having control over another person, or in order to force a victim to become pregnant or be artificially inseminated, a perpetrator shall be given a prison sentence of between three and fifteen years.

(3) Whoever carries out an offence from paragraphs 1 and 2 of this Article as a member of criminal organisation to commit such offences, or if a large pecuniary benefit was gained through committing the offence, the perpetrator shall be subject to the same punishment as specified in the preceding paragraph.

- In the field of legislation, it should be noted that the field of health assistance for victims who are in the care of non-governmental organisations and who do not have health insurance is still insufficiently regulated. ‘Emergency medical treatment’ is provided, which complies with the condition in internationally binding documents, but this is only a minimum standard which in the majority of cases does not provide actual medical care to victims of trafficking in human beings. In the Action Plan 2010–2011, the IWF has resolved to examine the possibilities of systemic regulation of this issue. The task has not been accomplished due to the delay in the legislative reform of health legislation, and has therefore been transferred to the new action plan for 2012-13.
II. Prevention

Prevention is one of the more important activities in the fight against trafficking in human beings in the Republic of Slovenia, and primarily consists of raising the awareness of the general public and the associated lower demand for services for which one may assume that their providers or producers are victims of trafficking. Prevention also includes the education and training of experts to combat trafficking in human beings, and preventive activities that are focused on raising the awareness of target groups as possible victims of trafficking, which is particularly important.

Prevention also includes research activities, monitoring forms of trafficking in human beings and, finally, reinforcing control mechanisms in the form of law enforcement authorities or other institutions operating in the field.

Raising the awareness of the general public

Most of the activities intended to raise the awareness of the general public were coordinated by the Government Communication Office of the Republic of Slovenia (UKOM), and all the tasks specified in the IWG Action Plan summarised below were executed.

- 18 October – European Day against Trafficking in Human Beings

The Government Communication Office of the Republic of Slovenia (Office) financed and coordinated the organisation of the public debate 'Ten years of combating trafficking in human beings in Slovenia', which took place on 18 October at the European Centre. The participants were Sandi Čurin, MA, the National Coordinator for combating trafficking in human beings, Savica Pureber – Office of the State Prosecutor General, Tomaž Peršolja – the Police, Katjuša Popović – Society Ključ, Centre for Fight against Trafficking in Human Beings, Imre Jerebic, Caritas Slovenia, and Franci Zlatar – Slovene Philanthropy, Association for the Promotion of Voluntary Work.

More than 50 people attended the debate, which was broadcast live through the Center Evropa web site.

- Web

In 2011, the Office provided for updating the content on the web site, which presents issues related to combating trafficking in human beings in Slovenian and English. The web site provides information on IWG activities, basic documents that the IWG prepares, international documents in this field, research and studies; anonymous e-reports can be filed on-line, and non-governmental organisations providing assistance to victims can be contacted. The statistics show that in 2011, 2,740 visitors visited the Slovenian version of the site and approximately 500 visited the English version.

- Media

The National Coordinator and the institutions participating in the Interdepartmental Working Group, supported by the PR services of the participating institutions, also cooperated with the media to raise the awareness of the general public. The media received information on the work of the Interdepartmental Working Group and the measures taken to prevent trafficking in human beings.
When investigations concerning criminal offences related to trafficking in human beings were completed, representatives of the police participated at press conferences, informing the wider Slovenian public on the details established in each case.

Society Ključ brought the attention of the media and public to the operation of the so-called ‘Loverboy’, who had been observed by pupils and parents near secondary schools in Ljubljana, and organised a special press conference on this subject.

According to the available data, Slovenian print, electronic and online media published over 60 articles related to trafficking in human beings. The media paid particular attention to the situation and exploitation of foreign workers, the detection and prosecution of criminal offences related to trafficking in human beings, marking 18 October, European Day against Trafficking in Human Beings, and activities of the IWG related to combating trafficking in human beings. 2011 was also characterised by several television debates and round tables related to trafficking in human beings, where representatives of the IWG participated.

Caritas Slovenia presented the problems of trafficking in human beings in the January issue of the Caritas newsletter ‘Ray of Hope’, which is issued in 5,000 copies, in an article entitled ‘Preventive Activities in the Fight against Trafficking in Human Beings’. It also presented a leaflet entitled ‘Be Careful – Traps of Trafficking in Human Beings’, which is intended for the younger public, on a radio programme broadcast by Radio Ognjišče on 4 May 2011. The leaflet was prepared in cooperation with the Ministry of Labour, Family and Social Affairs, and explains to the young the problem of trafficking in human beings, preventive self-protection measures and possibilities to help victims. The programme can be heard at the web address: http://radio.ognjisce.si/sl/118/utrip/4158/.

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

The Office also had a major role in the field of raising the awareness of target populations, particularly in terms of co-funding and diverse selection of providers. More concrete roles in the field of raising the awareness of target populations were assumed by civic organisations active in combating trafficking in human beings.

- **Co-funding projects of non-governmental organisations**

On the basis of a public tender for co-funding the information, communication and educational activities of non-governmental organisations on European issues, the Office co-funded three NGO projects with **EUR 14,687.00** in 2011. **Two projects were intended for raising the awareness of adolescents** about the dangers of trafficking in human beings, on methods of recruitment, and training to recognise the risk, appropriate ways to act and self-protection behaviour. **One project was intended to raise the awareness of foreign workers** to protect them against exploitation, to caution against the possible connections between exploitation through forced labour and trafficking in human beings, and to recognise possible victims in need of additional support and protection.

The first project ‘Become/Remain Free’ was carried out by Society Ključ – the Centre for Fight against Trafficking in Human Being. The project encompassed informing adolescents through social networks or a profile on Facebook, where the Society published thematic news, videoclips, movie trailers and cartoons, and invigorated the discussion on a daily basis. The Facebook page obtained 233 fans and the posts received 232 responses and 55,744 views.
The second project, ‘Stop Trafficking in Human Beings’ was performed by the Primorska Legal Centre Koper. The project encompassed 20 lectures attended by a total of approximately 600 pupils from elementary and secondary schools from the litoral region, a web game (played by 255 persons), publication of the brochure ‘The Dangers of Trafficking in Human Beings’ in 500 copies (distributed to primary and secondary schools, libraries, social work centres, non-governmental organisations, etc.) and a round table at which Sandi Čurin, MA, the National Coordinator for combating trafficking in human beings, Ms Vlasta Nussdorfer, the President of Beli Obroč Society, and Lan Vošnjak from the Ombudsman’s Office participated.

The third project was carried out by Slovene Philanthropy, the Association for the Promotion of Volunteering. The purpose of the project was to inform, and raise the awareness of, immigrant workers in relation to trafficking in human beings, their rights and duties, and present opportunities provided by programmes of inclusion in Slovenian society. The matters addressed were essential for improving the awareness of workers about trafficking with human beings and other breaches of labour law. These matters are directly or indirectly associated with workers and their rights, and the presentation focused on their personal experience. To accompany the project, the leaflet ‘Stop the Exploitation of Migrant Workers’ (printed in Albanian, English, Bulgarian, Bosnian, French, Macedonian, Romanian and Russian) was issued and T-shirts bearing this slogan were made. Over 20 visits to workers’ hostels and other sites (e.g. lorry drivers’ rest areas) in various places in Slovenia were performed, and personal contact was made with foreign workers to raise awareness and provide information. An estimated 1000 workers were reached through the project. The project also involved the Info Point for Foreigners, the Union of Free Trade Unions of Slovenian and Society Ključ.

- Other activities

The brochures of Society Ključ, ‘The Traps of Trafficking in Human Beings – You can also get trapped’, were distributed by the Ministry of Foreign Affairs in Slovenian, English and Russian to the majority of diplomatic or consular representations of the Republic of Slovenia abroad.

Among their own activities, Society Ključ carried out lectures and other forms of disseminating information to the target public, which were:
- Workshops related to the traps of trafficking in human beings for pupils at Poljane High School;
- Workshops entitled ‘Violet’ on how to avoid the traps of trafficking in human beings, the performance of which involved some 2,395 persons, mostly secondary school pupils from all parts of Slovenia and, to a lesser extent, their parents and school staff;
- Preventive workshops on the traps of trafficking in human beings for Waldorf School personnel;
- Preventive workshops on the traps of trafficking in human beings for 180 pupils at the Secondary School of Economics in Ljubljana;
- A lecture on trafficking in human beings for students at the Faculty of Law;
- Active participation in a round table organised by the Secondary School of Nursing attended by 200 adolescents;
- A workshop on forms of violence, including trafficking in human beings, at ten secondary schools in the Municipality of Ljubljana. The programme, co-funded by the Municipality of Ljubljana, included 804 pupils.

Society Ključ held lectures on trafficking in human beings for a group of students and their teachers from Augsburg College in Minneapolis during the summer school organised by the Faculty of Social Work. The problems of trafficking in human beings were also presented to members of the Slovenian International Ladies Association, SILA, and Lions Club members.

Among their own activities, Caritas Slovenia carried out the following activities to inform the target public:
Preparation of the preventive programme for pupils in the third triad of primary schools, ‘Do Not Be Naïve’, including workshops and appropriate teaching materials to raise the awareness of the young concerning trafficking in human beings and extend the information found in the brochure. Due to the lack of financial resources, the programme was not implemented this year.

Distribution of the leaflet ‘Trafficking in Human Beings – Do Not Be Naïve’ to the young, and lectures on preventive measures concerning trafficking in human beings.

The PATS programme was implemented by the Jesuit Society in the form of informative, preventive discussions with asylum seekers at the Asylum Centre of the Ministry of the Interior. In 2011, 62 informative preventive discussions were carried out according to the PATS project (more on the PATS project can be found in Chapter IV, ‘Assistance to and protection of victims of trafficking in human beings’).

Training and raising the awareness of the expert public

To mark the day against trafficking in human beings, the Criminal Police Directorate at the General Police Directorate organised the consultation ‘New Challenges for the More Effective Prevention of Trafficking in Human Beings’ on 11 October 2011. Experts from governmental and non-governmental organisations actively participated in the consultation and contributed starting points for a discussion on the issue. The consultation was attended by representatives from the Ministry of the Interior, the Ministry of Labour, Family and Social Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Education and Sport, the Office of the State Prosecutor General, the Ministry of Health, the Government Office for Equal Opportunities, the Government Communication Office, the Labour Inspectorate of the Republic of Slovenia, and non-governmental organisations: Society Ključ, Centre for Fight against Trafficking in Human Beings, and Caritas Slovenia.

In 2011, the General Police Directorate - the Uniformed Police Directorate - in cooperation with the Criminal Police Directorate performed a one-day training session on how to interview illegal refugees for uniformed police officers at all police directorates. The target group of this training comprised police officers and criminal investigators who, during their work, meet illegal refugees, both in the country and on the national borders (border surveillance, border crossings). The training, performed by criminal investigators from the Criminal Police Directorate at the General Police Directorate and the Criminal Police Division of the Ljubljana Police Directorate, also included issues related to trafficking in human beings. The purpose of this training was to refresh and update knowledge on trafficking in human beings. The training was attended by 263 uniformed police officers and criminal investigators.

On 9 April 2011, the National Education Institute of the Republic of Slovenia organised a teachers' seminar, 'Drugs and Violence - Acting and Preventing'. Particular emphasis was given to the issue of trafficking in human beings; the lecture was held by the National Coordinator. The seminar was intended for primary and secondary school teachers, consultants and childcare workers in pupils' halls of residence. Such training gives teachers motivation to include material related to trafficking in human beings in their school work.

Within regular consular consultations, additional awareness-raising and further information for diplomats at diplomatic or consular representations on the possibilities of trafficking in human beings was planned; however, this was not realised due to austerity measures. Diplomats at diplomatic or consular representations kept the competent authorities updated on any suspicions related to trafficking in human beings if they recognised it during visa or residence permit application procedures.
In 2011, Society Ključ participated within the INSEM Consortium (the ISA Institute, Slovene Philanthropy and Ključ) in the professional training of expert workers in education in the period 2010–2011 in the field of reinforcing competences to prevent violence in the period selected by a public tender of the Ministry of Education and Sport of the Republic of Slovenia to select operations 'Co-funding the Professional Training of Expert Workers in Education to Recognise and Prevent Violence in 2011–2012'. Society Ključ performed 14 five-day training courses for expert workers in education. Trafficking in human beings was one of four subjects of the training. The training was successfully completed by approximately 200 participants. The project will continue in the first half of 2012.

The society also presented the programme for (re)integrating victims of trafficking in human beings within the 'Intercultural Relations and Active Citizenship' programme to the Slovenian expert public, and education on trafficking in human beings to employees working in the safe houses and maternity homes network.

III. Detection, investigation and prosecution of criminal offences related to trafficking in human beings

In order to provide greater efficiency in prosecuting perpetrators of trafficking in human beings, the fight against trafficking in human beings must be, in addition to the criminal offence of trafficking in human beings under Article 113 of KZ-1, extended to the associated criminal offence of enslavement under Article 112 of KZ-1.

In the past, cases of exploitation through prostitution according to Article 175 of KZ-1 were also included in the scope of trafficking in human beings. In 2011, criminal offences of trafficking in human beings were connected with the criminal offence of exploitation through prostitution, and the majority of suspects were charged for both offences. However, due to the nature of trafficking in human beings and the variety of forms of exploitation (in addition to prostitution), this phenomenon should be accompanied with statistical data showing the action of trafficking in human beings in as much detail as possible.

Activities of the Police

In 2011, the Slovenian Police detected and dealt with several forms of trafficking in human beings. It was established that most cases in question were related to sexual exploitation. In dealing with criminal offences related to trafficking in human beings, it was established that the trend of employing foreigners based on work permits issued in the South American region, particularly the Dominican Republic, continued in 2011. The foreigners were employed in various night clubs in the Republic of Slovenia as dancers, cleaners and auxiliary staff.

According to the Police, in the field of trafficking in human beings for the purpose of prostitution, Slovenia is not considered a country of origin of victims of trafficking in human beings, but as a transit and destination country. In relation to this classification, the following forms of trafficking in human beings for the purpose of sexual exploitation can be defined:

- Slovenia as a destination country – this group mostly comprises foreign citizens from Eastern Europe and South America (young women from Ukraine and the Dominican Republic) with temporary residence and work permits. In the last year, a higher number of young women from the EU (Slovakia, Czech Republic) without an arranged residence or insurance were also observed.
- Slovenia as a transit country – through the Republic of Slovenia, the women continue to the West; they mainly come from South Eastern Europe, the Balkan countries and the former Soviet Union.
For the criminal offence of ‘Trafficking in human beings’ under Article 113 of KZ-1, four criminal offences were addressed in 2011, and sixteen (16) persons were charged. Compared to 2010, the number of criminal offences declined by 33.3%, while the number of suspects or charged persons increased. Thirteen men and three women were under consideration, with average ages between 34 and 43 years. The majority of persons charged for this criminal offence were citizens of the Republic of Slovenia. Five (5) injured parties were identified.

For the criminal offence of ‘Enslavement’ under Article 11 of KZ-1, one criminal offence was considered in 2011; two (2) persons were charged, one man and one woman, both citizens of the Republic of Slovenia. One (1) injured party was identified.

In relation to trafficking in human beings, the police considered fifteen criminal offences under Article 175 of KZ-1 ‘Exploitation through prostitution’. Eighteen (18) persons were charged, mostly persons also charged for the criminal offence of trafficking in human beings. The majority of charged persons were citizens of the Republic of Slovenia. Thirteen (13) injured parties were identified, one of them a man and one a female minor. Three injured parties were identified as victims of the criminal offence ‘Trafficking in Human Beings’.

- Anonymous e-reports of trafficking in human beings

In 2011, the police published a link for ‘anonymous e-reports’ on their web site http://www.policija.si/. The link is also available on the web site of the Ministry of the Interior and the Interdepartmental Working Group on Combating Trafficking in Human Beings. It enables quick and easy electronic reporting of violations, criminal offences and various irregularities; the following forms of trafficking in humans are listed and described:

- Exploitation through the prostitution of another person (commercial sexual exploitation) and other forms of sexual exploitation;
- Forced labour or services;
- Slavery, servitude and similar conditions;
- Removal of organs for the purpose of illegal transplant;
- Illegal adoption;
- Begging;
- Enforced commission of criminal offences such as theft, stealing money from parking machines, etc;
- Other types of severe forms of child labour.

In 2011, a total of 40 reports were filed with the police at the anonymous e-report portal for reporting trafficking in human beings. There were indications in 12 reports (30% of all reports) showing that the reports related to trafficking in human beings. Useful reports were submitted for further consideration to the competent local criminal police departments.

*Table 1: Overview of anonymous e-reports of ‘trafficking in human beings’*

<table>
<thead>
<tr>
<th>Month</th>
<th>Reports received</th>
<th>Useful</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan.</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Feb.</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>March</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Apr.</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>May</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>June</td>
<td>5</td>
<td>2</td>
</tr>
</tbody>
</table>
Much of the information obtained through the above portal showing indications of trafficking in human beings or indications of other criminal offences should be highlighted:

- Notification providing an Internet link to a web site containing child pornography. The relevant server is located in the United States; therefore, the matter was assigned to the US authorities;
- Notification giving evidence that a younger woman recognised the actions of an unknown perpetrator as preparatory actions for obtaining a potential victim of trafficking in human beings (offering modelling job, sending photos, arranging appointments). The anonymous person was warned of the danger and informed of contacts for further action.
- Notifications of prostitution in various locations in the Republic of Slovenia, notification of extortion and fictitious marriages - Brokerage of marriages of Ukrainian citizens.

Activities of the State Prosecutor’s Office

The organisation of state prosecutors annually assigned to combating trafficking in human beings remained the same in 2011. In order to provide more efficient prosecution, the same state prosecutors also prosecute criminal offences containing elements of trafficking in human beings under Article 113 of KZ-1, namely criminal offences of enslavement according to Article 112 of KZ-1, exploitation through prostitution according to Article 175 of KZ-1, and the presentation, manufacture, possession and distribution of pornographic material according to Article 176 of KZ-1. In 2011, a trend was observed of increasing numbers of perpetrators of trafficking in human beings being discovered; however, the absolute number is still low. It is worth mentioning that criminal proceedings were brought in the jurisdiction of only four district state prosecutor’s offices, despite the fact that such criminal offences occur across the country.

In 2011, state prosecutors decided on charges against thirteen persons for criminal offences under Article 113 of KZ-1 and two persons under Article 112 of KZ-1 submitted in this year, and on charges against seven persons from 2010. The charges against two persons were dismissed; criminal investigations of eleven persons for criminal offences under Article 113 of KZ-1 and two persons under Article 112 were requested, and five persons were indicted.

In one of the cases, criminal proceedings were instigated against four persons for trafficking in human beings under Article 133 of KZ-1 and exploitation through prostitution under Article 175 of KZ-1. Both offences are closely related, and the actions of all four perpetrators showed signs of both criminal offences, so the delimitation is a very difficult factual and, consequently, legal issue. For the first time, this case involved an extremely large number of victims, foreign citizens from Eastern Europe and South America (women from Ukraine and the Dominican Republic) with arranged work permits and other documents required for residence in Slovenia, which indicates that the perpetrators were highly organised. The perpetrators were both men and women, and the type of participation in the execution of criminal offences varied, not only in terms of roles, but also criminal activity – the perpetrators included former convicts.
In the case where charges were brought against four persons (two perpetrators were former convicts subject to proceedings for exploitation through prostitution) and one company, the number of victims – foreigners employed in various clubs in the Republic of Slovenia as dancers, cleaners or auxiliary staff - was high. The court did not concur with the state prosecutor’s proposal to order detention and has not decided yet on instigating an investigation into trafficking in human beings.

The trend - conditional upon the objective reasons of difficult evidence-taking and subjective reasons of insensitivity and lack of awareness of actors involved in combating trafficking in human beings - continues, which results in the fact that a number of pre-litigation and criminal proceedings where the actions of perpetrators include elements of trafficking in human beings are not prosecuted as this criminal offence, but as exploitation through prostitution. Criminal proceedings usually take a disproportionately long time, which works to the perpetrators’ advantage, and the chances that they will be properly convicted are significantly reduced over time.

In 2011, a judgement became final according to which perpetrators were found guilty of enslavement under the first paragraph of Article 387 of KZ executed in 2001. Because of the remoteness of the action and a 'positive prognosis', both were given suspended sentences. A judgement against three persons accused of trafficking in human beings for the purpose of exploitation through prostitution under Article 113 of KZ-1 also became final, and all three accused were found guilty of exploitation through prostitution under Article 175 of KZ-1. Two convicted persons received sentences of four years’ imprisonment and fines of EUR 10,035, and had EUR 129,238 confiscated. One convicted person received eighteen months imprisonment and a fine of EUR 5,043, and had EUR 7,850 confiscated.

In 2011, another three accused persons were convicted by a final judgement for exploitation through prostitution, two of them to two years’ imprisonment and a fine, and one of them to one year and four months of imprisonment and a fine. Each of them was subject to the seizure of EUR 178,660.

Table 2: Criminal proceedings and sanctions

<table>
<thead>
<tr>
<th>Table: Criminal proceedings and sanctions</th>
<th>2011</th>
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</thead>
<tbody>
<tr>
<td><strong>Criminalisation of trafficking in human beings</strong></td>
<td></td>
</tr>
<tr>
<td>Number of criminal proceedings for criminal offences (trafficking in human beings, enslavement)</td>
<td>(13+2) 15</td>
</tr>
<tr>
<td>Number of convictions for criminal offences (trafficking in human beings, enslavement, exploitation through prostitution)</td>
<td>6*</td>
</tr>
<tr>
<td><strong>Criminalisation of the use of services of a victim</strong></td>
<td></td>
</tr>
<tr>
<td>Number of convictions with respect to the use of services of a victim of trafficking in human beings</td>
<td>6*</td>
</tr>
<tr>
<td><strong>Sanctions and measures</strong></td>
<td></td>
</tr>
<tr>
<td>Number of convictions for trafficking in human beings related to deprivation of freedom</td>
<td>0</td>
</tr>
<tr>
<td>Length of imprisonment related to deprivation of freedom:</td>
<td></td>
</tr>
<tr>
<td>- minimum duration</td>
<td>1 year 4 months</td>
</tr>
<tr>
<td>- maximum duration</td>
<td>4 years</td>
</tr>
<tr>
<td>Number of court decisions resulting in confiscation or seizure of property</td>
<td>6</td>
</tr>
</tbody>
</table>
* Judgements in which the court changed the legal classification of trafficking in human beings to exploitation through prostitution.

Enhancing control mechanisms for issuing work permits and the activities of the Labour Inspectorate of the Republic of Slovenia

At the initiative of the National Coordinator, the Labour Inspectorate of the Republic of Slovenia was included in the IWG in 2010 and appointed their representative to the Working Group. For 2011, an overview of issued work permits was prepared and measures for issuing them to the so-called high-risk group of occupations (club dancers, construction and seasonal workers) were taken.

Citizens of third countries are being hired in Slovenia in accordance with the Employment and Work of Aliens Act and with regulations adopted on the basis thereof.

Foreigners who do not have free access to the Slovenian labour market may be employed or work in Slovenia provided they have a work permit or another permit equivalent to a work permit, and provided the person liable to register work actually registers the work or employment of a foreigner, and that the worker has arranged a residence permit. A work permit is a document enabling a foreigner to be employed, self-employed, perform services or other contractual work in Slovenia. It is issued as a personal work permit, employment permit or permit for work.

The data of the Employment Service of Slovenia on the number of work permits issued for seasonal work in 2008, 2009 and 2010 are given below. Due to the change in legislation, the data on seasonal work permits for 2011 are shown only for agriculture and forestry, since the issue of seasonal permits is limited to these activities.

Table 3: Work permits issued in 2011 for seasonal work

<table>
<thead>
<tr>
<th>Occupations</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>9,332</td>
<td>1,615</td>
<td>74</td>
<td>-</td>
</tr>
<tr>
<td>Agriculture and forestry</td>
<td>1,416</td>
<td>1,255</td>
<td>75</td>
<td>1,121</td>
</tr>
<tr>
<td>Catering and tourism</td>
<td>152</td>
<td>77</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>10,900</td>
<td>2,947</td>
<td>149</td>
<td>1,121</td>
</tr>
</tbody>
</table>

Reduced demand for workers and the enforcement of the new ZZDT-1 act influenced the number of valid employment and work permits issued. In 2010, 40,688 work permits were issued, whereas in 2011 27,010 were issued, which is 13,678 (33.6%) fewer than in 2010. In 2011, 3,959 work permits were issued for construction workers, 8,664 fewer than in 2010.

Table 4: Work permits issued in 2011 for artistic and construction worker categories of occupation

<table>
<thead>
<tr>
<th>Occupations in entertainment and</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>937</td>
<td>678</td>
<td>674</td>
<td>691 / of which 386 new</td>
</tr>
</tbody>
</table>

16
The new ZZDT-1 gives the opportunity to suspend the procedure of issuing an employment permit and work permit in two cases: on the basis of notification by a competent state authority on filing charges against the employer for suspicion of exploitation through prostitution, enslavement, trafficking in human beings, violation of the fundamental rights of workers, undeclared employment, or violation of social security rights, until the court’s decision becomes final. On the basis thereof, the Employment Service of Slovenia issues monthly lists of violators, who are not allowed to employ foreigners until further notice.

In the context of the enhanced protection of rights of foreigners, ZZDT-1 includes a new provision stating that a foreigner may obtain a personal work permit valid for three years under milder conditions, after at least 20 months of uninterrupted employment with any employer. Under previous regulations, a foreign worker was tied to the same employer for at least 24 months, which often led to the exploitation and extortion of workers by their employers.

Accordingly, it can reasonably be argued that the provisions of the new ZZDT-1 provide a firm foundation for reducing the problems of labour exploitation which arose in the initial period after the beginning of the economic crisis in Slovenia, which mostly affected workers in construction and transport. Such exploitation of workers was also reduced thanks to the humanitarian activities of the representatives of Slovene Philanthropy, trade unions, the Employment Service of Slovenia and the Ministry of the Interior, who engaged and visited workers in workers’ hostels in order to inform them on their rights, prevent their exploitation and reduce pressure from employers.

- **The issue of suspected violations of labour law in the employment of club dancers from the Dominican Republic**

In respect of suspected victims of trafficking in human beings – citizens of the Dominican Republic - it was established by collecting information that the above-mentioned women in police procedures and in interviews with representatives of non-governmental organisations do not regard themselves as victims of trafficking in human beings. The social and economic situation in the environment from which they come is very poor, while their work (being forced, out of economic necessity, into prostitution and sexual exploitation) and life in the Republic of Slovenia enables them and their families a better life. The police have also established that the injured parties remit most of their earnings to relatives in the country of origin, and rarely or almost never cooperate in pre-litigation or criminal proceedings.

In 2011, the Ministry of Foreign Affairs (Directorate for International Law and Protection of Citizens) expressed suspicions about trafficking in human beings or the concealment of the real purpose of entering the country (suspicion of prostitution), which, according to the Ministry, occurred on the basis of residence permits issued to citizens of the Dominican Republic for the purpose of dancing in clubs. According to the findings of the Ministry of Foreign Affairs, the interviews with the applicants performed by the employees at diplomatic or consular representations contained evidence that they had signed employment contracts in a language they did not understand, that they often did not know their employer, where they would work or how much they would earn.
Considering the above, the Labour Inspectorate of the Republic of Slovenia was asked to investigate the matter and, possibly in cooperation with other authorities competent for these matters, take measures to clarify any violations of labour law in the employment of foreign club dancers.

In 2011, in cooperation with the police, or by inspectors acting independently, a large number of employers employing foreign citizens in their night clubs were audited, and it was established that eleven employers employed citizens of the Dominican Republic. Among five of these employers, the inspectors found violations regarding employment relationships, and acted according to their competences in misdemeanour proceedings for violations of:
- Provisions of Article 128 of the Employment Relationship Act (ZDR), because the employer did not calculate and pay the extra payment for the work in unsocial hours,
- A provision of Article 131 of ZDR, because the employer did not pay the annual leave allowance in time,
- A provision of the second paragraph of Article 9 of ZDR, because a photocopy of the registration to the insurance scheme was not delivered,
- A provision of the third paragraph of Article 60 of the Employment of Work of Aliens Act (ZZDT-1), because the employer did not keep the work permit at the headquarters or at the construction site outside the headquarters,
- A provision of Article 5 of the Prevention of Undeclared Work and Employment Act (ZPDZC),
- Provisions related to preventive health checks,
- A provision of ZZDT-1 related to the registration of the beginning of work of a foreigner.

In two cases, the inspectors issued an administrative decision due to the established irregularities, namely:
- A regulatory order in accordance with Article 16 of the Labour Inspection Act (ZID) to provide the implementation of the provisions of the Labour and Social Security Registers Act (ZEPDSV), and
- A prohibition order under Article 17 of ZID for the performance of work in a case of undeclared employment.

In respect of the findings of the Labour Inspectorate of the Republic of Slovenia, it could be concluded that violations of labour law regarding club dancers, citizens of the Dominican Republic, do not deviate significantly in terms of number and nature from the fields of other activities and occupations, and that suspicions of trafficking in human beings were not established.

The official data of the Employment Service of the Republic of Slovenia also do not show a growing trend in the employment of citizens of the Dominican Republic working as club dancers. The data indicate that the number of new employment permits for the citizens of the Dominican Republic for the work of dancer were lower in 2001 compared to 2008 and only slightly higher compared to 2009, whereby it should be taken into account that the Decree on Restrictions and Prohibition of Employment and Work of Aliens applied to citizens of the Dominican Republic for more than six months in 20091.

Table 5: Number of newly issued employment permits for dancers

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1 2010 is not relevant to make a comparison indicating an increase or reduction in the number of issued work permits, since the Decree on Restrictions and Prohibition of Employment and Work of Aliens was applicable for the whole year.
During the inspection, the inspectors usually focused particularly on the implementation of labour law provisions which could be an obstacle to issuing new work permits. In relation to the employments of citizens of the Dominican Republic, it should be noted that they are usually employed part-time (10 hours per week) and it is difficult to establish whether they work overtime or not (the dancers sit in the club and do not dance, and when they do, it lasts only a few minutes), and whether this is a violation of labour law.

- **The issue of suspected violations of labour law in relation to employment and the provision of work to another user in a Chinese restaurant in Ljubljana**

At the beginning of December 2011, the Labour Inspectorate of the Republic of Slovenia was informed of the issue of suspected trafficking in human beings - Chinese citizens for the purpose of forced labour or labour exploitation. Given the fact that the applicant (Chinese citizen) did not indicate the exact title of the employer, the labour inspector liaised with the Ljubljana Criminal Police Division.

During a joint night action of intensified surveillance of Chinese restaurants coordinated by the Police, an inspection was performed in one of the Chinese restaurants in Ljubljana. During the inspection, three workers were working in the restaurant, two of whom had settled labour law status, and one had obtained a work permit at another employer; therefore, a written prohibitory order under ZID was issued and misdemeanour proceedings under the provisions of the Labour Market Regulation Act (ZUTD) were instigated. The procedure within the Labour Inspectorate jurisdiction has not been completed and will continue.

<table>
<thead>
<tr>
<th>Year</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOMINICAN REPUBLIC</td>
<td>93</td>
<td>76</td>
<td>20</td>
<td>85</td>
</tr>
<tr>
<td>Total</td>
<td>397</td>
<td>237</td>
<td>174</td>
<td>354</td>
</tr>
</tbody>
</table>
IV. Assistance and protection of victims

The ‘Providing Assistance to Victims of Trafficking in Human Beings’ Project

- The ‘Crisis Accommodation’ Programme

In 2010, the Ministry of Labour, Family and Social Affairs published a public tender for the selection of a contractor for the project ‘Providing Assistance to Victims of Trafficking in Human Beings - Crisis Accommodation in 2010 and 2011’ worth EUR 45,000 per year. Caritas Slovenia was selected. The project encompasses providing assistance to victims of trafficking in human beings in their physical, psychological and social recovery, when the victim is given the first, essential retreat from the circumstances threatening them.

In 2011, within the crisis accommodation project, Caritas Slovenia took care of five persons (a total of fifteen nursing days), who were provided accommodation, the first psycho-social assistance, food, material aid and help with repatriation.

In the period between 1 January and 31 December 2011, a 24-hour hotline (031-470-151) was provided by qualified expert workers and volunteers. In February 2011, one of the crisis accommodation locations was replaced. The location in the tender documentation (rented appartment) was replaced by a newer rented appartment. Crisis accommodation premises were regularly maintained between 1 January and 31 December 2011 and ready to accommodate a larger number of persons – i.e. victims.

Between 4 March and 8 March 2011, a 23-year-old Chinese citizen was accommodated in crisis accommodation on the initiative of the police. She was provided accommodation, the first psycho-social assistance, food, material aid in the form of clothing and toiletries, the 24-hour presence of an expert worker or another person, interpreting services and legal representation. She was able to return home, and contact was established with Caritas Romania and ADPARE organisations, which operate in the field of assistance and reintegration of victims of trafficking in human beings in Romania. The latter offered her accommodation and the chance of inclusion in a reintegration programme, but she decided to return to her family.

Between 10 May and 12 May 2011, a 19-year-old Romanian citizen was accommodated in crisis accommodation, in cooperation with the police. The person had been exploited by a Slovenian citizen and his Romanian partner for the purpose of forced prostitution in a club. She was provided a safe place, food, first the psycho-social assistance, material aid in the form of clothing and toiletries, the 24-hour presence of an expert worker or another person, interpreting services and legal representation. She was able to return home, and contact was established with Caritas Romania and ADPARE organisations, which operate in the field of assistance and reintegration of victims of trafficking in human beings in Romania. The latter offered her accommodation and the chance of inclusion in a reintegration programme, but she decided to return to her family.

On the night of the 4/5 June 2011, a 21-year-old Slovakian citizen was accommodated in crisis accommodation on the initiative of the police. She supposedly lived with her partner, a former client of a night club in which she had previously worked. The club was known for its offer of sexual services, and the person was recognised as a victim of sexual exploitation and trafficking in human beings. She was provided crisis accommodation, the first psycho-social assistance and counselling, and material aid in the form of clothing. However, already during the presence of the police and later criminal investigators, she expressed a wish to return to her partner and decided to leave the crisis accommodation late at night. She was given the Caritas Slovenia 24-
hour hotline number, which she used several times in the ensuing weeks and months. The person still receives expert counselling and other assistance within other Caritas programmes.

Between 21 September and 23 September 2011, a 27-year-old Czech citizen was accommodated in crisis accommodation, in cooperation with the police. She was a victim of a network dealing with forced prostitution led by Czech and Slovenian citizens. She was provided crisis accommodation, the 24-hour presence of an expert worker or another person, food, basic toiletries and advocacy. She was also provided psychological support and an escort during police interviews. Cooperation in the investigation of the case and identification of the perpetrators began. She was provided repatriation, an escort for part of the way home, and was put in touch with La Strada, Caritas Czech Republic, and Diakonia, which accepted the person and accommodated her in a safe place in cooperation with the Czech police.

On the initiative of the police, on 10 October 2011 and later on 18 October, crisis accommodation for three and one female, respectively, was prepared, which in the event was not needed.

Accommodation was readied for the admission on 8 November of a large number of foreign citizens, but was not needed.

Between 13 December and 17 December 2011, in cooperation with the police, a Ukrainian citizen was accommodated who had a permit for a temporary stay in the Republic of Slovenia and a valid work permit for the Republic of Slovenia as an artistic dancer in a night club. It was established that she had been forced into prostitution. She was provided with accommodation, the first psycho-social assistance, food, material aid, the 24-hour presence of a social worker or another person, interpreting services, assistance in acquiring her property and legal representation. After five days of crisis accommodation, she was accommodated in the safe accommodation of Society Ključ.

In 2011, a 24-hour hotline (031-470-151) was provided by qualified expert workers and volunteers – team members, and an expert worker for counselling and practical assistance were on stand-by. A contact person at the police was informed of the persons available if crisis accommodation should be needed and which persons are on duty at the 24-hour hotline.

- The ‘Safe Accommodation’ Programme

On the basis of a public tender in 2008, the Ministry of the Interior funded the ‘Providing Assistance to Victims of Trafficking in Human Beings – Safe Accommodation for 2010 and 2011’ worth EUR 40,000 per year. An annex to the contract was concluded for 2011 which increased the project funding by EUR 12,000 due to the long-term accommodation of one victim in a safe place, which continued from 2010.

In 2011, Society Ključ as the project contractor took care of two victims of trafficking in human beings:

- A citizen of the Dominican Republic (user) was accommodated in the premises of the Society throughout 2010, until 7 February 2011. The user was a witness in criminal proceedings and was, on the basis thereof, issued a permit for a temporary stay by the competent administrative unit. On the basis of contacts established with related non-governmental organisations in the Republic of Italy, she decided to move to Italy when the judicial process was completed.
- Based on a police notification, a Ukrainian citizen was accommodated in safe accommodation on 17 December. She had previously been accommodated in the crisis accommodation of Caritas Slovenia for a brief period. Because she was at risk, additional physical security was provided during the first days of accommodation. During the accommodation, several interviews to clarify the circumstances of exploitation were conducted, which the Society later submitted to the police.
In various cases, Society Ključ provided some form of direct assistance to a larger number of persons:
- In the so-called ‘Loverboy’ case in 2011, a Dutch citizen, a seeker and abettor or potential victim of trafficking in human beings, was operating in Ljubljana, primarily around secondary schools. The police and State Prosecutor’s Office were involved in the case, while Society Ključ actively cooperated with the management of individual secondary schools and used various channels to inform the public. In this particular case, the Society provided direct assistance to two minor pupils at the Secondary School for Design and Photography; to the mother of a 17-year-old pupil at the Secondary School for Design and Photography who was a potential victim of trafficking in human beings who had stayed with the Dutch citizen at weekends; to the father of a 17-year-old pupil at the Secondary School for Design and Photography whom the Dutch citizen had tried to recruit; to a male who provided some information to Society Ključ related to this man; to the head teacher and two teachers at the Secondary School for Design and Photography;
- The case of a 19-year-old potential victim of trafficking in human beings and her friend who were involved in communication and recruitment for making a film in Greece under suspicious circumstances. The action was preventive, and the clients took the advice. The police were also informed of the case;
- An adult Thai citizen, a victim of exploitation in the workplace and potential victim of trafficking in human beings;
- An adult Macedonian citizen, a victim of family violence, exploitation in the workplace and potential victim of trafficking in human beings;
- An adult Ukrainian citizen – an applicant for international protection accommodated in the Asylum Centre, and in whom elements of trafficking in human beings were recognised by Society Ključ;
- An adult Slovakian citizen was indirectly informed of the traps of trafficking in human beings. She was involved in police proceedings due to suspected sexual exploitation and was accommodated in the crisis accommodation of Caritas Slovenia.
- An adult Slovenian citizen, a potential victim of trafficking in human beings, was warned of the dangers of being employed in a high-risk profession;
- Cooperation and assistance by Kranj Social Work Centre in the case of a minor, a Montenegrin citizen, who was a victim of family violence and a high-risk potential victim of trafficking in human beings.
- Counselling the mother of a missing person suspected to be a victim of trafficking.

The Society also dealt with cases from previous years, in the form of counselling and referrals:
- A former client of Society Ključ who had also been accommodated in safe accommodation;
- The husband of a Slovenian citizen – potential victim of trafficking in human beings;
- An unknown person – victim of violence;
- An adult Ukrainian citizen, client of safe accommodation, who cooperated with Society Ključ for the first time in 2006;
- A 23-year-old woman who had been accommodated, together with her mother, in safe accommodation by Society Ključ in 2007 as a victim of trafficking in human beings.

Table 5: Victims of trafficking in human beings

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td></td>
</tr>
<tr>
<td>Childre\n</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>
## Identification of victims

<table>
<thead>
<tr>
<th>Forms of exploitation of the identified victims:</th>
<th>19</th>
<th>1</th>
<th>1</th>
<th>21</th>
</tr>
</thead>
<tbody>
<tr>
<td>sexual exploitation</td>
<td>18</td>
<td>1</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>forced labour or services</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>slavery or similar condition</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>servitude</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>removal of organs</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>other</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Number of persons whom the authorised authorities have reasonable grounds to believe are victims:

<table>
<thead>
<tr>
<th>Of trafficking in human beings at the national level</th>
<th>7</th>
<th>1</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of trafficking in human beings at the transnational level</td>
<td>12</td>
<td>1</td>
<td>13</td>
</tr>
</tbody>
</table>

## Assistance to victims

<table>
<thead>
<tr>
<th>Number of victims of trafficking in human beings who received any kind of assistance</th>
<th>16</th>
<th>1</th>
<th>1</th>
<th>18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of victims of trafficking in human beings who refused the assistance offered</td>
<td>3*</td>
<td></td>
<td></td>
<td>3*</td>
</tr>
<tr>
<td>Number of asylums for victims of trafficking in human beings in Slovenia</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total number of places in asylums for victims of trafficking in human beings</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of victims of trafficking in human beings who were accommodated in asylums</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Period of recovery and reflection

| Number of victims (including those whom there are reasonable grounds to believe are victims) who received approval for a ‘period of recovery and reflection’ | 2  | 2 |

## Residence permit

<table>
<thead>
<tr>
<th>Number of victims of trafficking in human beings who were issued a residence permit</th>
<th>1</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>due to personal circumstances</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>due to cooperation with the authorities in an investigation or criminal proceedings</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

## Compensation and legal means

<table>
<thead>
<tr>
<th>Number of victims of trafficking in human beings who received compensation</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation granted:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- minimum amount granted to victims (in EUR):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- maximum amount granted to victims (in EUR):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Repatriation and return of victims

<table>
<thead>
<tr>
<th>Number of victims of trafficking in human beings returned to Slovenia</th>
<th>4</th>
<th></th>
<th></th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of victims of trafficking in human beings returned from Slovenia to other countries</td>
<td>4</td>
<td></td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>
Table 6: Number of victims by country of origin

<table>
<thead>
<tr>
<th>Number of victims originating from</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>1</td>
</tr>
<tr>
<td>The Czech Republic</td>
<td>1</td>
</tr>
<tr>
<td>Romania</td>
<td>1</td>
</tr>
<tr>
<td>The Republic of Slovakia</td>
<td>1</td>
</tr>
<tr>
<td>Slovenia</td>
<td>8</td>
</tr>
<tr>
<td>Serbia</td>
<td>2</td>
</tr>
<tr>
<td>Ukraine</td>
<td>3</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>1</td>
</tr>
<tr>
<td>The Dominican Republic</td>
<td>3*</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>21</td>
</tr>
</tbody>
</table>

* At least three potential victims of trafficking in human beings (from the Dominican Republic) refused assistance because they did not recognise themselves as victims. This is indicated separately in the section describing the issue of citizens of the Dominican Republic.

The PATS Project

On 17 November 2010, the Ministry of the Interior concluded contract No. C1711-10-460258 with the contractor the Jesuit Refugee Association of Slovenia on the implementation of the programme 'Introduction of a Mechanism for the Recognition, Assistance and Protection of Victims of Trafficking in Human Beings and/or Sexual Violence in Asylum Procedures in Slovenia – PATS' for a period of two years.

The purpose of the PATS programme is prevention aimed at raising the awareness of high-risk groups of applicants for international protection in the Republic of Slovenia regarding the issue of trafficking in human beings. The target population are all newly arrived applicants for international protection, particularly unaccompanied minors and single women. Informative interviews are performed in a language the user can understand, for which an appropriate interpreter is used. Pursuant to the contract, the contractor must provide continuous availability to ensure that the informative interview can be carried out.

Between 1 December 2010 and 31 December 2011, the contractor carried out 62 informative interviews, of which 41 were with unaccompanied minors and 21 with single women.

Table 7: Number of informative interviews in 2011 by month

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Num ber of interviews:</strong></td>
<td>9</td>
<td>7</td>
<td>7</td>
<td>10</td>
<td>0</td>
<td>3</td>
<td>6</td>
<td>0</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>5</td>
</tr>
</tbody>
</table>
In this period, the Asylum Centre, on the initiative of the contractor, convened seven meetings of the group established on the basis of the SNNS (standard operating procedures to prevent gender-based violence and sexual violence) agreement. In the course of seven informative interviews, the contractor observed indications that the client could possibly have been a victim of trafficking in human beings. Additional interviews were carried out with these persons, but in five cases further measures were not needed. In one case, the person was recognised after several interviews as a victim of trafficking in human beings and was later accommodated in a safe house. EUR **4,243.00** were spent on the project implementation in 2011.

On 17 November 2010, the Ministry of the Interior concluded contract No. C1711-10-460258 with the contractor the Jesuit Refugee Association of Slovenia on the implementation of the programme 'Introduction of a Mechanism for the Recognition, Assistance and Protection of Victims of Trafficking in Human Beings and/or Sexual Violence in Asylum Procedures in Slovenia – PATS' for a period of two years. The contract entered into force on 1 December 2010.

The purpose of the PATS programme is prevention aimed at raising the awareness of high-risk groups of applicants for international protection in the Republic of Slovenia regarding the issue of trafficking in human beings. The target population are all newly arrived applicants for international protection, particularly unaccompanied minors and single women. Informative interviews are performed in a language the person can understand, for which an appropriate interpreter is used.

Pursuant to the contract, the contractor provides for continuous availability to ensure that the informative interview can be carried out. The contract first stated that the interview had to be performed within 12 hours of the receipt of a notification from the client, which made it difficult to provide interpreters; therefore, the contractor submitted a proposal on 21 December 2010 for an amendment to the contract which extended this period to 36 hours. The proposal was approved in 2011. Ten informative interviews were held in December 2010.

In this period, the Asylum Centre, on the initiative of the contractor, convened four meetings of the group established on the basis of the SNNS (standard operating procedures to prevent gender-based violence and sexual violence) agreement. In the course of four informative interviews, the contractor observed indications that the client could possibly have been a victim of trafficking in human beings. Additional interviews were carried out with these persons, but in two cases, it emerged that these persons were not victims of trafficking in human beings, and in two cases they had been victims in the country of origin, but felt safe in the Asylum Centre; therefore, further measures were not needed.

**Reintegrating victims of trafficking in human beings**

Four persons were included in the (re)integration programme in 2011. The persons were included in work integration and education. One of them was offered inclusion in the work process based on an interview with the employer. Two persons were offered inclusion in the education in order to learn Slovenian. One person was offered, through the integration programme, practical support in everyday life – escort to public institutions to arrange status, escort to the doctor, counselling, support when a child was born, biography writing. The reintegration programme was performed by the non-governmental organisation Society Ključ.
V. Cooperation in regional and international organisations

The Ministry of Foreign Affairs regularly participated in negotiations on the relevant resolutions in the field of trafficking in human beings, which were discussed and adopted within the UN General Assembly, the UN Human Rights Council, the UN Office on Drugs and Crime, and the OSCE.

No resources were approved and allocated in 2011 to stimulate more active participation by non-governmental organisations at expert meetings of international and regional importance. By participating in the invitation to tender, the Sloga NGO expressed an interest in participating in this field, which was worth supporting; however, the tender was revoked and no resources were allocated for this purpose.

In the course of regular consular consultation, additional awareness-raising and further information for diplomats at diplomatic or consular representations on the possibilities of trafficking in human beings was planned; however, this was not realised due to austerity measures. Diplomats at diplomatic or consular representations kept the competent authorities updated on any suspicions related to trafficking in human beings if they recognised this during visa or residence permit application procedures.

In their regular report on the situation in the field of trafficking in human beings around the world, the US State Department placed Slovenia in the first group of countries achieving the highest standards in combating trafficking in human beings in terms of fulfilling the criteria for 2011. In this context, the National Coordinator had regular contact with the US embassy in Slovenia and coordinated the content that was being reported.

The JIT – THB Project

The Ministry of the Interior applied to the European Commission call for tenders with the project ‘Introduction of the Requirements for Establishing Joint Investigation Teams to Fight Trafficking in Human Beings in the South-Eastern Europe – JIT THB’ and began activities to implement it after it had been approved. A contract was concluded with the European Commission in May 2011 for 80% co-funding for two years. The project is worth EUR 459,294.00. The first activity was carried out on 28 February (when the decision on the selection of the project by the EC was made public), when the Ministry of the Interior organised an introductory ministerial conference to present the project at a political summit of participating countries of the SE European region. The first three workshops intended for investigators and NGOs followed in June, September and November. The website http://jit-thb.pccsecretariat.si was set up to provide access to all materials related to the project.

The project is based on the introduction of the requirements for establishing joint investigation teams and more effectively combating trafficking in human beings. It is focused on the establishment of so-called the strategic activities that provide the necessary logistic platform for further operations. The partner country in the project is Bulgaria, and the beneficiaries of the project are the countries of South-Eastern Europe (Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Macedonia, Albania, Romania and Moldova). Other participants in the project are the Office of the State Prosecutor General of the Republic of Slovenia, Europol and Eurojust. The project was approved by the EC on 1 May 2011 and is planned for two years.

Workshops form the core of the project and are intended to encourage experts to use joint investigation teams, which might add value to their investigations and contribute to the development of international cooperation on criminal matters. The workshops allow for the exchange of experience, good practice and ideas. The aims of the project are: to make an index of contact points for implementing JIT in the field of the fight against trafficking in human beings and an index of contact points within the police, prosecution and organisations that assist
victims of trafficking; to create a protocol to access contact points for implementing JIT; to review the organisation and competences of individual authorities or services for implementing or managing JIT in individual countries; to establish mechanisms for the coordination and implementation of the operational activities of JIT; to exchange good practices on the strategies and techniques used.

Other international activities

- In addition to forming national policy regarding the resolution of problems of trafficking in human beings, the National Coordinator also presents views and demonstrates good practices at the majority of international forums. Since the above problems are growing, plans and ambitions are considerable. The key international events in 2011 attended by the National Coordinator are listed below:

- In May 2011, he participated in the meeting of the UN Convention against Torture as a representative of the Delegation of the Republic of Slovenia (led by the then Ministry of Justice) to discuss the Third Periodic Report of the Republic of Slovenia on the Implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The agenda related to the subject of trafficking in human beings.

- On 6 June 2011, a meeting of national coordinators for combating trafficking in human beings from the South-Eastern European region took place. The meeting is based on the resolutions of the Brdo Process Ministerial Conference, which encouraged and supported such meetings of national coordinators. In terms of content, the meeting was dominated by the issue of trafficking in children.

- A regular meeting within the OSCE format took place on 20 and 21 June in Vienna.

- Between 12 and 16 December 2011, the first meeting of the PC-TO Committee of the Council of Europe was held to prepare a new European convention on trafficking in human organs.

- On 20 April 2011, Mr Eric PANLOUP, the regional coordinator and technical adviser for the field of trafficking in human beings in the South-Eastern European region, employed with the Permanent Mission of France to the UN and international organisations in Vienna, came to Slovenia. During his visit, he met key representatives of organisations operating in the field of trafficking in human beings. He presented the possibilities for focused regional cooperation in combating trafficking in human beings, with a particular emphasis on cooperation with non-governmental initiatives.

- In their regular work, Caritas Slovenia developed and maintained international cooperation with related organisations abroad (representations of Caritas Europa and Caritas Internationalis, IOM, Coatnet, La strada etc.). They participated in a European conference which took place in Poland, in the framework of the RENATE network (Religious in Europe Networking against Trafficking and Exploitation). The network was established in 2009 in the Netherlands with the aim of connecting nuns who work around the world in the field of prevention and assistance to victims of trafficking in human being. The goal of the conference was to learn about current activities in each country, exchange experience, and seek opportunities for cooperation and mutual support. In September 2011, representatives of Caritas Slovenia attended a training course in Albania of several days organised by the Shkej and Urat organisations, which work in the field of trafficking in human beings and trafficking in children in Albania.
The contractor from the ‘Providing Assistance for Victims of Trafficking in Human Beings’ project and a volunteer from Society Ključ attended expert training in Belgrade within a joint project called STOP which is implemented by Society Ključ and the Serbian NGO, ASTRA ASSOCIATION. The subject of the training, performed by BAAF from England, was trafficking in children and the sexual exploitation of children.
VI. Other issues related to trafficking in human beings

As highlighted in Chapter III, 'Prosecution of criminal offences of trafficking in human beings', other activities are associated with trafficking in human beings. According to the IWG, this may also include child pornography on the Internet. In terms of content, this issue does not fall within the strict definition of trafficking in human beings, but relates to it indirectly. The key information on this issue for 2011 is summarised below.

Internet child pornography and issues related to trafficking in children

In 2011, the district state prosecutor's offices received charges against 40 perpetrators of criminal offences of the presentation, manufacture, possession and distribution of pornographic material under Article 176 of KZ-1, while only 18 persons were charged in 2010.

Successful international cooperation in the detection and prosecution of this criminal offence, which usually goes beyond national borders, continued in 2011. Criminal charges against five suspects were brought after pre-litigation proceedings had been instigated in cooperation with foreign law enforcement authorities.

District state prosecutors requested the initiation of investigations of eight persons, and accusations were filed against nine persons.

The extent, problems and nature of this criminal offence were brought to light in criminal proceedings giving rise to the suspicion that the perpetrator had committed three criminal offences under Article 176 of KZ-1, three criminal offences under the third paragraph, and related to, the first paragraph of Article 176 of KZ-1, twice attempting to commit a criminal offence under the second paragraph of Article 176 of KZ-1, attempting to commit a criminal offence under the third, and related to, the second paragraph of Article 176 of KZ-1, and 35 criminal offences of sexual assault on a person under the age of fifteen under the fourth and first paragraphs of Article 173 of KZ-1. Through web portals and by cell phone, the perpetrator persuaded three underage girls to undress in front of a web camera, to pose nude in pornographic positions, and send pictures that he would be able to view on his computer camera, in return for which he would cover the cost of their telephone account. He similarly attempted to persuade two other underage girls, who refused to comply, and exposed his genitals to another female minor via a web camera on 35 occasions, masturbated and required her to undress and masturbate in front of the camera. The district state prosecutor recommended that the perpetrator be detained and the court concurred; the case received priority consideration, and the perpetrator was sentenced to five years' imprisonment.

In addition to the cases above, twelve other prosecutions were brought, and it should be noted that the courts, considering the severity of the criminal offence (the quantity of data carriers with pornographic content), concurred with the recommendations of the state prosecutors and imposed prison sentences. The person accused in April 2011 of possession of 41,000 photos and 3,314 videos, all including minors, was sentenced to two years and four months imprisonment. The sentence is final. In November 2011, two accused persons were sentenced to four years imprisonment for the possession of child pornography; from July 2006 and until their arrest, they sold child pornography via electronic media, and possessed sixteen devices and 163 DVDs containing child pornography when arrested; they also had two studios for cassette reproduction and 84 CDs/DVDs.
Conclusion

The 2011 report comprehensively describes the issue of trafficking in human beings in the Republic of Slovenia. This was a period when policy in this field, which was being developed from the beginnings of the past decade, was strengthened. The established systems of prevention, detection and prosecution of criminal offences and assistance to victims are, to a certain extent, sustainable and satisfactory, given the known extent of this phenomenon in Slovenia. However, this is not, and should not be, a reason to slow down or even impede the results achieved so far. Trends in Europe and globally indicate the increasing need for more effective measures at both the systemic and implementation levels. Both the law enforcement authorities and non-government organisations that are active in this field face new forms of trafficking in human beings that reflect an increased tendency to exploit victims.

Not so long ago, there was speculation in Slovenia as to whether trafficking in human beings was present in our society and whether this should, and to what extent, receive any attention. Trafficking in human beings was often seen only as exploitation through prostitution, either because this offence is easier to prove, or because the two terms are related. This was also the reason for the wider misunderstanding and generalisation of this problem. Only when the first convictions were delivered, was trafficking in human beings proven to be, from the aspect of criminal law, a phenomenon present in our society. The number of convictions is small and, as such, is a bone of contention to international institutions dealing with this issue. Thus far, these are only informal comments and expressions of concern, but if no progress is seen in this field, serious warnings are to be expected. The awareness of all those engaged in combating trafficking in human beings should be enhanced and upgraded, both in law enforcement agencies and in the judicial administration. The problems of issuing work permits and temporary residence permits show a lack of awareness in this field also in the state administration and at Slovenian representations abroad. Activities dictating concrete measures in all of the above-mentioned fields are set out by the action plan and need not be repeated here; however, the need for their continuous implementation should be emphasised.

At the end of periodic reporting, it should be noted that the needs and expectations of the EU and other relevant international instruments include the continuous upgrading of measures to combat trafficking in human beings. The regulation of the coordination of combating trafficking in human beings is left, to a certain extent, to the discretion of each country; however, many EU documents highlight the need for independent authorities such as national rapporteurs or equivalent means. This is also foreseen by the Council of Europe Convention on Action against Trafficking in Human Beings. At present, Slovenia regulates this through the Interdepartmental Working Group, which is only an advisory body with no operational role. We should be aware that there is an increasing range of tasks - the coordination of national and international projects, cooperation and work with non-governmental organisations, responding to international requests, responding to media questions, presentations abroad, the preparation and coordination of new measures, and numerous more or less important duties in the field of coordinating a comprehensive fight against trafficking in human beings. These tasks are currently being assumed by a few individuals who believe this is important. This reflects the weight and importance that the state dedicates to this issue. Time goes by, standards and requirements rise, and it would be a waste to neglect the advantage and reputation we have created in recent years.