WORK REPORT
OF THE INTER-DEPARTMENTAL WORKING GROUP FOR COMBATING
TRAFFICKING IN HUMAN BEINGS 2002

I. Introductory notes

Following other similar definitions, trafficking in human beings can be defined as any form of recruiting, procurement or transfer of vulnerable individuals or groups (within or outside the state) for the purpose of their exploitation (exploitation in the form of prostitution, forced labour, slavery or similar practices, as well as the transfer of body organs for profit). Trafficking in human beings is based on payment or other forms of compensation, and on the use of physical or other violence, deceit or fraud, so that the consent of the victim or control thereof is achieved.

Trafficking in human beings is by all means a global social problem, requiring a multi-disciplinary approach. This is demonstrated by the fact that the field of combating this phenomenon is gaining on ever-growing support, within the field of combating organised crime and in the field of international organisations and institutions increasingly engaging in preventing this deviant phenomenon.

In Slovenia, the phenomenon of trafficking in human beings was detected solely in the form of trafficking in women for the purpose of sexual abuse. With respect to the classification of states as to their role in this form of trafficking in human beings, Slovenia is placed in all three classification groups: it is the state of origin, transit and destination. Between 70 and 80 night clubs have been put on record as providing in some cases shelters to women from Eastern Europe falling victim to trafficking in human beings. The women were resident either legally or illegally, and employed as artist dancers. According to unofficial data provided by inter-governmental and non-governmental organisations home and abroad, several dozen women holding Slovene citizenship were sold to the Western Europe in the years 1995-2000, making Slovenia also the state of origin. Taking into consideration the distinct migration currents of the past decade, a considerable number of illegal migrants passing Slovenia are persons re-sold, which makes Slovenia a state of transit as well. The number of women holding citizenship of South-Eastern European states, in transit in Slovenia, is estimated to range between 2000 and 2500. Various forms of trafficking in human beings and illegal migrations are, despite their distinct nature, two phenomena tightly intertwined, causing the lack in transparency.

At first, the operations of individual institutions, including bodies of prosecutions and non-governmental bodies, have been focused on individual cases, in a partial and uncoordinated manner. Due to the increasing importance of the problem and the pressure exerted by international institutions, it was necessary to ensure a comprehensive and coordinated approach in dealing with this phenomenon, thus including all competent organisations. On 8 November 2001, a meeting was held at the Ministry of Foreign Affairs, founding the Inter-departmental working group within the Stability Pact for South Eastern Europe (hereinafter: SPSEE) for combating trafficking in human beings. The initiatives for founding the working group have been laid down, thus stating the obligations of the Republic of Slovenia based on the following important international documents:
- Declaration adopted at the Ministerial Conference containing European Guidelines for Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation (The Hague, 24-26 April 1997).

- Council of Europe Recommendation No. R (2000) 11 of the Committee of Ministers to member states on action against trafficking in human beings for the purpose of sexual exploitation;


- Anti-trafficking Declaration of SEE, proposed within the SPSEE, Palermo in December 2000.

As a demonstration of our obligations and as an opportunity to regulate this field in the Republic of Slovenia, the minister of foreign affairs dr. Dimitrij Rupel issued an order on 6th December 2001 appointing the inter-departmental working group. In the group, representatives of Ministries, representatives of non-governmental organisations and representatives of inter-governmental organisations participate. In February 2002, a national coordinator for this field was appointed on the basis of an order issued by the Government of the Republic of Slovenia, charged with the heading and coordinating the inter-departmental working group, thus satisfying the formal requirements for the work of the working group.

II. Activities of the inter-departmental working group in 2002

Already in December 2001, a draft Action programme was prepared by the national coordinator for combating trafficking in human beings on the basis of the recommendations and starting-points of the SPSEE (the Action programme was passed on to the Ministry of Foreign Affairs). The working group, however, held its second meeting only on 14 June 2002, due to the formalities of its operations. The meetings of the working group have been held every three months. Nevertheless, individual organisations within the inter-departmental working group were active all the year round, especially in respect of the starting-points of the Action programme.

1) Awareness-raising of target and wider population was conducted mainly through television and radio broadcasts in the form of discussions and interviews with the national coordinator, representatives of the police, non-governmental organisations and inter-governmental international organisations.

- Videotapes of the victims of trafficking in human beings, the property of the UNDCPI, were televised with subtitles in the Slovenian language, free of charge.

- Activities including distribution of leaflets, directed at the target groups of potential victims of trafficking in human beings, were initiated on the part of the Ministry of the Interior - the
General Police Directorate and the Criminal Investigation Police, as well as by the non-governmental organisation "The Key Association"-"Društvo Ključ". The non-governmental organisation, "The Key Association"-"Društvo Ključ", has organised lectures in primary and secondary schools within the project "Violet" - "Vijolica", and a brochure on the phenomenon of trafficking in human beings was published on the part of the society.

- In the second part of 2002, the action "What's the matter, girl?"-"Kaj ti je, deklica?" was carried out under the coordination of the non-governmental organisation "SOS telephone". The awareness-raising on violence and new-age slavery was directed at the target group of young women. A discussion on the problem of trafficking in human beings was organised as well.

- International Organisation for Migration (IOM) published a regional study on "The victims of trafficking in human beings in the Balkans (ARTB)" in the year 2001. Experts from 28 European countries, including Slovenia, participated. The study was initiated by the Stability Pact, the Working Group for prevention of trafficking in human beings, and financially supported by the OSCE.

It is estimated that approximately 60 various media broadcasts dealing with trafficking in human beings went on the air in 2002.

2) From the operational standpoint, eight victims of trafficking in human beings were offered assistance in 2002. In these cases, the assistance was provided by the police, as well as by the non-governmental organisation "The Key Association"-"Društvo Ključ" and the inter-governmental organisation IOM. In most cases, the victims were committed to their states, where some were introduced to reintegration programmes.

3) Passing of information on criminal offences in the field of prostitution and trafficking in human beings is rare in the Republic of Slovenia. For this reason, the detection of such criminal offences is foremost a result of self-initiative and efforts of the police. In the Penal Code, the field of trafficking in human beings is criminalized by provisions on the criminal offences of "Intercession at prostitution" under Article 186, the offence of "Procuration" under Article 185 and the offence of "Holding persons in slavery" under Article 387. Cases of the first two offences are more commonly dealt with, since the offenders are relatively easily proven guilty. In 2002, the police have dealt with 21 criminal offences in the field of prostitution, and 10 criminal offences in the field of holding persons in slavery, all amounting to criminal offences of trafficking in human beings for the purpose of sexual exploitation. Information on altogether 55 persons was passed for criminal offences of prostitution and trafficking in human beings; 28 persons were treated as victims, including 15 victims of the offence of being held in slavery.

Efforts of the Ministry of justice to introduce amendments to the Penal Code, including new offences connected to trafficking in human beings, are of considerable importance in this view. Presumably, the wording of the amendments is to be prepared by the end of February 2003. A new criminal offence of trafficking in human beings is to be introduced, and probably the offence of the dispossession of personal documents for purposes of trafficking in human beings as well.
As of 1 January 2003, paragraph 2 of Article 10 of the State Prosecution Act (The Official Gazette of the Republic of Slovenia No. 110/2002) provides for the additional competence of the special group of state prosecutors in the field of criminal offences connected with trafficking in human beings.

4) International, especially regional cooperation, education and training of participants in combating trafficking in human beings has been continually in progress throughout the year. Such forms of education were organised within regular annual conferences on the issues of prostitution and trafficking in human beings, in which representatives of the police, prosecutor's office, courts, non-governmental and inter-governmental organisations participate. A more intensive approach has been adopted in respect of educating expert personnel dealing with the issue of trafficking in human beings within the regional programs of the SPSEE, ICMPD, IOM and SECI. Slovenia has been actively involved in such programs at the level of national coordination, bodies of prosecution and non-governmental organisations. Regional cooperation is particularly important considering the fact that Slovenia is fully engaged in the chain of trafficking in human beings. For this reason, it was necessary to intensify regional and local - border cooperation at the operational level with respect to particular fields of activities, and the exchange of information and experience with the states whose geographical and social position in connected to the organised chain of trafficking in human beings. For such purpose, Slovenia has determined the national coordinator as the strategic contact, whereas the direct operational cooperation has remained in the sphere of the competent bodies. In 2002, the international cooperation in this field was being promoted through the following conferences and educational seminars:

- Regional conference on "Judicial cooperation, corruption and trafficking in human beings", organised by the Council of Europe, Office of the Government of the Republic of Slovenia for the prevention of corruption, the non-governmental organisation "The Key Association" - "Društvo Ključ" and the SEZMS of the Ministry of the Interior (June 2002, Portorož)

- Meeting of the III. Working Table of the SPSEE (June 2002, Bucharest)

- International seminar of the IOM on "The victimisation of victims of trafficking in human beings", organised by the Greek Ministry of the Interior and the STOP programme of the EU (June 2002, Athens)

- In September, our expanded delegation participated at the European conference on trafficking in human beings, organised by the institutions of the European Commission, European Parliament and the IOM. The conference took place on 18-20th September in the parliamentary assembly hall in Brussels. Among the aims of the conference was also the adoption of the Brussels declaration on preventing and combating trafficking in human beings, including recommendations and standards, as well as the effective practices adopted by the states at solving this global phenomenon.

- On 12-14 September, the Fourth international conference "The Police in Central and Eastern Europe: Deviance, Violence and Victimisation" took place in Ljubljana, organised by the College of Police and Security Studies, including a section on victimological aspects of deviance and violence, where several papers on the issues of preventing trafficking in human beings were delivered. IOM Ljubljana and IOM Vienna have presented the situation on
Slovenia and the region of Central Europe.

- On 27-29 September, an introductory seminar on the education of police, judicial and non-government personnel was organised by SPSEE and ICMPD in Bucharest. The current situation and the requirements were assessed for the purposes of continuing educational process in the coming year.

- The seminar was continued on 25-29 November in Austria, where "the lecturers" were already being actively educated. Representatives of the police and the non-governmental organisation "The Key Association".-"Društvo Ključ" participated.

- A conference emphasising trafficking in women for the purposes of sexual abuse was organised by the European Commission on 5-6 December in Syracuse. The Italian public paid great attention to the conference, since amendments of the legislation in this field were being passed in the Italian parliament.

### III. Starting-points for further activities

In one of the introductory meetings of the working group, an agreement and several resolutions on the guidelines of further activities of the group and mutual exchange of information were reached. On the basis of the submitted action programme, taking into account the amendments and changes proposed, resolutions on some undefined and poorly regulated issues were passed. In addition to the continuing work defined in the Action programme, the following three tasks (problems) in 2003 were put forward:

A) Definition and formalisation of procedures in cases of dealing with victims of trafficking in human beings.

B) Setting up shelters for victims of trafficking in human beings.

C) Producing a national study in the field of trafficking in human beings, for the purpose of preparing a national programme.

Subgroups were formed for the purpose of studying and preparing the starting-points for particular tasks in 2003.

A) Formalisation of procedures in cases of dealing with victims of trafficking in human beings

A written agreement has been reached and guidelines were adopted determining concrete and coordinated approach already at the stage of proceedings of identifying victims of trafficking in human beings and determining the circumstances, in order to provide immediate medical assistance and social care to the victims. Such proceedings are normally conducted on the premises of police stations. In providing mutual exchange of information, the non-governmental organisation "The Key Association".-"Društvo Ključ", the IOM, "Slovenian Philanthropy".-"Slovenska filantropija" and the dispensary with consulting room for persons without health-care insurance also participate. A circular
A letter was issued for this purpose, and passed on to all police stations in Slovenia, clearly stating the organisations providing for specific types of assistance and to which organisations police officers should direct the victims. It was agreed that victims could address the following organisation for assistance:

- "Slovenian Philanthropy" - "Slovenska filantropija", with respect to providing psycho-social assistance;

- the IOM, with respect to voluntary return;

- "The Key Association" - "Društvo Ključ", with respect to various forms of direct assistance to victims;

- the dispensary with consulting room for persons without health-care insurance, with respect to medical assistance.

B) Setting up shelters for victims of trafficking in human beings

The working sub-group was unanimous on the issue of the necessity of providing legal, psycho-social, medical and other types of assistance to all victims of trafficking in human beings. Special protection needs to be provided to victims willing to testify in criminal and preliminary criminal proceedings. Organisations where victims seek assistance may be of public, non-government or private nature, in accordance with laws and other documents. The state shall, in accordance with laws and other documents, support the activities of non-governmental and private organisations offering assistance to the victims of trafficking in human beings. Two proposals were drafted:

B.1) Victims of trafficking in human beings must be provided with the required services and security within the existing network of safe-houses, until a special safe-house or apartment is established for the victims of trafficking in human beings (a temporary solution). As to potentially including the victims of trafficking in human beings in the existing safe-house network, the following need to be ensured:

- additional, specialised education of the safe-house employees,

- special premises for the victims of trafficking in human beings,

- additional security,

- additional financing of the existing safe-house network.

B.2) Eight safe-houses are currently operational in the territory of the Republic of Slovenia, organised as public institutions or as non-governmental organisations. The activities of these organisations are directed at providing the services of first social and personal aid, providing and developing new forms of psycho-social assistance, training of their clients on how to treat children, awareness-raising of the wider population as to the problems in this field etc.
In order to settle the issue of persons falling victims to trafficking in human beings, a smaller safe-
house or apartment should be established. The existing safe-houses in Slovenia are not suitable for
accommodation of these persons for the following reasons: - the security conditions of the existing
safe-houses do not satisfy the criteria for sheltering persons falling victim to organised crime, - expert
personnel are not qualified for providing such assistance that requires special skills, - language barrier
(as far as foreign citizens are concerned), - safe-houses for Slovenian victims of violence accept only
women with or without children, and refuse to accept boys.

A safe-house (an activity) should provide temporary protection, secure environment, an open
telephone line to the victims (foreigners), in addition to a variety of social and medical services,
psychological assistance, legal assistance, security (24-hour protection of victims of trafficking in
human beings), voluntary return and assistance at re-integration of victims, all of these provided in
cooperation with project partners. Each victim should remain in the shelter for a period of 1-3 months,
with exceptions allowed on a case-to-case basis, as long as further alternatives are not determined.
Assistance should also be provided to those victims (Slovenian citizens), returning from abroad and
seeking to enter a programme of social integration and re-socialisation.

Target groups should therefore be the victims of trafficking in human beings in the states of origins
and the states of transit, with emphasis on the especially vulnerable groups, such as women and
children. A group of professionally qualified persons (language and other special skills) should
provide for the victims of trafficking in human beings (qualifications).

Special protection should be provided for victims willing to testify in criminal and preliminary
criminal proceedings. A special safe-house or apartment should be organised for such victims, where
they can be accommodated for a longer period of time, so that their return home may be arranged with
the help of experts by reaching a prior agreement with the state of origin on the possibilities of re-
integration, or so that their further stay in the Republic of Slovenia is enabled with a possibility of
settling their status.

In regulating the status of children and minors, a precise agreement between governmental and non-
governmental organisations must be concluded as to the procedures, tasks and activities in the event of
dealing with such victims. Children (victims) must be offered such protection in the criminal
procedure so as to recognise their needs, including the special needs attached to their witness status.
In implementation of children protection programmes or programmes of their physical and mental
recovery, social re-integration and their return to homeland, they should be provided with the services
of persons professionally qualified in the field of law and psychology.

The first safe-house (apartment) in the Republic of Slovenia for the purposes of victims of trafficking
in human beings is presumably going to be established by "The Key Association"."Društvo Ključ",
that has participating in the ACCESS project by entering a macro-project, thus receiving a donation in
the amount of EUR 100.000, covering 80 per cent of the value of the project. The basic aims of the
project are:

- professional qualification of a certain number of therapists offering psycho-social assistance
to the victims, forming therapeutic groups,
- purchase of real estate - an apartment with 2 1/2 rooms, for the purposes of "safe-apartment" for the victims of trafficking in human beings (accommodating up to 8 persons),

- concluding formal agreements on cooperation (so-called "memorandum of understanding) between "The Key Association"-"Društvo Ključ" and all competent governmental and non-governmental organisation, that are expected to deal directly or indirectly, in any manner possible, with the victims of trafficking in human beings.

The "safe apartment" will be operational at latest on 30 September 2003 in accordance with the project activities. The main partners participating in the project are: "Consulting for women"-"Ženska svetovalnica", the Animus Association Foundation fro Bulgaria and the "Comitato per i Diritti Civili delle Prostituite" from Italy.

C) Producing a national study and methodology of collecting statistical data

The approach in respect of various forms of studies can already be recognised in the activities of the inter-departmental working group, including the regional study of the IOM where Slovenia also participated. In 2002, funds for further studies of this phenomenon have already been approved by the same international organisation. The IOM mission in Slovenia is already making use of forms and models for collecting statistical data on the victims of trafficking in human beings. A methodology of collecting and analysing statistical data on the occurring forms of trafficking in human beings must be established for the purposes of the national study as well as for the purposes of informing the public and other institutions. The statistical data are required in the preparation of annual and periodic reports and in presenting the issue abroad (e.g., the state is obliged to issue various reports to different bodies of international organisations).

The mentioned studies covering Slovenia as a part of the region are most welcome and offer an alternative and a starting-point for the preparation of a national study. The experience of the states that have engaged in the combating trafficking in human beings approximately 10 years ago show that a national programme on combating trafficking in human beings is necessary in order to combat this phenomenon in an efficient manner.

At the end, I am able to conclude that significant changes in combating trafficking in human beings have taken place in Slovenia in 2002. In addition to the numerous activities carried out in the previous year, the establishment of inter-departmental structure and starting-points of activities offers additional stimulation and obligation in implementing the goals set in this area.

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