
Ljubljana, May 2009
Summary


Over the period covered by the Report, the IWG held three meetings and discussed various topics related to planning measures against trafficking in human beings and to finding solutions for currently open cases. Relevant decisions are included in the meeting minutes circulated to the IWG members.

Due to activities linked to Slovenia's EU Council Presidency in the first half of 2008, work by the IWG was not as intense in regard to the organisational aspect of formal meetings; however, it went on smoothly in the form of shorter "ad hoc" working meetings depending on the issues in question. Major events and activities are to be found in the following chapters:

**Legislative framework**: amendments to the Penal Code with no substantive pertinence in regard to criminal offences of trafficking in human beings.

**Prevention**: list of activities relating to awareness-raising campaigns for the general public, the expert public and the target population – potential victims of trafficking. Here also belong inspection activities and measures relating to work permit issuing procedures for so-called professional groups at risk (bar dancers, and construction and seasonal workers).

**Prosecution of criminal offences**: cases of criminal acts dealt with by the police and public prosecutors' offices. In 2008, the police dealt with 18 cases (17 of which were criminal acts relating to 11 criminal complaints and 1 report) of trafficking in human beings involving 36 offenders. The public prosecutor's offices considered 11 criminal complaints and 2 reports against 31 suspects. Investigations were initiated against 7 persons; criminal charges were filed against 10 persons (of which 6 were from previous years); court sentences were pronounced against 4 persons (of which 3 were from previous years).

**Assistance to and protection of victims of trafficking in human beings**: consideration was given to the categories of temporary and protected accommodation practiced by the NGOs Association Ključ and Caritas Slovenia, and to the project PATS as an example of continuity. The planned national budget amount for these projects was EUR 95,000, while the real amount of expenditure reached **EUR 98,387**.

**Support activities**: these include coordinated activities necessary for an integrated approach in the fight against trafficking in human beings; the IWG members actively took part in these activities.

**Areas connected to the human trafficking issue**: statistical data on Internet child pornography and illegal migration. Both topics actually do not fall within the narrow scope of trafficking in human beings, however they are indirectly related to it.
I. Legislative framework

In 2008, the Ministry of Justice drafted a new Penal Code which was adopted by the National Assembly of Slovenia on 20 May 2008. The new Penal Code-1 (hereinafter: KZ-1) was published in the Official Gazette of the Republic of Slovenia, No 55/08); a relevant corrigendum was published in the Official Gazette of the Republic of Slovenia, No 66/08. The new Penal Code entered into force on 1 November 2008.

The two most pertinent criminal offences falling within the category of the fight against trafficking in human beings and dealt with by KZ-1 are the criminal offence of trafficking in human beings (Article 113) and the criminal offence of enslavement (Article 112). These two criminal offences have replaced those previously laid down in Articles 387(a) and 387 of the Penal Code from 1994 (plus relevant amendments as of 2004). Comparison between the definition of signs of criminal offences as referred to in KZ-1 and those mentioned in the Penal Code from 1994 (plus relevant amendments as of 2004) shows that the relevant amendments relate mostly to wording.

In 2008, the Ministry of Justice re-examined the content of the Council of Europe Convention on Action against Trafficking in Human Beings (CETS, No 197) from 2005 and came to the conclusion that the Convention's provisions exceed the scope of the legal order of the Republic of Slovenia. This resulted in suspending the ratification procedure for the Convention. As regards the Penal Code provisions on jurisdiction, i.e. its validity in relation to aliens concerning specific conditions for prosecution as referred to in KZ-1, Article 13 (2), and in KZ-1, Article 14(3) (dual criminality), and the issue of punishability according to general legal principles recognised by the international community according to KZ-1, Article 14(5), it is very likely that pursuant to Article 31 (2) of the Convention a reservation in the form of an interpretative declaration concerning the scope of Slovenia's jurisdiction under this item regarding item d) of Article 31 of the Convention will have to be given.
II. Prevention

Prevention activities are among the major elements in the fight against trafficking in human beings, through which efforts are made with a view to preventing this form of basic human rights violation and to reducing its consequences.

Prevention activities include raising awareness among the general public, education and training of experts in the area, raising awareness in the target group – potential victims of trafficking in human beings, carrying out research activities, supervising the phenomenon and, last but not least, enhancing control mechanisms with the investigation and prosecution authorities, as well as with other institutions where their activities concern the fight against trafficking in human beings.

Raising public awareness

According to available data, the Slovenian media published information in more than 50 instances on trafficking in human beings. Some of these, in particular, radio and TV broadcasts, included participation by the national coordinator and the IWG members.

In the beginning of this year and over the summer, the media promulgated several pieces on mendicity (RTV Slovenia, the weekly Nedelo, the daily Delo) containing declarations by NGOs and the police.

In March, several articles were published where THB was addressed in connection with violence against women when the Prevention of Violence in the Family Act entered into force. The Delo “Saturday Supplement” and "Ona” published two substantial articles on the issue.

In June, electronic and print media alike reported on the IWG’s activities in 2007. This included statements by the national coordinator and representatives of Association Ključ and Caritas Slovenia.

In the same month, the media reported on the US State Department Trafficking in Persons Report, while Delo published a longer article by the US ambassador to Slovenia entitled “Illegal trafficking in human beings is modern slavery”.

The June number of the weekly magazine Jana contained a confession by a Slovenian woman who fell victim to human trafficking and some information from Association Ključ regarding necessary precautions.

In summer, the national media made an extensive presentation of the work of NGOs in assisting victims and combating trafficking in human beings. The daily Delo, in its supplement "Ona", and Dnevnik in “Objektiv” presented the activities of Association Ključ and a long interview with its representative, while the weekly Družina published an article on the activities of Caritas Slovenia in the area concerned.

On the European Day of the Fight Against Trafficking in Human Beings, reports were published of a consultation held at Center Evropa in Ljubljana. The Slovenian publication SINFO published a full-page article in English by the national coordinator, Sandi Čurin. On this occasion, the TV station Studio Signal broadcast a two-hour talk show with the national coordinator, a representative of Caritas Slovenia and a representative of the Slovenian Association of Journalists. The show was broadcast by local TV network affiliates.
In addition, media attention was devoted to the violation of the rights of migrant workers as pointed out by trade union representatives; the daily *Dnevnik* published an interview with a ZSSS trade union representative.

Several media covered the presentation of the book *Prostitucija* by the author Jurij Popov, who made a guest appearance on RTV Slovenija's nightly news broadcast "Odmevi" and had an extensive interview printed in "Objektiv".

The topic was included in the accident/crime statistics of different media (for example, uncovering a network of traffickers in human beings in June and of the Klobučar case in autumn).

The RTV Slovenija news edition and the TV broadcast "Tarča" brought to light statements by a police representative and an IWG member concerning a concrete example of enslavement of a Slovenian citizen (in the Klobučar case).

On 16 October 2008, Center Evropa organised a consultation entitled "You too could be a victim". The consultation, held on the occasion of the European Day of the Fight Against Trafficking in Human Beings, was led by moderator Violeta Neubauer (UEM). The guests and participants of the consultation were Sandi Čurin, the national coordinator for the fight against trafficking in human beings; Nina Stenko of Caritas Slovenia; Katjuša Popović of Association Ključ; Kristina Plavšak of the Council of Europe Information Bureau for Slovenia; and Maja Kezunovič Krašek of the European Parliament Information Bureau, Ljubljana. The number of participants was twenty and particularly included young people, who held a lively debate on the issue.

In 2008, the website dedicated to the fight against trafficking in human beings was updated in both English and Slovene. The Internet address http://www.vlada.si/delo_vlade/projekti/boj_trgovina_z_ljudmi/ serves as a link to the website of the Ministry of the Interior. The site contains information on IWG activities and key documents, as well as other materials and international documents relating to this domain. In 2008, the site received 4,200 visits.

Within the project "Oath", Association Ključ in cooperation with four other NGOs conducted a public awareness campaign on non-violent behaviour. A short documentary was shot on this theme and broadcast on the local TV network; in addition, an advertisement inviting people to opt for non-violent behaviour was aired on radio. On the occasion of International Day for the Elimination of Violence Against Women, a huge white loop was displayed in front of the Ljubljana Town Hall containing scanned signatures of young people who took the oath of choosing non-violent behaviour. In November and December, a white book was open for signing by random visitors to the Town Hall. T-shirts were distributed to passers-by and to those who took and signed the oath. In cooperation with the project's co-financing party, a leaflet containing instructions on help in cases when one becomes a victim of violence was inserted into the packaging of mobile phones for sale. Similarly, trafficking in human beings was included in all relevant awareness-raising materials.

Association Ključ, as a partner in the project "You too are part of this world", recorded a TV spot on forms of trafficking in human beings. The spot was broadcast (for three months) by RTV Slovenija and by one of the commercial TV stations. For this purpose, T-shirts and badges were produced, as well as laminated cards with questions and life situations informing ordinary people of the risk factors for becoming a potential victim of trafficking in human beings.

Association Ključ took part as a partner in the project "Four Steps". Within this framework, an international conference on violence was held in the National Assembly on 8 March. In
addition, the theme of trafficking in human beings was discussed at a special roundtable, which gathered 30 participants.

Within the project "Care for the victims of trafficking in human beings – protected accommodation", Association Ključ printed 19,000 so-called FELIX cards, which were distributed to 130 locations across Slovenia: night/day bars and restaurants, libraries, cinema halls, etc. These cards gave examples of self-protecting measures for potential THB victims.

**Raising expert public awareness – education**

In February 2008, Association Ključ organised a one-day training course on THB intended for public prosecutors, and in July 2008 a roundtable on trafficking in human beings was held for the expert public and journalists.

Caritas Slovenia carried out regular monthly training workshops for its close associates and volunteers. In addition, four meetings on THB supervision and three seminars were held for volunteers.

The police, as part of its yearly education and training programme, carried out its regular training course intended for criminal investigators on the theme "Smuggling and trafficking in human beings". This course was also attended by representatives of Association Ključ and Caritas Slovenia, while the opening address was given by the national coordinator. The course took place at the Gotenica police training centre on 24 and 25 November 2008.

**Raising target public awareness**

The national coordinator, in cooperation with the Government Communication Office, transmitted a letter to elementary schools across Slovenia on the theme "Raising the awareness of young people on issues relating to trafficking in human beings", which contained an enclosed Association Ključ and Caritas Slovenia poster, and a collection of papers on trafficking in human beings.

On 23 May 2009, Šentvid Grammar School and Kamnik Rudolf Maister Schooling Centre students were given a lecture on the issue of trafficking in human beings. A debate, by teachers’ request, was conducted by the national coordinator.

Last year, Association Ključ continued its project "Violet – How to avoid the traps of human trafficking". In all, 19 relevant workshops were carried out for 580 secondary school students.

Within the "Commitment to non-violence" project, Association Ključ, in cooperation with four other NGOs, carried out 80 workshops on all types of violence in Ljubljana secondary schools for around 2,400 secondary school graduates. At the end of the workshops, the students were invited to choose non-violent behaviour. By 16 May 2008, when a solemn oath was given before the President of the Republic, 2,583 commitments to non-violence were made, including those where the school authorities did not wish to take part in the project. By the end of 2008, a total of 4,947 solemn oaths were recorded. The wording of the oath is the following: "I, as a mature and responsible person, solemnly swear that I shall not provoke violence, I shall not overlook violence, I shall not incite to violence, I shall take appropriate action concerning violence, I shall speak out and act against violence, and I shall keep myself informed of all types of trafficking in human beings".
Within the PATS project, 55 individual preventive and informative interviews were held with asylum-seeking applicants and aliens. The project was carried out in the Ljubljana Asylum Home and the Postojna Centre for Aliens.

The "Smart inquisitive mind" project, intended for conversations on the topic, was carried out by Association Klijuč in the Zalog and Bežigrad youth centres. Around 100 hours of conversations were organised for the young people (aged 13 to 20 years) who usually spend their time in the two centres. The themes included the following: human rights, mendicity, forced prostitution, recruiting of individuals, transport and exploitation of victims, poverty, self-image, intolerance against differences, irresponsible sex, drug addiction and relation to prostitution. The conversations included around 50 children.

Within the project "You too, are part of this world", 10 preventive workshops were carried out for 312 children. The themes included the following: trafficking in human beings, forms, victims and other subjects, factors and recruitment of victims.

Trilingual leaflets, intended for aliens of both sexes for whom Slovenia is a target country, were published in an edition of 50,000 copies. These leaflets were edited by Association Klijuč and financed by the Ministry of the Interior within the "Care for victims of trafficking in human beings – protected accommodation" project framework. They were transmitted to all of Slovenia's diplomatic representation offices.

Caritas Slovenia also took part in the awareness-raising campaign. It prepared and edited 50,000 leaflets financed within the "Care for victims of trafficking in human beings – protected accommodation" project by the Ministry of Labour, Family and Social Affairs. The leaflets were transmitted to the relevant contact points within the country and were focused on the Slovenian adolescent target group. The distribution points were social work centres and different associations and places where young people usually congregate.

The IWG representative gave an opening lecture as a prelude to the discussion that took place on 19 October 2008 in Velenje. The theme "Developed countries carry the responsibility for trafficking in human beings" involved the participation of more than 200 young people as members of several debating teams.

**Enhancing control mechanisms for issuing work permits**

Special attention has been paid to issuing work permits in relation to understanding the THB phenomenon in broader terms. Emphasis is placed on work permits for bar dancers, and construction and seasonal workers. With a view to strengthening cooperation in planning and drawing up measures against trafficking in human beings, the Labour Market and Employment Directorate of the Ministry for Work, Family and Social Affairs, together with representatives of the police, agreed on the periodic transmission and exchange of data concerning work permits issued for different categories of professions, including individuals and firms employing foreign dancers.

Regarding the construction sector, 46,568 work permits were issued in 2008, while the number of permits for dancers was 937. In addition, a total of 11,017 work permits were issued for seasonal workers in general, of which 341 were for seasonal works in agriculture, 9,332 for seasonal work in construction, 1,075 for contractual seasonal work in agriculture, 152 for seasonal work in catering and tourism, and 117 for seasonal work in general.
<table>
<thead>
<tr>
<th>PROFESSION</th>
<th>Number of work permits issued 2008/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dancer</td>
<td>937/988</td>
</tr>
<tr>
<td>Construction worker</td>
<td>46,568/32,527</td>
</tr>
<tr>
<td>Seasonal work, in general</td>
<td>117/100</td>
</tr>
<tr>
<td>Seasonal work, agriculture</td>
<td>341/194</td>
</tr>
<tr>
<td>Seasonal work, construction</td>
<td>9332/8592</td>
</tr>
<tr>
<td>Seasonal work on contract terms, agriculture</td>
<td>1075/1109</td>
</tr>
<tr>
<td>Seasonal work, catering and tourism</td>
<td>152/0</td>
</tr>
<tr>
<td><strong>Seasonal work total</strong></td>
<td><strong>11,017/9995</strong></td>
</tr>
</tbody>
</table>
III. Prosecution of criminal offences in connection with trafficking in human beings

- Activities of the police

In 2008, in combating trafficking in human beings, the police directed its activities toward uncovering individuals, criminal groups and milieus where criminal offences relating to prostitution and trafficking in human beings are perpetrated. In particular, it concentrated on detecting and protecting the victims of human trafficking.

In 2008, the police identified several different types of such trafficking. Most were cases of sexual exploitation; cases of enslavement and mendicity were observed as well. In addition, several cases of suspected human trafficking were established regarding transit via Slovenia. These referred to exploitation of children and forced work. It is interesting to note that potential victims in transit via Slovenia come from the new EU Member States such as Slovakia, Romania and Bulgaria. However, most THB victims originate from Eastern European countries such as Ukraine, Moldova and Russian Federation, as well as from the Caribbean, the Dominican Republic, Asia, Thailand, etc.

Sexual exploitation as a form of trafficking in human beings was found above all in night clubs and bars. Cases of prostitution abuse were found in hired flats and/or tourist facilities, with most of the victims being Slovenian women citizens. In providing help to THB victims, the police cooperated in several cases with the two NGO organisations Caritas Slovenia and Association Ključ.

113. Penal Code, Art. 387(a) – Trafficking in human beings: In 2008, the police dealt with 9 cases (2 in 2007) of trafficking in human beings and submitted 1 (2) report(s) to the competent state prosecutor’s office. Criminal complaints were filed against 24 (2) suspects. The number of persons having suffered damage — victims — was 25, of which 3 were juveniles.

112. Penal Code, Art. 387 – Placing in a slavery position: Three such cases (5 in 2007) were dealt with in 2008. Competent state prosecutors’ offices received no relevant reports (2). Criminal complaints were filed against 5 (6) suspects; the number of identified victims was 6 (5).

175. Penal Code, Art. 185 – Abuse of prostitution: Five such cases (4 in 2007) were dealt with in 2008. Criminal complaints were filed against 7 (7) suspects. The number of persons having suffered damage — victims — was 40, of which 9 expressed their consent to cooperate with the enforcement and prosecution authorities.

| Table 2: Criminal offences relating to trafficking in human beings dealt with by the police in 2008 |
|-------------------------------------------------|---------------------------------|-----------------|-----------------|-----------------|----------------|
| Criminal offence | Number of criminal offences at the District Prosecutor’s Office | Number of reports to the District Prosecutor’s Office | Number of suspects | Number of victims (persons having suffered damage) | Number of adolescent victims |
| Trafficking in human beings; Art. 387(a), Penal Code | 9 (5) | 1 | 24 | 22 | 3 |
| Placing in a Slavery Position; Art. 387, Penal Code | 3 (1) | 0 | 5 | 6 | |
Activities of the public prosecutor’s office

Best practices from previous years, when competent district public prosecutors dealing with THB criminal offences on the basis of a yearly plan were designated for the whole of Slovenia’s territory, continued. Activities in this field were coordinated and supervised by the Supreme State Prosecutor, to whom district state prosecutors transmitted relevant reports on criminal matters in which they conducted pre-trial procedures and/or criminal proceedings. Regarding open legal issues frequently relating to a concrete criminal act and connected to human trafficking, the public prosecutors responded at two collegiate board meetings convened by the Supreme State Prosecutor. Such meetings made an important contribution to the creation of a uniform prosecution policy in this domain. Concerning the most complex legal affair dealt with by the district public prosecutor, a joint decision was taken by the district public prosecutor, the Supreme State Prosecutor and the head of the Training Centre for Legal Staff that the district public prosecutor should present the case on the occasion of the training days for prosecutors held at Bled.

In general, public prosecutors’ offices note that, owing to the complexity of human trafficking, the recognition of victims requires a somewhat longer process that in turn, and in the absence of material evidence pointing to the criminal nature of the offence, results in the fact that the concerned person may not be recognised as a victim by law enforcement and prosecution authorities. This was evident in the criminal proceedings initiated against two persons accused under Article 387 of the Penal Code who were held in detention during the proceedings. Namely, the Court did not follow the charge and did not recognise the concerned persons as victims of human trafficking but rather as injured parties in the context of a criminal act of violence perpetrated in complicity with the two accused persons, who on the grounds of the criminal offence of violence were sentenced to imprisonment. A more detailed analysis of the case revealed the importance of understanding the victim’s situation in such criminal offences, the circumstances of the abuse and the fear of eventual revenge. In order to properly establish the existence of a criminal offence, it is necessary that when in doubt about a person claiming that she/he is exposed to brutal exploitation possibly in connection with human trafficking, such person be given due credence. Such an approach by public prosecutors is possible only where prosecutors have the possibility of in-depth work with regard to the particular domain.

113. Penal Code, Art. 387(a) – Trafficking in human beings: In 2008, public prosecutors received 5 criminal complaints against 12 persons on the grounds of trafficking in human beings under Article 387 of the Penal Code. The number of victims – predominantly women – was 21, of which 5 were minors. All criminal complaints, with the exception of one person, were properly addressed: 1 criminal complaint was dropped, an investigation was initiated in the case of 10 persons and the appropriate charge was brought against two persons. In addition, charges were brought against three persons as a result of criminal proceedings continued from the past. In one criminal case, the overall procedure including both the criminal complaint and the sentence by the court was terminated at the first degree in 2008, as detention was ordered for the two accused persons immediately after the hearing.

112. Penal Code, Art. 387 – Enslavement: In 2008, one complaint was filed against two persons and a report concerning one person was submitted on the grounds of the criminal
offence of enslavement under Article 387 of the Penal Code. The criminal complaint raised
the suspicion of a father allegedly having sold one of his daughters for the purpose of
marriage and of his intention to sell his second daughter, which did not happen due to her
escape. As part of urgently taken investigative steps concerning the hearing procedure, two
of the suspect's daughters renounced being heard, while the third daughter entirely
disburdened her father. The criminal complaint filed against both the father and the
dughter's "buyer" had to be dropped accordingly. In addition, the police in its report did not
collect sufficient evidence pointing to the fact that the suspected Romanian citizen who
transported nine persons, of which three were minors, had perpetrated a criminal offence
subject to prosecution. In spite of this, the police halted the transportation of minors and in
accordance with the Convention on the Rights of the Child accommodated them in the
Emergency Centre, where they were picked up by their parents. Last year, a charge based
on the criminal complaint and the relevant proceedings were initiated against one person. A
final decision was rendered in the case and the accused was sentenced to a three-year and
six-month period of imprisonment.

175. Penal Code, Art. 185 – Abuse of prostitution: last year, six criminal complaints were filed
against 16 persons on the grounds of a criminal offence relating to the abuse of prostitution
under Article 185 of the Penal Code; criminal complaints against 13 persons were dropped,
an investigation was required relating to 4 persons and a charge brought against 2 persons.
At the time of bringing the charge, the two accused persons were kept in detention. One
person (and his accomplices) against whom proceedings were initiated at a previous stage
was kept in detention; in 2008, a charge was brought and followed by a final judgment
sentencing the person to 4 years’ imprisonment.

Table 3: Criminal offences relating to trafficking in human beings dealt with by public prosecutors’
offices in 2008

<table>
<thead>
<tr>
<th>Criminal offence</th>
<th>Number of criminal complaints/reports</th>
<th>Number of people dealt with in criminal complaints</th>
<th>Dropped criminal complaints (number of persons)</th>
<th>Investigations commenced (number of persons)</th>
<th>Charges filed (number of persons)</th>
<th>Dismissal of prosecution</th>
<th>Judgement rendered (number of persons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trafficking in human beings, Art. 387(a) of Penal Code</td>
<td>5 k.o.</td>
<td>12</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>3*</td>
<td></td>
</tr>
<tr>
<td>Enslavement; Art. 387, Penal Code</td>
<td>1 k.o.</td>
<td>2</td>
<td>1</td>
<td>1 (2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abuse of prostitution, Art. 185, Penal Code</td>
<td>5 crim. complaints</td>
<td>15</td>
<td>2 (12)</td>
<td>4</td>
<td>2 (7)</td>
<td>3* (4)</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>11 crim. complaints</td>
<td>29</td>
<td>4</td>
<td>7</td>
<td>4</td>
<td>6*</td>
<td></td>
</tr>
</tbody>
</table>

Note:
* cases relating to previous years
Close intertwinement of the actual situation and the behaviour of the accused with regard to trafficking in human beings under Article 387(a) of the Penal Code can best be seen in a case from 2008 when criminal complaints were filed against 7 persons on the grounds of human trafficking. Relevant data and evidence stated in the complaint constituted the basis for suspicion of the above-mentioned criminal offence, due to which an investigation was initiated. However, at the end of the investigation, the available information only allowed filing a charge against six persons on the grounds of the criminal offence of abuse of prostitution under Article 185(1)(3) of the Penal Code. The consideration of the case pointed to the difficulty of presenting pertinent evidence, as 12 women, among whom were also minors, considerably changed their testimony during the relatively short criminal procedure. The incriminating statements during the investigation, when the accused was kept in detention and the concerned women under the protection of their own choice, were entirely adapted to the defendant’s arguments at the main hearing, after which the defendant was transferred under house arrest.
IV. Assistance to and protection of the victims

Project "Care for the victims of trafficking in human beings"

- Temporary accommodation programme

In 2008, the Ministry of Labour, Family and Social Affairs launched a public tender for implementation of the project "Care for the victims of trafficking in human beings in the Republic of Slovenia – temporary accommodation – in 2008 and 2009". The framework amounts of funds earmarked for 2008 and 2009 were EUR 35,000.00 for each year; the contracting authority chosen was Caritas Slovenia. The project includes providing assistance to the victims of human trafficking with regard to their physical and psychological rehabilitation, i.e. when a victim is provided initial and urgent retreat from the existing situation. In 2008, the amount of EUR 35,000.00 plus an additional EUR 10,000.00 (annex to the contract) was allocated to implementation of the project.

Within this project, Caritas Slovenia dealt with 19 persons. The contractor presented the project at six Episcopal assemblies, three seminars and at the regional Caritas Europa conference. In addition, it ensured maintenance and upgrading of the required standards regarding temporary accommodation. Along with 24-hour telephone counselling, Caritas Slovenia offered full care for ten persons sent by the police (accommodation, food, psychological, social and medical assistance, counselling, information regarding victim's rights, cooperation with the Social Work Centre, advocacy, social commitments, work activities, partnerships, establishing an international professional network, preparations for return to the country of origin, escort, ensuring protection, etc.). Five persons were provided assistance in regulating their status in Slovenia (in cooperation with the Slovenj Gradec Safe House). Two persons as potential human trafficking victims sought help and protection on an individual basis. The total number of victim care days was 36.

Individual cases:
- A Slovenian citizen, mother of a pre-school child, jobless and forced into prostitution, was accommodated at the Caritas Maternity Home: the person was given temporary accommodation on the recommendation of the social service; following intervention by the competent social work centre, the child was included in the necessary care system and a procedure for foster care was initiated. At the end of the police investigation, the concerned person left the temporary accommodation by her own volition.

- A citizen of Ukraine in possession of a temporary residence permit and a valid work permit as a bar dancer was forced into prostitution: the person was sent to temporary accommodation by the police; however, the person refused further cooperation. Temporary accommodation lasted 4 days; the person was given the possibility of returning to the country of origin and further care, as well as monitoring by the IOM Ukraine and Coatnet.

- An eighteen-year-old Albanian citizen is staying with her father and five of her brothers and sisters in Slovenia. She has a temporary residence permit and is included in the regular national secondary education programme. After her mother's death, her father arranged for her engagement with one of his friends. Following intervention by the school counselling service and the local Caritas organisation, an interview was held with the concerned person and her father; competent institutions were contacted; the whole of the family was included in the programme of assistance by Caritas; consequently, the girl's father reversed his prior intention and cancelled his daughter's engagement, which was solely the result of social distress and difficulties.
One-day care of a group of seven Ukrainian women citizens who worked legally in several night clubs and who were sent to the temporary accommodation by the police; as during informative interviews and conversation the concerned persons did not claim themselves to be THB victims, the procedure was concluded on the same day.

A Slovenian citizen – a victim of human trafficking – was sent to emergency care by the police. The temporary accommodation lasted 22 days, while further care and monitoring was continued within the therapeutic community framework where the person was subsequently transferred (continuation in 2009). The basic care included the involvement of two professional workers during the person’s 30-day hospitalisation. Further care required calling a meeting attended by representatives of Caritas Slovenia, the police, Association Ključ and the Ministry of Labour, Family and Social Affairs.

The case of individual treatment of a mother with four minor children (all Albanian citizens): assistance regarding care to be given to victims of human trafficking was required by the Slovenj Gradec Safe House professional worker. The beneficiaries were victims of a father who forced them to live in Slovenia and who perpetrated physical and psychological violence on them; he restricted their personal freedom and contact with the surroundings, for which he was sentenced to a two-year prison term. Caritas Slovenia provided help with regard to covering travel costs of returning to their country of origin and arranging their status in the Republic of Slovenia. The treatment given to these persons was provided in agreement with Caritas Slovenia and the Slovenj Gradec Safe House, and resulted in appropriate accommodation for the victims.

Individual treatment was provided for two Slovenian women citizens as potential victims of trafficking in human beings who sought help by calling a stand-by telephone number. Informative interviews and counselling were conducted with both persons; however, following consultation with the police and Association Ključ, it was determined that the two persons were not entitled to use the temporary accommodation facility.

Table No 4: Victims of trafficking in human beings dealt with by Caritas Slovenia in 2008

<table>
<thead>
<tr>
<th>Persons dealt with – beneficiaries</th>
<th>Number of persons</th>
<th>Age</th>
<th>Citizenship</th>
<th>Accommodation days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men *</td>
<td>1</td>
<td>49</td>
<td>SLO</td>
<td>22 days</td>
</tr>
<tr>
<td>Women</td>
<td>1</td>
<td></td>
<td>SLO</td>
<td>3 days</td>
</tr>
<tr>
<td>Children:</td>
<td>1</td>
<td></td>
<td>SLO</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>1 adult</td>
<td></td>
<td>Ukraine</td>
<td>4 days</td>
</tr>
<tr>
<td>Women</td>
<td>1 18</td>
<td></td>
<td>Albania</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>7</td>
<td></td>
<td>Ukraine</td>
<td>7 days (7x1 day)</td>
</tr>
<tr>
<td>Women</td>
<td>1</td>
<td></td>
<td>Albania</td>
<td></td>
</tr>
<tr>
<td>Children</td>
<td>4</td>
<td></td>
<td>Albania</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>2</td>
<td></td>
<td>SLO</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>19</td>
<td></td>
<td></td>
<td>36</td>
</tr>
</tbody>
</table>
* Cases dealt with by both implementing parties

- **Protected accommodation project**

Within the same project framework, Association Ključ carried out a protected accommodation programme financed through a public tender by the Ministry of the Interior in the amount of EUR 37,000.00. The project encompasses assistance to THB victims regarding their physical, psychological and social rehabilitation, regulating their accommodation status and assistance in ensuring the right to be represented and heard in prosecution proceedings against the perpetrators. Within the right to protected accommodation, such victims have to be given all the necessary protection in proceedings before courts. In 2008, based on demands by the implementing party, the amount of EUR **32,587.00** was allocated for the purposes of the project “Care for the Victims of Trafficking in Human Beings – protected accommodation”.

Association Ključ dealt with 19 persons as victims/potential victims of human trafficking. Out of these, 6 persons were given temporary accommodation for different periods of time for the fulfilment of conditions allowing protected accommodation.

**Individual cases:**
One case involves three women without citizenship who were victims of forced marriages. One of them had a 17-year-old child (German citizenship) who was offered protected accommodation together with his/her mother.

The second case concerns a Slovenian citizen – a victim of enslavement – who testified as a witness in the relevant criminal proceedings. Consequently, personal protection was required in this case.

The third case relates to an adult Slovenian woman citizen who was a victim of forced prostitution.

In addition, other forms of assistance were available, such as counselling, help in establishing contact with the prosecution authorities and individual interviews. In all, 10 potential victims of human trafficking were considered: 7 Ukrainian adult women citizens and 3 Slovenian women citizens of which one was of minor age. Association Ključ dealt with 3 cases of actual trafficking in human beings; the victims were two Slovenian women citizens (forced prostitution) and an adult Iranian citizen – the victim of a forced marriage, sexual violence and violence on the grounds of sex. No one of the three was given protected accommodation.

In addition to the above, 2133 indirect users belonging to the so-called professional and general public contacted Association Ključ.

Table No 5: Victims of trafficking in human beings dealt with by Association Ključ in 2008

<table>
<thead>
<tr>
<th>Persons dealt with – beneficiaries</th>
<th>Number of persons</th>
<th>Age</th>
<th>Citizenship</th>
<th>Accommodation days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men *</td>
<td>1</td>
<td>49</td>
<td>SLO</td>
<td>247</td>
</tr>
<tr>
<td>Women</td>
<td>1</td>
<td>31</td>
<td>SLO</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>1</td>
<td>43</td>
<td>none</td>
<td>92</td>
</tr>
</tbody>
</table>
In 2008, the Ministry of Foreign Affairs, for the fifth time in a row and in line with the IWG Action Plan for the Fight Against Trafficking in Human Beings for 2008/09, financed the project "Introducing the mechanism for recognition, assistance and protection of victims of trafficking in human beings and/or sexual violence in asylum procedures in Slovenia (PATS)", in the amount of EUR 20,800.00. In this way, the Ministry facilitates further transfer of knowledge developed by Slovenian NGOs within the PATS project, in particular Association Ključ, which is the project's main contractor.

The PATS objective is to provide users with as much information as possible on the issue of human trafficking and to make sure that the information received is well accepted and understood.

From January to December 2008, 55 PATS informative interviews were conducted (hereinafter: InI); the interviews included 31 male persons, representing 56% of the overall share of beneficiaries participating in the PATS project, and 24 women, representing 44% of PATS participants. Interviews were held with minors without escort and (single) women who during 2008 were accommodated either in the Ljubljana Asylum Home or in the Aliens Centre. In the Asylum Home, 26 such interviews were conducted; in the Aliens Centre, the respective number was 29. The PATS project expansion to the Aliens Centre proved good; namely, many interviewed persons belong to so-called risk groups.

The overall number of interviews is somehow lower than expected; however, it corresponds to the socio-political conditions in Slovenia (primarily Slovenia's accession to the Schengen area) and with the consequently weakening migration flows across its territory. In 2008, most of the interviews were conducted in September (12), February (8) and in May and December (7 each).
In light of the current situation in the countries where most PATS users are to be found, it is unlikely – according to the project’s implementing party – that the level of informative interviews will increase. What is to be expected is the possible impact of the economic crisis on migration flows.

Out of 55 PATS project beneficiaries, minors accounted for 60% of the overall population in 2008; of these, 15 (27.27%) were from Afghanistan; 3 minor girls came from Italy, BiH and Macedonia. Adults constituted 40% of PATS beneficiaries in 2008. Adult males, as a rule, are not included in PATS. The most represented InI countries in this regard are (surprisingly) Afghanistan (15), Kosovo (9) and Albania (11); as to nationality, the prevailing part, as in the past, constituted Albanian citizens.

In addition, the project has regional dimensions. It is carried out in Croatia and Bosnia and Herzegovina. In BiH, the project is carried out via “Bosansko hercegovska inicijativa žena” (Bosnia and Herzegovina women’s initiative), while in Croatia via the Red Cross of Croatia. In 2008, the process of regionalisation of PATS was not continued. Unofficially, the project was to be expanded across Eastern and South Eastern Europe, however concrete steps are still to follow.

**Project EQUAL**

Association Ključ was the implementing party of the Programme of Reintegration for the Victims of Trafficking in Human Beings project under the Community initiative EQUAL for the period 2004–2006 in Slovenia (PPS EQUAL). Project activities concluded in 2007. The Ministry of Labour, Family and Social Affairs, as the PPS EQUAL managing authority, confirmed the final project implementation report for 2008 and paid Association Ključ the last instalment of funds earmarked for the project. All objectives set by the project with the exception of the labour and employment policy amendments for aliens – victims of trafficking in human beings – were achieved. To this end, two roundtables and several press conferences were organised, leaflets were published along with a collection of roundtable papers and other professional publications. This was followed by the drawing up of the Programme of Reintegration for the Victims of Trafficking in Human Beings, establishment of the INFO point and the database of organisations willing to participate in resolving these issues, and the preparation of the corresponding website. The relevant Action Plan included a new profession based on experience gained in the field known as “peer work counselor”; the relevant professional qualification for pursuing a regulated profession has not yet been confirmed. Overall expenditure for the project’s duration amounted to EUR 152,909.47; funds were contributed by PPS EQUAL.
V. Support activities

**IWG work coordination**

As already mentioned, the IWG had three meetings in 2008, held on 17 April (Minutes of the 22\textsuperscript{nd} session, No 900-11/2005/54); 8 July (Minutes of the 23\textsuperscript{rd} session No 900-11/2005/) and on 11 November (Minutes of the 24\textsuperscript{th} session No 900-11/2005/60). On 15 May 2008, the Government of the Republic of Slovenia, in its regular session, discussed and adopted a periodic IWG report on combating trafficking in human beings for 2007 (Decision No 012017/2008/3).

The national coordinator ensured the coordination of answers to questionnaires regarding human trafficking and/or related themes required by different international organisations. Answers were given to the questionnaires regarding implementation of NATO policy in combating human trafficking, the Coalition Against Trafficking in Women - International, the European Migration Network (ECLAN), the EC questionnaire on IWG work activities and the questionnaire by the ICMPD; this included the preparation of views concerning adoption of UN Resolution No 61/144 on trafficking in women and girls, answers to the UNODC questionnaire with regard to preparation of the UNODC report on implementation of policies on combating THB, and other contributions concerning participation in domestic and international events.

The national coordinator participated in organising lectures given by the Faculty for Security Studies of Maribor, lectures by the Faculty of Social Sciences in Ljubljana for domestic and foreign students, attended the opening of SIMUN (Slovenia International Model United Nations) and the ERA seminar (Academy of European Law) in Trier for European judges and public prosecutors. The national coordinator assisted in preparing the answers by the Republic of Slovenia to the questionnaire from the UN Committee on the Elimination of Discrimination against Women, which at its 42\textsuperscript{nd} session in Geneva (24 October 2008) examined the fourth periodic report by Slovenia on the implementation of Convention provisions relating to the elimination of all forms of discrimination against women.

Slovenia’s national coordinator maintained regular contact with the US Embassy in Ljubljana and provided suitable coordination of annual reports in view of preparation of the annual report on human rights and a special trafficking in persons report by the US State Department. Based on the above and in light of its achievements, Slovenia has, for the second consecutive year, been given the so-called TIR 1 rank constituting the group of countries which comply with the standards required in the field of combating trafficking in human beings.

In addition, coordination of activities went on at the operational level, in particular between the police and NGOs, as well as between two individual NGOs and the line ministries which provided the funding for specific projects. The IWG members generally attended smaller meetings of an informal character aimed at resolving concrete matters such as provision of regular counselling, providing information to contract stewards by particular implementing parties, cooperation between NGOs and volunteer co-workers and external experts, etc.

**Cooperation within the framework of regional and international organisations**

- Slovenia’s activities within NATO
In 2008, NATO started implementing its policy of combating trafficking in human beings. The responsible person for the implementation process was the NATO Assistant Secretary General for defence policy and planning, Jiří Šedivý, acting as high NATO coordinator for combating trafficking in human beings. Mr Šedivý invited the Member States to transmit relevant information regarding action plans in this field. Slovenia transmitted its answer in the second half of 2008. At the same time, the NATO coordinator advocated further enhancement of the necessary steps in the implementation of THB combating policy, in particular with regard to education and training, reporting and taking appropriate measures. With regard to civilian and military personnel participating in NATO operations, a "zero tolerance policy" is applied. At the end of the previous year, Mr Šedivý drafted a comprehensive report (EAPC/PFP(PMSC)N(2008)0025-REV1) including a presentation of national measures to be taken against THB, as well as successful integration of NATO policy-based elements into the national documents of the NATO Member States. In this area, it is necessary to point to cooperation with other international organisations, in particular the OSCE. NATO's efforts are primarily aimed at keeping its operating forces away from human trafficking – at present no such data has been available; in addition, NATO offers assistance to other parties, such as different local authorities involved in combating trafficking in human beings. In the future, NATO intends to launch a special public diplomacy campaign aimed at providing information to its operating troops, as well as the general public. For this purpose, the NATO Oberammergau School has already begun relevant training courses for personnel of the NATO Member States, as well as the personnel of its partner countries.

- Slovenia's activities within the Organization for Security and Cooperation in Europe – OSCE

In 2008, Slovenia took part in OSCE activities aimed at combating trafficking in human beings, either through the Permanent Mission of the Republic of Slovenia (MDU) based in Vienna or through its competent authorities and the Interministerial Working Group representatives. During Slovenia's EU Council Presidency, the MDU had successful cooperation with Eve Biaudet at the OSCE Special Representative's Office. Within the OSCE institutional framework, Slovenia transmitted its official Report on the Work of the Interministerial Group on Combating Trafficking in Human Beings for 2007.

In 2008, the OSCE, within the scope of the Special Representative's activities relating to combating human trafficking, organised a number of events, conferences and seminars.

On 26 and 27 May 2008, the OSCE conference "Child trafficking: responses and challenges at local level" was held in Vienna. The conference was attended by the Slovenian coordinator for combating human trafficking, Sandi Čurin (Ministry of the Interior), and Ana Petrič, representing the Ministry of Foreign Affairs and the Ministry of Labour, Family and Social Affairs. Special Representative Biaudet expressed her satisfaction with the participation, professional presentations, special guests and conclusions of the conference. The participants agreed that preventing trafficking in children and the protection of victims has been given broad and adequate regulation within the framework of international and OSCE commitments; however, implementation of these commitments still constitutes a problem, as trafficking in the region is on the increase. Slovenia took part in the conference as it transmitted its official Report on the Work of Interministerial Group on Combating Trafficking in Human Beings for 2007. Its representative, Mr Čurin, presented Slovenia's main activities and progress made in providing protection to the victims of human trafficking. In general terms, the discussion at the conference was aimed at issues relating to trafficking with children at the local level. The opening session was attended by the Finnish Minister of Migration and European Affairs, Astrid Thors. At the end of the conference (27 May 2008), the OSCE Human Dimension Committee, backed by representatives of EU capitals, held a session attended by the Slovenian national coordinator, Mr Čurin. The Committee discussed national policy-related issues and best practices with regard to reintegration and return of
children as victims of human trafficking, including the search for permanent solutions which would benefit the children’s interests.

On 10 and 11 September 2008, the high-level OSCE Conference on Successful Prosecution of Human Trafficking – Challenges and Good Practices was held in Helsinki. The Conference gave an overview of approaches by the participating countries with regard to their commitments in the field of criminal prosecution relating to, in particular, the adoption of effective legislation, prosecution of perpetrators and guaranteeing the right to legal protection for THB victims. Slovenia’s representative at the Conference was Supreme State Prosecutor Slavica Purber.

On 22 and 23 September 2008, a meeting of national coordinators for combating THB from the OSCE countries was held in Vienna, where current issues were dealt with.

In December 2008, the foreign ministers of OSCE participating countries adopted a ministerial decision on the criminal prosecution of THB which constitutes a summary of the September conference discussions. Slovenia took part in the creation and coordination of the decision; namely, this decision will be used as a basis for the more efficient and thorough work of the Special Representative regarding the further fight against trafficking in human beings. Repeated efforts by OSCE ministers over several years through addressing and adopting decisions on combating THB point to the importance that the OSCE gives to these issues.

- Activities by Slovenian embassies abroad

Slovenian embassies abroad (in particular, Kyiv and Buenos Aires) continue to send regular reports to the competent Slovenian authorities on THB issues which in at least some cases might be associated with residence-granting procedures.

- Other activities at international level

From 13 to 15 February, the Vienna Forum was held as part of the UN Global Initiative to Fight Human Trafficking (UN.GIFT). Slovenia’s delegation was composed of Sandi Ćurin (national coordinator for combating THB within the Ministry of the Interior, who gave a speech on the opening day); Slovenia’s ambassador to Austria, Ernest Petrič; and Mr Bertoncelj and Mr Prošek (all Vienna UN mission members). The Forum was attended by around 1400 representatives of the governmental, non-governmental and economic sectors, as well as those from the artistic and media domain. On the previous day, the Austrian Parliament hosted a parliamentary forum (organised by the Parliament, IPU, UNODC). The opening session was led by the United Nations Office on Drugs and Crime (UNODC) Director General, A. Costa, while the subsequent session was chaired by the Indian Minister for Women’s and Child Development, R. Chowdhury.

On 18 and 19 September 2008, a conference on THB data collection was held in Brussels. The Austrian Ministry of the Interior, in cooperation with the International Organization for Migration (IOM), carried out a project on THB data collection with financial assistance from the European Commission. Slovenia’s representatives at the conference were Martina Kontelj (Statistical Office of the Republic of Slovenia – SORS) and Andrej Eror (National Assembly), who presented a summary report to the IWG members. Electronic draft guidelines on THB data collection were distributed to the IWG members with an invitation to transmit their eventual comments or suggestions.

Within the international cooperation network, our police worked with organisations such as Interpol, Europol and, in particular, the SECI Center; in addition, it took part in the
preparation of the regular annual report on trafficking in human beings for the territory of the Balkans.

The Slovenian police, together with the Supreme State Prosecutor’s Office, took part in the implementation of ENaT (European Network against Trafficking). The project was aimed at integrating cooperation by judicial and police authorities and the work of NGOs with a view to ensuring more effective protection of victims of trafficking in human beings. The project, organised by the province of Lecce in Italy, includes the cooperation of five EU Member States, one candidate country and one non-member country. A description of the project and relevant conclusions can be found at www.agis-enat.it.

On the initiative of the Ukrainian police authorities, bilateral cooperation was set up with a view to providing a better and more efficient exchange of information on the human trafficking issue; in addition, this is a foundation stone which will facilitate joint investigation into criminal offences. On this occasion, Slovenian police representatives attended a meeting in Ukraine relating to a specific case of suspicion of a criminal offence of trafficking in human beings in the Republic of Slovenia in which Ukrainian women citizens were involved.

Development and maintenance of international cooperation with related organisations abroad was promoted by NGOs and humanitarian organisations. Caritas Slovenia maintained regular contact with Caritas Europa and Caritas Internationalis, the International Organization of Migration (IOM), Coatnet, FEANTSA, La strada, Astra, Carinet, Petra, etc.
VI. Areas connected to the human trafficking issue

Child pornography on the Internet

Internet child pornography is not human trafficking as such, however it is seen as behaviour that could be connected to trafficking in human beings, more specifically to children. In this regard, a child is always the object of the individual who abuses him/her, but a child can also be the object of purchase or sale with a view to producing pornographic material.

In the Penal Code, child pornography on the Internet is dealt with in connection with the presentation, production, holding and transmitting of pornographic material and falls under its Art. 187(2)(3) and Art. 176 of the new Penal Code-1.

Table 5: Criminal offences under Article 187 of the Penal Code dealt with by the police in 2008

<table>
<thead>
<tr>
<th>Criminal offence</th>
<th>Number of criminal complaints</th>
<th>Number of suspects under criminal complaint</th>
<th>Number of victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presentation, production, holding and transmission of pornographic material (Art. 187(2) of the Penal Code)</td>
<td>56</td>
<td>54</td>
<td>37</td>
</tr>
</tbody>
</table>

Illegal migration

Along with criminal offences relating to child pornography on the Internet, the IWG also statistically followed criminal offences in the field of illegal migration. In concrete terms, this refers to illicit crossing of the border or the territory of a country under Art. 311 of the Penal Code. A total of 171 such offences were dealt with (195 in 2007), while criminal complaints were filed against 455 persons (296 in 2007). Competent public prosecutors' offices received 23 reports (34 in 2007).
Conclusion

As regards international standards, trafficking in human beings has been identified as one of the most serious forms of crime, similar to the violation of human rights and perceived as a form of modern-age slave trade. For this reason, the response to this phenomenon must be resolute and oriented to prevention, prosecution of criminal offences and assistance to the victims of human trafficking.

In light of multiple forms of criminal offences and in view of the various means of exploitation of victims as the end result of trafficking, the issue requires that well considered and comprehensive measures be taken. Along with international organisations, this includes involvement by the states, in particular via links and coordination with the public sector.

In this field, Slovenia has been actively involved since 2002 with the establishment of the International Working Group (IWG) for combating human trafficking and the designation of the national coordinator. From the very beginning, the leitmotiv in this field has been cooperation with non-governmental organisations. Relevant developments and dimensions of the phenomenon resulted in the creation of action plans and periodic reports on the work accomplished in combating trafficking in human beings.

The number of criminal offences relating to human trafficking and to persons who received professional assistance in this field did not vary much from that of previous years. However, one would somehow expect a higher number of judgments to be rendered in relation to the number of criminal complaints filed. This was hinted at by outside observers, who despite this fact consider our system of combating human trafficking as a smoothly operating one. This should not allow us to sit back comfortably. Trafficking in human beings can only be curbed through a comprehensive approach and proper planning of measures whose implementation must be based on coordinated activities between governmental services and NGOs.