

SLOVENIA (2018)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR

Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	Yes.	
	Involvement of Employers' and Workers' organizations in the reporting process	No.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	No.	
	Workers' organizations	No.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Slovenia has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	2018 AR: The Protocol is likely to be ratified.
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2018 AR: A national plan of action for combatting trafficking in persons for the purposes of forced or compulsory labour does exist: the Action plan for combating trafficking in human beings for the 2015–2016 period.	
	Measures taken or envisaged for systematic and coordinated action	2018 AR: At its regular session on 5 May 2016, the Government of the Republic of Slovenia adopted the Guidelines on the identification, assistance and protection of victims of trafficking in human beings (Decision of the Government of the Republic of Slovenia, No 02402-2/2016/5). In addition to the Guidelines, there are also indicators intended for recognising individual categories of victims of trafficking in human beings. Apart from its educational function, the Guidelines are intended for all who are within their scope of work faced with the issue of trafficking in human beings, in particular with potential victims of trafficking.	
	Measures taken or envisaged to prevent forms of forced labour	2018 AR: The following measures have been taken or envisaged: a) <i>Information, education and awareness-raising targeting especially people in vulnerable situation and employers:</i> on October 18, 2016, the Government Communication Office of the Republic of Slovenia (UKOM), in cooperation with the national coordinator, prepared and published the infographic with statistical data on trafficking in human beings in Slovenia in the 2010–2015 period. The media sent press releases with a summary of statistical data for the respective period and information on the Handbook "Prevent covert forced labour". UKOM also published the press release, infographic and Handbook on social networks – on the Government Facebook, Twitter and LinkedIn accounts. Upon this event, on 21 October 2016, the Kljuc Society held a concert, free of admission at the Kino Šiška Centre of Urban Culture where three musical groups performed in front of 500 people. The concert was co-funded by the City Municipality of Ljubljana, Office of the Republic of Slovenia for Youth and UKOM, while contributions from individual donors were also collected. The Government further reports that in 2016, UKOM complemented the contents of some sections of the website and provided updating of the contents on the website in the Slovenian language and revised contents in the English version of the website:	

	<p> http://www.vlada.si/boj_proti_trgovini_z_ljudmi/ http://www.vlada.si/en/projects/combating_trafficking_in_human_beings/combating_trafficking_in_human_beings/. </p> <p> The website provides content about the trafficking in human beings, information on the activities of the MDS TZL, basic documents the group prepares, international documents in this field, surveys and studies, while it is also possible to submit anonymous reports and contact non-governmental organisations which provide assistance to victims. Key activities in the field of detection, investigation and prosecution of criminal offences and prevention of these offences were also presented. The statistics show that in 2016, 8,342 visitors visited the Slovenian version of the site and 658 visited the English version. The Government indicates that according to the available data, the Slovenian print, electronic and on-line media published over 150 articles related to trafficking in human beings. In particular, the media paid a lot of attention to the activities of detection and prosecution of criminal offences of trafficking in human beings. The investigation into the Marof Trade company from Loška dolina received much attention, since it is mentioned in a third of all announcements. The case stimulated the publication of several in-depth articles which addressed trafficking in human beings in relation to labour exploitation and forced labour of migrant workers. Several articles also dealt with poor working conditions and slave labour and child labour in several countries of the world, whereby they emphasised the responsibility of multinational corporations and the importance of ethical consumption. The media also addressed the preventive activities of non-governmental organisations and unions and at the EU Anti-Trafficking Day they summarised key messages of the MDS TZL, an infographic and statistical data on the trafficking in human beings in Slovenia in the 2010–2015 period. On the topic of trafficking in human beings, other non-governmental organisations also appeared in the media – independently or with joint announcements. Finally, the Kljuc Society had mainly independent announcements with the travelling photography exhibition <i>Moje Sanje (My Dreams)</i>, namely in Maribor, Murska Sobota and at the Faculty of Criminal Justice and Security in Ljubljana. In October, a festive event was organised upon the 15th anniversary of the Kljuc Society, which was also an opportunity to publish the book entitled <i>Boj proti trgovini z ljudmi v Sloveniji – pregled področja od 2001 do danes (Combating trafficking in human beings in Slovenia – an overview of the field from 2001 until today)</i> and present a documentary. </p> <p> <i>b) Strengthening and broadening of the coverage of legislation, particularly labour law:</i> on 4 March 2016, the National Assembly adopted the International Protection Act (ZMZ-1; EPA 958-VII) the provisions of which indirectly also relate to the trafficking in human beings. In its provisions relating to the treatment of vulnerable persons with special needs, the Act follows the provisions of Directive 2013/33/EU, which in Chapter IV stipulates that Member States take into account a special situation of vulnerable persons when transposing the Directive into national law, and the provisions of Directive 2013/32/EZ, which in Article 24 stipulates that Member States examine in a reasonable time whether an applicant requires special procedural safeguards, and in Article 25 determines safeguards for unaccompanied minors. In its definition of terms, the Act in Article 2 also defines the victims of trafficking in human beings as vulnerable persons with special needs. In Article 15 of the respective Act, when treating minors in the proceedings as per this Act in assessing the best child's benefit, the issues related to safety and protection are also taken into account, in particular if there is a risk that the minor is a victim of trafficking in human beings. On 14 July 2016, the National Assembly adopted the Residence Registration Act (ZPPreb-1; EPA 1152-VII) which, inter alia, provides anonymous stay at a secret location for victims of trafficking in human beings. Due to </p>
--	---

		<p>necessary measures of registration and accommodation of victims of domestic violence and victims of trafficking in human beings in safe houses, the Act stipulates that these persons may also have a registered statutory residence at the address of a social work centre at the proposal of the State prosecutor's Office, police or social work centre.</p> <p>c) <i>Education/vocational training</i>: the Government indicates that the training of the expert public is a basis for prevention and combating of trafficking in human beings to be successful and efficient. It reports that the Criminal Police Directorate at the General Police Directorate (GPU UKP) constantly educates and trains criminal investigators and police officers at the local level. The training sessions draw attention to the identification of forms of trafficking in human beings, indicators of potential victims of trafficking and perpetrators of these criminal offences and focus on the investigations in pre-trial proceedings. In terms of the aforementioned, in 2016, the Criminal Police Directorate, Sector for Organised Crime carried out the training of criminal investigators from regional sectors of the criminal police (hereinafter referred to as: SKP) dealing with investigating a criminal offence of trafficking in human beings. The training dealt with the identification and implementation of procedures with victims of trafficking in human beings. It was attended by 42 criminal investigators from all regional SKP, the General Police Directorate and representatives of the Specialised State Prosecutor's Office, Ljubljana District Court, Labour Inspectorate of the Republic of Slovenia and non-governmental organisations. In cooperation with the Police Academy, GPU UKP carried out the basic training of candidates for police officers supervising the national border for the identification of the indicators of trafficking in human beings. The training was attended by 121 candidate police officers supervising the national border. The basic training of candidates was also organised within the scope of the criminal investigation course. The GPU UKP, in cooperation with the Kljuc Society, conducted a one-day training course for criminal investigators and police officers related to the implementation of procedures with victims of trafficking in human beings. 47 criminal investigators and police officers from eight police directorates attended the training. State prosecutors at the Specialised State Prosecutor's Office attended the training sessions in the field of trafficking in human beings abroad and trainings organised by the Police and FURS. They actively participated in the training with their contributions and experience. The Internal Administrative Affairs, Migration and Naturalisation Directorate of the Ministry of the Interior organised training for administrative units on statutory amendments related to the acquisition of a single permit for work and residence. The Social Chamber of Slovenia within the scope of the programme for the implementation of public authorisation of the Social Chamber of Slovenia for the period from 1 January 2016 to 31 December 2016, financed by MDDSZ, carried out training of professional workers and expert assistants dealing with victims of trafficking in human beings. The seminar took place on 2 June 2016 and was attended by 48 professional workers or expert assistants of social work centres. The Judicial Training Centre organised a school of European law at the Bernardin Congress Centre from 9 to 10 May 2016.</p>
	<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2018 AR: The following measures have been taken or envisaged:</p> <p>a) <i>Material assistance for victims</i>: the project "Introducing a mechanism for identification of, assistance to and protection of victims of trafficking in human beings and/or sexual abuse in asylum procedures in Slovenia (PATS)" started to be implemented upon the signing of the agreement between the Ministry of the Interior and the contractor, the Institute for African Studies. The project was co-funded by the European Commission from the Asylum, Migration and Integration Fund. In the period from 23</p>

	<p>October 2015 to 27 December 2016, when individual information on trafficking in human beings, sexual violence and violence by gender and on the most suitable forms of behaviour that foster prevention and identification of potential victims of trafficking in human beings, sexual violence and violence by gender started to be provided in their own language, 194 persons were provided with information, namely 149 men and 45 women. In terms of the country of origin of the applicant for international protection, the information was provided to persons from Afghanistan (93), followed by Syria (29), Iraq (11), Iran (15), Algeria (7), Libya (6), Pakistan (6), Albania (6), Morocco (5), Turkey (4), Gaza (2), Serbia (2), Bangladesh (2), Kosovo (2), Ukraine (1), Cuba (1), Eritrea (1) and Russia (1). The provision of information took place in the Asylum Centre in Ljubljana and the branch of the Asylum Centre in Logatec and in crisis centres in Ljubljana and Radovljica. The Government underlines that after the concluded provision of information to a vulnerable person, the contractor wrote a report on the concluded provision of information and presented its personal opinion. Upon identifying a potential victim of trafficking in human beings, sexual violence and violence by gender, the contractor immediately informed competent employees of the Asylum Centre, who, based on the opinion, convened a meeting of the members of expert group for preventing sexual violence and violence by gender in 48 hours as per the standard operational procedure for preventing and taking actions in the cases of sexual violence and violence by gender. This group was convened in ten instances, the majority of them referring to a suspicion that a person was a victim of torture, violence or some traumatic events. Upon the EU Anti-Trafficking Day, the Asylum Centre in Ljubljana organised two workshops carried out by the Institute for African Studies. One group was intended for applicants speaking Farsi, Eritrean, Turkish and English, while the other was organised for Arabic-speaking applicants for international protection; and b) <i>Appropriate accommodation</i>: according to the Government, the assistance to and protection of victims of trafficking in human beings are constant. The activities are directed in particular towards the direct care of victims of trafficking in human beings with the programme of crisis accommodation and programme of accommodation in a safe place. In the reporting year, both programmes were also implemented by the humanitarian organisation Caritas Slovenia along with co-funding by the Government of the Republic of Slovenia. In total 27 victims who were offered a suitable form of assistance were recognised. No cases of accommodating or similar treatment of minor victims of trafficking in human beings were detected. "Providing Assistance to Victims of Trafficking in Human Beings" programme: i) Crisis accommodation: the MDDSZ funded the project called "Providing Assistance to Victims of Trafficking in Human beings – Crisis accommodation", namely for the period from 1 June 2016 and the whole of 2017. Caritas Slovenia was elected to implement the project. This is up to 30 days of assistance provided to recognised victims, i.e. adults as well as children, who need immediate withdrawal from their environment. In 2016, from 1 June to 31 December, three persons were accommodated in crisis accommodation: two men, both Bulgarians, victims of forced begging and a citizen of Slovenia suspected to offer sexual services, a suspicion of forced prostitution. At their request, the men were assisted to return to their country of origin. Thus, 38 care days were conducted in the crisis accommodation. In the respective period, the MDDSZ allocated EUR 26,250.00 for the crisis accommodation project, i.e. 80% of salary of one employed person and accommodation costs. The actual costs that were compensated to the project holder amounted to a total of EUR 14,212.26. Persons placed in the crisis accommodation were provided with accommodation, food, first psycho-social aid, emergency medical care, counselling, information about their rights in accordance with legal rights, interpreting, advocacy,</p>
--	---

		<p>social activities, socialisation, escort, protection and safety, assistance in return to their homeland and material aid. Persons in crisis accommodation are monitored by expert workers and trained volunteers 24 hours a day. The continuity of implementing the programme of crisis accommodation is important for undisturbed provision of first care and is one of key activities of the action plan; and ii) Safe accommodation: in October 2015, the Ministry of the Interior issued a call for applications for the project "Providing assistance to victims of trafficking in human beings – Placement in safe accommodation", namely for the 2016–2017 period. It is a programme following crisis accommodation, namely for all recognised victims of trafficking in human beings who need further comprehensive care or are prepared to cooperate with the law enforcement authorities in the criminal procedure against the perpetrators. Caritas Slovenia was elected to implement the programme. In 2016, one person – a victim of trafficking in human beings, a citizen of Slovenia was included in the programme "Providing Assistance to victims of trafficking in human beings – placement in safe accommodation", i.e. from 15 to 19 July. From 1 January to 31 December 2015, the Ministry of the Interior allocated EUR 40,000.00 for the crisis accommodation project, which includes a salary of one employee and accommodation costs. The actual costs that were compensated to the project holder amounted to a total of EUR 18,604.75. It should be noted that the project holder, Caritas Slovenia, when applying for the programme, registered only 50% co-funding of salary of the first employee on the project, which significantly decreased the labour costs. In 2016, the project holder issued a brochure and printed it in 25,000 copies. The brochure is very convenient, its two sided print of content clearly and transparently notifies the readers about the issue of trafficking in human beings and contact information for assistance.</p>
	<p>Measures taken or envisaged to facilitate access to remedies</p>	<p>2018 AR: Measures for the provision of penalties such as the confiscation of assets and criminal liability of legal persons have been taken. The detection and prosecution of criminal offences of trafficking in human beings is a subject of regular harmonisation of measurable records between the police and the State Prosecutor's Office. Criminal offences relating to trafficking in human beings for the purpose of sexual abuse are still the most common. A slight decrease in the number of suspects is detected in 2016 compared to the previous year. The police dealt with fifteen suspects in total. However, the number is still above the average of suspects investigated in the last five years. Taking into account cases from recent years, the State Prosecutor's Office filed charges against 21 natural persons and 2 legal entities. In two cases, courts passed judgements of conviction against six persons. In addition to the law enforcement authorities, this segment also includes activities of the Labour Inspectorate of the Republic of Slovenia and the Financial Administration of the Republic of Slovenia. Their activities in the context of legislation in their competent fields are mainly focused on the field of labour exploitation and forced labour. This is due to growing trends, and the connection of trafficking in human beings with problems of the exploitation of workers' rights, in particular of foreign labour. Perhaps, this is also due to the police detecting an increase in the number of criminal offences as per Article 196 of KZ-1 Violation of fundamental workers' rights from 2,552 in 2015 to 3,151 in 2016. Police activities: a) <i>Forced labour</i>: in 2016, the police in cooperation with other competent state authorities (e.g. Furs and IRSD) detected and dealt with suspicions of committing a criminal offence of trafficking in human beings as per Article 113 of KZ-1, the purpose of which was the exploitation of forced labour of victims. Based on the information collected, in pre-trial proceedings the police did not establish sufficient elements for a criminal complaint, but submitted a report on the Specialised State Prosecutor's Office as per the paragraph 10 of Article 148 of the</p>

		<p>Criminal Procedure Act (ZKP). In terms of recognising forced labour as one of the forms of exploiting victims of trafficking in human beings, the police prepared and with the Specialised State Prosecutor's Office harmonised the guidelines to demarcate the criminal offence of trafficking in human beings as per Article 113 of KZ-1 and other criminal offences referred to in Section 22 of KZ-1 (criminal offences against employment relationship and social security). The Government underlines that many criminal offences related to the violation of fundamental workers' rights as per Article 196 of KZ-1 was detected and dealt with in 2016, whereby the elements of labour exploitation of injured parties were found. In pre-trial proceedings dealing with the foregoing criminal offences and based on guidelines of competent district state prosecutors' offices, no elements of forced labour as forms of exploitation of victims of trafficking in human beings were detected, and these elements were also not established in further criminal proceedings; and <i>b) Begging</i>: in monitoring the issue of trafficking in human beings related to forced begging as one of the forms of forced labour, the police established that organised groups of beggars to whom begging means a way of life occasionally stay in Slovenia. The respective groups come from Slovakia, Bulgaria and Romania and are active mostly in the area of Ljubljana, Celje, Maribor and Koper. In these cases, the police has failed to identify the people forced into begging and the people who would recognise themselves as victims of trafficking in human beings. According to the Government, the trend from previous years is established which indicates that these beggars do not wish to cooperate in police procedures or recognise themselves as victims of trafficking in human beings.</p>
	<p>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</p>	
	<p>Cooperation with other Member States, international / regional organizations or NGOs</p>	<p>2018 AR: The Government cooperates with other member States as well as with international, regional and non-governmental organizations. In the international field, representatives of individual ministries, and in particular the national coordinator participated in established events and conferences regularly organised by the OSCE, Council of Europe, United Nations and European Commission and in operational meetings mainly within the scope of the operation and support of Europol. At the strategic level, the cooperation of the EU network of national mechanisms (i.e. NREM) and network of national coordinators of Southeastern Europe is still active and current. In 2015, within the framework of the mandate, the national coordinator actively took part in international events which with their various mechanisms and measures have an impact on the prevention and combating trafficking in human beings. The national coordinator actively participated in the following events:</p> <ul style="list-style-type: none"> – in 2016, the EU coordinator for combating trafficking in human beings together with the presiding state organised two meetings of the non-formal network of national rapporteurs or equivalent mechanisms. The first meeting was held on 19 and 20 May and co-organised by the Netherlands as the state presiding over the EU Council. The Handbook for experts in the field of cooperation for combating trafficking in human beings for the purpose of labour exploitation was also presented. It was followed by a presentation of some financial institutions and their roles in preventing and detecting suspicions of trafficking in human beings. In addition to some local banks, the main focus was on the representative of Western Union, through who all financial transactions are usually made, the funds of which originate from this kind of criminal offences. The next day, the European Commission presented some starting points on the new EU strategy for preventing and combating trafficking in human beings. The second meeting in

		<p>2016 was held on 5 and 6 December and was co-organised by Slovakia. A summary of replies of Member States was presented on the implementation of Council Directive, No. 2004/81/EC on residence permits issued to citizens of third countries who are victims of illegal trafficking in human beings or were a subject of actions providing illegal residence cooperating with competent authorities; this was followed by a discussion. The next day, reports as per Article 23 of Directive 2011/36/EU were presented;</p> <p>– on 11 and 12 April 2016, the 16th conference of the Alliance against Trafficking in Persons was held in Vienna, namely led by the Organisation for Security and Cooperation in Europe (OSCE). The conference related to the unpredictability of the phenomenon of trafficking in human beings with the focus on the exploitation of victims due to the execution of criminal offences;</p> <p>– On 7 and 8 September 2016, in Berlin, the OSCE prepared a conference on preventing trafficking in human beings due to labour exploitation in supply chains. The conference thoroughly dealt with the topic of labour exploitation and its consequential inclusion of individual economic sectors in the cycle of preventing this issue. The mere agenda indicated an active participation of representatives of international corporations which could also be an integral part of a supply chain in cases of trafficking in human beings, in particular in their direct exploitation in employment or in their indirect supply of products and semi-manufactured products based on labour exploitation of victims of trafficking. Thus, representatives of Lidl, H&M retail chain, Ikea, Electronic Industry, Philip Morris, the Tesco retail chain and some others participate in active discussions. The discussions were based on the findings of independent research of the International Labour Organisation indicating the issue of 20.9 million people forced into various forms of labour exploitation. According to the estimates made by experts, USD 150 billion of illegal profit is generated annually. On the other hand, there were only 216 of 4,443 convictions (less than 5%) for trafficking in human beings due to forced labour at the global level in 2014.</p>	
	Promotional activities		
	Special initiatives/Progress		
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Employers' organizations	
		Workers' organizations	
	According to the Government		
TECHNICAL COOPERATION NEEDS	Request		
	Offer		