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2024 Trafficking in Persons Report: Czech Republic

CZECH REPUBLIC (Tier 1)

The Government of the Czech Republic (Czechia) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Czechia remained on Tier 1. These efforts included prosecuting more traffickers, sentencing most convicted traffickers to adequate penalties, including those involving prison time, and identifying "official" victims who participated in the Ministry of Interior's (MOI) Program of Support and Protection of Victims of Trafficking in Human Beings (the Program). The government implemented a new policy to allow participants in the Program who chose to voluntarily return home to continue to receive legal aid if they continued to participate in criminal proceedings. The government provided services to more victims and potential victims who did not participate in the Program. The government continued implementation of a project to update the government's criminal statistics systems and identified and fined more illegal employment agencies for potential labor trafficking crimes. Although the government meets the minimum standards, observers expressed concern authorities did not effectively identify labor trafficking victims or child trafficking victims. Observers also reported identification procedures, crisis support, and long-term services for child trafficking victims remained insufficient. The government did not maintain comprehensive assistance statistics and, therefore, could not identify and respond to gaps in services.

PRIORITIZED RECOMMENDATIONS:

Vigorously prosecute and convict traffickers and seek adequate penalties for convicted traffickers, which should involve significant prison terms.

* Train a wider range of prosecutors and judges, including civil and administrative judges, on the severity of the crime, on recognizing subtle forms of coercion, on the irrelevance of a victim's initial consent when proving a trafficking crime, and on how to utilize victim protection programs for trafficking victims. * Increase training for labor inspectors on labor trafficking victim identification criteria, recognizing subtle forms of coercion, and evolving trends in labor trafficking. * Enhance collaboration between the labor inspectorate and police to effectively identify potential labor trafficking cases. * Improve identification of child trafficking victims, including unaccompanied children and children in institutional care, and specialized crisis and long-term case management for child victims. * Proactively identify victims and increase efforts to effectively screen vulnerable populations, including asylum-seekers, migrant workers, and detainees in immigration detention facilities. * Improve and reform law enforcement data collection efforts, including by disaggregating sex and labor trafficking case data and comprehensively reporting victim data, particularly on those who do not participate in the MOI Program. * Increase training for local and regional police on victim identification and ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked. * Improve victims' ability to access court-ordered restitution in criminal cases and compensation through civil proceedings.

PROSECUTION

The government slightly increased anti-trafficking law enforcement efforts. Section 168 of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of two to 10 years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. In 2023, police initiated 13 trafficking investigations involving 26 suspects, compared with 16 investigations involving 16 suspects in 2022. Authorities prosecuted 24 suspected traffickers under section 168 (13 for sex trafficking and 11 for unspecified forms of trafficking), compared with 18 prosecutions in 2022. Courts convicted 13 traffickers – eight for sex trafficking, three for labor trafficking, and two for both sex and labor trafficking – the same number of convictions reported in 2022. Courts sentenced one trafficker to up to five years' imprisonment and seven traffickers to prison terms ranging from three-and-a-half to 10-and-a-half years. Judges suspended the prison sentences of five convicted traffickers (eight suspended sentences in 2022). One of these traffickers was a 15-year-old child. The government confirmed police screened this individual for trafficking indicators before proceeding with the prosecution. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking crimes. In 2023, the police's Trafficking in Human Beings Division (THBD) charged a sixth member of a family gang, in a notable case initiated in November 2022, for exploiting individuals who experienced homelessness or other socioeconomic vulnerabilities in the

construction industry; police identified 55 victims during the investigation. In a separate case, state prosecutors pressed charges against eight suspected traffickers for exploiting at least 20 victims, mainly from the Philippines, for sex and labor trafficking in Czechia. The government reported it did not seize assets from convicted traffickers in 2023, compared with 7.5 million koruna (\$345,130) in 2022. The government reported the seizing of assets was frequently difficult because the majority of traffickers used cash payments and did not own traceable property.

Authorities continued to collaborate with foreign governments on transnational investigations and participate in an international operational task force focused on monitoring potential trafficking among the People's Republic of China-national diaspora. The government, including a liaison police officer assigned to the Czech embassy in London, continued to cooperate with the Government of the United Kingdom (UK) on both new and previously initiated trafficking investigations and prosecutions involving Czech traffickers and victims in the UK. The liaison officer also trained and assisted consular officers in screening for trafficking indicators among Czech citizens at the embassy. In 2023, police cooperated with Finnish counterparts to investigate a web platform allegedly used by a Czech criminal organization to facilitate commercial sex, including potential sex trafficking crimes, across Scandinavia, including by Czech women. The government also cooperated with the Government of Romania on trafficking investigations through its liaison officer at the Czech Embassy in Bucharest.

Police data collection generally focused on perpetrators rather than victims; an overly broad definition of a victim according to police regulations further hindered data accuracy. With the goal of creating a unified database, the government continued its analysis of all available statistical systems across ministries to simplify tracking cases and disaggregate data by type of trafficking, gender, and age. In 2023, the MOI and the Ministry of Justice (MOJ) completed an analysis of the data collection systems used by the two ministries, and MOI signed a contract with a consulting firm to conduct a feasibility study assessing options for a new crime statistics system, including for trafficking-related data. The THBD was the lead investigative agency for trafficking within the national police and oversaw trafficking cases involving organized crime; regional police were responsible for other trafficking cases. The Prosecutor General's Office prosecutor for trafficking and domestic violence oversaw specialized trafficking prosecutors in the regional prosecutorial offices. There were no criminal judges who specialized in human trafficking; however, a January 2024 amendment to the decree on judicial procedures established an option for judges to specialize in human trafficking, sex crimes, or other forms of abuse. The amendment included standard procedures for lower courts to assign such cases to specialized judges. The government did not implement the specialization program by the end

of the reporting period; furthermore, observers expressed concern the amendment did not mandate specific training for specialized judges and gaps in capacity and resources, including staffing, may hinder specialization efforts. Regional police directorates sometimes chose to devote their limited resources to fighting other types of crime, especially crimes deemed easier to solve and achieve a conviction. Law enforcement officials reported more easily identifying sex trafficking than labor trafficking. Judges and prosecutors continued to report it was difficult to prove some instances of labor trafficking were more than cases of simple fraud, as traffickers often used subtle coercive practices. Observers reported prosecutors and judges pursued trafficking cases unevenly, at least in part due to a lack of familiarity with the elements of the crime; GRETA noted Article 168 did not explicitly state the irrelevance of the victim's initial consent to the subsequent exploitation, which may have led to uneven implementation of the law.

The government provided anti-trafficking training for law enforcement officials, prosecutors, judges, labor inspectors, and medical professionals on various topics, including investigation techniques, victim identification, and trafficking trends. The government mandated a one-day trafficking training for all entry-level police officers and incorporated anti-trafficking curricula into several courses for officers pursuing police management positions. Police and prosecutors continued efforts to create specialized training for prosecutors and judges on labor exploitation to ensure greater consistency of judicial outcomes. Observers noted the Judicial Academy focused on providing anti-trafficking training to criminal judges, leaving civil and administrative judges with little training, even though civil and administrative judges made decisions affecting the status and rights of potential trafficking victims, particularly with regard to foreign victims' legal status and right to remain in the country.

PROTECTION

The government increased victim protection efforts. MOI's Program remained the only official source of data on victim identification and protection and was conditioned on a victim's participation in the criminal justice process. The government did not officially recognize victims who did not participate in the Program, although it provided support to NGOs that identified and assisted potential victims or victims who preferred not to participate in criminal justice proceedings. In 2023, 18 victims (10 men and eight women) entered the Program, including six sex trafficking victims and 12 labor trafficking victims; this was a slight decrease from 33 in 2022. Most victims were Czech, while foreign national victims were from Eastern European countries, including Ukraine, as well as Colombia, the Philippines, and Venezuela. In 2023, government-funded NGOs provided services or other support to 79 victims or potential victims, some of whom had received services for a year or more, compared with 79 also in 2022. Observers noted a high level of cooperation between authorities and civil society on victim identification and protection efforts. The MOI continued

distributing an electronic manual that described trafficking indicators among vulnerable populations to assist officials in identifying victims. The MOI also continued distributing a manual to regional police that outlined best practices in handling child trafficking cases. Observers expressed concern some victims and potential victims went unidentified, attributing this to authorities' difficulty in identifying labor trafficking victims among migrant workers or detainees in immigration detention facilities; the government's strict anti-migration policies and insufficient screening of asylum-seekers; and inadequate training and high levels of turnover of front-line responders, particularly local police. Observers reported local police officers were not aware traffickers often compelled victims to commit unlawful acts, leading officers to mistakenly identify victims as criminals. Moreover, experts reported the commercial sex industry's operational shift in the last five years from clubs to private residences and online had hindered law enforcement's identification efforts.

The Program provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services to officially recognized foreign national and Czech adult victims of sex and labor trafficking, regardless of their immigration status. The MOI provided funding and administrative oversight and selected one NGO to be the primary implementing partner and to manage subcontracts to other NGOs for additional specialized services. Victims were generally placed in an NGO-run shelter or into other MOI-funded housing. Participants in the Program were granted a 60- to 90-day reflection period, after which they were required to assist law enforcement if they wanted to stay in the Program, unless subject to a serious health issue. Victims who chose not to assist law enforcement through the Program and victims whose cases authorities did not pursue were eligible to access comparable Ministry of Labor and Social Affairs (MLSA)-funded welfare benefits, including housing, in-person and telephone crisis help, counseling and social support, drop-in centers for children, and social services for families with children. All 64 victims who participated in the Program in 2023 chose to cooperate with law enforcement. Victims could voluntarily withdraw from the Program at any time and would remain eligible for services under the MLSA. Victims in the Program were eligible for a free legal advocate and, in some cases, the option to choose the gender of the judge or to testify via videoconference. In 2023, the MOI implemented a new policy to allow participants in the Program who chose to voluntarily return home to continue to receive legal aid if they continued to participate in criminal proceedings; the government provided these services to two victims. The MOI finalized and implemented procedures to allow victims to remain in the Program even after termination of the criminal process against the trafficker, allowing victims easier access to free legal representation in civil compensation proceedings. The government granted foreign victims a 60- to 90-day reflection period to decide whether to participate in the criminal justice process; if they chose to accept the Program's terms by assisting law

enforcement and breaking off contact with the suspected trafficker, they could receive long-term residence permits and work visas for the duration of relevant legal proceedings. Victims could receive assistance to return to their country of origin at any time or, upon completion of the Program, could apply for permanent residency. The government issued no new long-term residence permits and continued to provide six long-term residence permits to Program participants. The government provided funding to civil society to repatriate three trafficking victims in 2023.

Although the government did not provide specialized centers specifically for child trafficking victims, it maintained a separate NRM for child victims, and social workers developed individualized support plans for potential child trafficking victims, who received welfare benefits, such as shelter, food, clothing, and medical and psychological counseling. The government funded a major study on child trafficking, and a draft situation report was completed. Observers reported the government continued to prioritize combating child trafficking. Nonetheless, the government did not report identifying any child victims of trafficking, and observers reported identification procedures, crisis support, and long-term services for child trafficking victims remained insufficient.

The MOI allocated approximately 1.65 million koruna (\$75,930) for the Program, compared with 1.6 million koruna (\$73,630) in 2022. The MLSA provided 13.1 million koruna (\$602,830) to an NGO, a slight increase compared with from 10 million koruna (\$460,170) in 2022; the Ministry of Justice provided the same NGO 414,235 koruna (\$19,060), a decrease compared with 530,000 koruna (\$24,390) in 2022. The MLSA also provided funding to additional NGOs for social services, including for trafficking victims not in the Program. NGOs reported sufficient funding for short- and long-term activities and believed the ability to use MLSA funds for purposes other than the standard social services they already provided, such as public transportation tickets, telephones, medical checks, and psychological therapy, allowed them to offer more holistic services, which were limited in previous years because of regulations on the use of these funds. Nevertheless, NGOs reported the MLSA's funding structure inhibited long-term planning, as funds were only allocated one year at a time and did not arrive until after the beginning of the fiscal year. NGOs also reported an increase in costs due to inflation.

Border police and asylum and migration officials did not always proactively screen migrants, including those in detention, for trafficking indicators. Experts noted some courts declined to recognize victims in migration detention facilities as such if they did not self-identify as victims in their initial asylum claims. Moreover, observers expressed concern the Foreigners' Residence Act, which regulated the detention of foreigners prior to deportation, did not define a "vulnerable person," leading authorities to occasionally detain potential foreign national trafficking victims. However, the government reported administrative courts in the

last five years consistently ruled authorities were obligated to consider the possible vulnerability of foreigners detained under this act. Beginning in 2023, the government permitted the RFA to formally refer potential victims directly into the Program; RFA referred three potential victims, all of whom the Program determined not to be trafficking victims.

The government provided victims and witnesses short-term protection when needed, including physical protection, access to safe houses, and security monitoring for up to 60 days; this protection could be extended with approval from the regional police director. The law allowed victims the option to seek court-ordered compensation from traffickers through civil suits; however, compensation was rare, as many victims could not afford attorney fees for a civil suit. To seek civil damages, the law required a finding of criminal misconduct against the defendant. The law also allowed victims to obtain restitution in criminal proceedings, although courts did not consistently issue restitution to victims in criminal cases. The government reported a court awarded 10 victims 1.5 million koruna (\$69,030) in a criminal case in 2023.

PREVENTION

The government maintained prevention efforts. The MOI chaired the Inter-Ministerial Coordination Group (IMCG), which included representatives from various government ministries and agencies, as well as three NGOs and an international organization; in 2023, the IMCG met twice. The government continued implementing the 2020-2023 National Strategy Against Trafficking but continued to divert some of its attention to providing protection and assistance to the hundreds of thousands of refugees from Ukraine who arrived as a result of Russia's full-scale invasion of Ukraine. The intergovernmental Committee for the Rights of Foreigners also included trafficking prevention in its mandate. A MOI unit served as the national rapporteur and prepared a comprehensive annual report on trafficking patterns and programs. The government funded several NGO-run multilingual hotlines to identify and assist potential and officially recognized victims, and the MLSA, State Labor Inspection Office (SUIP), and MOI continued to operate hotlines to provide information to refugees from Ukraine on Czech regulations, refugees' rights, and trafficking risks. Hotlines operated on weekdays, and the government provided training to operators on how to advise victims. The various hotlines reported identifying eight potential victims in 2023. None entered the Program and they were not confirmed as trafficking victims. The government, both independently and through government-funded NGOs, conducted various awareness campaigns targeting government officials, civil society, the general public, and vulnerable groups, including Ukrainian refugees, on trafficking trends and how to report potential trafficking crimes. The government and government-funded NGOs provided most awareness materials in Czech, English, Ukrainian, and Russian and published many of the resources online. The government continued to provide funding to an EU anti-trafficking project that assisted

trafficking victims in the Middle East and North Africa. In addition, MOI's Department of Asylum and Migration Policy provided funding to two capacity building projects implemented in Libya, which included anti-trafficking activities.

The government continued to partially fund an NGO-run online platform to assist refugees from Ukraine by consolidating offers and requests for accommodation, material assistance, transportation, interpretation, and other services; observers reported the platform was an especially effective tool in providing well-targeted support and reducing trafficking risks among refugees from Ukraine. The police distributed awareness-raising leaflets, mobile phone texts, and short videos targeting Ukrainian refugees. MOI allocated 89,000 koruna (\$4,100) to an NGO to raise awareness of trafficking and labor exploitation among Ukrainian refugees.

The government passed two amendments that changed the humanitarian benefits available to Ukrainian refugees, including the reduced provision of emergency accommodation from 150 days after arrival to 90 days beginning September 2024. These changes contributed to tens of thousands of Ukraine refugees departing Czechia, according to international organizations. The amendments also included a financial incentive for refugees to voluntarily return to Ukraine. Some observers expressed concern these changes may have increased trafficking risks for Ukrainian refugees.

The MLSA and SUIP websites published information in multiple languages about foreign workers' rights, laws governing the employment of foreigners, and information on the Czech labor system and requirements for work permits. The MLSA, with government and EU funding, continued to implement a project to improve the provision of employment services to foreign nationals, particularly persons with temporary protection. The law did not specifically criminalize confiscation of workers' passports. The labor code prohibited charging workers recruitment fees. Section 342 of the criminal code criminalized the illicit employment of foreign workers under especially exploitative conditions. The State Labor Inspection Office (SUIP) had dedicated staff to focus on illegal employment and verify requirements for conditions of work. The SUIP conducted inspections of employment agencies and identified 309 illegal "pseudo-agencies" in 2023, an increase from 256 in 2022; most suspected cases of labor trafficking were arranged via these types of agencies. The government reported issuing 199 fines totaling 116.8 million koruna (\$5.4 million) for the operation or use of "pseudo-agencies" in 2023, of which 47 fines for a total of 32.4 million koruna (\$1,491,000) were imposed for enabling the performance of disguised employment mediation. Civil society and the police reported more "pseudo-agencies" paid salaries above the minimum wage to foreign workers at the onset of employment to evade scrutiny from labor inspectors but later reduced the payments or stopped paying workers altogether. In 2023, an amendment to the Employment Act

modified the definition of illegal work to include work conducted outside an employment relationship or other regulated arrangement regardless of its duration. The previous definition required such work to be "continuous." Labor inspectors could not formally identify or report potential trafficking victims but could provide tips to the police for investigation; the government did not report how many such tips inspectors referred to police in 2023. Experts reported inconsistent collaboration between regional police and labor inspectors, as well as a need for enhanced training for inspectors on labor trafficking indicators. In 2023, labor inspectors conducted 6,574 inspections aimed at detecting illegal employment, compared with 6,571 in 2022. SUIP continued to provide anti-trafficking training to labor inspectors, and observers reported collaboration between police, NGOs, and labor authorities, on potential trafficking cases improved.

To safeguard against exploitation, the Ministry of Foreign Affairs (MFA) and SUIP interviewed domestic employees of accredited diplomatic personnel in Czechia upon registration and reviewed documents for compliance with Czech labor laws; labor inspectors also had the authority to conduct random checks of the employee's workplace, and the MFA limited the number of domestic workers per foreign diplomat. The MFA also provided diplomats with a detailed manual summarizing domestic workers' rights, employers' responsibilities, and contractual requirements. The government did not make significant efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Czechia, and traffickers exploit Czech victims abroad. Traffickers exploit women, girls, and boys from Czechia, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam in sex trafficking in Czechia and also transport victims through Czechia to other European countries for sex trafficking. The UK has been a significant destination in recent years for Czech female and male trafficking victims. Traffickers exploit men and women from Czechia, Bulgaria, Poland, Romania, Slovakia, Ukraine, Mongolia, Nepal, Nigeria, Pakistan, the Philippines, Vietnam, Moldova, Latvia, and other former Soviet countries in forced labor in Czechia, typically through debt-based coercion or exploitation of other vulnerabilities, in the construction, agricultural, forestry, manufacturing, food processing, and service sectors, including in domestic work. NGOs report labor trafficking is more prevalent than sex trafficking and continues to increase. Vietnamese criminal networks active in Czechia exploit Vietnamese victims in sex and labor trafficking, including in forced criminality in cannabis production. Most identified victims in the country are Czech; however, traffickers are increasingly exploiting non-EU victims. Observers previously reported an increase in the number of LGBTQI+ victims. In February 2023, the EU expressed concern about the discrimination Roma and persons with disabilities in

Czechia continue to face and noted Roma refugees from Ukraine receive disparate treatment from other refugees from Ukraine; this discrimination makes these communities more vulnerable to trafficking. Traffickers exploit Romani men from Czechia in forced labor and Romani women from Czechia in sex trafficking and forced labor internally and in destination countries, including the UK; many such traffickers operate as family groups. Most traffickers are Czech citizens; foreign traffickers often recruit victims from their home countries and work in cooperation with local Czech citizens. Traffickers target individuals with drug dependencies, debts, and criminal records, as well as persons experiencing homelessness, children in foster care, and senior citizens.

Traffickers increasingly use online platforms to recruit victims. The commercial sex industry increasingly operates out of private residences, complicating efforts to identify sex trafficking victims. Private, unregistered labor agencies often use deceptive practices to recruit workers from abroad as well as from inside the country. Some agencies sell their registration to unqualified recruiters. Approximately 370,000 Ukrainian refugees maintained their temporary protection status in 2023. Observers note despite the lack of confirmed cases of human trafficking among refugees from Ukraine in Czechia, the risks remain very high; experts are particularly concerned refugees will be exploited for forced labor, including domestic servitude, and for sex trafficking in western Czechia.

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