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REPORT OVERVIEW

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2019 Trafficking in Persons Report: Slovenia

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SLOVENIA: Tier 1

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovenia remained on Tier 1. These efforts included adopting the 2019-2020 national action plan, training a broad range of government personnel with an increased emphasis on labor trafficking, funding an NGO project to support reintegration of survivors of trafficking, and investigating and prosecuting large-scale trafficking crimes. Although the government meets the minimum standards, it did not consistently provide proper facilities and support to assist child victims of trafficking. Authorities did not report ordering restitution for or helping victims receive compensation and did not impose on all convicted traffickers adequate penalties that included significant prison terms.

PRIORITIZED RECOMMENDATIONS

Establish a process to ensure systematic provision of care and designated facilities for child victims of trafficking, including enhanced training of caregivers and foster care parents.

- Vigorously prosecute sex and labor trafficking offenses, and impose on all convicted traffickers adequate penalties that include significant prison terms.
- Establish and maintain a comprehensive and publicly available statistical system on measures taken to protect and promote the rights of victims, including data on investigations, prosecutions, and judicial determinations.
- Amend the definition of trafficking under Slovenian law to align more closely with the definition in the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and children.
- Increase efforts to order restitution for both EU and non-EU citizen victims, as well as access to the state fund for crime victims.
- Expand prevention outreach that targets vulnerable populations, such as Roma.
- Increase efforts to provide potential victims with information about rights and access to services in languages they understand.

PROSECUTION

The government increased law enforcement efforts. Article 113 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from one to 10 years' imprisonment for offenses involving an adult victim and three to 15 years' imprisonment for those involving a child victim or other aggravating factors. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, Article 113 established the use of force, fraud, or coercion as an aggravating factor rather than an essential element of the crime. Police conducted three trafficking investigations involving 26 suspected traffickers, compared to five investigations involving 15 suspects in 2017. Authorities initiated prosecution of all 26 suspected traffickers, compared to 19 in 2017. The government convicted five traffickers, compared with 10 in 2017. Courts sentenced all five to prison terms ranging from 2.5 to eight years, a similar range of sentences as imposed in 2017. In July, the

government indicted two Slovenian and four Chinese citizens for human trafficking stemming from the January 2018 investigation of a fraudulent phone bank facility that identified 32 trafficking victims from Taiwan who traffickers forced to call private individuals in China under false pretenses to gain access to personal bank account information. Slovenian and Croatian police collaborated to disrupt a similar operation in Croatia. In another noteworthy case in January 2019, law enforcement arrested eight suspects for allegedly trafficking up to 300 individuals since 2014. Police identified 47 potential victims, mostly Romanian women, during the initial action. Most declined assistance from NGO representatives who were present and ready to assist. The government continued to conduct specialized training for investigators, prosecutors, judges, border control officials, and police. Each of the eight police districts had at least one officer specializing in trafficking investigations, together operating as a de facto nation-wide coordination network. Two prosecutors specializing in serious criminal cases also had dedicated expertise on trafficking prosecutions.

PROTECTION

The government maintained victim protection efforts. The government allocated €85,000 (\$97,480) for housing victims in 2018, the same level as in the previous three years. During the reporting period, the government identified 70 victims—68 adult sex trafficking victims and two victims of forced begging, compared to 98 victims of sex trafficking and the 32 Taiwan victims of labor trafficking in 2017. The government continued its annual trainings for officials of the International Protection Division of the Ministry of Interior, particularly in screening for trafficking indicators among applicants for asylum, and provided arriving migrants with information on risks of trafficking. Relevant government officials also received the Manual for Identification of Victims of Trafficking in Persons, first adopted in 2016. The 2019-2020 national action plan, approved by the government in January 2019, included providing health insurance for victims, increasing the focus on trafficking within the Roma community, and ensuring the legal status of non-EU and non-Slovenian victims was not dependent on cooperation in police criminal investigations.

The Ministries of Interior (MOI) and Labor funded two NGOs that provided crisis and safe housing for victims, supplemented by private donations and support from the Catholic Church. Both NGOs were among a wider range of organizations providing such assistance as counseling, psycho-social support, legal representation during investigations and court proceedings, and filing of documentation for residency status. Victims could receive crisis shelter for an initial 30 days and up to an additional 90 days of safe housing. Child victims of trafficking continued to lack adequate assistance, and there were no designated facilities for unaccompanied child trafficking victims, who instead stayed in shelters together with unaccompanied migrant minors. They received care through the Center for Social Work. GRETA highlighted a concern over unaccompanied child victims disappearing from public care, urging development of more suitable accommodations for children with fully trained staff or foster parents. NGOs reported virtually all minor victims, mostly males between ages 14 and 18, left their accommodation without notice.

Non-EU foreign victims had a 90-day reflection period to remain in Slovenia while recovering and considering whether to participate in an investigation, with accommodations based on their temporary residence permit, although they were not authorized for employment during this period. Those victims cooperating in criminal proceedings could extend their stay by 180 days, longer if needed for the trial of their trafficker. When participating in pre-trial and criminal proceedings, victims also had a right to interpretation services and a protective escort. The 2018 GRETA report urged improving the process of providing comprehensive information to victims in a language they could understand in order to assess their options, including participation in programs to resist re-victimization. In response to the GRETA recommendation, the MOI provided €54,600 (\$62,610) to fund a 2019-2020 NGO project to support reintegration of survivors. The government also funded two NGO hotlines offering assistance to both domestic violence and trafficking victims, although the hotlines did not track the number of calls received or how many callers' situations had trafficking indicators. One NGO providing shelter and reintegration support for victims reported an increased percentage of Slovenian citizens among female potential victims of trafficking seeking assistance. Only citizens of EU countries were eligible to apply for compensation from the state fund for crime victims, although all victims could seek compensation through the courts. NGOs also

noted there were insufficient professional interpreters fully trained in translating the details of rights of potential trafficking victims for asylum intake proceedings. Some victims were reluctant to speak with transparency with social workers and counselors about their situation, when the same interpreters assisted in the different contexts of law enforcement investigations and court proceedings on their case.

PREVENTION

The government increased prevention efforts. The government elevated the position of the national coordinator for countering trafficking in persons to the level of state secretary within the MOI. As leader of the interdepartmental working group (IWG), the coordinator oversaw establishment of the Anti-Trafficking Service Office within the MOI, with dedicated staff, implementing a key recommendation of the 2018 GRETA Report, to provide comprehensive support for investigators and providers of services to victims. The IWG included NGO representatives and met every two months to organize and coordinate awareness efforts that included producing an annual monitoring report. Slovenia did not have an independent national anti-trafficking rapporteur, also a key GRETA recommendation. The government communications office allocated €25,000 (\$28,670), compared to €20,000 (\$22,940) in 2017 and 2016, for five NGO-funded awareness projects for the general public and particularly vulnerable populations, including youth, migrant workers, refugees, and Roma communities. A government website in both English and Slovenian promoted awareness of forced labor and labor exploitation with international research, information on investigations, and prosecutions, and a mechanism for contacting NGOs providing assistance to potential victims. The website received 8,500 visits in 2018 and included the government's Manual for Companies and Employers addressing labor trafficking, as well as a portal for anonymous reporting of potential trafficking cases and victims. Even with these efforts, the government communications office remained underfunded on trafficking in persons-specific outreach, particularly in light of new trends in trafficking methods and the need to expand public awareness.

The Labor Inspectorate regularly trained inspectors and emphasized regulation of the recruitment process. NGOs, however, noted labor trafficking received

insufficient attention and resources for conduct of investigations. Slovenian officials provided anti-trafficking training to Serbian police and prosecutors. The government did not make efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Slovenia, and, to a lesser extent, traffickers exploit victims from Slovenia abroad. Foreign workers and undocumented migrants from countries such as Bosnia and Herzegovina, Romania, Serbia, Slovakia, and Ukraine are among the most vulnerable to labor trafficking, exploited in the construction sector, forced begging, or domestic servitude. Sometimes these persons are in transit to Western Europe, particularly Italy, Austria, or Germany, where they experience forced labor. Women and children from Slovenia, Eastern European, the Western Balkans, and Latin American countries are subjected to sex trafficking within Slovenia, and many also transit to Western Europe, primarily Italy and Germany, where they are at risk of sexual and labor exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

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