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Trafficking in Persons Report 2017 - Country Narratives - Slovenia

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. The government demonstrated serious and sustained efforts by convicting more traffickers and sentencing them to more severe sentences than in previous years. The government offered more training for government personnel and conducted campaigns to sensitize officials, the public, and the private sector on labor trafficking. Although the government meets the minimum standards, it did not consistently sentence convicted traffickers to penalties proportionate to the crime and did not consistently implement a victim-centered approach in prosecutions. It also did not provide proper and safe facilities to assist child victims of trafficking, nor did it assist all victims to have access to restitution.

RECOMMENDATIONS FOR SLOVENIA

Increase specialized training for investigators, prosecutors, and judges in applying the human trafficking statute and improve efforts to develop a victim-centered approach to prosecutions; expand efforts to identify victims of both sex and labor trafficking among vulnerable populations, including individuals in prostitution, foreign migrant workers, unaccompanied children, and children in begging; provide proper systems and safe facilities to assist child victims of trafficking; increase efforts to facilitate all victims' access to restitution, such as through court-ordered restitution from convicted traffickers; continue prevention outreach to vulnerable populations, such as Roma; vigorously prosecute sex and labor trafficking offenses, and convict traffickers under the trafficking in persons law with sentences that reflect the severity of their crime; and continue to raise awareness of forced labor and sex trafficking among healthcare providers, social workers, the general public, and include in school curricula.

PROSECUTION

The government increased law enforcement efforts, but the judiciary did not impose dissuasive sentences on all convicted traffickers. Article 113 of the criminal code criminalizes all forms of trafficking and prescribes penalties ranging from one to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2016, the police conducted five trafficking investigations, which involved 31 criminal acts and 15 perpetrators, compared with six investigations in 2015. Authorities initiated or continued prosecutions involving 21 defendants under article 113 (four of these were initiated during this reporting period), compared with 23 in 2015. The government convicted nine traffickers under article 113 in 2016, compared with three in 2015, none in 2014, and two in 2013. The courts sentenced two traffickers to five

years in prison, one person to 3.6 years in prison, and another to 1.6 years in prison, marking an increase in prison terms from previous years. These individuals also received fines ranging from €1,240 to €10,230 (\$1,307-\$10,780); one of them was also required to turn over €850,000 (\$895,680) of illegally gained property. In addition, for four defendants who pled guilty and cooperated with law enforcement, the court issued conditional sentences of one to three years imprisonment if they repeat their crime in the next two to five years. In one additional case, the convicted trafficker had not yet been sentenced at the end of the reporting period. The government conducted specialized training for investigators, prosecutors, judges, border control, and general police forces. Slovenian and Italian police conducted a joint operation to arrest two Slovenians in Brazil involved in an international sex trafficking network that forced young Brazilian women into prostitution in Slovenia. In September 2016, Ljubljana police uncovered a sex and drug trafficking ring that had victimized Slovenian and Serbian women. The government cooperated with Romanian justice authorities to prosecute and convict in Romania four sex traffickers operating in Slovenia who had victimized young Romanian women and a minor.

PROTECTION

The government maintained weak victim protection efforts. The government allocated €85,000 (\$89,568) for victim protection, similar to 2015 support. The government identified 27 adult sex trafficking victims in 2016 (47 in 2015 and 36 in 2014); four of these victims received shelter in a government-funded, NGO-operated safe house or crisis accommodation (seven in 2015). Three of these victims were Slovenian and 24 were foreigners. NGOs identified an additional 18 potential sex trafficking victims in 2016. The 45 total victims identified by government and NGOs compared to 75 total victims in 2015, 36 total victims in 2014, and 37 total victims in 2013. Child victims of trafficking lacked adequate facilities for housing and assistance. Experts noted that health care providers and social workers need more training. The government-funded two NGOs that provided services for all 45 adult trafficking victims in 2016, compared with 75 victims in 2015. The government did not have specific facilities for unaccompanied child trafficking victims. All foreign victims are allowed a 90-day reflection period to reside legally in Slovenia while recovering and considering whether to participate in an investigation. During this time, they are eligible to stay in crisis accommodation, after which victims from non-EU countries can elect to stay in safe accommodation for an additional three-month period (for a total of 180 days), regardless of whether they cooperate with law enforcement. During the reporting period, none of the victims requested accommodation. In cases of participation in pre-trial and criminal proceedings, foreign victims are eligible to receive a temporary residency permit for the duration of the legal proceedings and could receive additional services, including safe, long-term accommodation, translation and interpretation services, and a protective escort. One victim extended a permit from 2015. In 2016, no victims cooperated with Slovenian law enforcement on trafficking cases, although some did cooperate with law enforcement from their country of origin; this compared with two victims who cooperated with law enforcement in 2015. No victims sought restitution in civil cases in 2016; GRETA previously reported no victims have ever received restitution from their traffickers. Not all trafficking victims were eligible for restitution from the state fund for crime victims; according to Slovenian law, restitution is only available for citizens of Slovenia and the EU. There were no reports of victims inappropriately penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, there remained concerns that unidentified victims, especially in forced labor, were possibly being penalized or deported. There were three repatriation cases organized by an NGO during the reporting period; the rest of the victims returned to their home countries on their own.

PREVENTION

The government increased prevention efforts. The Ministry of Interior's interdepartmental working group (IWG), led by the national coordinator, organized national efforts and produced an annual monitoring report available to the public. The working group implemented the 2015-2016 action plan. As part of the plan, the government provided trafficking-specific training for all government personnel. In May 2016, the government adopted the Manual for Identification of Victims of Trafficking in Persons and distributed it to relevant government officials. The IWG drafted the 2017-2018 action plan, but it was not approved by the close of the reporting period. The IWG allocated approximately €20,000 (\$21,075), which is a similar sum as 2015, for awareness campaigns targeting potential trafficking victims, particularly schoolchildren and migrant workers. The government launched a web portal for the public to promote awareness of forced labor and labor exploitation. The government made efforts to prevent labor exploitation and forced labor by increasing labor trafficking training at the state labor inspectorate and at the criminal police administrative and by publishing an electronic handbook on preventing hidden forced labor. It promoted the handbook to various local companies and in the Slovene chamber of commerce. The government partnered with Serbia in a project to improve Serbia's trafficking investigation systems. The government provided anti-trafficking awareness and training for diplomatic, military, and police personnel before deployment overseas. The government did not take significant measures during the reporting period to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Men from

Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are forced to beg and labor in the construction sector. Sometimes these persons transit through Slovenia to Italy, Austria, and Germany where they are subjected to forced labor. Women and children from Slovenia—as well as other European countries, Brazil, and the Dominican Republic—are subjected to sex trafficking within the country, and also transit through Slovenia to Western Europe where they face sexual exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

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