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Reply from Slovenia
to the Questionnaire for the evaluation of the implementation of
the Council of Europe Convention on Action against Trafficking in
Human Beings by the Parties

Second evaluation round
(Reply submitted on 9 November 2016)

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

A. Follow-up questions

1. Please provide information on developments since GRETA's first evaluation report on your country in the following areas:

- the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);

In Slovenia, trafficking in human beings mostly takes place for the purpose of sexual abuse in the form of forced prostitution. The law enforcement authorities are thus primarily focused on this type of exploitation, although some cases of labour exploitation in the form of begging have been detected over the recent years. Moreover, the inspection bodies have stepped up their efforts over the last year to detect victims of trafficking in human beings for the purpose of forced labour. In 2015, the police thus investigated nearly 5000 criminal offences related to violations of workers' rights, although in none of the cases the criminal offence of trafficking in human beings was established.

Non-governmental organisations (NGOs) in particular have also detected cases of forced marriages as one of the reasons for trafficking in human beings in Roma communities. Such cases were adequately identified, prosecuted and sanctioned. In 2015, the first final judgment was thus recorded for trafficking in human beings with the purpose of slavery, which actually reflected the circumstances and exploitation purposes of the forced marriage.

Slovenia is identified as a country of destination, especially for the citizens of third countries of Eastern and South-Eastern Europe, who are exploited in nightclubs and private apartments, and for girls from Eastern EU who do not have temporary residence in Slovenia, neither do they have employment or adequate social and health insurance. The latter are engaged in prostitution in private premises – apartments.

Slovenia is identified as a transit country for persons from Eastern EU in cases of begging and forced criminality. Police have also detected the occasional presence of criminal groups dealing with trafficking in human beings for the purpose of forced begging. Groups of perpetrators typically travel from countries of origin (Bulgaria, Romania, Slovakia) across Slovenia to other EU member states (Italy, Austria, France, etc.). During their journey, they only stay in Slovenia for a short period at rest areas on the motorway and in cities they travel through.

- any changes in your country's laws and regulations relevant to action against THB;

As regards the laws and regulations, the Criminal Code was amended. On 9 July 2015, the National Assembly of the Republic of Slovenia adopted the Act amending the Criminal Code (KZ-1C)¹, which amended Article 113 (Trafficking in Human Beings) and added a new Article 132a (Entering into a Forced Marriage or Setting up a Similar Community).

Paragraph one, two and five of the new Article 113 are amended with the introduction of a mandatory financial penalty (in addition to the prison sentence). The new paragraph three implements Article 20 of the Council of Europe Convention on Action against Trafficking in Human Beings² by criminalising the previous preparatory act of retaining, removing, concealing, damaging or destroying a public document used to prove the identity of a victim of trafficking in human beings. Such acts are criminalised in accordance with the proposal based on practice. The new paragraph four follows the provisions of the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims³ (Article 18, paragraph four) and provides for the punishment of users of services provided by victims of trafficking in human beings with the knowledge that the services are provided by victims of trafficking in human beings. Actual awareness of the fact that the services are provided by victims of trafficking in human beings is key in this context.

¹ Official Gazette of the Republic of Slovenia, No. 54/15

² Official Gazette of the Republic of Slovenia, No. 62/09 – International Treaties, No. 14/09

³ Official Journal of the European Union, L 101, 15. 4. 2011

That being said, adequate standards will have to be developed by case law, defining relevant circumstances leading to the conclusion that a user was aware of a victim's position.

The new Article 132a of the Criminal Code (KZ-1C) implements Article 37 of the Council of Europe Convention on preventing and combating violence against women and domestic violence⁴ (Istanbul Convention), which stipulates that parties to the Convention should take the necessary measures to ensure that forcing an adult or a child to enter into a marriage is criminalised (our legislation defines marriage, civil partnership and registered same-sex partnership). Article 132a reads:

“(1) Whoever, by force or threat of force or with an abuse of a subordinate or dependent position, forces another person to enter into a conclusion of a marriage or setting up of a similar community which in accordance with the statute has the same legal consequences as the marriage, shall be punished by imprisonment of up to three years.

(2) Whoever commits the offence referred to in the preceding paragraph against a juvenile or a helpless person, shall be punished by imprisonment of up to five years.”

A one- to two-year prison sentence was proposed for the basic form of the criminal offence. For the aggravated form defined in paragraph two, which includes the protection of minors and other vulnerable persons defined as helpless persons (reference to the broad definition of a helpless person under Article 129 of the Criminal Code KZ-1), a one- to three-year prison sentence is prescribed. This act is thus additionally criminalised, as this was not completely covered by Article 132 of the Criminal Code KZ-1 (Criminal Coercion).

In addition to the amendments to the Criminal Code, the new Employment, Self-Employment and Work of Aliens Act⁵ entered into force in September 2015, replacing the previous Employment and Work of Aliens Act, according to which all victims of trafficking in human beings who reside in the Republic of Slovenia on the basis of a temporary residence permit are entitled to free access to labour market.

We should also underline the creation and harmonisation of the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings⁶, which was adopted by the Inter-Ministerial Working Group on Combating Trafficking in Human Beings (IWG THB) on 21 December 2015 and approved by the Government of the Republic of Slovenia on 5 May 2016. The manual will predominantly be used in hands-on work in procedures with victims and as the material for professional training. It defines the term trafficking in human beings, the role and tasks of state authorities, bodies exercising public powers, public service providers, bodies of self-governing local communities and non-governmental and humanitarian organisations in dealing with trafficking in human beings, and determines victim assistance and protection measures. Added to that, the manual contains indicators for recognising victims of trafficking also with regard to the form of exploitation. These indicators serve as a basic tool for detecting other forms of trafficking in human beings, such as labour exploitation, forced labour and trafficking in children. At the same time, the manual represents the basic material in training for state authorities that encounter such issues in the course of their work.

Within the framework of the project The Introduction of the Requirements for Establishing Joint Investigation Teams to Fight Trafficking in Human Beings in the Western Balkans, which was led by Slovenia under the ISEC programme and co-financed by the European Commission, the Manual on the Use of Joint Investigation Teams – JIT THB WB was developed, identifying steps to establish such a mechanism.

- the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;

⁴ Official Gazette of the Republic of Slovenia, No. 1/15 – International Treaties, No. 1/15

⁵ Official Gazette of the Republic of Slovenia, No. 47/15 (Employment, Self-Employment and Work of Aliens Act)

⁶ http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/SOJ/word/2016/Prirocnik_-_print_A4.pdf

The Inter-Ministerial Working Group on Combating Trafficking in Human Beings (IWG THB), composed of the representatives of line ministries, government services and the civil society, undertakes activities pursuant to the Resolution of the Government of the Republic of Slovenia No. 240-05/2003-1 of 18 December 2003 and renewed Resolution of the Government of the Republic of Slovenia No. 01201-7/2012/4 of 5 July 2012.

Since trafficking in human beings is a multi-layered phenomenon, the relevant institutions must be adequately represented in the inter-ministerial working group. In the recent period, it has become apparent that we need to involve additional entities, such as a representative of the Financial Administration of the Republic of Slovenia, the representative of the Slovenian Association of free Trade Unions (an NGO), the representative of the Office of the Government of the Republic of Slovenia for National Minorities, as well as to reinforce the involvement of the representatives of the Ministry of Labour, Family and Social Affairs. To this end, the Government of the Republic of Slovenia on 3 December 2015 adopted its Resolution No. 01203-22/2015/3 on enlarging the IWG THB.

In this context it should be noted that the issue of administrative – technical support to the national anti-trafficking coordinator still remains unsolved, as the position of the secretary of the working group was terminated due to the person's other work obligations. The national anti-trafficking coordinator is thus implementing the activities of the IWG THB alone, which is unacceptable from the aspect of meeting the minimum conditions for work.

- an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).

The national coordinator, together with the IWG THB, draws up two-year action plans (AP) to combat trafficking in human beings, which are approved by the Government of the Republic of Slovenia. Currently, the AP for the period 2015 – 2016, approved by the Government of the RS in January 2015, is in force. The AP defines activities in the following chapters: prevention, investigation and prosecution, assistance to victims, international cooperation, support activities. Individual tasks are carried out directly by line ministries, which also provide the necessary funding. Certain activities need to be carried out by operators from the civil society – NGOs and this kind of funding requires public tenders. No special evaluation of AP implementation is in place as this is done permanently by the IWG THB. Furthermore, AP implementation is the subject of annual reports that are also sent to the competent commission of the National Assembly of the Republic of Slovenia.

B. Cross-cutting questions

Gender equality (Articles 1.1.b, 5.3 and 17)

2. What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the empowerment of women and girls?

See the new Protection Against Discrimination Act (of 2016), published in: Official Gazette of the RS, No. 33/16, especially its Articles 5 - 7.

The incorporation of gender dimension into policies to prevent and combat trafficking in human beings is the responsibility of all national actors operating in the area of trafficking in human beings. In compliance with the national and international regulations, the gender equality aspect is integrated in the creation and implementation of policies to prevent and combat trafficking in human beings.

When processing female victims of trafficking, which is largely the case, interviews are conducted with the involvement of professionally qualified female personnel, both in the NGOs and in the police. Moreover, the Inter-Ministerial Working Group, which is responsible for creating policies to prevent and

combat trafficking in human beings, has a balanced gender composition and consists predominantly of women.

Non-discrimination (Article 3)

3. What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?

The Ministry of Labour, Family, Social Affairs and Equal Opportunities in 2014 ordered research into forced marriages of Roma girls, which was carried out by the Social Protection Institute of the Republic of Slovenia. The purpose of research entitled "*Forced marriages of Roma girls*" was to establish the extent of early and forced marriages of Roma girls (and also boys) and discover the main causes and consequences of such practices faced by children victims of forced marriages, with a view to drawing up proposals and recommendations to the state in terms of systemic solutions that would contribute to the elimination of forced marriages. The research was carried out in 2013 and 2014. The extent of forced marriages was measured on the basis of data obtained in questionnaires. According to social work centres, in 2013 there were supposedly eight cases of forced marriages of Roma children living in Slovenia and three cases of Roma children who had moved to Slovenia. According to other organisations, there were supposedly more cases of forced marriages, namely 12 cases involving Roma children living in Slovenia and nine cases of Roma children who had moved to Slovenia. The research also gives proposals for solutions to eliminate forced marriages. One of the proposals, which involves the criminalisation of forced marriages, has already been implemented. With the Act amending the Criminal Code (KZ-1C), a new Article 132a (Entering into a Forced Marriage or Setting up a Similar Community Partnership) was added to the Criminal Code.

The People's University of Kočevje, together with partners from Slovenia, Bulgaria and Italy, successfully applied to the DAPHNE III programme of the European Commission with the project entitled "Early marriages – culture or abuse". The main goals of the project were research into the sociological aspect of the Roma community's views of early marriages, early detection of problems in the Roma community, and training of teachers, Roma representatives, social work experts, counsellors, medical staff, NGOs and the police on how to act as mediators on encountering early / forced marriage.

The Society Ključ – Centre for the Fight against Trafficking in Human Beings in January 2015 prepared, within the project "Da!" (Yes), a round table on the topic of forced marriages, which, among other, presented the research of the Social Protection Institute on forced marriages of Roma girls, followed by the opening of the exhibition entitled "Moje sanje" (My dream). The exhibition is composed of seven portraits of children and young people, whose photographs show the career goals they are dreaming of achieving or were dreaming of achieving but never did. They never achieved their career goals because they were not able to choose their own future. The aim of the exhibition was to draw the attention of the wider public to the fact that Roma children are often discriminated against and their children's rights are violated. This is why the travelling photographic exhibition was displayed in various social work centres: Krško, Celje, Kranj, Novo mesto, Kočevje, Koper, at the Faculty of Criminal Justice and Security, in Gotenica, in the Murska Sobota Regional and Study Library, and in the Vetrinje Mansion in Maribor.

In November 2015, a one-day professional conference entitled "Roma Women – from Girlhood to Parenthood" was organised by the Ministry of Health and the Roma Union of Slovenia. Beside other topics, the conference presented the conclusions of the research on forced marriages of Roma girls and focused on personal experience of two Roma women, who openly discussed the issue. The wider and professional public was thus again made aware of the issue of forced and early marriages, as well as of the fact that this phenomenon is not limited exclusively to the members of the Roma community.

The Office of the Government of the Republic of Slovenia for National Minorities published in the Official Gazette of the Republic of Slovenia of 8 January 2016 a public tender for co-financing the programmes of Roma community organisations in 2016, JR-PRS2016. The objective of the public tender was to encourage active engagement of the organised Roma community in different fields, especially through the activities focused on improving the position of the Roma population in the local environment. These activities also included the awareness-raising of the members of the Roma community on the negative

consequences of early and forced marriage. In this context, a conference on forced and early marriages was held on 8 June 2016 with the Roma organisations that had sent applications for co-financing. The conference was also attended by the national anti-trafficking coordinator, who talked to the participants about the fight against trafficking in human beings, with emphasis on forced and early marriages. Within the framework of the tender, the Union for the Development of the Roma Minority Preporod set up a website, dedicating a special section to information about the issue of early marriage, and a contact point for assistance and information (<http://www.zveza-preporod.si/stop-prezgodnjim-porokam-info-tocka/>). Namely, the representatives of the union Preporod are in contact with social work centres, regularly attending coordination meetings, where they contribute to solving problems. If necessary, they inform the competent social work centre about the suspicion of early or forced marriage themselves. On 22 September 2016, the union Preporod organised a professional conference entitled “*Močne ženske – močna družba*” (*Strong women – a strong society*), which was primarily intended for Roma women, their social activation, position in society, employment and development in general. The conference also focused on forced and early marriages and creating a family; the national anti-trafficking coordinator participated in the conference with his contribution as well. Activities for the empowerment of Roma women and girls and awareness-raising on the negative consequences of early and forced marriages within the framework of the above tender are also carried out by the Association of the Roma Community of Slovenia called Umbrella – Dežnik. So far, they have conducted two workshops on the women’s rights and their advocacy and a workshop on the empowerment of Roma women and girls and awareness-raising on the negative consequences of early and forced marriages.

4. What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?

The tasks referred to in the Annual Plan⁷ of police work in the field of detection, prevention and investigation of criminal offences among other include:

- strengthening the activities (also in cooperation with other competent national authorities) to identify potential victims of trafficking in human beings (labour force exploitation, forced begging and forced criminality, etc.) and to develop or upgrade indicators to identify victims of trafficking in human being and new forms of trafficking in human beings.

On this basis, guidelines have been drawn up in the police regarding the procedures and distinction between the criminal offences from Chapter 22 of the Criminal Code (KZ-1) related to labour exploitation and the criminal offence “Trafficking in Human Beings” under Article 113 of the Criminal Code (KZ-1). In this context, the indicators of forced labour have been developed. Guidelines were forwarded to all police and criminal police units with a view to unifying the procedures to identify potential victims of trafficking in human beings among migrant workers and the assistance offered.

As regards the identification of victims of trafficking in human beings among migrants (migration wave 2015) and the migrants illegally entering the Republic of Slovenia, the police have developed and forwarded to all internal units guidelines and indicators related to victim identification and procedures.

5. What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?

The procedure of identification of male victims of trafficking has been harmonised with all other procedures of victim identification that are defined in the above Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings. The procedures of safe accommodation and care are carried out accordingly, with accommodation provided in separate premises for each gender.

Training of relevant professionals (Articles 10 and 29)

⁷ Guidelines and mandatory instruction for the preparation of the annual plan of the police for 2016, No. 0602-12/2015/1 (141-02) of 30 September 2015 and Annual Plan of police work in 2016, No. 007-335/2015/38 (2061-01) of 26 November 2015

6. Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.

Education and training in the field of preventing and combating THB for public employees is laid down in the current Action Plan of the IWG THB. Training is provided for all public employees who in the course of their work may encounter THB. The extent and intensity of such training depends on the line ministry and the specific features of individual fields of work. Police officers thus attend various training courses on THB: courses for border police officers, for general police officers and for criminal investigators. There are different levels and obligations of training. Training is also planned for prosecutors (particularly specialised state prosecutors, whose jurisdiction also covers the prosecution of the criminal offence of THB, judges (every two years), employees in education, social work centres, employees in the Asylum Centre, labour inspectors, ... The training requirements are specified by the representatives of these organisations in the IWG THB. In the recent period, the need to upgrade training with regard to specific features and requirements of the line ministries has become apparent. Training mainly draws on the trainers' experience and knowledge obtained internationally.

Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)

7. Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.

Children victims have the right to assistance and support with regard to the special circumstances of such victims. The primary consideration, i.e. the child's best interest, is examined on a case by case basis while the approach adapted to the child must prevail, adequately taking account of the age, level of maturity, and the child's views, needs and concerns. The child and the holder of parental responsibility or another legal representative, if the child has one, are informed of all measures or rights specifically focused on the child.

If the holders of parental responsibility are not enabled to exercise the principle of the child's best interest and/or to represent the child, the child victim is allocated a guardian or representative.

Further procedures following the identification of child victims of THB are conducted by personnel adequately qualified to conduct procedures with children. As there are practically no cases of trafficking in children in Slovenia, this issue is not investigated separately but as a part of comprehensive action against THB. Nevertheless, when a case involving a child who is a victim of THB or could become such a victim is detected, the protocol referred to in the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings is implemented, which in such cases provides for the involvement of social work centres. In accordance with the existing practice, the accommodation of a child in such cases is provided on the basis of the tender programme Care of victims of trafficking in human beings – crisis accommodation. While at present, only short-term accommodation of up to 30 days is provided, longer-term solutions are being sought in cooperation with social work centres. At this point, a lack of systemic and comprehensive provision of longer-term accommodation of children has been detected, with the children either victims of trafficking or merely unaccompanied minors.

In prevention, the awareness-raising of children and adolescents is a well-established practice carried out through project work in elementary and secondary schools.

8. What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment⁸ for them, including through:

⁸ The concept of a protective environment, as promoted by UNICEF, has eight key components:

- protecting children's rights from adverse attitudes, traditions, customs, behaviour and practices;
- government commitment to and protection and realisation of children's rights;
- open discussion of, and engagement with, child protection issues;
- drawing up and enforcing protective legislation;
- the capacity of those dealing and in contact with children, families and communities to protect children;

- a. ensuring registration of all children at birth, in particular from socially vulnerable groups;
- b. raising awareness of THB through education;
- c. training professionals working with children.

a) Pursuant to the Register of Births, Deaths and Marriages Act⁹, data on births in the Republic of Slovenia is kept in the register of births, deaths and marriages.

Under the act, the birth of a child in a health institution must be registered with the competent authority by the institution. The birth of a child outside a health institution must be registered with the competent authority by the child's father or the person with whom the mother lives, or by the mother when she is able to do so. In the case the persons under the preceding paragraph cannot register the birth, the birth may be registered by another person who was present at the birth or was informed about the birth. The registration of birth must be accompanied by the confirmation of the physician on the birth of the child.

The birth of a child must be registered not later than within fifteen days from the day of birth. The birth of a stillborn child must be registered within 24 hours. If it is not possible to register the birth of a stillborn child within this period because the competent authority does not have official working hours, the birth must be registered on the first working day after the expiry of the period.

No special features have been recorded regarding birth registration. So far, no cases of abuse have been reported. In maternity hospitals (e-registration) and other health institutions, abuse is practically impossible. As home births are relatively rare, abuse consisting of non-registration of birth has not been reported to date. Moreover, registration of home birth is not possible without a certificate of births issued by a doctor, which prevents the possibility of trafficking in children, as the doctor's certificate proves that the person considered to be the child's mother really gave birth to the child.

b) Within the framework of the project Care of victims of trafficking in human beings – crisis accommodation, the service provider selected in the public tender is required to, among other, inform and raise the awareness of children, adolescents and staff working with them, as well as other target populations, on the dangers and pitfalls of THB (elaboration and distribution of information material, workshops in higher grades of elementary schools and secondary schools throughout the country).

Furthermore, projects to raise the awareness of primary and secondary school pupils on the pitfalls of THB are tendered each year. Those projects are implemented by the NGOs while most of the co-funding comes from the Government of the Republic of Slovenia (Communication Office of the Government of the Republic of Slovenia).

c) Under the project referred to in 8. b, the selected service provider is also obliged to organise a workshop for legal representatives of unaccompanied minors that are on the list of legal representatives kept by the Ministry of Labour, Family, Social Affairs and Equal Opportunities. Also, under the programme of the exercise of public authority financed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the Social Chamber of Slovenia each year organises professional training on THB for the staff of social work centres.

9. Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?

In cases where the identity of a victim of THB is unknown and there are no documents indicating the person's age, but there are reasons to believe that the person is not an adult, all measures and decisions must be based on the presumption that the person is a child. Until the age determination

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- children's life skills, knowledge and participation;
 - putting in place a system for monitoring and reporting abuse cases;
 - programmes and services to enable child victims of trafficking to recover and reintegrate.

⁹ Official Gazette of the Republic of Slovenia, No. 11/11 – officially consolidated text 2 - ZMatR

procedure is completed, the victim or the perpetrator must be processed as a child and their special needs and rights under the Convention on the Rights of the Child must be attended to.

If the child is unable to participate in their identity/age determination for any reason whatsoever, actual age must be determined in another way. The following must be taken into account:

- physical and psychological maturity,
- declarations of the child,
- any documentation available,
- data of foreign representations,
- data of competent authorities (on missing persons etc.),
- opinion of medical experts.

The procedure of establishing the age of a minor is laid down in paragraph five of Article 82 of the Aliens Act¹⁰;

“Where the identity of an alien minor is not ascertained and it is suspected that the person is not a minor, the police may establish the age of the person through experts. Based on an expert opinion the police shall issue a declaratory decision on the age of the person. An appeal against the declaratory decision is permitted within eight days of service of the decision. The decision on the appeal shall be taken by the ministry responsible for the interior.”

10. What steps are taken in your country to ensure that the rights of the child and his/her best interests¹¹ are duly taken into consideration, in particular when it comes to:

- a. identification of child victims of trafficking;
- b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;
- c. locating the child's family;
- d. ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;
- e. access to appropriate and secure accommodation, education and health care;
- f. issuing residence permits for child victims of trafficking;
- g. providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;
- h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;
- i. special protection measures for children.

Under the programme Care of victims of trafficking in human beings – crisis accommodation, accommodation of both adults and children victims of THB is ensured. The project provides adequate accommodation, food and care, psychological assistance, assistance in providing basic medical care in accordance with the act regulating medical care and medical insurance, security of victims and staff working on individual cases, 24-hour availability for victims in crisis accommodation, translation and interpretation services, assistance in offering adequate support to children victims, counselling and information, especially on their rights, in the language they understand, assistance in returning the victim to their country of origin, other measures in terms of socialisation and empowerment.

Below we explain how a service provider selected in the public tender provides the above services under the project.

The service provider is obliged to provide crisis accommodation for children consisting of a separate retreat area, adequate safe and protected accommodation in secret locations, adequate food and basic

¹⁰ Official Gazette of the Republic of Slovenia, No. 45/14 – official consolidated text, 90/14, 19/15 in 47/15 – ZZSDT

¹¹ “The best interests of the child” means that any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is objectively best for that child, given her/his age and maturity.

living standard appropriate for the child's development stage, comprehensive care and professional assistance.

In the tender, the tenderer must describe the manner of accommodation, care and support offered to children victims of THB and the manner of meeting the children's needs.

a) identification is carried out in accordance with the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings, which describes the procedures of identifying children victims of THB in a special chapter.

b) Pursuant to the provisions of the Marriage and Family Relations Act¹², guardianship is a special form of social protection of young persons whose parents do not take care of them or legally mature persons who are not capable of looking after their rights and benefits themselves. Under the provisions of this act, protection is also provided by the state to other persons who have not themselves the possibility of looking after their own rights and benefits. In all activities and procedures affecting a child, the parents, other persons, state authorities and public power holders must act in the child's interest.

According to Article 201 of the Marriage and Family Relations Act, a social work centre places in guardianship a juvenile who does not have parents or of whom the parents do not take care. A social work centre shall appoint (for an adult or a juvenile) a guardian for special cases or a guardian for specific kinds of business, to an absent person whose residence is unknown and who has no representative, to an unknown owner of property when it is necessary for someone to take care of such property, and also in other cases when this is required for the protection of the rights and benefits of an individual (Article 211 of the Marriage and Family Relations Act). The procedure for placing a person under guardianship and appointing a guardian is urgent.

Article 214 of the Marriage and Family Relations Act stipulates that unless otherwise determined by international contract, a social work centre shall decide, in extremely urgent cases, pursuant to the provisions of this Act what is necessary for the protection of the personality, rights and benefits of a foreign citizen, until such time as the authorities of their own state decide what is necessary. Competence to act in matters of foreign citizens is also based on the provisions of the Private International Law and Procedure Act (Official Gazette of the Republic of Slovenia, No. 56/99 and 45/08 – ZArbit), which among other stipulates that a foreign citizen or a person without citizenship who is in the Republic of Slovenia shall be placed under temporary protection measures, decreed under the law of the Republic of Slovenia, which shall last until the relevant country decides and undertakes what is necessary. In view of the above, the competent social work centre, based on the provisions of the Private International Law and Procedure Act, undertakes what is necessary to protect the rights and benefits of each unaccompanied minor foreigner staying in the territory of the Republic of Slovenia.

To unaccompanied minors processed under the International Protection Act, the legal representative is appointed pursuant to the provisions of the International Protection Act. Article 16 of this act stipulates that an unaccompanied minor is appointed, prior to the commencement of the procedure, a legal representative, who represents the unaccompanied minor in the procedure of granting international protection, in health and education issues, in the protection of property rights and benefits, and in relation to the exercise of rights related to reception, until the enforceability of the decision issued in the international protection procedure.

c) During the time of crisis accommodation, the selected service provider offers to the child victim of THB support in establishing contacts and assistance in organising return to the country of origin with an escort, should it become evident that the return is in the child's best interest. In addition, they enter into contact with counterpart organisations in the child's country.

d) The Code of Ethical Principles in Social Care¹³ commits professionals in social care to protect individuals (and families) against inadequate treatment, disclosure and possible abuse in the media and

¹² Official gazette of the Republic of Slovenia, No. 69/04 – official consolidated text 1, 101/07 – Odl. US, 122/07 – Odl. US, 90/11 – Odl. US, 84/12 – Odl. US in 82/15 – Odl. US

¹³ Official Gazette of the Republic of Slovenia, No. 59/02

public. The information must protect privacy and benefits of those concerned and enable unhindered assistance. A professional must not abuse the trust of the person concerned by forwarding confidential information to other persons. Information should be protected as professional secrets. Where a professional knows that they will not be able to keep the information to themselves, they should inform the person concerned immediately and unambiguously.

The programme of crisis accommodation ensures that the identity of the accommodated child is protected. In the tender documents, the service provider signs two declarations: that they are familiar with the Code of Ethical Principles in Social Care and the activities are carried out in compliance with the code, and that in their work they will act in compliance with the regulations governing the protection of personal data, particularly Personal Data Protection Act.

e) The selected provider of crisis accommodation will provide medical care to the child in cooperation with the child's guardian and through the outpatient clinic for persons without health insurance, which also includes a consultation room for children and a specialist children clinic for pre-school and school age children and a child psychologist. Basic dental care is provided through a private dental care surgery that the provider has an arrangement with. The surgery operates on a voluntary basis. In case of a medical emergency, the child is provided with emergency medical treatment.

During the accommodation of a child victim of THB in crisis accommodation, a strategy of resolving the child situation is addressed in cooperation with the child's guardian. This strategy also includes the possibility of schooling if applicable, as crisis accommodation involves a short-term stay of up to 30 days.

g) When a child's mother tongue is identified, the provider immediately enters into contact with an interpreter for this language.

Legal counselling to the child victim of THB will be offered by a lawyer in the presence of a professional and the child's guardian and the interpreter if necessary. The child's stage of development is taken account of, as well of their mental and cognitive abilities. The child is given legal counselling in an appropriate manner and instructed of their rights and options, of which their guardian is instructed simultaneously.

h) According to the legislation in force in the Republic of Slovenia, the basic principle for all authorities conducting procedures involving children is to act in the child's best interest.

i) The provider must be professionally qualified to work with children and must act in compliance with the principle of the child's best interest. From the moment a child is placed in crisis accommodation, the provider, with respect to the child's medical condition, post-traumatic stress disorder, threat assessment, and other specific developmental characteristics of the child, ensures that the child is guaranteed all the rights under the Convention on the Rights of the Child. The child's best interests and the protection of the child's rights are paramount.

11. What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Have there been cases of non-voluntary return of child victims of trafficking?

Identification of children takes place in accordance with the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings, which dedicates a special chapter to identification procedures of children victims of trafficking. In identification procedure the police inform the victim, in a language they can understand, of the right to assistance and support, the right to safe accommodation during the recovery and reflection, and the right to participate in criminal proceedings. The NGOs are always involved in the identification.

In handling children victims of THB, all authorities and organisations must follow the principles of the child's best interests, which must override immigration considerations and crime prevention. Views and wishes of the children victims of trafficking must be established and considered when taking decisions that concern them, also as guidance in their rehabilitation and training.

Procedures following the identification of children victims of trafficking are carried out by staff adequately trained to conduct procedures with children.

Adequate assistance to children victims of trafficking is provided by the appropriate institutions. The support includes assistance to victims in their physical, psychological and social recovery, as well as assistance in regulating their status in criminal proceedings.

We have not recorded any cases of non-voluntary return of child victims of THB.

12. What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?

Slovenia provides assistance to child victims within the framework of the programme Care of victims of trafficking in human beings – safe accommodation, under which the provider, in addition to basic assistance (accommodation, food, care, psychological assistance, interpretation services, counselling and information, especially on their rights) is also obliged to ensure other measures in terms of socialisation and recovery (education, training, expanding the social network, and also achieving a profession or recognition of already achieved education in case of a foreigner, and possible employment). For the time being, the state does not fund any special programme of the (re)integration of victims of trafficking in human beings.

C. Questions related to specific articles

Definitions (Article 4)

13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.

In our assessment, Slovenia has no problems regarding the identification of victims of THB who are exploited for the purpose of forced labour, slavery, servitude...

The identification of victims of crime and crime investigation are carried out on the basis of professional police guidelines and operative indicators. The criminal offence of Trafficking in Human Beings is defined in Article 113 of the Criminal Code. The definition of the criminal offence of trafficking in human beings encompasses:

- ACTS (for the purpose of exploitation): buys, takes possession of, accommodates, transports, sells, delivers or uses in any other way, or recruits such a person, exchanges or transfers control over such a person, or acts as a broker in such operations;
- USED MEANS: force, threat, deception, kidnapping or exploitation of a subordinate or dependent position, or by giving or receiving payments or benefits;
- PURPOSE OF EXPLOITATION: prostitution, other form of sexual exploitation, forced labour or services, slavery, servitude, commission of crime, trafficking in organs, human tissue or blood.

As regards the purpose of exploitations related to forced labour, the police, to make a distinction between criminal offences under Chapter 22 of the Criminal Code (KZ-1) (Criminal Offences against Employment Relationship and Social Security) and the criminal offence Trafficking in Human Beings for forced labour, use the definition of forced labour in compliance with Forced Labour Convention (No. 29) of 1930¹⁴. We can talk about an identified victim of the criminal offence of trafficking in human beings when the elements referred to in Article 113 of the Criminal Code (KZ-1) have been fulfilled, otherwise this is a victim of another criminal offence.

¹⁴ Official Gazette of the Republic of Slovenia – International Treaties, No. [15/92](#), [1/97](#) and [17/15](#)

14. How does your country's law define "abuse of a position of vulnerability" and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.

While vulnerability is not specifically defined in our legislation, it is a matter of case law. As regards case law in sexual offences, the Supreme Court of the Republic of Slovenia, Criminal Law Department (No. I Ips 177/2009, 6 November 2009) states in its judgment that vulnerability is: "abuse of a person who has a mental illness or a temporary medical disorder or suffers from a severe mental retardation, or is weak or in another state due to which they are unable to resist the offender...".

Position of vulnerability in cases of trafficking in human beings is based on the Council of Europe Convention on Action against Trafficking in Human Beings, which was ratified by the Republic of Slovenia with the Act Ratifying the Council of Europe Convention on Action against Trafficking in Human Beings¹⁵ and the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. The provisions of this directive have been transposed into the Slovenian legislation¹⁶.

Investigations of the criminal offence of trafficking in human beings have shown that vulnerability of the processed victims of this crime is mainly related to poor social and economic conditions in their countries of origin.

15. To what extent does your country's law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.

With the amendment to the Criminal Code in 2015, forced marriage or a similar community has become a criminal offence defined in Article 132 of the Criminal Code (KZ-1) and represents one of the criminal offences against human rights and freedoms.

*"Entering into a forced marriage or setting up a similar community
Article 132a*

(1) *Whoever, by force or threat of force or with an abuse of a subordinate or dependent position, forces another person to enter into a conclusion of a marriage or setting up of a similar community which in accordance with the statute has the same legal consequences as the marriage, shall be punished by imprisonment of up to three years.*

(2) *Whoever commits the offence referred to in the preceding paragraph against a juvenile or a helpless person, shall be punished by imprisonment of up to five years."*

Adoption of children is governed by the Marriage and Family Relations Act¹⁷, which in Articles 134 - 153 regulates the conditions for adoption, relations that are created by adoption, procedure for adoption and invalidity of adoption.

Under the Criminal Code of the Republic of Slovenia, forced marriage and illegal adoption do not fall under the criminal offence »Trafficking in Human Beings« under Article 113 of the Criminal Code (KZ-1).

As an example of exploitation for the purpose of slavery and servitude, we summarise below a case of a judgment of conviction for a "forced marriage"¹⁸. The judgment became final in December. Three co-offenders (son, father and mother) were convicted for the criminal offence of Trafficking in Human Beings under paragraph two in relation to paragraph one of Article 113 of the Criminal Code (KZ-1), in relation to paragraph two of Article 20 of the Criminal Code (KZ-1), as they had voluntarily cooperated in

¹⁵ Official Gazette of the Republic of Slovenia, No. 62/2009 of 4 August 2009

¹⁶ <http://www.pisrs.si/Pis.web/porocilolzjavaEu?celex=32011L0036>

¹⁷ Official Gazette of the Republic of Slovenia, No. 69/04 – official consolidated text, 101/07 – odl. US, 90/11 – odl. US, 84/12 – odl. US in 82/15 – odl. US

¹⁸ XK 5830/2014

the commission of crime and bought a minor person for the purpose of slavery and servitude, brought her from abroad and accommodated her in an apartment in Maribor. The minor girl had been bought in Macedonia for 6,000 EUR, in order to be married to the perpetrator of the criminal offence, i.e. the son. The purchase money was handed over to the father of the minor person in Macedonia, and the perpetrator and the victim were married then and there. After arriving in Slovenia, the victim's movements, contacts and communications were completely restricted. She was exploited for the purpose of domestic servitude for all family members and also worked on construction sites and farms with no payment, while she was frequently beaten as well. Due to the physical and psychological violence, the victim found herself in a completely subordinate and dependent position, being influenced by the religious customs requiring obedience in women. Moreover, she was in an unknown environment, frightened, beaten and under constant control with no possibility of social contacts.

16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?

If other elements of the criminal offence of trafficking in human beings are fulfilled, forced begging is considered as a form of forced labour as defined in the Convention Concerning Forced or Compulsory Labour (No. 29) of 1930. Exploitation of begging, also in cases where dependent persons, victims of trafficking in human beings are abused for begging, thus falls within the area of trafficking in human beings only if all elements of forced labour or services are present. So far, no cases of THB with the purpose of exploitation of forced begging of children have been detected or investigated.

17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.

Under the Criminal Code of the Republic of Slovenia, the exploitation of criminal activities is considered one of the forms of exploitation of victims of THB if other elements of the criminal offence of THB are fulfilled. It is defined in paragraph one and partially in paragraph five of Article 113 of the Criminal Code (KZ-1).

A child, identified as a citizen of an EU member state, who was apprehended in the Slovenian territory in the perpetration of the criminal offence of theft (pickpocketing), was recognised as a victim of the criminal offence of THB who had been forced to commit the offence.

Prevention of THB (Article 5)

18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.

The Government of the Republic of Slovenia does not carry out awareness-raising campaigns, nor does it commission independent impact evaluation. The awareness-raising of the general public mainly consists of marking the EU Anti-Trafficking Day on 18 October. The impact of the events organised in this context can only be evaluated from the number of participants and the media attention, as well as from the qualitative analysis of the communications, speakers, organisation of the event, etc.

In 2014, 2015 and also 2016, the Communication office of the Government of the Republic of Slovenia co-financed four different NGO projects each year in the field of prevention of THB in total amount of 20,000 EUR annually. The projects were intended to raise the awareness of adolescents (12 - 19 years), migrant workers and users of services provided by victims of THB. Rather than campaigns, those were mini awareness-raising projects, as their value was just over 7,000 EUR (with the Communication Office providing 70 % and the NGO 30 % of the funding). Since the budget is so low, no systematic or comprehensive impact evaluation is envisaged. Impact evaluation is made by the project operators while the Communication Office analyses the evaluations and takes them into account in drawing up priorities for the next year.

Some mini projects are focused on the specific target public – as regards the campaign intended to raise the awareness of vulnerable groups (adolescents and migrant workers), we can assess that their scope is limited as they only reach a small segment of the target public. Looking back, there have nevertheless

been some results, given that such awareness-raising co-financed by the Communication Office has been organised since 2010 in different Slovenian cities and regions, involving an expanding circle of stakeholders.

Below we provide information for 2014 and 2015.

Workshops intended for adolescents definitely achieve their objective despite the limited scope, which is clearly seen from the participants' reactions and active participation, as well as from the results of surveys they complete after the workshop. A good indication is also the fact that schools take a great interest in the workshops and as a rule wish for the NGOs to repeat the workshops the next school year for the next generation of students.

Awareness-raising of migrant workers was mainly conducted through field visits. As they are difficult to reach directly on account of their dispersed accommodation, the operator set up cooperation through a wide network of relevant organisations, contributing to the awareness-raising of the local population as well. Furthermore, they set up cooperation with the embassies of the countries where workers seek work or have been posted to. The scope of activities is limited, both due to the limited resources the operator is only present at each location once and due to the fact that workers are frightened and do not want to be exposed and express a strong mistrust of different institutions.

The activities to raise the awareness of the users of services provided by victims of THB had quite a strong impact. The project implemented in 2014 can even be said to have had exceptional impact. Given the interesting concept and creative solutions, the project directly addressed a large part of the public, gaining wide media publicity and also attracting the interest of the professional public.

19. How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.

In 2014 the Communication Office funded a research project entitled Analysis of trafficking in human beings with the purpose of exploitation of labour force, trafficking in children, forced begging and forced criminality. The research examined the phenomenon and dimensions of the above forms of THB in Slovenia, drawing on the research carried out so far, analysing data of formal social control institutions, and analysing data obtained in interviews. 20 in-depth interviews were conducted with employers in industries that employ foreign workers, with migrant workers, with trade unions and trade union representatives, informal groups providing assistance to exploited workers, with NGOs working directly with victims of THB, with police officers, criminal investigators, employees of the Specialised State Prosecutor's Office, and employees of the Ministry of Foreign Affairs and Ministry of Labour, Family, Social Affairs and Equal Opportunities. The extensive research report also comprises the recommendations for planning preventive activities intended to raise the awareness of the consumers and the users of services provided by victims of THB.

One of the recent forms of THB in Slovenia have been forced marriages of minor girls, typically from the Roma communities. As a result, the Ministry of Labour, Family, Social Affairs and Equal Opportunities in 2014 commissioned research entitled Forced marriages of Roma girls with the Social Protection Institute of the Republic of Slovenia. The objective of the research was to determine the dimensions of such marriage practices in our country, identify the causes and consequences for the victims, and propose adequate solutions. One of the proposals of the research with a view to improving the situation was to consider forced marriages as a special form of violence in Slovenia as well and to classify forced marriages among criminal offences. This proposal was implemented with the already mentioned amendment to the Criminal Code with a new Article 132a (Entering into a Forced Marriage or Setting Up a Similar Community). On the basis of the results of the research and various recommendations, and given the increased awareness on the problem of forced marriages, the Government Office for National Minorities published a public tender for co-financing programmes of Roma community organisations in 2016, JR-PRS2016, listing awareness-raising of the members of the Roma community on the negative consequences of early and forced marriages among the activities that are particularly supported.

The results of the research were used in drawing up the action plan for 2015 – 2016, specifically in defining the contents and priorities in the public tender for co-financing NGO projects within this period – especially under the heading Awareness-raising of migrant workers and Awareness-raising of the consumers of products and the users of services provided by victims of trafficking in human beings.

20. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration?

Migration legislation, which is prepared and implemented by the Ministry of the Interior, does not provide for special forms of legal migration aimed at the prevention of THB. We expect however that Slovenia's participation in European permanent resettlement schemes for persons with international protection and relocation of applicants for international protection will also lead to a decrease of trafficking in human beings, people smuggling and illegal migration.

21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:

- a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;
- b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;
- c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.

a. The definition of the "Trafficking in Human Beings" in Article 113, paragraph 1 of the Criminal Code includes "trafficking in human organs, human tissue or blood".

Furthermore Article 181 of the Criminal Code defines the criminal offence of "Illegal Transplant of Parts of Human Body and Modification of the Human Genome":

*"Unauthorised Transplant of Parts of Human Body and Modification of the Human Genome
Article 181*

(1) A physician who removes a part of the human body from anyone or transplants a part of the body to anyone even though this removal or transplantation of a part of the body is unjustified by the medical science and expertise, shall be punished by imprisonment of six months up to five years.

(2) With the same [punishment] shall be punished a physician who for the purpose to perform a transplant removes a part of the human body prior to the death being ascertained in the prescribed manner, shall be punished to the same extent.

(3) The punishment under paragraph 1 shall also apply to the physician, who unlawfully removes germ cells, handles them in an unauthorised manner, or violates the anonymity of a germ cell donor.

(4) A physician who, for the purpose to perform a transplant removes a part of the body or who transplants a part of the body to anyone without having obtained statutorily prescribed prior consent from the donor or the recipient or from their statutory representatives, or when, contrary to the prescribed procedures, stores or uses for another purpose the removed part of the human body, shall be punished by imprisonment of three months up to five years.

(5) Whoever attempts to perform or performs the procedure, the purpose of which is to modify the human genome and which is not performed for preventive, diagnostic or therapeutic purposes, or with the aim to implement changes into the genome of descendants, shall be punished by imprisonment of up to five years.

(6) With the same [punishment] as under the preceding paragraph shall be punished whoever removes or acquires a removed part of the human body, for which the donor receives payment, whoever has illegally on his disposal the removed part of the human body illegally, whoever uses or attempts to use the human body or its parts with the purpose to gain property benefits, or whoever unjustifiably and for

payment serves as an agent for providing transplants of parts of the body of a living or a deceased person.”

Removal and Transplantation of human body parts is regulated by the Act Regulating the Obtaining and Transplantation of Human Body Parts for the Purpose of Medical Treatment (AROTHBPPMT hereafter), which regulates the conditions of removal of body parts (body parts hereafter) from a living or dead person with respect of donor's free will and other personal rights as well as quality and safety standards for human organs (human organs hereafter) to be transplanted into another person's body, with view of guaranteeing maximum human health safety.

In accordance with the aforementioned Act, body parts may only be removed from a person over 18 years of age, on condition that he or she is capable of making judgement. Exceptionally, however, it is also possible to remove restorable tissues from a person below 18 years of age or from a person who is not capable of making judgement when transplantation is into a person genetically, family- or emotionally related to the donor. In such cases, the consent of the Ethics Commission for Transplantation is required for removal of body parts. As a rule, only renewable body parts may be removed from a living donor. Nevertheless, it is possible to remove one kidney or part of the liver from a living donor, provided that an organ from a dead donor is not available within a reasonable period of time and that the organ from the living donor is likely to provide much better possibilities for medical treatment than any other form of substitutional treatment of the end-stage of kidney or liver failure. In this case, too, the consent of the Ethics Commission for Transplantation is required.

Removal of body organs is only allowed if the donor gives his or her written permission and if, in medical terms, the risk for his or her health is within reasonable limits. The risk should not be disproportionate to the benefit for the recipient. The donor's consent should refer to the planned removal and be an expression of his or her free will and a conscious decision, formed on the basis of a proper explanation of the nature, purpose and course of intervention, the degree of probability that it will succeed and the general risks involved, and the explanation of record keeping, personal data protection and further monitoring. The explanation should not be suggestive in any way. The person involved should be informed of his or her rights and of the protection guaranteed by the Act (AROTHBPPMT) and of the right to independent consultation about health risks from a doctor who is not involved in the removal or transplantation of the organ and not a personal physician of the recipient. The donor may withdraw consent in writing at any time before the beginning of the intervention. If not stipulated otherwise by the Act (AROTHBPPMT), the Act regulating the Patient's Rights applies in reference to informing the donor, the duty of explanation, the right to second opinion, the donor's consent and implementation of the rights of the donor.

The Donor centre keeps records on donors in order to oversee acquisition and tracking of organs, while the Transplantation Centre, which oversees performance of transplantations and the tracking of organs, keeps records of recipients. The reasons for establishment of both records are further monitoring of health condition of living donors and identification, reporting and surveillance of severe undesired events, which could impact the health condition of the recipient, and of other undesirable reactions which could impact the quality and safety of the recipient as well as any severe undesired reactions in living donor arising from the donation of the organ. The director of Transplantation Centre is responsible for assuring the experts of the transplantation centre perform regular medical checks of patients post organ or tissue transplantation. After the transplantation procedure, it is the patient's duty to have regular medical checks with the experts at the Transplantation centre where the transplantation was performed and strictly follow the treatment instructions. Transplantation centres must follow the prescribed post organ or tissue transplantation patient monitoring protocols.

Donor and transplantation centres must establish, maintain and timely update the quality system and the system of safe organ supply or disposal of organs, which are founded on the best practice principles. The minister prescribes standards and technical requirements of the quality system and of the system of safe supply and disposal of organs. Only the donor and transplantation centres baring a licence issued by the Ministry of Health may carry out acquisition and transplantation activities. Donor centres may carry out acquisition activities and transplantation centres transplantation activities only in the scope and under conditions prescribed by the law and the license.

The following implementing acts have so far been issued on the grounds of (AROTHBPPMT) for further detailed regulation of this area:

- Rules on tracking and disposal of human organs for transplantation and on national identification number¹⁹,
- Rules on reporting and management of severe undesired events and undesired reactions in handling human organs²⁰,
- Rules on conservation methods of human organs conservation and human organs transport procedures,
- Rules on the content of trainings programmes for individual organ supply procedures²¹,
- Rules on the tasks of transplantation coordinators (Official Gazette of the Republic of Slovenia, NO. 42/16).

b. All Slovenian patients have equal rights to be put on the waiting list and to equal access to transplantation of human body parts. There is only one national waiting list for transplantation of each individual organ or tissue. Persons qualified to enter the list must be Slovenian nationals and patients who have a status of a medically insured person according to the Act on Health Care and Health Insurance. Decision-making on whether a candidate qualifies for waiting lists is the task of the Interdisciplinary Consillium of transplantation experts at the Transplantation Centre. The Consillium may reject or approve applications to enter the waiting list for each individual organ or tissue. Patient is put on the waiting list on the grounds of his or her written consent. While the patient is waiting for organ or tissue transplantation, he or she is required to undergo regular check-ups at the specialist physician at the transplantation centre, in accordance with the centre's protocol. The waiting list is kept in written and digital format. An authorised representative of the transplantation centre, i.e. Trasplant-Slovenia, enters the names of the candidates on the waiting list. The health condition of persons on the waiting list needs to be checked on regular terms. Every change to the waiting list is immediately entered into the digital database and on paper, or at least 24 hours after the change has occurred.

The following must be taken into account when selecting the recipient of organ or tissue:

- Immunogenic criteria
- Medical criteria, which include the urgency of the procedure
- waiting time
- Special circumstances (eg. child candidate waiting for transplantation of several organs).

Every transplantation centre must keep a protocol, which defines criteria for positioning the recipient of body part for treatment on the list.

Inspection over implementation of AROTHBPPMT is carried out by the Health Inspectorate of the Republic of Slovenia, except the area of personal data processing, which is subject to regulations on personal data protection, inspection of which is carried out by the Information Commissioner. The Health Inspectorate of the Republic of Slovenia performs regular inspection controls of donor and transplantation centres and their performance of organ supply and disposal activity, in order to review if the requirements from the law are being met. If inspection control shows non-compliance with requirements determined by the law, the Health Inspectorate of the Republic of Slovenia may:

- order for irregularities detected during the inspection control to be corrected;
- prohibit unlawful advertising of body parts requirements and body parts availability;
- prohibit performance of the activity in which irregularities have been established.

The Ministry of Health performs supervision of legality of activities performed by authorised organisations, which deal with acquisition of organ and tissue donors for transplantation.

c. Slovenia has no guidelines or training programmes for human trafficking prevention in the framework of removal and transplantation of human body parts.

Measures to discourage the demand (Article 6)

¹⁹ Official Gazette of the Republic of Slovenia, NO. 76/15

²⁰ Official Gazette of the Republic of Slovenia, NO. 76/15

²¹ Official Gazette of the Republic of Slovenia, NO. 21/16

22. What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:
- a. educational programmes;
 - b. information campaigns and involvement of the media;
 - c. legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);
 - d. involvement of the private sector.

As in 2014 and 2015, the Communication Office of the Government of the Republic of Slovenia, also in 2016 funded, on the basis of a public tender, a project aimed at reducing demand for services provided by victims of THB. The public tender listed the following priorities:

- awareness-raising of users and consumers on services and products that we use each day and are the result of child labour, labour in extremely poor working conditions, labour exploitation, forced labour and trafficking in human beings;
- awareness-raising of business entities on the need to verify whether the products of the entire chain of their supplies are the result of child labour, labour in extremely poor working conditions, labour exploitation, forced labour and trafficking in human beings;
- partnership with the media.

The project that was selected and co-financed was the project "Resnica" (*Truth*), which was implemented by the social enterprise Iz principa (*On principle*) operating under the auspices of the DrogArt Association.

The association prepared a series of creative solutions that at first sight remind of typical marketing of chosen products. The products were named "Resnica", as they reveal what is hidden behind their production."Resnica" brings information on the fact that numerous everyday use products are the result of child labour, labour in extremely poor working conditions, labour exploitation, forced labour and trafficking in human beings.

With a view to reaching a large number of Slovenian consumers, the project was prepared in cooperation with the most widely read web portal 24ur.com (with 46.5 % range). The result was a special section entitled "Pravično za vse?" (*Fair for everybody?*) with 27 journalistic articles, which on the day of publication were placed among the top three news stories of the day. They were therefore widely read and according to the portal, at least one of the news stories (unique views) was seen by 168,828 people. The journalists confronted the public with true stories of various categories of products they can buy in the Slovenian stores; they explored the issues in-depth, finding relevant interviewees, researching the Slovenian market, etc. The section can be accessed at <http://www.24ur.com/novice/pravicno-za-vse/> (later, the articles will be placed in the archives). In addition to written articles, five TV pieces were recorded within the information programme Svet (*the World*) at TV station Kanal A.

Furthermore, a special website dedicated to the issue was prepared – www.resnica.info. The website is intended to raise the awareness of consumers and is conceived in a way to offer in-depth stories on everyday use products that are the result of the exploitation of workers in one of the phases of the supply chain. They focused on the products: chocolate, clothes, cotton, electronic devices, orange juice, rice, coffee and frozen sea food. They published a list of 136 questionable everyday use products that are supposedly the result of violations of human and workers' rights, and of the countries where the violations take place, with instructions to consumers on what they can do to contribute to the reduction of problems. All communications tools included in the project were used to attract the public to visit the website: banners on 24ur.com and other portals, posters, fliers, direct mail sent to actors in the economic sector. According to data for May, 17,807 unique visitors entered the website - 574 visitors a day. On the first days following the launch (from 29 April to 12 May 2016), the website recorded 12,746 views by 4,780 unique users. In June, the website was visited by nearly 6,000 unique users.

Four different banners were created, representing real stories of four different products. The banners, coordinated with the visual image of the project, appeared during seven weeks on the web portal 24ur.com and on the websites of some other organisations. Clicking on the banner brought the user to the website resnica.info. The banners placed among the online articles were seen by approximately 70,000 users.

To raise the awareness of the general public, four different awareness-raising posters were printed, in line with the creative concept of the project. The posters, exhibited in the toilet facilities of 70 bars, cinema halls and shopping malls, enabled insight into the problems and invited to visit the website Resnica.info. According to the provider's assessment, the posters were seen by approximately 60,000 visitors.

Furthermore, in line with the creative concept, 800 flyers were prepared that at first sight reminded of chocolate bars named Resnica, thus drawing the attention of passers-by. In the week surrounding the World Day Against Child Labour, they were distributed in the shopping streets of Ljubljana and in the area of two shopping malls.

In the last part of the campaign, business entities were addressed, as they share the responsibility – those are companies that either import and sell products that in one of the phases of the supply chain result from the exploitation of workers, or manufacture their own products using raw materials harvested under inhumane conditions by workers on the other side of the world.

Subsequently, four direct mails with different designs and six direct mails with different texts were created in line with the creative concept of the project and sent to different business entities, with each business entity receiving direct mail related to the products they either sell or produce.

Direct mails were sent to 170 different addresses all over Slovenia, of which two thirds were sent to traders and one third to manufacturers.

The provider and stakeholders actively communicated the contents of the project on the social media. Despite limited financial resources, they managed to ensure a large presence in the media that would typically require a considerably larger budget. As regards the social media, the largest presence was recorded on the Facebook profile 24ur.com, as 20,000 visitors of the website and readers of online articles came to the website via Facebook.

23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, *inter alia*, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.

As regards the prevention of THB for the purposes of forced labour, the Slovenian version of the Danish e-manual on managing the risk of hidden forced labour and labour exploitation has been prepared. The interactive manual is intended for companies and employers, particularly those employing a large number of unskilled workers or engaging sub-contractors, and companies operating in industries involving a higher risk. It represents a practical risk management and prevention online tool, as apart from basic guidelines it also includes steps that can avoid involvement in THB cases in procedures of directly hiring employees and in engaging sub-contractors. The manual has been accessible since autumn 2016, and the IWG ensured its publication on adequate websites and its promotion in the target public.

Meanwhile, training on forced labour is being implemented in individual authorities, such as labour inspection, criminal police – Economic Crime Division, etc.

Border measures (Article 7)

24. Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:

- a. identification of possible victims of THB in the context of border control;
- b. identification of possible perpetrators of THB offences;
- c. gathering of first-line information from victims and perpetrators;
- d. identification of vulnerable persons in need of international protection among possible victims of trafficking.

a. For the purposes of identifying potential victims of trafficking in the context of border controlling, Slovenia's border policing strategy includes a set of operational indicators that help staff recognise instances of trafficking. Border police staff are provided with a training course which is based on the manual produced by Frontex (Anti-trafficking training for border guards, 2012).

b. Upon detection of a trafficking crime or identification of a potential victim during border policing, first-line border police staff deploy the operational indicators to profile and identify potential traffickers. This aspect of border policing is covered in a training programme for border police based on the manual produced by Frontex (Anti-trafficking training for border guards, 2012).

c. Due to the specific character of investigating trafficking crimes and in an effort to prevent secondary victimisation, the police coordinate their activities across various services. Identification takes place in the context of border controlling. Once a person is confirmed as a victim of trafficking, the case is passed on to the criminal police who process the victim and proceed to identification of offenders. In the pre-trial proceedings, the police engage in investigation under the instruction and guidance of the Specialized State Prosecutor's Office of the Republic of Slovenia.

d. Identification of vulnerable persons in need of international protection is carried out in line with the PATS project (Project Against Human Trafficking and Gender-based Violence in Asylum Procedures) and takes place in the Asylum Centre.

25. What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?

In 2015, DROGART (Association for Drug-related Harm Reduction) carried out a project entitled "Prostitution is not always a matter of choice. It is often forced", which, in line with the tender was intended to raise awareness among sex users and staff employed in industries directly related to sexual exploitation and sexual industry (tourism, catering, transport, etc.). These are frequently unaware of the fact that girls could be victims of forced prostitution, so the project's main purpose was to encourage them to recognise signs of forced prostitution and get informed on the help available. The project website www.prisilna.prostitutcija.si was launched on 14 October 2015, offering key information about the issue, the scale and character of trafficking in persons and forced prostitution in Slovenia, about the warning signs victims of forced prostitution may show, and assistance available to survivors. The project also brought out into the open real-life stories of victims of forced prostitution and shed light on the victim recruitment practices in Slovenia. The campaign included billboards, which were displayed in Slovenia's ten largest cities for a month.

Potential sex buyers and the general public were addressed also:

- by publication of an online advertisement on the main portal sloescort.si;
- through online advertising on other portals, including 24ur.com, a popular news portal;
- by large eye-catching posters in 69 bars, night clubs and pubs;
- by means of door hangers with public awareness message distributed to hotels, motels and love hotels („daily rest“ hotels);
- by means of stickers with public awareness messages for taxis highlighting the forced prostitution issue and recommending the website.

Those employed in sectors indirectly related to trafficking in human beings (taxi drivers, hotels, accommodation providers etc.) were contacted by way of direct informative mail with more information on the issue, signs of forced prostitution and ways of acting against it. The target public was also reached through media publicity.

26. What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.

A single notification, reporting and data exchange system has been set up to facilitate information flow between various police services (criminal police, uniformed police (including the border guard)).

Also worth mentioning is the bilateral exchange of information with the neighbouring countries on issues of concern in the police directorates along both sides of the border, and the exchange of information through police cooperation centres (Megvarje, Dolga vas).

Slovenia has an integrated single check system enabling checks on persons upon their entry in Slovenia. This system liaises the SIRENE, Interpol, SIS and the Slovenia national data bases. If a person is found to be an offender in another state, the information is exchanged through safe data exchange channels.

The exchange of operational data between Europol member states takes place by means of the SIENA application (Secure Information Exchange Network Application). For data to be exchanged via Europol, crimes have to qualify as Europol's mandate. SIENA is a fast and safe channel for the exchange of operational and strategic data. SIENA exchanges are known for high protection and confidentiality standards in line with the regulations.

Identification of the victims (Article 10)

27. Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.

A national referral mechanism (NRM) has been in place since the establishment of the IWG THB. The mechanism has evolved and improved consistent with the needs as identified in practice and with guidelines of international organisations and commitments. The mechanism essentially involves the law enforcement agencies (i.e. the police and the prosecution) and NGOs whose job is to provide care for trafficked victims. However, on a case-by-case basis, other professional authorities get involved as part of the broader collaborative circle: social work centres, Labour Inspectorate of the Republic of Slovenia, Asylum Centre, some governmental departments (Ministry of the Interior, Ministry of Labour, Family, Social Affairs and Equal Opportunities) etc. Their activities are defined in protocols, agreements, contracts or arranged directly through the National Coordinator.

In 2016 the Government approved the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings prepared by a group of IWG THB specialists. The manual prescribes the referral protocol and the setting up of a Multidisciplinary Working Body (MWB) for each trafficked victim.

28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?

The manual defines indicators for the identification of a range of exploitation practices. Each police unit and a broad spectrum of other authorities have received copies of the manual, which is also available on the Government's web site and the sites of relevant ministries.

The most practical aspect of the manual is the set of standardised procedures on victim identification, rights of victims, victim accommodation under the *Care of victims of trafficking in human beings programme*, participation in a multidisciplinary team and police assistance in carrying out *the Victim Care and Safety Programme*.

29. What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.

A person will be considered a victim of human trafficking when there are reasonable grounds to suspect that this person has been exploited in connection with the criminal offence of Trafficking in Human Beings (Article 113 of the Criminal Code).

Once an authority or a humanitarian organisation learns about circumstances that may potentially uncover an incidence of trafficking it has a duty to report it to the police and the prosecution or the competent social work centre immediately.

Regardless of their professional duty to safeguard secrets, all first responders, and the more so medical staff, institutional educators and carers, must immediately report any suspicion of involvement of a child in trafficking to the police, the state prosecutor's office or a social work centre.

Government authorities and organisations have a duty to protect the victim and treat them with proper regard to the threat they are under. They must protect the victim's interests and his/her integrity.

Based on Article 148 of the Criminal Procedure Act the police shall do whatever is necessary to locate the perpetrator/suspect, to find and secure any leads and objects that may serve as evidence and to collect information supporting a successful criminal proceeding.

30. What measures are taken in your country to encourage self-identification of victims of THB?

It is not very common for cases originating in Slovenia that persons will report themselves as victims of trafficking because they rarely find themselves in a situation so hopeless and desperate that would actually force them to perceive themselves as exploited persons, come forward and report their case. Slovenian police quite often deal with trafficking cases involving prostitution in which persons do not perceive themselves as victims of trafficking. However, for a decade, we have been running awareness campaigns targeting at-risk populations whose members run a higher risk of becoming a victims of trafficking. Furthermore, preventive information campaigns targeting children, the youth and staff who are in touch with the young and a whole range of other groups have been organised.

Tens of THB awareness raising brochures/leaflets have been published to sensitize the general public and potential victims. Moreover, it has already become established practice that the informational interview with a potential victim is first conducted by a non-governmental organisation, and only then by the police. Yet, more can be done in terms of information campaigns beyond borders targeting potential international victims and highlighting the dangers of trafficking before they come to Slovenia.

31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?

Identification of potential victims of trafficking who seek international protection in Slovenia takes place through PATS, a project carried out by the Institute for African Studies. Applicants from at-risk groups who may be identified as potential trafficking victims or victims of sexual violence and gender-based violence undergo informational interviewing. All women (including young girls from 14 to 18, unaccompanied minors) automatically undergo this process, which may also take place for a person with respect to whom a public administration staff member identified elements of trafficking or violence.

The Standard Operating Procedures for the Prevention of and Addressing Sexual Violence and Gender-related Violence (SOPs), which were created in a collaborative process with non-governmental organisations, define in detail the procedure of handling violence among applicants, including trafficking victims, and specify guidelines for examining cases with proper regard for each individual's personal circumstances.

In the period before filing an application for international protection, each applicant is examined by a doctor who gives an opinion of vulnerability, after which a psycho-social service responds in accordance with the SOPs. During this time, a representative of the PIC (Legal Information Centre) informs a third-country national of their rights and duties and the processing of their applications. If signs of vulnerability are noticed in the course of this informational session, they will be reported to the person processing the case. Taking into account these reports and using his/her own discretion, the case owner – in the course of international application procedure – notifies the medical or psycho-social services and fills in a form specifying the need for special treatment in the accommodation process and potential health concerns. Also before filing their application, protection seekers receive a special brochure with information on where to seek advice as victims of violence. All of these mechanisms work as early as upon accommodation, i.e. prior to application filing, and may be relied on throughout the international protection granting process.

The underlying substance for guidelines is the International Protection Act (Official Gazette of the Republic of Slovenia 22/16) and the implementing Regulation on the Rights of Persons Seeking

International Protection (Official Gazette of the Republic of Slovenia, nos 67/08, 40/10 and 68/11). The more detailed action-taking is described in the SOPs.

Both the police and the Asylum Centre have set up their response contact points as channels for communicating information on detected or identified trafficked victims in the course international protection granting procedure. After receiving a notification from the Asylum Centre, the contact point based in the police informs the criminal police who take action with regard to the victim identified and proceed to follow-up investigation.

Protection of private life (Article 11)

32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?

There is an Article 287 of the Criminal Code that states:

*“Violation of the Secrecy of Proceedings
Article 287*

(1) Whoever, without justification, discloses any matter of which he came to know during the pre-trial proceedings or during the trial before the court, during the oral hearing in administrative procedure, or during the minor offence procedure, or during the Parliamentary investigation, or during the procedure before the Commission for the Prevention of Corruption, whereby the publication thereof is prohibited by the statute or it was decided by a decision issued by a court or other competent authority that it should remain secret, shall be punished by a fine or by imprisonment of up to one year.

(2) Whoever publishes personal data of a juvenile who is party to a judicial, administrative, or any other proceedings, or publishes other information on the basis of which his identity could be ascertained, shall be punished by a fine or by imprisonment of up to three years.

(3) Whoever discloses the identity of the protected witness, endangered person or a person with changed identity, shall be punished by imprisonment of up to three years.

(4) With the punishment from the preceding paragraph shall be punished whoever reveals the identity of a protected person reporting the corruption if such a disclosure has serious consequences for the reporting person.

(5) If the offence in paragraph 3 or 4 of this Article has been committed by an official person, he shall be punished by imprisonment of up to five years.”

Additionally, Article 143, paragraph 3 of the Criminal Code (the criminal offence of “Abuse of Personal Data”) states:

“(3) Whoever publishes on the World Wide Web or in another manner publishes or enables another person to publish personal data of victims of criminal offences, victims of violation of rights and freedoms, protected witnesses, which are contained in court records of judicial proceedings, in which the presence of the public or identification of victims or protected witnesses and personal records thereof related to the court proceeding is not allowed according to the statute or decision of the court, on the basis of which these persons may be identified or are identifiable, shall be punished by imprisonment of up to three years.”

All trafficked victim handling procedures and perpetrator handling procedures are defined in the Personal Data Protection Act. NGOs offering assistance and care for trafficked victims have a duty to adhere to a set of clearly defined standards of data protection.

Assistance to victims (Article 12)

33. When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:
- a. funding;
 - b. victim's safety and protection;
 - c. standards of assistance and their implementation in practice;
 - d. access to medical treatment, psychological assistance, counselling and information;
 - e. translation and interpretation, where appropriate?

The Ministry of Labour, Family and Social Affairs and Equal Opportunities and the Ministry of the Interior secured the finance for two programmes: *Care for victims of trafficking in human beings – crisis accommodation* and *Care for victims of trafficking in human beings – safe accommodation*. The procuring authorities issue a public tender and award contracts and competence to selected tenderers.

a) A contract is concluded for a period of two years. The Ministry of Labour, Family and Social Affairs and Equal Opportunities contributes 80 per cent. The Ministry of the Interior secures 100 per cent of the funds for the first qualified staff member working on this project and also fully covers the actual working hours done by the second qualified staff member on this project as well as project-related costs of material, brochure designs and publication and workshops. It will also cover any extra costs that may arise with respect to a child.

b) Immediate emergency accommodation facilities (crisis accommodation) and safe facilities must be set up in a secure location. To keep the location secure the victim is first taken to a location elsewhere after which they are transferred to a safe location. Private security agencies may be deployed for extra safety. Victims may be accompanied upon occasional exits and are advised on self-protective behaviour.

c) Victim handling protocols in an accommodation facility do not take the shape of standardised rules. The requirements are set forth in the context of public procurement, and the contractors must comply with them by way of signing affidavits and a contract.

d) Health service response is provided by the Clinic for persons with no health insurance. Basic dental care services are provided through a sub-contracted private dental clinic. The dental clinic operates on a volunteer basis. In health emergency, victims can seek help at local ER units. Psycho-social help is available throughout emergency accommodation period (personal consultations, counselling, psychotherapy).

e) The service provider shall inform the victim in a language they understand, both orally and in writing, on the house rules to be respected in the emergency/crisis accommodation facility and in the safe house.

34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?

The Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings, a handbook used by all relevant authorities and support organisations in Slovenia, sets forth, without any ambiguity, that assistance to victims of THB is not made conditional on their willingness to co-operate with the criminal justice system.

35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?

Help and accommodation during the reflection and recovery period is provided by non-governmental or humanitarian organisations as part of the *Care of victims of trafficking in human beings – crisis accommodation*.

The informed consent of victims is sought in order to proceed to supported accommodation which includes safe housing, material assistance, health services, psychological support, counselling and information, interpreting services, if needed.

Within 24 hours of entering an accommodation facility, the victim has to consent to accepting assistance and the rights and obligations attached to it. The statement of consent clearly sets out the rights and obligations of the victim and the service provider.

The content, manner, types of assistance and material support offered by service providers under this programme are specified in a contract concluded between the provider/contractor and the ministry responsible. The following anti-trafficking assistance is specified:

- type of accommodation,
- material support, amount of such support,
- medical treatment,
- psychological help,
- counselling and information,
- interpreter (or translator) services (if required),
- programme financing and potential unpredictable costs incurred.

Service providers have to make sure special needs of victims in a vulnerable position are addressed. Such needs may arise out of pregnancy, health condition, disability, mental and psychological disorders or are perhaps the result of psychological, physical or sexual violence.

The immediate emergency accommodation offers long-term residential recovery and assistance under the *Care of victims of trafficking in human beings – accommodation in a safe location*.

This is a government funded programme (by the Ministry of the Interior) run by a non-governmental or a humanitarian organisation.

As mentioned above, the scope of anti-trafficking assistance is defined in a contract concluded between the service provider and the ministry. The victim remains in the programme until the programme has run its course, and must comply with the house rules and co-operate in implementing their care plan and protection programme, which may include psychosocial and medical help and legal protection support. The care plan is drawn up in 10 days following the victim's placing in a residential recovery facility and is submitted to the multi-disciplinary panel in charge of victim placement.

Our residential facilities are all sensitive to gender and age requirements. Children of victims of trafficking receive care specific to their situation, and other sectoral agencies (social work centres) also get involved. Their initial period of stay falls under the crisis accommodation arrangement and is delivered by service providers, in line with the legislation and the child's best interest. The accommodation protocol is described in the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings.

Until the child enters the Care for Children of Victims of Human Trafficking programme, the cases are examined pursuant to the Protocol on Co-operation between Social Centres and the Police in Assisting Unaccompanied Minors under the Aliens Act no. 1224-50/2011/5 of 16 August 2012²². After the formal identification of children of trafficked victims, their cases are taken over by adequately trained and qualified child care staff.

It goes without saying that there are gaps in the system of processing the category of children (unaccompanied children, children of those seeking international protection, children of trafficking victims) and their accommodation. Still, not many cases involving children victims of trafficking have been reported in Slovenia so far, so when children are involved, we act accordingly and on a case-by-case basis.

36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?

Victim accommodation is done with the informed consent of the victim. The victim enters a safe residence and receives material support, health services, psychological help, counselling, information and translator services, if required.

Before accommodation (and subsequent transfer to a safe facility), victims receive information about the care organisation, its mission, the options available and purpose of stay in an emergency residential unit. An important element in this process is the guardian/advocacy role carried out by trained staff already during the counselling phase. Victims get informed on steps to be taken by the police, the procedure

²² Protocol on Co-operation between Social Centres and the Police in Assisting Unaccompanied Minors under the Aliens Act no. 1224-50/2011/5 of 16 August 2012

before investigating judge, the rights guaranteed in the procedure, relevant services (accommodation, meals, subsistence support, security, legal assistance, translation, accompanying, psychosocial assistance, medical treatment, religion-related needs at their request). They also become familiar with the way staff will handle their cases. The victim is informed of the rules accommodation in their language, both orally and in writing. The fundamental human rights are stressed at all times (right to enter the programme at their own will, right to personal freedom, right to free movement, sufficient rest, autonomous decision-making, safety etc.) This information is included in the formal papers/forms which have been translated in a range of languages: Albanian, English, Bulgarian, Czech, French, Croatian, Italian, Chinese, Hungarian, German, Russian, Romanian, Slovak, Serbian, Spanish and Ukrainian.

37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?

International protection applicants can benefit from programmes and help provided by the Asylum Centre until a decision about their status is taken. Those with granted protection will be directed by integration staff to assistance-providing NGOs or, if need be, assisted in finding specialist health services.

After the *Care of victims of trafficking in human beings – crisis accommodation* programme runs its course, there is no government funding available to support follow-up projects (e.g. (re)integration)). Confirmed victims of trafficking may remain in Slovenia based on a work permit or for education purposes. It is difficult for them to (re)integrate with success in the course of regular-running programmes, much less find a job. What these persons need is more time. Programmes of (re)integration could fill these periods effectively – and this has been recognised as a gap. Anyway, there are alternative solutions offered by some NGOs. If a victim remains in Slovenia, Caritas may help with re-connecting with social life (psycho-social help, self-help groups, education, finding a job and a place to stay etc.) Caritas may provide temporary shelter, help with residence registration and finding a part-time job. Victims wishing to return can be helped. An anti-trafficking agency is contacted in the country of victim's return. Once the victim is back home, the local agencies report back to confirm the actual arrival of the person. Victims may receive financial support through socially-oriented projects carried out by Caritas Slovenia (e.g. sponsorship for children). Such steps often help break the cycle of human trafficking.

Recovery and reflection period (Article 13)

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

The reflection and recovery period is set out in the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings, Chapter IV (Accommodation of victims of trafficking in human beings) and is carried out as part of the *Care of victims of trafficking in human beings programme – crisis accommodation*. The legal basis is Article 50 of the Aliens Act.²³

Slovenian citizens and foreigners who are believed by an authority to have reasonable grounds to claim they are victims of trafficking are equally entitled to a period of reflection and recovery. The person concerned is initially given a 30-day period of reflection and recovery to recover from the ordeal and cut off the ties with their traffickers. During this time the victim gets information on follow-up support and care programmes accessible on voluntary basis and possible ways of cooperation with the authorities.

Upon their request or as a result of an *ex officio* decision, the victim who is in Slovenia illegally is granted permission to stay in the country for three months (this includes the 30 days of reflection and recovery). This permission is granted by the police. In the meantime, the victim can decide what to do next. Third-

²³ Official Gazette of the Republic of Slovenia, no. 45/14 - UPB1, 90/14, 19/15 and 47/15 (ZZSDT).

country nationals may choose to act as witnesses in criminal proceedings. The victim's period of allowed stay may be prolonged for a maximum of three months on grounds of well-founded reasons.

Applicants for international protection who are confirmed victims of trafficking are given at least a 30-day reflection and recovery period in line with the SOPs. They are supported by an NGO under the *Care of victims of trafficking in human beings programme – crisis accommodation*. Persons already enjoying the status of international protection who may be identified as victims of trafficking enjoy the same rights as Slovenian citizens.

Residence permit (Article 14)

39. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Pursuant to Article 50 of the Aliens Act a victim of trafficking may be granted a temporary residence permit. The victim may choose to spend a 90-day reflection period during which he/she decides on acting as witness against the offender in criminal proceedings. The Act also provides for the granting of a temporary residence permit to a foreign person on other well-founded grounds (Art. 51), but the latter have to be justified in line with the legislation, international treaties or principles and customs. Over the past five years, no requests for a temporary residence permit granted on the basis of other well-founded reasons have been submitted to authorities.

40. When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?

Cooperation is interpreted in the way that a victim of THB cooperates as a witness in criminal proceedings against the perpetrator of this criminal offence. By testifying a victim contributes to the proving of elements of a concrete criminal offence of THB. As such testimony represents a considerable psychological burden for a victim, victims are free to decide whether they want to cooperate or not.

41. What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?

While they are waiting for their temporary residence permits to be issued, third-country nationals who have been recognised to be victims of THB have the permission to stay in Slovenia up to three months (subject to renewal). These three months include the "reflection period" and the accompanying accommodation, assistance and care, without any of it being conditional on cooperation. The entire procedure rests on victims' free will. If a victim has a desire and interest to stay in the country longer, this is possible on the basis of a temporary residence permit, which, along with the permission to stay, is defined in Article 50 of the Aliens Act, transposing the provisions of Directive 2004/81/EC.

Compensation and legal redress (Article 15)

42. Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:

- a. access to information on the relevant judicial and administrative proceedings in a language the victim can understand;
- b. access to free legal assistance and legal aid during investigations and court proceedings;
- c. compensation from the perpetrator;
- d. compensation from the state;
- e. compensation for unpaid wages to victims of trafficking.

Please provide examples of compensation awarded and effectively provided to victims of THB.

Mostly no additional information to the info provided above, except the amended Article 8 of the Criminal Procedure Act (amended in 2014 – ZKP-M, Official Gazette of the RS, No. 87/14), which reads as follows:

“Article 8

(1) Parties, witnesses, suspects and other participants in the proceedings shall have the right to use their own language in investigative and other judicial actions or at the main hearing. If a judicial action or the main hearing is not conducted in the language of such persons, an oral translation of their statements and of the statements of others, and a written translation of documents and other written evidence must be provided, which includes the documents essential for the accused and suspects, such as: charges or indictments, summons, all decisions on the arrest, judgments, court decisions on the exclusion of evidence, on the rejection of motions for evidence and on disqualification of judges. The court may, upon a request of suspects or the accused, decide that given the specific circumstances of the case, interpretation or translation shall also be provided in order to ensure the implementation of guarantees or rights in pre-trial or criminal proceedings. The court may decide, as an exception to the general rule, that only an oral translation of certain parts of essential documents not relevant for the understanding of the persons referred to in the first sentence of this paragraph of their criminal cases or for their potential use of legal remedies under this Act, be provided.

(2) The persons referred to in the preceding paragraph may, in the exercise of investigative and other judicial actions or at the main hearing, in accordance with the mutatis mutandis application of the seventh paragraph of Article 82 of this Act, lodge an objection if they consider that the interpretation or translation is not appropriate because it does not provide for the implementation of the guarantees or rights in pre-trial or criminal proceedings, or if they consider that in order to safeguard them, interpretation or translation in other cases should also be provided given the specific circumstances of the case.

(3) In respect of the right to translation and interpretation, the persons referred to in the first paragraph of this Article shall be instructed that they may waive their right to translation or interpretation of a particular investigative and other judicial action or part of the main hearing or certain judicial or other documents only voluntarily and unequivocally, if they know the language in which the proceedings are conducted. The fact that they have been informed of this right, as well as their statements in this regard, shall be noted in the record.

(4) Translation and interpretation shall be provided by a court interpreter or sworn translator (hereinafter: the court interpreter). If there is no court interpreter available for a particular language, the court may, in accordance with the mutatis mutandis application of Article 233 and in association with the fourth paragraph of Article 249 of this Act, appoint other appropriate person who speaks the foreign language for which there are no court interpreters or there are too few, to perform translation or interpretation.

(5) The provisions of the preceding paragraphs shall also apply mutatis mutandis to deaf persons.

(6) The costs of interpretation or translation shall not be charged to the persons referred to in the first and fifth paragraphs of this Article.”

43. What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?

No additional or special measures have been taken yet. The existing Confiscation of Proceeds of Crime Act²⁴ (ZOPNI) is undergoing constitutional review before the Constitutional Court of the Republic of Slovenia, due to the procedural significance and other standards. The decision of the Constitutional Court is expected at the end of 2016.

²⁴ Official Gazette of the Republic of Slovenia, No. 91/2011 and 25/14

In every criminal procedure conducted in connection with the criminal offence of trafficking in human beings the confiscation of any proceeds of crime - if they exist - is demanded. Victims may also file indemnification claims as part of the criminal procedure. If victims do not file such claims, and as a rule they do not in case of THB offences, the proceeds from crime established by the court are confiscated by a judgment and go directly into the budget of the Republic of Slovenia. In 2015 only one person filed an indemnification claim in a criminal procedure for a criminal offence of THB, which had not been completed at the time of reporting and hence the decision on the claim was still pending.

As for the payment of compensation to victims of criminal offences, the Crime Victim Compensation Act²⁵ was adopted, according to which the payment of compensation to crime victims is a under the remit of a commission appointed by the Government of the Republic of Slovenia. Compensations are paid from the budget of the Republic of Slovenia. Compensation under the law is only paid if the victim is a citizen of Slovenia or another EU member state.

44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.

Victims may, in accordance with the provisions of the Criminal Procedure Act, perform procedural acts through an attorney (Article 65 of the CPA and others), which means that a victim of a criminal offence may file an indemnification claim in a criminal procedure from their country of origin through an attorney.

Repatriation and return of victims (Article 16)

45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (*non-refoulement* principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of cooperation with the authorities of the receiving state?

Voluntary return and deportation of foreigners are regulated in Chapter VI of the Aliens Act.

According to the provisions of this Act, it is prohibited to deport an alien to a country in which his life or freedom would be threatened on the basis of race, religion, nationality, membership of a special social group or political conviction, or to a country in which an alien would be exposed to torture or other cruel, inhumane and humiliating treatment or punishment.

When victims of THB find themselves in procedures of being returned to their country of origin, we try to get them included in the AVRR (Assisted Voluntary Return and Reintegration) project, which is carried out by the IOM (International Organisation for Migration) in Slovenia (based on an agreement between the Police and IOM). In the framework of this programme, a beneficiary is guaranteed, upon return: education, medical treatment, or assistance in setting up a business project. These projects are financed from the EU Asylum, Migration and Integration Fund. The non-refoulement principle is applied in all cases of expulsion, regardless of the category of aliens.

46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?

We have not come across such a case.

Corporate liability (Article 22)

47. Have there been any developments in your country's law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.

²⁵ Official Gazette of the Republic of Slovenia, No. [101/05](#), [114/06](#) – ZUE and [86/10](#)

The Liability of Legal Persons for Criminal Offences Act²⁶ (ZOPOKD) includes in its Art. 25 the liability of legal persons also for criminal offences under Chapter 14 of the Criminal Code, which also include the criminal offence of Trafficking in Human Beings under Art. 113. It needs to be said though that despite the liability of legal persons, which is also provided for offences under the Minor Offences Act, such case law is not sufficiently developed.

Civil tortious liability is decided in accordance with the general rules on civil liabilities under the Code of Obligations.

Liability of Legal Persons for Criminal Offences Act of 1999 (as amended in 2012) states in its Article 25 the liability of legal persons for criminal offences also for criminal offences from Chapter 14 of the Criminal Code, which includes, amongst others, also the criminal offence of Trafficking in Human Beings (Article 113 of the Criminal Code). It also has to be stated that despite the fact that the Liability of Legal Persons for Criminal Offences Act (of 1999) has been applied since 2000 – the case law under it has not been adequately developed yet (there have not yet been a sufficient number of cases in order to be de facto applicable also to trafficking in human beings).

Civil (compensation) liability is determined in accordance with the general rules on civil liability under the Obligations Code.

Aggravating circumstances (Article 24)

48. Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.

The State Prosecutor's Office did not deal with any cases of involvement of public officials in such offences.

Non-punishment provision (Article 26)

49. Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.

There is a traditional provision in the General Part of the Criminal Code, in Article 23, which reads:

*“Coercion
Article 23*

Any offence committed under influence of coercion, which the perpetrator was not able to withstand, shall not constitute a criminal offence.”

Accordingly, we are of the opinion that on the basis of Article 23 of the Criminal Code Slovenia's legislation complies with Article 26 (Non-punishment provision) of the ratified Council of Europe Convention on Action against Trafficking in Human Beings.

There are no known cases of victims of trafficking of human beings being prosecuted, tried or penalised contrary to the provision of Article 23 of the Criminal Code.

Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)

50. Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.

²⁶ Official Gazette of the Republic of Slovenia, No. [98/04](#) – official consolidated text, [65/08](#) and [57/12](#)

Slovenia's authorities definitely have the jurisdiction to investigate; a lot depends on the quality of the evidence/information provided by another country to the appropriate Slovenian authorities.

51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:

- a. setting up specialised investigation units and the number of staff involved;
- b. exchange of information with, and obtaining evidence from, other parties;
- c. use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;
- d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;
- e. financial investigations to disrupt criminal money flows and ensure asset recovery;
- f. use of joint investigation teams (JITs).

a. With the adoption of the new State Prosecutor Act in 2012, a specialised office of the state prosecutor was established, which is responsible for prosecuting the criminal offence of trafficking in human beings. Since the last report in 2013, the office of the state prosecutor has been fully set up, also in terms of staffing. It consists of different departments, one of which is solely responsible for the most serious forms of general and organised crime. At this department, several (7) prosecutors deal with criminal offences of trafficking in human beings, while two prosecutors are almost exclusively devoted to THB. The staff working in the area of THB offences receive regular training and attend conferences and symposia also in other European countries.

b. The prosecutor's office obtains evidence and other documentation in connection with THB offences in the same way as for other criminal offences, in accordance with the criminal legislation and international treaties.

c. In recent years the number of covert investigative means ordered in connection with THB has been on the increase. Due to the nature of how this offence is committed, it would not be possible to fully uncover, investigate or prosecute it without the use of covert investigative measures. Thanks to proposals of the prosecutor's office, the diversity of measures used for the detection and investigation of such offences has also increased.

d. In the field of investigating THB offences committed through the Internet, the prosecutor's office has followed the resolutions, reports and other documents adopted by different EU bodies. In several concrete cases, advertising and luring victims to Slovenia via on-line advertisements were shown in court to have been the form of commission of recruitment as part of the criminal offence of THB. When the criminal organisation responsible for the criminal offence was broken up, the advertisements and other messages used to commit the offence were removed.

e. The prosecutor's office directs the confiscation of proceeds of crime through two framework acts, i.e. the Criminal Code in connection with the Criminal Procedure Act, as well as through the Confiscation of Proceeds of Crime Act. On the basis of the documents lodged by the prosecutor's office, the proceeds are confiscated from the offender when he or she is convicted. Thus, since the previous report, charges have been filed in two cases of THB, where the alleged proceeds obtained by the defendants amount to € 301,600 and 2,005,625. At the same time, the prosecutor's office, on the basis of the Confiscation of Proceeds of Crime Act (Official Gazette of the Republic of Slovenia, no. 91/11 and 25/14), initiates a financial investigation if it is suspected that the perpetrator is holding assets of illicit origin exceeding € 50,000. This is a procedure of civil forfeiture of assets that do not derive from a criminal offence but whose origin the perpetrator cannot explain. In one of the cases initiated on the basis of this Act, an action was filed in connection with a THB offence and the current sum to be subject to forfeiture is € 2,292,305. In this connection, it is worth pointing out that in recent years the prosecutor's office has devoted a lot of attention to detecting and preserving proceeds of perpetrators of THB offences. It has been shown in practice that economic exploitation of victims and acquisition of assets are the principal motives for THB.

f. No JIT has been set up in the field of THB.

52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used?

In Slovenia, we have not encountered any cases of THB in connection with human organs, tissues or blood.

Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)

53. What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.

On the basis of the adopted Manual for the Identification, Assistance and Protection of Victims of Trafficking in Human Beings, the Police carry out the following tasks during the placement of victims in the programme of care for THB victims and due to the needs of the pre-trial and criminal procedure:

a) they protect the life and personal safety of victims;

b) during victims' placement in the programme of care for THB victims (crisis accommodation, safe houses), they carry out an assessment of threat to victims. On the basis of this assessment and a proposal of the provider of the programme, the multi-disciplinary working body adopts a decision on additional emergency measures to guarantee a victim's safety;

c) during victims' placement in the programme of care for THB victims, on the basis of the assessment of threat and risk assessment of each individual case, they propose to the provider additional self-protective conduct and measures to ensure a victim's safety as well as carry out their own necessary measures to ensure a victim's safety;

d) during pre-trial and criminal procedure, they ensure a victim's safety while a victim is transferred from the accommodation location and also at the locations where procedures are conducted. The transfer is carried out in accordance with procedures agreed with the programme providers. Representatives of programme providers may accompany victims as agreed with the police representative. Victim transfers are carried out in unmarked police cars.

The programme provider and the police inform each other of anything that may affect victims' safety.

54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?

A big problem in connection with THB offences is that most victims do not see themselves as victims. Therefore the prosecutor's office, within its legislative competence, pays specific attention to the protection of victims that are willing to take part in the criminal procedure and testify in court. In several cases the prosecution has managed to protect the identity of victims, either by concealing some personal details of victims (address, employment) or by concealing the whole identity and testifying via video conference in a manner that renders the recognition of the victim impossible and in the presence of NGO representatives. In this way the prosecution made it easier for victims who are afraid of perpetrators and are willing to testify, to testify in court and at the same time protected them from the perpetrators' retaliation.

According to the provisions of the Criminal Procedure Act, victims can have a counsel present in the criminal procedure. However, this is often not the case with THB offences, as the victims do not see

themselves as such. According to the Slovenian legislation in force, a victim of a criminal offence has the procedural status of a witness, and as such has the same rights and obligations as all the other witnesses in the criminal procedure (reimbursement of travel expenses, protective measures if at risk, etc.). There is an exception, i.e. minor (under the age of 18) victims of trafficking in human beings and other offences against sexual integrity, who must have a counsel right from the start of the criminal procedure, in accordance with the provisions of the Criminal Procedure Act. The task of the counsel is to make sure that the rights and best interests of a minor are looked after. A minor may also be accompanied by a trusted person (Article 65 of the CPA). For minors under the age of 15 who are victims of THB or other criminal offences against sexual integrity, the Criminal Procedure Act in Art. 178 prohibits the presence of the defendant during testimony of such a person, and in Art. 331 lays down that direct questioning of persons under 15 years of age is not permitted in the main hearing, and the court must decide that the records of such a witness be read.

Jurisdiction (Article 31)

55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).

See Articles 12 and 13 of the Criminal Code, which read as follows:

*“Application of the Criminal Act of the Republic of Slovenia to Citizens
of the Republic of Slovenia Who Committed a Criminal Offence Abroad
Article 12*

The Criminal Act of the Republic of Slovenia shall be applicable to any citizen of the Republic of Slovenia who commits any criminal offence abroad other than those specified in the preceding Article.

*Application of the Criminal Act of the Republic of Slovenia to Foreign Citizens
Who Committed a Criminal Offence Abroad
Article 13*

(1) The Criminal Act of the Republic of Slovenia shall apply to any foreign citizen who has, in a foreign country, committed a criminal offence against the Republic of Slovenia or any of its citizens, even though the offences in question are not covered by Article 11 of this Criminal Code.

(2) The Criminal Act of the Republic of Slovenia shall also be applicable to any foreign citizen who has, in a foreign country, committed a criminal offence against a third country or any of its citizens if he has been apprehended in the territory of the Republic of Slovenia, but was not extradited to the foreign country. In such case, the court shall not impose a punishment on the perpetrator that is graver than the punishment prescribed by the statute of the country, in which the offence was committed.

(3) The Criminal Act of the Republic of Slovenia shall be applicable to any person who commits any other criminal offence abroad which is under the relevant international treaty or by general legal rules that are recognised by the international community, is subject to prosecution in all countries, regardless of the location where it was committed.”

In this case especially paragraph 3 of Article 13 of the Criminal Code is relevant.

International co-operation (Article 32)

56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.

In 2012 the Ministry of the Interior applied for funds of ISEC 2012 Framework Partnership Agreement. In August 2013 the implementation of the JIT THB WB project started, which was aimed at facilitating the use of joint investigation teams (JIT) for the fight against trafficking in human beings in the Western Balkans at the local level.

The activities of the project were aimed at prosecutors and police officers of the Western Balkan countries to encourage them to use joint investigation teams as an operational tool for the investigation and prosecution of THB. Participants (prosecutors and police officers) are frequently not aware of the available options so the knowledge and understanding of these tools are a precondition for their use. The project took into account key strategic documents in the field of internal security and is in accordance with the EU strategy towards the eradication of trafficking in human beings.

The partner country in the project was Bulgaria, and the other participating countries were Croatia, Bosnia and Herzegovina, Montenegro, Macedonia, Albania and Serbia. Europol and Eurojust experts also participated in the project, which lasted for two years.

About 250 prosecutors and police officers attended three-day workshops in each of the participating countries. The workshops were based on an interactive approach and dealt with:

- JITs and international legal instruments,
- JIT manual devised during the first project, JIT agreement,
- trafficking in human beings in the Balkans, trends in the EU and legal bases,
- the role of Europol and Eurojust in the formation and implementation of JITs,
- role of NGOs.

In the field of joint prosecution of trafficking in human beings with other countries, i.e. countries of origin of THB victims, the Specialised Office of the State Prosecutor made a number of proposals for cooperation in the prosecution of THB offences. Most of them did not find fertile soil as the countries did not detect any signs of trafficking in human beings or their legislation did not allow covert investigative measures were using. Nonetheless, the Slovenian prosecutor's office continued the investigation and the courts usually followed the reasoning of the prosecutor's office that these were indeed THB offences. All these cases are currently still being investigated or charges have been filed or final judgments have been delivered.

The prosecutor's office has had good experience recently with the cooperation and acquisition of information through requests for international legal assistance, especially with Ukraine and Moldova. These countries have been providing information on the identity and location of victims promptly as well as all the necessary assistance in searching for and identifying the perpetrators of criminal offences.

Measures related to endangered or missing persons (Article 33)

57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.

When we have reasonable grounds to believe that the life, the freedom or the physical integrity of a person is in immediate danger on the territory of our country or another country, we are obliged, on the basis of the Council of Europe Convention on Action against Trafficking in Human Beings, to transmit this information without delay to the other country so as to take the appropriate protection measures. Based on the past experience in the field of international cooperation between NGOs, in cases of foreign nationals recognised as being victims of THB, contact with similar organisations in these nationals' countries is established immediately after their being placed in safe accommodation. The key aim is to prevent further abuse. In cases of the victims' return to their country of origin, there is cooperation with a similar organisation in their native country based on the victims' wishes.

58. Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there

for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking?

An early warning system for missing children has been in operation since August 2011.

Co-operation with civil society (Article 35)

59. What steps are taken by your country to encourage state authorities and public officials to cooperate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.

Following the appointment of the national coordinator and the formation of the interministerial working group in 2002 and 2003, the government sector prepared financially evaluated projects carried out by NGOs selected under a public invitation to tender. At least three to four NGOs play a significant role in preventive programmes and programmes of assistance to victims of THB. As the programme of assistance to THB victims is especially closely connected to the work of law enforcement authorities, both in pre-trial and criminal proceedings as well as in the care of victims, cooperation networks have been established through the years of working together. A bridge of trust has been built, which is extremely important and conducive to good, fast and efficient cooperation.

Some NGOs, such as Društvo Ključ, have certain arrangements formalised by way of cooperation agreements, namely with the Police, Ministry of the Interior and State Prosecutor's Office.

Relationship with other international instruments (Article 40)

60. Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.

See the Annex to the Agreement between the Government of the Republic of Slovenia and the Government of the United States of America On Enhancing Cooperation in Preventing and Combating Serious Crime (BUSPHKD; published in: Official Gazette of the Republic of Slovenia, No. 17/13 – International Treaties, No. 3/13), explicitly mentioning trafficking in human beings.

61. Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.

The Ministry of the Interior does not keep a separate record on reasons for the granting of international protection; however, we do not believe that we have had a case like this.

D. Final questions

62. Which bodies and organisations contributed to responding to this questionnaire?

Ministry of the Interior, Police, Specialised State Prosecutor's Office of the Republic of Slovenia, Ministry of Justice, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Ministry of Health, Government Communication Office, Office for National Minorities, NGO Društvo Ključ, Humanitarian organisation Slovenian Caritas.

63. Who was responsible for co-ordinating and collecting the replies to this questionnaire?

The national coordinator for combating THB.

E. Statistics on THB (per year, starting with 2010)

Number of victims identified in the sense of having been recognised by a state institution or mandated NGO as deserving any of the rights or entitlements to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Number of presumed victims whom the competent authorities had “reasonable grounds” to believe were victims of THB (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them). Please clarify whether this number includes victims who were formally identified or is an additional number.

Number of victims granted a recovery and reflection period (if possible, disaggregated by sex, age, nationality, form of exploitation).

Number of victims who received assistance (if possible, disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

Number of victims who were granted a residence permit, with an indication of the type of the permit and its duration (if possible, disaggregated by sex, age, nationality, form of exploitation).

Number of victims given refugee status and subsidiary/complementary protection.

Number of victims who claimed compensation and who received compensation (if possible, disaggregated by sex, age, nationality, form of exploitation), with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded.

Number of victims repatriated to your country (if possible, disaggregated by sex, age, country of destination, form of exploitation).

Number of victims repatriated from your country to another country (if possible, disaggregated by sex, age, nationality, form of exploitation).

2010

	Women	Men	Children	Total
<u>Victim identification</u>				
Number of victims identified in a year	31	1	1	33
Forms of exploitation of identified victims:				
- sexual abuse	31		1	32
- forced labour and services		1		1
- slavery and practices similar to slavery				
- servitude				
- removal of organs				
- other				
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level				
- THB at the supranational level	8			8
<u>Assistance to victims</u>				
No. of THB victims who received assistance in any form	13	3	1	17
No. of trafficked victims who refused assistance	7		1	8
No. of shelters for THB victims in Slovenia				3
Total no. of beds available in shelters for THB victims				18
No. of THB victims accommodated in shelters				2
<u>Recovery and reflection period</u>				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	1	1		2
<u>Residence permit</u>				
No. of THB victims who have been issued with resident permits:				
- by virtue of personal circumstances				
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings	1			1
<u>Compensation and legal remedies</u>				
No. of THB victims who received compensation				0
Compensation awarded:				
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
<u>Repatriation and return of victims</u>				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia	4			4

No. of victims from	2010
Bosnia and Herzegovina	1
Bulgaria	2
Czech Republic	3
Hungary	9
Romania	1
Slovakia	3
Slovenia	2
Ukraine	4
Ghana	1
Dominican Republic	6
Kazakhstan	1
TOTAL	33

2011

	Women	Men	Children	Total
Victim identification				
Number of victims identified in a year	19	1	1	21
Forms of exploitation of identified victims:				
- sexual abuse	18	1	1	20
- forced labour and services				
- slavery and practices similar to slavery	1			1
- servitude				
- removal of organs				
- other				
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level	7		1	8
- THB at the supranational level	12	1		13
Assistance to victims				
No. of THB victims who received assistance in any form	16	1	1	18
No. of trafficked victims who refused assistance	3*			3*
No. of THB victims accommodated in shelters				6
Recovery and reflection period				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	2			2
Residence permit				
No. of THB victims who have been issued with resident permits:				
- by virtue of personal circumstances	1			1
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings	1			1
Compensation and legal remedies				
No. of THB victims who received compensation				0
Compensation awarded:				
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
Repatriation and return of victims				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia	4			4

No. of victims from	2011
Bulgaria	1
Czech Republic	1
Romania	1
Slovakia	1
Slovenia	8
Serbia	2
Ukraine	3
Kazakhstan	1
Dominican Republic	3*
TOTAL	21

* At least three supposed victims (from the Dominican Republic) rejected any assistance as they did not see themselves as victims. This is further explained under the issues in connection with the Dominican Republic nationals.

2012

	Women	Men	Children	Total
Victim identification				
Number of victims identified in a year	13	2		15
Forms of exploitation of identified victims:				
- sexual abuse	13			13
- forced labour and services				
- slavery and practices similar to slavery				
- servitude				
- removal of organs				
- other, begging		2		2
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level	2			2
- THB at the supranational level	11	2		13
Assistance to victims				
No. of THB victims who received assistance in any form	13	2		15
No. of trafficked victims who refused assistance	52			52
No. of THB victims accommodated in shelters	7			7
Recovery and reflection period				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	7			7
Residence permit				
No. of THB victims who have been issued with resident permits:				
- by virtue of personal circumstances				2
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings	2			2
Compensation and legal remedies				
No. of THB victims who received compensation				0
Compensation awarded:				
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
Repatriation and return of victims				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia		2		2

No. of victims from	2012	
	Men (age)	Women (age)
Czech Republic		1(33)
Slovakia	2 (50,25)	
Slovenia		2 (30)
Ukraine		7 (30, 35, 25)
Dominican Republic		2 (38, 40)
Serbia		1
	2	13
TOTAL		15

2013

	Women	Men	Children	Total
Victim identification				
Number of victims identified in a year	39	1		40
Forms of exploitation of identified victims:				
- sexual abuse	39			39
- forced labour and services		1		1
- slavery and practices similar to slavery				
- servitude				
- removal of organs				
- other, begging				
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level				
- THB at the supranational level	36	1		40
Assistance to victims				
No. of THB victims who received assistance in any form	36	1		40
No. of trafficked victims who refused assistance				
No. of THB victims accommodated in shelters	3 + 1	1		5
Recovery and reflection period				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	4 + 4	1		5
Residence permit				
No. of THB victims who have been issued with resident permits:				
- by virtue of personal circumstances				
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings	1*			1*
Compensation and legal remedies				
No. of THB victims who received compensation				0
Compensation awarded:				
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
Repatriation and return of victims				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia	3			3

No. of victims from	2013	
	Men (age)	Women (age)
Romania	1 (18 to 23 years)	
Romania		14 (18 to 33 years)
Romania		17 (24 to 33 years)
Romania		3 (34 to 43 years)
Dominican Republic		2 (24 to 33 y years)
Ukraine		1 (32 years) + 1*
Macedonia		2 (2 years, 22 years)
Philippines		1 (46 years)
	1	39
TOTAL		40

* One THB victim was identified and placed in safe accommodation in 2012.

2014

	Women	Men	Children	Total
Victim identification				
Number of victims identified in 2014				5
Forms of exploitation of identified victims:				
- sexual abuse	4			4
- forced labour and services				
- slavery and practices similar to slavery, begging		1		1
- servitude				
- removal of organs				
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level				
- THB at the supranational level				5
Assistance to victims				
No. of THB victims who received assistance in any form	4	1		5
No. of trafficked victims who refused assistance				
No. of THB victims accommodated in shelters	4	1		5
Recovery and reflection period				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	4	1		5
Residence permit				
No. of THB victims who have been issued with resident permits:				
- by virtue of personal circumstances				
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings	2			2
Compensation and legal remedies				
No. of THB victims who received compensation				0
Compensation awarded:				
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
Repatriation and return of victims				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia	2	1		3

No. of victims from	2014	
	Men (age)	Women (age)
Bulgaria		1 (37)
Serbia		1 (44)
Macedonia		1 (18)
Hungary		1 (20)
Slovakia	1 (46)	
TOTAL	1	4

2015

	Women	Men	Children	Total
<u>Victim identification</u>				
Number of victims identified in 2014				47
Forms of exploitation of identified victims:				
- sexual abuse	45		2	47
- forced labour and services				
- slavery and practices similar to slavery, begging				
- servitude				
- removal of organs				
Number of persons for whom authorised authorities have reasons to believe that they are victims of:				
- THB at the national level	2			2
- THB at the supranational level				45
<u>Assistance to victims</u>				
No. of THB victims who received assistance in any form	5			5
No. of trafficked victims who refused assistance				
No. of THB victims accommodated in shelters	5			5
<u>Recovery and reflection period</u>				
No. of victims (including those reasonably suspected to be victims) who have been granted a period of recovery and reflection	5			5
<u>Residence permit</u>				
No. of THB victims who have been issued with resident permits:				1
- by virtue of personal circumstances	1			1
- by virtue of collaboration with the competent authorities during the investigation or criminal proceedings				
<u>Compensation and legal remedies</u>				
No. of THB victims who received compensation				
Compensation awarded:				0
- minimum sum granted to victims (in EUR):				
- maximum sum granted to victims (in EUR):				
<u>Repatriation and return of victims</u>				
No. of THB victims repatriated to Slovenia				0
No. of THB victims returned to other countries from Slovenia				

No. victims from	2015	
	Men (age)	Women (age)
Ukraine		17
Serbia		11
Czech Republic		7
Macedonia		3
Hungary		2
Slovakia		2
Slovenia		2
Dominican Republic		1
Bulgaria		1
Unknown		1
TOTAL		47

Number of investigations into THB cases.

Number of prosecutions of THB cases.

Number of convictions for THB resulting in penalties involving deprivation of liberty, with an indication of the duration of the penalty and whether effectively enforced or suspended.

Number of judgments resulting in the confiscation of assets.

Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB.

Number of convictions for the use of services of a victim of THB.

2010

	2010
Trafficking in human beings	
No. of criminal proceedings for criminal offences (trafficking in human beings; enslavement; exploitation through prostitution)	(5* ; 0 ; 5*+7*) 12
Charge sheets	6
No. of convictions for criminal offences (trafficking in human beings; enslavement; exploitation through prostitution)	(2 ; 2 ; 6) 10
Use of victims' services	
No. of convictions as regards the use of victims' services	10
Sanctions and measures	
No. of convictions for the criminal offence of trafficking in human beings involving deprivation of liberty	10
Term of imprisonment:	
- minimum term of imprisonment	1 year 4 months
- maximum term of imprisonment	3 years
No. of judgments resulting in the confiscation of assets	3 + accessory financial penalty

* Five persons who were subject to proceedings for THB were also subject to proceedings for the criminal offence of exploitation through prostitution.

2011

	2011
Trafficking in human beings	
No. of criminal proceedings for criminal offences (trafficking in human beings; enslavement)	(13+2) 15
Charge sheets	5
No. of convictions for criminal offences (trafficking in human beings; enslavement; exploitation through prostitution)	6*
Use of victims' services	
No. of convictions as regards the use of victims' services	6*
Sanctions and measures	
No. of convictions for the criminal offence of trafficking in human beings involving deprivation of liberty	0
Term of imprisonment:	
- minimum term of imprisonment	1 year 4 months
- maximum term of imprisonment	4 years
No. of judgments resulting in seizure or confiscation of assets	6

* Judgments in cases in which the Court re-qualified the criminal offence of trafficking in human beings into the criminal offence of exploitation of prostitution

2012

Trafficking in human beings	
No. of criminal proceedings for criminal offences (trafficking in human beings; enslavement)	13
Number of charge sheets	3
No. of convictions for criminal offences (trafficking in human beings; enslavement; exploitation through prostitution)	8
Use of victims' services	
No. of convictions as regards the use of victims' services	8
Sanctions and measures	
No. of convictions for the criminal offence of trafficking in human beings involving deprivation of liberty	2
Term of imprisonment:	
- minimum term of imprisonment	1 year
- maximum term of imprisonment	3 years 8 months
No. of judgments resulting in seizure or confiscation of assets	2

2013

Trafficking in human beings	
No. of persons subject to criminal proceedings	9 (15)
No. of investigations launched	6
No. of charge sheets	3
Sanctions and measures	
Number of convictions for the criminal offence of trafficking in human beings	2
1. Imprisonment and accessory financial penalty	Two years and eight months, 8,275 EUR
2. Corrective measure (imposed on a minor)	1

2014

Trafficking in human beings	
No. of persons subject to criminal proceedings	9
No. of investigations launched	2 (against 6 persons)
No. of charge sheets	5
Sanctions and measures	
Number of convictions for the criminal offence of trafficking in human beings	0

2015

Trafficking in human beings	
No. of persons subject to criminal proceedings	42
No. of persons charged	23
No. of persons convicted	5
Use of victims' services	
No. of convictions as regards the use of victims' services	5
Term of imprisonment:	
- minimum term of imprisonment	13 months
- maximum term of imprisonment	3 years and 1 month
No. of judgments resulting in seizure or confiscation of assets	