

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

G R E T A

Group of Experts on Action
against Trafficking in Human Beings

GRETA(2014)13_CZE_rep

**Reply from the Czech Republic
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 received on 17 May 2023

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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);

Of the past 4 years, only 2019 can be considered relatively standard. The years 2020 and 2021 were completely unique with regard to the occurrence of the COVID-19 pandemic, which significantly affected and radically affected the lives of all people in the Czech Republic. However, the impact on the criminal activity of human trafficking did not manifest itself. However, it cannot be ruled out that in the future the economic consequences of the COVID-19 pandemic and thus the deepening of the vulnerability of persons will be reflected in the higher incidence of cases of human trafficking in the Czech Republic (the Report on the State of Human Trafficking in the Czech Republic for the year 2022 is currently being prepared, which will also be available in English on the website of the Ministry of the Interior probably during August 2023).

The year 2022 was completely affected by the Russian aggression against Ukraine and the related huge wave of migrants who sought refuge in the Czech Republic before the war. There was a massive deployment of preventive educational activities with the aim of protecting this extremely vulnerable group from any criminal activity, including human trafficking. Although no case of a victim of human trafficking originating from this target group has yet been confirmed, it is necessary to continue intensive monitoring of their living conditions and narrow the space where these criminal activities could be committed.

Despite the above-mentioned changes, it can be stated that the Czech Republic can continue to be considered primarily as a destination and transit country, but still also as a source country. As regards the forms of human trafficking (THB), in the Czech Republic it is mainly a form of using victims of trafficking for the purpose of labor exploitation and forced prostitution, exceptionally there are cases with features of slavery and serfdom. In summary, it can be stated that the methods and forms of THB remain the same, in the Czech Republic it is mainly the abuse of victims for sexual exploitation, forced labor or other forms of exploitation (e.g. marriages of convenience, bank fraud, forced theft, forced begging).

The search for men and women continued among socially weaker groups of the population with lower education, who were promised high-paying jobs by traffickers, especially in Great Britain as the target country. With the withdrawal of Great Britain from the European Union, the number of these cases continues to decrease, and it can be assumed that this downward trend will continue in the coming years. In cases of suspicion of THB for the purpose of labor exploitation, the model from previous years was a typical method of committing in the Czech Republic. The so-called "agency employment" was still an important factor, or the activities of legal entities that have permission from the Ministry of Labor and Social Affairs of the Czech Republic to mediate work were manifested in this area.

In the THB cases for the purpose of sexual exploitation, the victims of sexual exploitation are mostly foreign women who, in the source country, respond to offers of favorable employment in the Czech Republic, while these offers are fictitious and the women are misled from the beginning. After arriving in the Czech Republic, women are then confronted with the reality that in a foreign country, without financial resources and without knowledge of the language, they are forced to provide sexual services, whether in classic night clubs, private houses or in agencies offering escort services. In a similar way, women - nationals of the Czech Republic - are also misled and forced to provide sexual services in the target country. However, there are also recorded cases where the victims are exploited in several ways, both at work and sexually. The situation in the area of illegal trade in human tissues and organs in the Czech Republic has remained very satisfactory in recent years. According to available information, this illegal activity does not occur in the territory of the Czech Republic. The transplantation system in the Czech Republic is so regulated that illegal handling of organs and tissues would be very difficult to conceal. This is

mainly contributed by establishing rules for ensuring traceability, at every stage of the process from collection to transplantation, as well as the traceability of both organ donors and organ recipients. From the point of view of the countries of origin of probable victims identified in the Czech Republic, in recent years the Philippines, Slovakia, Ukraine, Romania, Bulgaria, Mongolia, Honduras, Kyrgyzstan, Russia and Uzbekistan were mostly recorded as sources. However, we cannot ignore the fact that Czech citizens are also trafficked on the territory of the Czech Republic. The Czech Republic also remains a source country especially for Great Britain and Ireland.

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

In view of the fact that there have been many legislative changes that had various impacts on the issue of human trafficking over the past 4 years, we present only the most important ones: In 2019, legislative measures with a direct impact on foreign employment were adopted as part of Act No. 176/2019 Coll., which amends Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic and on the amendment of certain laws, as amended later regulations, and other related laws (effective from July 31, 2019).

Changes in the **Employment Act** with an impact on foreign employment:

- The possibility of listing vacancies in the central register of vacancies open to holders of an employment card and the central register of vacancies open to holders of a blue card after only 10 days (instead of 30), based on an assessment of the situation on the labor market by the regional branch of the Employment Department CR).
- The obligation to provide information on the start and end of posting to perform work in the territory of the Czech Republic towards the ED of the Czech Republic and the registration obligation was transferred from the user to the employer.
- Facilitating the access of family members of researchers to the labor market, when no deadline for access to the labor market of an EU member state applies.
- Authorization of the Police of the Czech Republic, the Ministry of the Interior, the Ministry of Foreign Affairs and embassies of the Czech Republic to obtain information on employment permits issued by the regional branch of the ED of the Czech Republic and on written information from employers to the ED of the Czech Republic for control purposes.

Changes in the **Act on the Residence of Foreigners** with an impact on foreign employment:

- The possibility of a stay of up to 9 months in order to find a job or start a business activity for students after completing their studies in the territory and for researchers who complete their research activity.
- Extension of the definition of an unreliable employer to include a user, a legal or natural person to whom a foreigner is temporarily assigned by an employment agency on the basis of an agreement concluded between the employment agency and the user in accordance with a special legal regulation is also considered an unreliable employer.
- Extension of the authority of the police of the Czech Republic, during the residence check, the police is entitled to demand from the employer of a foreigner or from the user for whom the foreigner performs work, the presentation of a document proving the legitimacy of the foreigner's gainful activity.
- Extension of the requirements for the application for the issuance of an employee and blue card, in the case of agency employment, a document that contains the name, surname, or maiden name, citizenship, date and place of birth and residence of the foreigner, the type of work that the

foreigner will be doing perform as a temporarily assigned employee, the user's place of work and the user's name and address.

- Restrictions on the possibility of changing the employer of the employee card holder.

Furthermore, the Extraordinary Work Visa was introduced in the event of an extraordinary shortage of workers on the labor market in a certain industry or profession or in the event of an extraordinary event. The amendment to the Act on the Residence of Foreigners in the Czech Republic launched new government economic migration programs.

As part of the Qualified Employee Program, a wage criterion was introduced for the inclusion of a vacant position, namely at the level of min. 1.2 times the guaranteed wage corresponding to the relevant group of jobs according to Government Regulation No. 567/2006 Coll., on the minimum wage, on the lowest levels of the guaranteed wage, on the definition of a difficult working environment and on the amount of the wage supplement for work in a difficult working environment.

On July 30, 2020, Act No. 285/2020 Coll., which amends the Labor Code and some other related laws, entered into force. This was the transposition of Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018, which amends Directive 96/71/EC on the posting of workers in the framework of the provision of services, when a distinction is made between short-term and long-term posting and the rights of employees associated with this.

As part of the issue of punishment for crimes in the field of human trafficking, it is necessary to mention the law published under No. 333/2020 Coll., which came into effect on 1 October 2020. One of the main changes brought about by this law in the field of criminal law material brought, is the doubling of the individual limits of damages, as they are contained in the criminal code. This applies not only to the limit of non-trivial damage, when certain trivial actions were considered a criminal offense due to this, although due to its seriousness it should be considered more like a misdemeanor and should thus be dealt with by means of administrative law, but also to other limits of damage, including damage of a large scope.

Another change concerns the legal regulation of the plea agreement institute, the use of which was made possible even for all particularly serious crimes, i.e. also for the crime of human trafficking and related crimes.

On August 2, 2021, an amendment to the Employment Act took effect, in connection with the amendment to the Act on the Residence of Foreigners. According to this amendment, it is now possible to prosecute for a misdemeanor also persons who enabled the performance of disguised employment mediation. These are mainly users who use labor power, i.e. entities that have concluded contracts with the persons who covertly mediate. This person is also at risk of punishment in the form of misdemeanor proceedings. If a natural person facilitated the disguised employment mediation, he may be fined up to CZK 5,000,000, if this activity was facilitated by a legal entity or a natural person running a business, he may be fined for an offense in the range of CZK 50,000 to 10,000,000. As regards criminal law, no legislative change was adopted in 2021 for the crime of human trafficking and related crimes.

On March 21, 2022, Act No. 66/2022 Coll., on measures in the field of employment and the field of social security in connection with the armed conflict on the territory of Ukraine caused by the invasion of the troops of the Russian Federation, entered into force. Based on it, holders of temporary protection have free access to the labor market; their employers only have an information obligation towards the Employment Department according to Section 87 of the Employment Act, and a registration obligation according to Sections 102 and 136 of the Employment Act. Furthermore, holders of temporary protection have access to all employment services. As part of the amendment of the aforementioned Act No. 66/2022 Coll. there will be an amendment to the Employment Act (§ 136), whereby employers are required to report to the CSSA the arrival of an employee who is a foreigner enjoying temporary protection in an employment relationship or who is active on the basis of an employment agreement, whose employment is small-scale employment according to the Act on Sickness insurance, or an employee with temporary protection working on the basis of a work performance agreement, to the register of employees with temporary protection maintained by the Czech Social Security Administration

within 8 calendar days from the date of entry of such a foreigner. Within the same period, the employer will also be obliged to report changes and termination of employment of such a foreigner. Within the same period, the employer will also be obliged to report changes and termination of employment of such a foreigner. At the same time, an employer who is not obliged to register in the register of employers according to § 93 of the Act on Sickness Insurance and who employs only employees with temporary protection will be obliged to register in the register of employers maintained by the Czech Social Security Administration. The bill was approved by the Senate on March 8, 2023, and will now be forwarded to the President for signature.

With effect from December 31, 2022, Decree No. 322/2017 Coll. was amended, establishing a list of employment sectors that include activities dependent on the season, on the basis of which there was an expansion of the employment sector for which employment permits can be issued according to § 96 of the Employment Act, about the following sectors:

- 41 Construction of buildings,
- 42 Engineering construction,
- 43 Special construction activities
- 71 Architectural and engineering activities; technical tests

- 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;

*The central advisory body of the government is the **Interdepartmental Coordination Group for Combating Trafficking in Human Beings** (hereafter referred to as MKS), which met online during the covid pandemic. In 2022, it met in March at its extraordinary meeting, due to the start of the war in Ukraine and subsequently during the presidency of the Czech Republic in the Council of the EU - in November. In 2022, the MKS statute was changed, especially in connection with the admission of a new permanent member, who is a representative of the State Office of Labor Inspection.*

*As part of the implementation of the task from the National Strategy for combating trafficking in human beings in the Czech Republic for the period 2020-2023, a revision of the national reference mechanism was carried out and in this context the "**Methodical instructions of the First Deputy Minister of the Interior for the management of the internal security and police training section for the functioning of the Program**" was updated support and protection of victims of human trafficking of the Ministry of the Interior and its institutional security". The changes to the methodological instructions relate in particular to the extension of the range of entities that can include a probable victim of human trafficking in the Program, with the new one being the Administration of Refugee Facilities of the Ministry of the Interior. This is an entity that can come into direct contact with a trafficked person who will need to provide help and support. Furthermore, on the basis of Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011 on the prevention of trafficking in human beings, the fight against it and the protection of victims, there was a change whereby the victim of trafficking in human beings is not excluded from the Program as soon as the court makes a final decision on that she has become a victim of human trafficking, but in cases where she is referred to civil proceedings for damages, she remains in the Program. Among other things, the directive imposes measures necessary to ensure that victims are provided with help and support before the start of criminal proceedings, during them and for a reasonable period of time after they end. With this change, victims are guaranteed legal assistance even after the end of the criminal proceedings, and thus increases the possibility of obtaining compensation for damages. In the same way, legal aid is provided to a victim who*

decides to voluntarily return to the country of origin or if she has permanently left the territory of the Czech Republic. This legal aid is provided on the condition that criminal proceedings are ongoing in its case and the victim was provided with these services in this way until then. The slight adjustment was made within the reflection period. A probable victim included in the Program still has the right to use the reflection period of 60 days to think about whether he wants to cooperate with the police or not. The approach focused on the rights and needs of victims is not limited in any way. However, immediately after receiving a request for inclusion, the police will receive basic information about the victim in the scope of name, surname and date of birth for the purpose of identification and ensuring the safety of all subjects of the Program as well as other likely victims using its services. The police will wait for the victim's decision to cooperate before contacting her. The other changes were of an administrative and technical nature.

- 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 strategic goal is to combat human trafficking and to strengthen assistance to victims of human trafficking.

Combating human trafficking as a strategic goal is understood mainly in the sense of increasing awareness of the issue, improving the cooperation of individual entities and prevention. Improving awareness of the issue will support both identification and self-identification of victims.

Planned training and further education for those who may come into contact with potential victims of human trafficking will also lead to faster and more effective identification. The higher number of identified persons is linked to the strategic goal of strengthening assistance to victims of human trafficking. If, based on the measures taken, there will be a higher identification of victims of human trafficking, it is necessary to be able to respond to this within the framework of the national reference mechanism and the Program for the Support and Protection of Victims of Human Trafficking.

In order to fulfill the set strategic goal, the National Strategy will focus on the following specific goals, which will be further specified within individual tasks:

- *combating child trafficking*
- *strengthening identification of victims of THB*
- *prevention and assistance to victims of THB*
- *cooperation in combating THB on national as well as on international level*

The main central authorities responsible for implementation of aims and goals within the National Strategy are central administrative bodies as Ministry for Social and Labor Affairs, Ministry of Education, Youth and Sports, Ministry of Justice, Ministry of Foreign Affairs, Government Office and Ministry of Interior is the main central body responsible for most of the goals within the National Strategy. The implementation of the National Strategy is routinely monitored continuously at MKS meetings, while the final evaluation is part of the material used to approve the National Strategy for the next period.

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?

The government's policy of combating human trafficking is based on offensive and hard-hitting actions aimed at punishing the perpetrators, helping the victims, as well as narrowing the space

and conditions under which this serious criminal activity can be committed. These basic principles generally apply to all persons, regardless of gender, nationality, nationality, etc., and in practice they are applied with maximum sensitivity and efficiency and always with regard to the target group.

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?

*E.g. as part of police training - on 15/03-16/03/2021, an operational online course called Training for First Responders by Pacific Links Foundation took place for participants in the OA 4.4 PAYDAY project focused on the crime of human trafficking within Vietnamese communities. In 2022, NCOZ police officers (National center combating organized crime) regularly participated in online meetings of representatives of EU member states under the auspices of **AP Phoenix** (a platform on people issues) at EUROPOL, one of the topics was also "Trafficking in people - risks for refugees from Ukraine", where mutual exchange of information from individual states, and specific preventive activities were shared. Webinar: Preventing and Detecting Trafficking in Human Beings Affecting People Fleeing from Ukraine.*

*At the beginning of 2019, La Strada CR realized a two-day **training for intercultural workers of the Brno City Municipality entitled "Labour exploitation - practice and legislative context"**. The training was focused on the issues of labor exploitation, unpaid wages and poor working conditions. The goal was to give the workers practical advice on how to proceed in specific situations and to share the experiences of workers and lawyers from the organization La Strada CR. Theoretical information was placed in a legislative context, which was followed by recommendations and practical experience on how to communicate with trafficked and exploited persons.*

As every year, the La Strada CR organization fulfilled its goals in the field of educational and preventive activities, namely through preventive lectures at schools, accredited courses for social workers and workers with a target group threatened by the undesirable phenomenon of labor exploitation and education on the subject of human trafficking. In 2020, 15 lectures were held at secondary, higher and university schools and in one facility for foreign children. In 2021, a seminar was also held in a facility for foreign children. Accredited training was implemented by the La Strada CR organization at the Counseling Center for Integration, z.ú, in Ústí nad Labem. The training was mainly focused on the legislation related to human trafficking, the identification of the trafficked person and a detailed description of the services and operation of the La Strada organization. In the practical part, methods of communication with trafficked and exploited persons and procedures in specific situations for exercising their rights and interests were tested. As part of the cooperation with the Slovak IOM, four trainings were held on the use of the SAFE application, namely for workers who meet the target group, i.e. young people at risk of labor exploitation and human trafficking. The app offers tips on how to prepare for travel and useful contacts together in one place. The interactive game simulates the real stories of people who find themselves in human trafficking situations and gives users the opportunity to influence their fate.

For the Romodrom organization, which is dedicated to helping and integrating Roma clients, 2 training sessions were held for Prague and nationwide branches. The training was mainly focused on helping and identifying human trafficking among Roma refugees from Ukraine.

La Strada CR filmed 2 videos aimed at preventing human trafficking among refugees from Ukraine. The first video was focused on safety tips when looking for work and accommodation and verifying offers that refugees receive upon arrival in the Czech Republic. This video was published at all KACPU (Regional Assistance Center for Ukraine) branches, where refugees come to register for temporary protection in the Czech Republic. The second video was created as an educational material for volunteers who helped in various places with a large concentration of refugees. The video focused on what to pay attention to in the field, what information to provide to refugees and where to turn in case of potentially dangerous offers of work, accommodation or travel.

La Strada, in cooperation with the Svitlo Community Center, organized lectures for refugees from Ukraine, where female lecturers lectured on how the Czech labor market works, what unfair techniques are most often used by employers and what to avoid when looking for work and accommodation.

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 procedure for identifying victims of human trafficking is the same for all victims, regardless of whether they are illegal migrants or migrant workers. In this context, e.g. points no. 6 and 22 include educational and preventive activities that also apply to this target group, but this also includes a whole range of educational activities for professionals that may come into contact with potential victims of human trafficking people, including illegal migrants (see e.g. training of the foreign police and the staff of the Refugee Facilities Administration). During 2022, a number of volunteers were trained, especially in connection with women and children fleeing the war in Ukraine to the Czech Republic.

There are set procedures in the Czech Republic, where a special procedure is launched when a possible victim is identified, in which experts on the given issue from criminal police, NCOZ police and other supporting non-profit organizations are directly involved. Procedures and individual measures are defined in the Program for the Support and Protection of Victims of Trafficking in Human Beings, where the emphasis is placed on the protection and rights of potential victims. This is taken into account in any contact with Police.

Trafficking in human beings is considered a criminal offence in the Czech Republic and is prosecuted as such by the Police of the Czech Republic. The Labour Inspection authorities, through their inspection activities, help to detect cases of trafficking in human beings or labour exploitation and, in the event of detection of specific cases, cooperate with the competent authorities and forward relevant information to them.

In 2022, the labour inspection authorities carried out a total of 18,553 inspections, including 3,920 inspections of labour relations and 7,401 inspections of employment, including the detection of illegal work.

In 2022, the labour inspection authorities imposed a total of 3 298 penalties for breaches of legislation, totalling CZK 357 162 500.

In 2022, the labour inspection authorities cooperated with the Police of the Czech Republic in an inspection action aimed at possible labour exploitation. The action was carried out by the Police of the Czech Republic within the framework of the European Action Days 2022. 32 inspections were completed during this action, which revealed a total of 82 violations. These inspections also detected 25 illegally employed individuals, mostly citizens of Ukraine and Moldova.

In addition, targeted inspections were carried out in 2022 on the working conditions of workers with temporary protection. The aim of these inspections was to facilitate the proper and legal integration of temporary protection holders (who thus gained free access to the domestic labour market) within the domestic labour market, to ensure equal working conditions and all the rights guaranteed to employees by the labour law in the Czech Republic and health and safety in the performance of their work. A total of 531 inspections were carried out in 2022, focusing on the working conditions of employees with temporary protection.

In connection with the identification of trafficking in human beings, inspectors of labour inspection bodies participate in seminars or training events. For example, in 2022, 2 seminars organized by the Ministry of Interior were held, with the participation of representatives of the non-governmental NGO La Strada and the Police of the Czech Republic - National Organized Crime Agency. The content of the seminars was mainly to provide a closer look at the possibilities of identifying victims of trafficking in human beings during an inspection by an inspector, to point out risk situations or to present the Programme of Support and Protection of Victims of Trafficking in Human Beings of the Ministry of the Interior of the Czech Republic. In addition, further training of inspectors specialising in the issue of employment of foreigners is organised by the State Labour Inspection Office through regular seminars with the participation of experts on the issue and in the form of seminars and

training provided for inspectors in cooperation with other inspection bodies that also deal with the issue of employment of foreigners.

In 2022, representatives of labour inspection bodies attended several seminars, conferences or meetings on labour exploitation or trafficking in human beings. Within the framework of the European Labour Authority (hereinafter referred to as "ELA"), two seminars on labour exploitation were held for the inspectors of the Methodology. During these seminars, experiences were exchanged between the participants or the specifics of individual cases. One of these seminars was more closely focused on citizens of Ukraine (with regard to the situation on the territory of Ukraine). The ways in which information can be effectively shared with Ukrainian refugees were described in more detail, as well as the factors preventing possible labour exploitation of these persons.

An integral part of the activities of the labour inspection bodies is also prevention and awareness-raising, which is directed at both employers and employees. This is carried out not only as part of the inspectors' inspection activities, but also through labour law consultation service, which is regularly provided to the general public at Regional Labour Inspectorates.

A free of charge consultation hotline has also been in operation since 2020. Another possible tool for communication with the public is the website www.suip.cz, which contains a large amount of information also for foreign nationals. The information is available in several languages. At the beginning of 2022, the websites of the State Labour Inspection Office and the Regional Labour Inspectorates were extensively updated. In the section "Information leaflets", information on basic topics in the field of labour law can be found. The leaflets are in Czech and English and provide basic information on equal treatment, posting of workers, working time, holiday entitlement, remuneration for work, illegal work, obstacles to work, non-payment of wages by the employer and others. In addition, information on the working and wage conditions of workers posted in the framework of the provision of services in the Czech Republic is continuously updated on the website and translated into English, French, Polish, Ukrainian, German, Bulgarian and Romanian.

A section Information for citizens of Ukraine - Допомога громадянам України has also been added, where they can find basic information on labour legislation, information related to their employment and other up-to-date information, including links to the websites of the Ministry of the Interior and the Ministry of Labour and Social Affairs.

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 possibilities of identification and rights for victims are the same for all victims regardless of gender. Preventive activities and awareness campaigns are always tailored to the target group.

Training of relevant professionals (Articles 10 and 29)

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.

Visa Department of the Ministry of Foreign Affairs of the Czech Republic delivers a periodic training on Trafficking in human beings (THB) and the rights of victims to all consular officials within the framework of regular trainings for all employees assigned for postings abroad with a consular agenda, including consular officials, heads of consular sections of embassies and other diplomatic employees with consular tasks.

The training is organized multiple times each year in cooperation with the Criminal Prevention Department of the Ministry of Interior of the Czech Republic and International Organisation for Migration. The training focuses on legal grounds for combatting THB, trends and THB cases both in general and specifically in the Czech Republic. The training also focuses on how to recognize THB, the categories of people who are vulnerable to THB, and options of the victims of THB within the Program of support and protection of victims of THB at the Ministry of Interior. The trainees

also receive contacts to relevant authorities as well as NGO agencies to facilitate cooperation during cases of THB identified abroad.

Furthermore, an online training program on THB is under preparation by the Visa Departments of the Ministry. The Visa Department is also considering preparation of brochures intended to be handed over to vulnerable groups of migrant workers along with their entry visas at Czech Embassies and Consulates.

The Ministry of Foreign Affairs of the Czech Republic analyses situation on THB abroad through the network of Czech Embassies and Consulates General and annually contributes to the National Report on Human Trafficking processed by the Ministry of Interior of the Czech Republic.

IOM continues to conduct regular training sessions for consular officers of the Ministry of Foreign Affairs. These trainings take place twice a year. The problem of disguised employment agencies, which traditionally commit labour exploitation in the Czech Republic, has been further exacerbated in the context of the conflict in Ukraine. IOM has therefore started intensive work with employers. A series of training sessions for small and medium-sized companies employing foreigners has been launched. The aim of the training is to teach companies about the ethical employment of foreigners. At the same time, IOM is involved in training foreign workers in labour law, labour market orientation and prevention of exploitation. The common goal of these trainings is to teach employers and employees how to bypass disguised agencies and communicate directly. These activities are carried out in partnership with employers' associations, the Chamber of Commerce and other non-profit and private sector actors.

Further information are provided in Annex to Q. 6. – Training of professionals

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.

From the point of view of the social-legal protection of children agenda, child victims of trafficking are viewed in accordance with § 6 letter e) of Act No. 359/1999 Coll., on the social and legal protection of children, as amended (hereinafter referred to as the "Child Protection Act"), as to children who have been committed a criminal offense threatening their life, health, freedom, human dignity, moral development or wealth, or is suspected of committing such an act. We classify this group of children at risk in the category of abused, abused and neglected children.

Since 2015, when the provisions of § 9a, paragraph 3 of the Child Protection Act came into force, it should be in the team of the social and legal protection of children, always a specialist on the protection agenda of abused and abused children. This specialist helps this category of children in a targeted manner, he then continues to develop professionally in this agenda and is a professional support for other team members if they solve a case that has an overlap in this area.

The system for helping a child as likely victim of THB works in such a way that the situation is always investigated in cooperation with law enforcement authorities and other experts (police, public prosecutor's office, medical facilities) and further steps are proposed to resolve the situation.

The entire year 2022 was marked by the refugee crisis from Ukraine. Ministry of Labor and Social Affairs since the beginning of the invasion to Ukraine, as part of the prevention of possible child trafficking, actively convened and participated in regular interdepartmental meetings on this issue with representatives of the Ministry of the Interior, Ministry of Education, the Ministry of Health, etc., also monitored the situation and methodically led through regular methodical online meetings with representatives of individual regional offices and the Prague City Hall, other regular meetings were held with representatives of non-profit organizations that specialize in refugee issues, where the current situation in the field was shared and consulted.

Refugees from Ukraine were registered through the Regional Assistance Centers for Assistance to Ukraine (KACPU), where registration and subsequent granting of temporary protection took place,

which can now be extended until March 31, 2024, thanks to the adopted package of laws Lex Ukraine. This opened access to the labor market for refugees from Ukraine and also opened access to use social services within the Czech Republic.

Information were provided by the bodies of social and legal protection of children throughout the Czech Republic in the form of expert advice, in cases of child endangerment, social and legal protection was provided to refugee children according to their needs (food, clothing, accommodation, health and social care, education, psychological care, etc.). The Ministry of Labour and Social Affairs has also set up a website with all the necessary information for people fleeing the war from Ukraine, where the necessary information is regularly supplemented and updated:

<https://www.mpsv.cz/web/cz/ukrajina>

<https://www.mpsv.cz/web/cz/zajisteni-pece-o-deti>

In 2023, the Ministry of Labour and Social Affairs issued several leaflets aimed at providing basic information regarding the functioning of the institutions for the social and legal protection of children in the role of guardian and the possibility of extending temporary protection at unaccompanied minors (NBD) in Ukrainian, Russian and English language versions. The leaflet also contains basic information regarding ensuring safety for NBD. As part of prevention, in cooperation with UNICEF, other platforms are being considered for the transmission of information to refugee children on the topic of extending temporary protection on our territory.

[Co potřebuješ vědět o pobytu a pomoci v ČR \(mpsv.cz\)](https://www.mpsv.cz/web/cz/ukrajina)

[Co potřebuješ vědět o pobytu a pomoci v ČR - Що потрібно знати про перебування та отримання допомоги в Чехії - Právo na dětství \(pravonadetstvi.cz\)](https://www.mpsv.cz/web/cz/ukrajina)

Child trafficking is a criminal offense in the Czech Republic, the investigation of which is the responsibility of the competent authorities in criminal proceedings, in this case it is the public prosecutor's office and the authorities of the Police of the Czech Republic. In the Czech Republic, the social and legal protection of children is governed by above mentioned Act No. 359/1999 Coll., on the social and legal protection of children, as amended, whose substantive authority is the Ministry of Labour and Social Affairs. This law regulates the socio-legal protection of children and the provision of adults or fully autonomous natural persons after the end of foster care or institutional education. Socio-legal protection of children means in particular:

- a) protection of the child's right to favorable development and proper education,
- b) protection of the legitimate interests of the child, including the protection of his health,
- c) action aimed at restoring disturbed functions of the family,
- d) provision of a substitute family environment for a child who cannot be raised permanently or temporarily in his own family.

In the case of criminal activity committed by children or against children very closely and from the very beginning (even before the initiation of criminal proceedings - when investigating suspicions of committing a crime), the Police of the Czech Republic cooperates with the social and legal protection authorities of children (they defend the rights of children, especially in the above-mentioned framework).

Part of the network of bodies for the social and legal protection of children (operating in all municipal authorities with extended powers, as well as in regional authorities) covering the entire territory of the Czech Republic, is the Office for the International Protection of Children, which is an administrative office with national competence and ensures the social and legal protection of children with an overlap abroad.

Another important body in this issue is the Facility for Foreign Children, whose activities are regulated by Act No. 109/2002 Coll. on the performance of institutional or protective education as amended and by Decree No. 438/2006 Coll. dated August 30, 2006. The main purpose of the facility is the integration of unaccompanied minor foreign children in the Czech Republic while preserving, understanding and respecting their social, ethnic, cultural-historical and religious customs. The facility provides care for children who are not citizens of the Czech Republic and meet the conditions set by the Act on Social and Legal Protection of Children. If these children,

especially for language reasons, cannot be placed in other facilities. The social and legal protection agenda for children is provided at this level 24 hours a day (during non-working hours, there is an on-call service). The system of helping a child who has been trafficked works in such a way that the situation is always investigated in cooperation with law enforcement authorities (police, public prosecutor's office) and other experts (medical facilities) and further steps are proposed to resolve the situation. Every year, the Ministry of Labour and Social Affairs monitors and processes important statistical data in this regard, which reflect the situation for the previous year (published at the link <https://www.mpsv.cz/statistiky-1>). From the point of view of child trafficking, the following are monitored in the report:

- the number of children whose abuse for the production of child pornography was detected or proven in the monitored year;
- the number of children who were found or proven to have been abused for prostitution in the monitored year;
- the number of cases of children in which Child Protection Care filed a criminal complaint with the Police of the Czech Republic or the public prosecutor's office on suspicion of committing a crime against the child's life, health, freedom, human dignity, moral development or property (punishment reports for the commission of crimes are also monitored within this summary indicator criminal offense according to Act No. 40/2009 Coll., TZ, specifically according to § 169 - entrusting a child to another for the purpose of adoption or for another similar purpose, § 193 - abuse of a child for the production of pornography, § 193a - participation in pornographic performance)

8. What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment¹ for them, including through:

- a. ensuring registration of all children at birth, in particular from socially vulnerable groups;

The entry of a child's birth in the birth book is used to register children born in the territory of the Czech Republic and to register the birth of Czech citizens born abroad.

The birth of a child in the territory of the Czech Republic is registered by the registry office in the place of the child's birth.

The birth of a Czech citizen abroad is recorded in a so-called special register. Based on the entry in the birth register, a birth certificate is (usually) issued to the child's parents. It is a document proving the birth of the child, his first and last name and who his parents are.

The child's legal representative, guardian or guardian is obliged to notify the health insurance company of the birth of the child, in principle within eight days from the date of birth to the health insurance company with which the child's mother was insured on the day of the child's birth.

In the Czech Republic, a child can most often become a victim of sexual exploitation - forced prostitution, sexual abuse, production of pornographic work, commercial sexual abuse of children via the Internet, social networks, labor exploitation, or other forms of exploitation, which include luring or forcing a child to beg, forced criminal activity – theft, whether in shops or pickpocketing, production or distribution of narcotic and psychotropic substances.

Here we could recommend a manual "Recommended instructions for solving THB cases for state authorities" (2019).

¹ 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;
- 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.

- b. raising awareness of THB through education;
- c. training professionals working with children.

Specific measures by the Czech Republic

1) IPREV - INTERACTIVE PLATFORM FOR MENTAL HEALTH PROMOTION AND PREVENTION OF RISKY BEHAVIOUR

The 1st Faculty of Medicine of Charles University presented the Interactive Platform for Mental Health Support and Prevention of Risky Behaviour (IPREV) in the presence of representatives of the Czech School Inspectorate and the Ministry of Education, Youth and Sports headed by Michal Černý, Director of the Department of Basic Education and Youth. The platform is the culmination of more than twenty years of development in the field of support, development and research of preventive programs implemented at the 1st Faculty of Medicine. It combines the main results of previous international and national projects, completely converts them into digital form and is part of a significant shift in telemedicine in this area.

The interactive platform for mental health support and prevention of risky behaviour is intended especially for more than four thousand Czech primary schools, specifically for their headmasters, school counselling workplaces and school prevention methodologies. They will find a large number of programs and training courses from all areas of prevention. They will learn, for example, how to prevent bullying and reduce the risk of its occurrence, how to deal with dangerous situations at school, how to face the high risk of drug addiction, but also how to improve the social climate at school or ensure healthy eating.

IPREV has the ambition to offer schools and other providers of prevention a comprehensive service and serve professionals working with children. At the same time, it should also be a communication system that connects regional organizations and helps develop a strategy of community preventive work. It is absolutely essential in the whole system of cooperation with regional school coordinators of prevention and prevention methodology in pedagogical and psychological counseling centers. This creates a support network in which, for example, non-profit organizations or counseling centers provide specialized prevention programs for schools.

The operator of the entire IPREV system is Charles University, which has created a unique consortium of institutions involved in its development and operation to secure the platform. This consortium consists of the National Institute of Public Health, the Diagnostic Institute and Centre for Educational Care in Prague 4, the Pedagogical and Psychological Counselling Centre in Brno and the Professional Society for the Prevention of Risky Behaviour. The consortium closely cooperates with key partners, which are the Czech School Inspectorate, the Ministry of Education, Youth and Sports, regions and others. The aim of the cooperation is for the resulting product to offer a user-friendly environment and enable smooth connection and subsequent active participation. The users themselves will then participate in the further development of the system. "Prevention and management of risky behaviour, promotion of mental health and overall positive and healthy climate are among the most important topics in education today. Class groups are very heterogeneous and pupils of diverse characteristics and needs are educated in schools. This places great demands on school leaders and teachers, who must have a variety of knowledge and skills to cope in such difficult circumstances. Of course, they need adequate support for this, and the IPREV system will undoubtedly be a significant help in their demanding work," emphasizes the Chief School Inspector of the Czech School Inspectorate, Master Tomáš Zatloukal.

Three areas of prevention

The whole system is divided into three areas. The first one focuses on the rules for school management with regard to the prevention of risky behavior. "These include, for example, how the school should communicate with parents and pupils, how rules should be set so that the school environment is healthy and safe, including appropriate meals in school canteens," says Dr. Marie

Nejedlá from the National Institute of Public Health. The main role in this area is played by the comprehensive program of the National Institute of Public Health School Promoting Health.

The second area is mental health prevention, which aims to develop self-regulatory skills in children. "It's about teaching children how to cope with sadness and aggression, how to help a classmate who is not feeling well, or how to react in a variety of mentally demanding situations," explains Dr. Jan Toman, a representative of the Diagnostic Institute and the Center for Educational Care in Prague 4.

The last area of prevention focuses on specific issues of sexual health, addictive substances, significant manifestations of aggression and other topics. "We can already find specific programs focused on, for example, smoking refusal training, coping with a situation at an alcohol party or risky situations associated with bullying at school," says Dr. Lenka Skácelová on behalf of the Professional Society for the Prevention of Risky Behavior and the Pedagogical and Psychological Counseling Center in Brno.

All areas of prevention are interconnected and linked to each other according to the age of the pupils. Part of the system is a scheme that shows schools how to implement individual programs and cover prevention for all children. The capacity of the database is unlimited, accessible at any time and for all users completely free of charge. It includes both basic and specialized programs. In addition to the database of programmes, the system also offers educational programmes, such as the award-winning international online course for addiction prevention INEP (Introduction to Evidence-Based Prevention) in a version for school heads and in a version for teachers, including prevention methodologists.

More information on www.IPREV.cz.

2) **CARD TO IDENTIFY CHILD MISTREATMENT**

The KID card was created in cooperation with four ministries and the Czech Professional Society for Inclusive Education. The name is an abbreviation of three key elements for effective help to an endangered child: cooperation, identification, trust. Moreover, KID means "child" in English.

The card will be used by professions that can be in contact with children at risk. Teachers, social workers, paramedics, police officers, firefighters have a new tool in their hands to recognize a child at risk in time.

The card provides clues to identify an acute threat to the life, safety and health of a child. It describes how to ensure the protection of a child in the event of a threat in accordance with the child's best interests and the applicable legislation.

Leading Czech psychologists, representatives of children's crisis centers participated in the creation of the card and representatives of all professions for which the card is intended participated in the creation of the card. The creation of the KID card and its piloting in the Most region as part of the Signals project was ensured by the Czech Professional Society for Inclusive Education in close cooperation with the professions concerned.



The card to identify child abuse contains signs of a child at risk, divided into three thematic blocks:

- Physical signs of child mistreatment
- Signs manifested in the behavior of the child
- Signs of risky behaviour of caregivers

The card also contains important contacts that anyone can contact in case of suspicion. The Ministries of Labour and Social Affairs, Education, Interior and Health worked on unifying indicators

of a child at risk across ministries as part of a task from the National Action Plan for Mental Health for the period 2020–2030.

Download card:

-  [karta_pro_tisk.pdf](#)
-  [karta_zjednoduseney_nahled.pdf](#)

Measures carried out in school facilities for institutional and protective education

To the Q 8. b) c)

All facilities have a "Minimum Preventive Program" The Minimum Preventive Programme is a specific school document focused mainly on the education of pupils to a healthy lifestyle, their personal and social development and the development of their social communication skills. The minimum preventive programme is based on the support of pupils' own activity, the variety of forms of preventive work with pupils, the involvement of the entire teaching staff of the school and cooperation with the legal representatives of the school's pupils. The minimum preventive programme is prepared for one school year by the school prevention methodologist, is subject to inspection by the Czech School Inspectorate, is continuously evaluated and the written evaluation of the effectiveness of its implementation for the school year is part of the annual report on school activities.

The director of the Facility for Foreign Children, Diagnostic Institute, Educational Care Centre and Primary School has long been a member of the Interdepartmental Coordination Group of the Ministry of the Interior of the Czech Republic for the fight against human trafficking.

Given that children in these facilities belong to the group most at risk of child abuse, the topics of the possibility of abuse are regularly discussed with children in the facility, both in terms of cyberbullying and the issue of child trafficking for sexual exploitation. As part of cooperation with non-profit organizations, workshops are organized for facility workers that are focused on this issue and raise awareness of the possibilities and pitfalls of child trafficking.

Examples of workshop topics and discussions:

- Prevention of involvement in risk groups and prevention of illegal work
- Possibility of finding employment in the labour market.
- Migration
- Life on the street
- Cyberbullying

Cyberbullying In school facilities for institutional and protective care, there are children who are already at risk in their lives, and therefore it is necessary to take into account factors (a child who has run away from home, experience with abuse and abuse, substance abuse, mental disability, behavioral problems) that have a great influence on the child and the sensitive approach of the professionals in the facility to these children.

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?

Yes, it will be considered a child. Methods in cooperation with specialized doctors and the workplace of the Criminal Investigation Office and their assessments (anthropological measurements and other markers of growth, psychological interviews)

10. What steps are taken in your country to ensure that the rights of the child and his/her best interests² are duly taken into consideration, in particular when it comes to:

- a. identification of child victims of trafficking;

Police staff especially Criminal police officers are trained in the field of psychology, in communication and interviews with children. Special workplaces where communication with children takes place (special interrogation rooms) are also built. If it is a child, the child care authority (SPOD) is always notified, which determines the appropriate guardian for the person and the procedure is followed with awareness and presence. Otherwise, when identifying the victim, all activities are immediately consulted and then handed over to specialized police staff, according to the set internal procedures of the Police.

Furthermore describe within the Q. 7.

- b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;

In case of child trafficking everytime the specialists – criminal police officers monitor the case and other bodies and professionals cooperate.

Furthermore describe by the Q. 7.

- c. locating the child's family;

Furthermore describe by the Q. 7.

- 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;

All information can only be provided by the responsible specialist – criminal police staff or the public prosecutor's office overseeing the case.

Furthermore describe by the Q. 7.

- e. access to appropriate and secure accommodation, education and health care;

Furthermore describe by the Q. 7.

- f. issuing residence permits for child victims of trafficking;

Furthermore describe by the Q. 7.

- 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;

Any return of a child, including victims of trafficking is a subject of strict and mandatory internal processes. These include comprehensive assessment of the best interest of the child, family assessment, and risk mitigating measures in accordance with strict IOM standards. The

² "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.

assessment is conducted by IOM specialists in both sending and receiving missions. More over, each such operation is observed by a thematic specialist from IOM Regional Office(s).

- i. special protection measures for children.

To the letters g) h) i) are the information also provide within the Q. 7.

In the case of unaccompanied foreign minors (hereinafter referred to as unaccompanied minors) who apply for international protection, the appointment of a guardian for a child is specifically regulated in § 89 of Act No. 325/1999 Coll., about asylum. As regards unaccompanied minors who have not submitted an application for the granting of international protection, the appointment of a guardian for a child to protect his rights and to defend his interests is governed by the general provisions of Act No. 89/2012 Coll., Civil Code (hereinafter referred to as "CC"), in particular by the provisions of § 465 et seq. from part one CC and the provisions of § 943 et seq. from the second part CC. The appointment of an unaccompanied minors guardian must always be decided by the court that issues a judgment on the appointment of a guardian in proceedings under § 466 et seq. Act No. 292/2013 Coll., on special court proceedings (Coll.). Similar to in the case of unaccompanied minors who apply for the granting of international protection, it also has in the case of other unaccompanied minors when choosing a guardian, priority is given to one of the relatives or other persons close to the child, if he is staying in the territory of the Czech Republic, has an interest in the child and is able to exercise guardianship properly. If such a person is not available, the court appoints another suitable person as the guardian, who can be either a natural person or a legal entity (e.g. a non-profit organization). Only in the last place is it possible to appoint the competent authority for the social and legal protection of children, specifically the Office for the International Protection of Children or the municipal office of a municipality with extended powers, as the guardian of the unaccompanied minors to protect his rights and interests in the territory of the Czech Republic the so-called public guardian.

If there is a court proceeding in relation to the unaccompanied minors in the matter of custody of minors pursuant to § 466 and so on of the special court proceedings Act (e.g. on the regulation of institutional education), special guardian representing the child in this court proceedings must be appointed. As a rule, the court appoints the relevant authority for the social and legal protection of children as the procedural guardian (Office for the International Protection of Children, municipal office of a municipality with extended powers) in accordance with § 469 of the special court proceedings Act.

If the unaccompanied minors' parents are not alive, their identity is unknown or they cannot exercise parental responsibilities for the child for some other reason, based on Section 878 paragraph 2 and Section 928 of the CC it is necessary to appoint a guardian, who basically exercises all rights and obligations in relation to the child instead of the parents, with the exception of maintenance obligations. The court preferably appoints one of the relatives or other close people or another suitable person, as the guardian of the child. If it is not possible to appoint a natural person to the position of guardian, the function of guardian is performed by the competent authority for the social and legal protection of children "OSPOD" (municipal office of the village with extended powers).

OSPOD is typically established the child's procedural guardian in the procedure for an application for international protection. The resolution on the appointment of a guardian for the purposes of proceedings on international protection is issued by the Ministry of the Interior, the Department of Asylum and Migration Policy, which proceeds in this matter in accordance with § 32 paragraph 2 letter a) of the Administrative Code. The duty of the guardian is thus primarily to represent the minor in all procedural acts when the procedure for international protection is being conducted by the Ministry of the Interior. At the moment when the child's guardian for residence has been appointed, independent procedural representation of the child is no longer necessary as the child will be further represented in the proceedings only by his guardian for residence.

Children's specific needs and increased vulnerability are always taken into account, immediately as soon as the authorities become aware of the presence of the unaccompanied minor in our

territory. To each unaccompanied minor, OSPOD staff provide information in a language they understand, in a child-friendly manner, OSPOD always checks whether the child understands the information provided, and the wishes and needs of the child are always taken into account. OSPOD workers together with the child create the so-called IPOD (Individual Child Protection Plan), which is similar to the so-called Life project. These plans are created together with the unaccompanied minors and their wishes and attitudes are taken into account. They are aimed comprehensively at the needs of the child (e.g. access to adequate care and support, provision of accommodation, health care, education and training and any other relevant professional support services that are assessed as necessary in terms of the needs of the unaccompanied minors, including support when transitioning to adulthood, etc.

All OSPOD workers are required to follow and comply with the quality standards of social and legal protection of children in the provision of social and legal protection, which, among other things, guarantees the rules and conditions for the selection of workers, including criminal integrity, their education, professional experience and, as part of professional development, also other regular mandatory education aimed at other expanding professional qualifications with a focus on the agenda they carry out.

The complaints mechanism is ensured through the complaint institute, which can be used by any person who has been affected by the inappropriate behaviour of officials or by a procedure carried out by an administrative body. Such person has the legal right - according to § 175, paragraph 1 of the Administrative Code to contact the administrative authorities with complaints against the aforementioned inappropriate behaviour or procedure. Filing a complaint must not be in any way harmful to the complainant. The complainant must be notified of the handling of the complaint within 60 days of its delivery to the administrative body.

Of the public administration bodies, Office for International Legal Protection of Children, based in Brno and the municipal offices of OSPOD are responsible for providing social and legal advice for the unaccompanied minors according to the child's place of residence. The Office for International Legal Protection of Children is a social-legal child protection body that comprehensively ensures the social-legal protection of children in relation to foreign countries, including the protection of children who apply for international protection in the Czech Republic or who do not apply for international protection. The Office is also obliged to cooperate with state authorities and other organizations in foreign countries and help search for parents or other family members of the unaccompanied minors in accordance with § 35 paragraph 2 letter j) Act No. 359/1999 Coll., on social and legal protection of children.

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?

In the event of the occurrence of a minor, the procedure is that initially, within the framework of possible cooperation and established circumstances, the workers try to contact and ensure the presence of parents or authorized persons (entrusted with care) if there are no signs of abuse of such status. If so, or if it is not possible to make contact with the parents/authorized persons immediately, Child Care Authority is always notified and called. Children cannot be placed in police cells and are instead taken over by an Child Care Authority worker and placed in their special homes.

Following the information on point No. 7 - the integration of unaccompanied minor foreign children in the Czech Republic is the responsibility of the Facility for Foreign Children whose head is a member of the Interdepartmental Coordination Group for Combating in Human trafficking. Each case of a child who is placed in this facility is subject to a standard and very thorough procedure, where all relevant circumstances that led to the situation that he was in the territory of the Czech Republic unaccompanied by a legal representative are ascertained. Each case is unique, so it requires different solutions, which are always taken with the best interest of the child in mind. In connection with the above (all children are registered and properly cared for), their administrative "disappearance" is excluded, if a child is missing, a search for him is immediately announced.

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?

In its activities, the Ministry of Labour and Social Affairs mainly devoted itself to preventive activities. For that reason, a subsidy call for 2022 was announced to support temporary activities for families with children from Ukraine. The Ministry of Labor and Social Affairs monitors the situation of Ukrainian citizens and their families throughout the armed conflict in Ukraine. At the same time, it reflects the economically unfavorable impact on non-profit organizations, municipalities and their subsidized organizations, regions and their subsidized organizations that provide services and activities to these families and children. Based on this, the Ministry has prepared an extraordinary subsidy procedure in the amount of 12 million crowns, which will be used to create and support temporary activities for families with children, especially between the ages of 0 and 6, to support the adaptation of families and their anchoring in society after arriving from Ukraine and integration into the labor market. Supporting citizens and families fleeing Ukraine from the armed conflict in the current unfavorable life situation is one of the many priorities of the Ministry of Labor and Social Affairs. The grant title is prepared as part of wider cooperation and the Ministry in partnership with UNICEF in response to the refugee crisis caused by the armed conflict in Ukraine.

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.

The issue of labor exploitation in the Czech Republic is the responsibility of law enforcement authorities. The labor inspection bodies are not a control body in this area. State Office of Labor Inspection, or its regional labor inspectorates carry out control activities in the area of compliance with the provisions of Act No. 435/2004 Coll., on employment, as amended, including those regulating the conditions of work by foreign citizens in the territory of the Czech Republic, compliance with the provisions of Act No. 262/ 2006 Coll., the Labor Code, as amended, and other legal regulations regulating working and wage conditions, and controls in the area of compliance with safety and health protection at work.

Since the State Office of Labor Inspection is not a control body in the field of labor exploitation, as mentioned above, we cannot state whether there have been problems in identifying or prosecuting cases of human trafficking.

Supreme Public Prosecutor's Office (NSZ) has no knowledge of any difficulties in identifying and prosecuting cases of human trafficking. In the opinion of NSZ, there are enough effective legal means so that criminal activity consisting of human trafficking can be properly investigated while respecting all the rights of victims of human trafficking during criminal proceedings, as well as their protection and assistance. The Czech Republic has a well-established legal framework for the human trafficking agenda, including assistance to victims. The specialization of prosecutors in this criminal activity is embedded within the framework of the public prosecutor's office. Specialist prosecutors are then trained accordingly (see the seminars organized by Justice Academy (JA) or the HELP course of the Council of Europe, which was led by the national rapporteur of the NSZ in 2020; around April 2023, she is preparing a continuation of the HELP course focused on labor exploitation with JA; therefore, we deal with this issue both on nationally as well as internationally; As part of the national reporting, NSZ did not record a case where any of the victims of human trafficking were affected for possible illegal actions forced by the perpetrator before their identification, in violation of the "non-punishment" principle. In uncovered cases of prostitution, according to the information of public prosecutors - specialists, it is always determined whether someone else benefited from such an act or whether it was not a case of forced prostitution. In cases where so-called migrants are identified during roadside checks, they are also interrogated by police authorities about the circumstances preceding their arrival on the territory of the Czech Republic from abroad;

From the point of view of preventing human trafficking, in the context of the ongoing war in Ukraine, it is necessary to pay increased attention to separated children, unaccompanied children and young women fleeing war and seeking protection in a foreign country, due to their increased vulnerability to exploitation and abuse; NGOs (La Strada) are very helpful here.

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.

The law of the Czech Republic does not contain a specific definition of "abuse of a position of vulnerability" in the constituting elements of the offence of trafficking in human beings.

The situation where the victim has no real and acceptable alternative to submitting to the abuse is covered by the institution of abuse of error, distress or dependence in the offence of trafficking in human beings. Distress is understood as a condition, albeit temporary, caused by adverse circumstances which lead to a restriction of freedom of decision. Dependency is understood as a state in which a person is unable to make free decisions due to being dependent on the perpetrator in some way. In the case of adults, it is required that the act (which is an element of the offence of trafficking in human beings) occurred under special circumstances, i.e. under the use of violence,

threat of violence or other serious harm, under the use of deceit, or under the abuse of the victim's error, distress or dependence. In the case of children, the conduct is not required to have occurred in these special circumstances (Article 168 of Act No 40/2009 Coll., Criminal Code).

Regarding this issue, we can refer to the opinion of the analytical and legislative department of the Supreme Public Prosecutor's Office on the crime of human trafficking - luring a woman abroad under the pretext of marriage for the purpose of trafficking. This opinion dealt in detail with the issue of "Vulnerable position of the victim". The Czech Republic has not included the abuse of a vulnerable position in the interpretation of means for human trafficking. In this situation, the victim's vulnerable position and exploitation may be examined together with other means such as trickery, mistake, distress, dependency to establish intent to exploit. Where human trafficking is treated by several legal statutes, issues of abuse of a vulnerable position will usually arise as part of the victim's story of how they were exploited.

In cases involving luring a woman to a foreign country under the pretext of arranging a marriage with an advantage, "abuse of distress" or "abuse of dependence" of the victim would come into consideration.

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.

Forced marriages constitute a form of exploitation and are therefore punishable under the crime of Trafficking in Human Beings as other forms of exploitation (Section 168 of Act No. 40/2009 Coll., Criminal Code). Furthermore, the act of forcing another to marry may also fulfil the elements of, for example, the offence of Abduction (Section 172 of Act No. 40/2009 Coll., Criminal Code), Extortion (Section 175 of Act No. 40/2009 Coll., Criminal Code) or Oppression (Section 177 of Act No. 40/2009 Coll., Criminal Code).

Illegal adoption is punishable by the offence of Entrusting a Child to Another Person (Section 169 of Act No. 40/2009 Coll., Criminal Code). This offence consists in entrusting a child to another person for remuneration and for the purpose of adoption or for another similar purpose.

In connection with forced marriages, reference can be made to the "BRIDGE" case, the Resolution of the Supreme Court of November 24, 2021, file no. stamp 8 Tdo 1127/2021.

Illegal marriages of Czech citizens with persons originating from territories outside the European Union (persons of Nigerian nationality).

In summary, it can be stated that the accused committed criminal activities from May 2004 to the end of 2016 in the territory of the Ústí Region, where under the promise of a better life, persons living in poor social conditions arranged to go to Great Britain, or they arranged for them in Great Britain, where they were accommodated in various places in Manchester, took away their personal documents, repeatedly physically assaulted them, threatened them with physical assaults and, taking advantage of their distress, forced them into various jobs and prostitution, used up their social benefits, abused them for bank accounts to fraud against British banks and to illegal marriages with persons originating from territories outside the European Union, while the funds obtained in the mentioned ways were consumed by themselves.

All appellants filed an appeal on the basis of § 265b paragraph 1 letter g) of the Criminal Code of Procedure, however, they did not respect the definition of the applied ground of appeal for the most part or at all, because with their appeal objections they fought exclusively against the factual conclusions of the courts of lower instances. The appeal objections of the accused do not in any way affect the substantive legal assessment of the deed legally qualified as the crime of human trafficking according to Section 168 of the Criminal Code. The Supreme Court rejected the appeal, thus confirming the conviction for the aforementioned crimes.

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?

Yes, it will be an offence of Trafficking in Human Beings in the form of forced labour or other form of exploitation (Section 168 of Act No. 40/2009 Coll., the Criminal Code).

The Czech authorities have not recognized any case of child trafficking for forced begging. There is currently no case law available on the offence of Trafficking in Human Beings in the form of forced labour with the involvement of the child's family or legal guardian.

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.

Yes, it may be other form of exploitation under the offence of Trafficking in Human Beings (Section 168 of Act No. 40/2009 Coll., Criminal Code). Other form of exploitation may be any activity of the perpetrator in which they obtain any undue pecuniary benefit from the victim's activity. There is currently no case law available on the offence of Trafficking in Human Beings in other form of exploitation.

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.

Although a unified system for evaluating the success of preventive activities or awareness campaigns has not yet been implemented in the Czech Republic (therefore, it is not possible to provide copies of such reports), individual activities are evaluated according to established criteria, which were established by their provider (such as MoI, EU funds, etc.). In the vast majority (perhaps with the exception of private donors), the support of specific projects is subject to a relatively thorough procedure, within which a number of indicators are monitored, including an assessment by an expert committee, which, based on its experience and erudition (including clearly defined evaluation criteria), will recommend support to only high quality projects. At the same time, it should be added that in the field of THB, projects are often implemented in the Czech Republic that have been positively evaluated at the European level - e.g. from meetings of national reporters or equivalent mechanisms, or have been directly recommended by the EU coordinator for the area of human trafficking. However, the Czech Republic is carefully observing the development of various directions for evaluating the impact of these activities at the international level, while a project is currently underway within the security research program of the Ministry of Interior, which should recommend a method of evaluating crime prevention projects (including, of course, the issue of human trafficking), taking into account the specifics of the Czech Republic. Research entitled "A comprehensive approach to the prevention and combating of child trafficking" is currently underway - details on it, including evaluation - see point 19.

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.

The issue of human trafficking is a serious criminal activity that, in a broader context, falls under the monitoring mechanisms of the Czech Republic's security policy. One of such fundamental mechanisms is the national security audit, which comprehensively maps both the current security situation in the Czech Republic and deals with its prediction based on internal (domestic) and external (international) influences, including the readiness and functionality of the entire security system to respond appropriately, to detected threats with the ability to ensure the safety standard of citizens of the Czech Republic, to which they are accustomed. The specialized department of security research and police education within the Ministry of the Interior deals with security research, the scope of which includes, for example:

- *elaboration of strategic and conceptual documents in the field of security research at the level of the Czech Republic;*
- *creation, implementation and evaluation of cross-sectional security research, development and innovation programs in the Czech Republic;*
- *planning and development of security research support tools according to the needs of the security system of the Czech Republic;*
- *related analytical activities and evaluation of the Czech security research support system;*
- *coordination of the Ministry's expert advisory bodies in the field of security research, development and innovation and creation of conditions for their activity;*
- *operation of the research, development and innovation information system, data collection and analysis, including their transfer to the central records of the Government Council for Research, Development and Innovation;*
- *coordination of international cooperation of the Czech Republic in the field of security research;*
- *representing the Czech Republic in international institutions and working units dealing with security research (e.g. ENLETS, CEPOL).*

An independent research facility - the Institute of Criminology and Social Prevention, which is under the jurisdiction of the Ministry of Justice, is intensively engaged in the investigation of various criminogenic factors, focused, for example, on the behaviour and typology of perpetrators of selected criminal activities, as well as victims.

Specifically, on the issue of human trafficking, several research are carried out by interested non-profit organizations, such as La Strada, Diakonie, Charita, Rozkoš bez rizika, which are shared and discussed at regular meetings of the Interdepartmental Coordination Group for the fight against human trafficking.

Recently implemented projects include research funded by the Ministry of the Interior focusing on economic activity, knowledge of the Czech language and the possibility of returning refugees from Ukraine (implemented in 2022 by the Slovo21 Organization in cooperation with the Faculty of Natural Sciences of the Charles University and the Department of Social Geography), the outputs of which are important for assessment the extent of possible conditions where human trafficking could have occurred, either for sexual or labour exploitation.

In 2022, at the initiative of the Ministry of the Interior, research entitled "A comprehensive approach to the prevention and combating of child trafficking" was launched, which is implemented by Accendo – Centrum pro vědu a výzkum, z. ú. in cooperation with Charles University.

The project includes:

- *initial analytical study – that will map the situation in the field of child trafficking in the Czech Republic, including an evaluation of the possible sexual exploitation of children in the tourism industry and will include the analysis of criminal cases of child trafficking,*
- *methodology for identifying and providing assistance to child victims of human trafficking – it will respond to the main conclusions of the conducted study regarding the forms of this criminal activity and will create effective procedures for identifying child victims of human trafficking. The methodology will also focus on procedures for helping child victims of human trafficking.*
- *educational program to identify and support victims of child trafficking - in order to increase the number of identified cases of child trafficking in the Czech Republic and provide assistance to these victims, based on the research findings, a proposal for an educational program / course will be created for persons who may come into contact with child victims of the crime of human trafficking,*
- *draft of a preventive project aimed at raising legal awareness of child trafficking among the general public - the preventive project will be created based on examples of good practice from the Czech Republic or abroad. It will be applied to the selected region. The preventive project will be aimed at the general public with the aim of increasing people's awareness and sensitivity to the*

forms of child trafficking in the Czech Republic identified in the research, and thus involving a wider range of members of the public in the fight against this type of criminal activity.

In conclusion, it should be added that all the above-mentioned research, or their outputs are, of course, taken into account both in strategic documents focused on the issue of human trafficking, but with regard to their nature, seriousness, etc., and in the context of the need to adopt coordinated operational measures either at the national or local level.

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

We have properly transposed all relevant EU regulations in the field of legal migration. We also have a wide network of embassies and consular offices where you can apply for residence permits. The new migration legislation is now in the approval process, which provides for the electronization of the procedure for granting a residence permit, which will make legal migration to the Czech Republic even more accessible. In addition to the aforementioned legislative measures making legal migration more accessible, the Czech Republic has established more intensive cooperation with a number of countries in the form of broad-spectrum government programs in the field of labor migration.

The Ministry of Industry and Trade cooperates closely with the Ministry of the Interior, the Ministry of the Labor and Social Affairs and the Ministry of Foreign Affairs and business representatives in the area of targeted economic migration, which is implemented through the government's economic migration programs. The goal of economic migration programs is to simplify the arrival of qualified workers from abroad to the Czech Republic and to support legal economic migration as opposed to illegal labor migration. Although the mentioned programs are not the only way a foreign national can get a job in the Czech Republic, they are the most feasible ways, partly because the so-called residual quota for individual countries is very low and in the case of some risky countries even zero, but also because the deadlines processing permits outside of these economic migration programs are longer. These programs therefore remain the most used way for foreign nationals to get a job in the Czech Republic.

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.

The transplantation system in the Czech Republic is so regulated that illegal handling of organs and tissues would be very difficult to conceal. This is mainly contributed by establishing the rules for ensuring traceability, namely at every stage of the process from collection to transplantation, as well as the traceability of both organ donors and organ recipients. Act No. 285/2002 Coll., on the donation, collection and transplantation of tissues and organs and on the amendment of certain laws (the Transplantation Act) establishes obligations regarding the traceability ensured by health service providers in the provision of health services in connection with the donation and transplantation of tissues and organs. These include transplant centres, health care providers performing tissue procurement and tissue transplantation, and tissue banks.

An important role in ensuring the traceability and traceability of donors and recipients of tissues and organs is played by the Transplantation Coordination Center (hereinafter referred to as "KST"),

which, among other things, maintains the National Registers related to the donation, collection and transplantation of tissues and organs. The KST further selects the most suitable recipients for the removed organs and tissues intended for direct transfer to the recipient's body, which is carried out exclusively from the National Register of Persons Waiting for Organ Transplantation based on a written, predefined allocation algorithm; ensures and coordinates international cooperation in carrying out the exchange of organs intended for transplantation and performs tasks related to the exchange of organs between member states of the European Union and between member states and third countries.

All these measures lead to the fact that illegal trade in human tissues and organs in the Czech Republic is practically impossible.

The relative risk is altruistic, not kinship, organ donation, where organs could theoretically be harvested for a fee. However, we still do not have any information of violations of the legal regulations in this area.

As stated above, the situation in the Czech Republic is very satisfactory, however, it is necessary not to underestimate the situation and to continue to deal with the given issue.

The year 2022

In connection with the conflict in Ukraine, the Ministry of Foreign Affairs received a growing number of inquiries regarding obtaining a permit for the transport and storage of cryopreserved embryos and reproductive cells from Ukrainian clinics or tissue facilities to tissue facilities in the Czech Republic.

On May 12, 2022, a meeting of the National Competent Authorities for blood and its components was held in the form of a video conference.

On July 14, 2022, the European Commission (hereinafter referred to as the "EC") submitted a proposal for a regulation of the European Parliament and the Council on quality and safety standards for substances of human origin intended for human use and on the repeal of Directives 2002/98/EC and 2004/23/EC (hereinafter just the "Draft Regulation"), which brings with it the revision of the existing 2002 and 2004 directives in the field of blood, tissues and cells (hereinafter referred to as "BTC"), by merging them into one draft Regulation.

On June 8, 2022, a hybrid meeting of the Competent Authorities for organ donation and transplantation took place.

On June 16, 2022, a meeting of the Competent Authorities for tissues and cells took place via video conference.

On August 31, 2022, the Ministry of Health organized a Round Table on the Draft Regulation on BTC with stakeholders.

CZ PRES devoted itself intensively to the discussion of the draft regulation.

Outlook for 2023

On January 18, 2023, a joint meeting of the Competent Authorities for blood, tissues and cells, including the field of transplantation and organ donation, was held in the form of a video conference.

Tasks resulting from the requirements of the Convention against organ trafficking will continue to be implemented in cooperation with the Transplantation Coordination Centre.

Discussion of the draft regulation on BTC continues.

Measures to discourage the demand (Article 6)

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;

Methodological recommendation on the primary prevention of risky behavior in children and youth (Ministry of Education, Youth and Sports ref.: 21291/2010-28)

The methodological recommendation of the Ministry of Education, Youth and Sports on the primary prevention of risky behaviour in children, pupils and students (hereinafter referred to as "pupils") in schools and school facilities defines current terminology that is in line with the terminology in EU countries and the incorporation of prevention into the school educational programme and school regulations, describes individual institutions in the prevention system and the role of the education staff, defines a school prevention programme, recommends the procedures of schools and school facilities in the event of risky forms of behaviour of children and youth.

The material and individual attachments can be found in a separate Annex to this question.

- b. information campaigns and involvement of the media;

Information are include also in Letter d.

- c. legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);

There have been no legislative changes in criminal legislation in this area since the first evaluation, so we refer to the answer to question 24 in the Reply to the Questionnaire from the Czech Republic.

- d. involvement of the private sector.

Every year, with the financial support of the Ministry of the Interior, extensive preventive and informational activities on human trafficking are carried out. The Program's preventive activities also include professional social counselling for potential victims of human trafficking and crisis assistance.

Year 2019

The Czech Republic joined the first pan-European prevention campaign created by the European Crime Prevention Network (hereinafter referred to as "EUCPN") aimed at informing potential victims of human trafficking that they have their fundamental rights everywhere in Europe. The campaign was launched on the occasion of the European Day against Trafficking in Human Beings, which falls on 18 October. As part of the campaign, EUCPN created a video, leaflets and posters to inform potential victims of their rights and opportunities for help and protection across Europe. The leaflets and the video for the Czech Republic came in three language versions: Czech, English and Russian. In addition to the Ministry of the Interior, preventive materials were also disseminated through the Police of the Czech Republic and the non-profit organizations La Strada, Diakonia of the Evangelical Church of the Czech Brethren and the Charity of the Czech Republic.

In 2019, La Strada CR implemented a total of 21 seminars as part of primary prevention in Prague and in the South Moravian and South Bohemian regions. These activities were focused, same as last year, on young people entering the labour market. 354 students from 9 different schools and facilities were trained. The reason for choosing these regions was the organization's registered occurrence of exploited and trafficked persons in these areas. Primary prevention activities were financially supported by the Ministry of the Interior of the Czech Republic and took place in secondary schools, vocational schools, higher vocational schools and one university. Furthermore, it was possible to organize primary prevention in an educational institution and a children's home. It is the juveniles residing in these facilities who may be much more vulnerable to becoming victims of exploitation or human trafficking.

The information and preventive materials of the La Strada CR organization for trafficked persons were also revised (for example, stickers, folding information leaflets, etc.). These materials were

also distributed during field trips to locations where, according to the organization's analyses, human trafficking could occur (which are most often places with a large concentration of manufacturing or construction companies, accommodation facilities, etc.).

In the months of October / November / December 2019, La Strada CR implemented a preventive CityLight campaign financially supported by the Ministry of the Interior of the Czech Republic. The locations were chosen primarily with regard to the possibility of this phenomenon occurring, and the necessary information and contacts were given to persons who could be at risk of trafficking or who are already being trafficked, as well as to the wider public. As part of the campaign, advertising spaces were used in Brno near the train station (in the underpass) and in České Budějovice near a shopping centre near bus stops. During this time, the organization's emergency telephone line was promoted in these places in a total of 10 CityLight areas. In the South Bohemian and South Moravian regions, a targeted campaign to raise awareness of La Strada's SOS line and help options was also carried out. In addition to the CityLight campaigns mentioned above, there was also a press campaign in the weekly 5+2 in both regions. It is the most read weekly newspaper distributed directly and free of charge, the equivalent of the Prague Metro. In four editions, a third of a page was devoted to the line. These were the "building" and "field" visuals. The number of readers of one edition in the South Bohemian Region is 54,000 and in South Moravia 131,000. So overall, we are talking about almost 400,000 readers in 2019.

During 2019, 8,384 pieces of preventive and informational materials of the organization La Strada CR containing the organization's service offer with contacts and the so-called self-identification of the trafficked person were distributed in the field.

The lecture activity of the staff of the field team of the Archdiocesan Charity was focused on awareness and prevention of human trafficking. The target group for the lectures was both youth and seniors.

Preventive activity on the part of the Police of the Czech Republic was carried out through cooperative control actions and their coordination in an environment of interest.

Action days within EMPACT EUROPOL THB took place both on labour exploitation and sexual exploitation. These action days are organized at the same time in all member states of the European Union, and premises and places where human trafficking can occur are checked. As part of the action days focused on labour exploitation, warehouse operations, production plants, agricultural operations and others were inspected. During action days focused on sexual exploitation, checks were carried out in nightclubs, bars and other places with the assumption of prostitution. During both events, knowledge was gained that is important for preventing, detecting and documenting the crimes of human trafficking according to § 168 of the Criminal Code and pimping according to § 189 of the Criminal Code, to identify their perpetrators and to prevent these crimes. In addition to the NCOZ, labour inspectorates, specialists of the regional directorates on human trafficking and immigration police departments of the regional directorates of the Czech Republic were also involved.

The state administration bodies of the Ministry of Labour and Social Affairs act preventively against human trafficking in the Czech Republic and abroad, in particular by raising public awareness of rights and obligations, of the risks and possibilities of solving adverse life situations associated with employment (also of foreign workers) in the Czech Republic. This is mainly done through internet portals such as the Integrated Portal of the Ministry of Labour and Social Affairs, the website of the Ministry of Labour and Social Affairs of the Czech Republic, EURES (European Employment Services), the State Office of Labour Inspection, the website www.cizinci.cz, www.pracevcr.cz, etc.

In 2019, representatives of the Ministry of Labour and Social Affairs continuously provided in-person and telephone consultations to interviewees, and actively participated in events - seminars and conferences, in which they provided experts and the general public with up-to-date information in connection with the potential occurrence of illegal employment of foreigners in the Czech Republic.

The Ministry of Labour and Social Affairs, in cooperation with the Ministry of Industry and Trade, the Ministry of the Interior and the Ministry of Foreign Affairs, organize regional educational seminars on economic migration for employers who plan to employ foreigners in the Czech Republic.

As part of the prevention of illegal forms and the support of legal forms of labour migration, representatives of the Ministry of Labour and Social Affairs in the preparation and discussion of European measures linked to the European platform for combating undeclared work at the EU level.

Year 2020

The organization La Strada CR fulfilled its goals in the field of preventive activities through preventive lectures at schools, accredited courses for social workers and workers with a target group threatened by the undesirable phenomenon of labour exploitation and education on the subject of human trafficking. A total of 254 students attended the lectures. Young people had the opportunity to familiarize themselves with the risks of entering the labour market. Most school facilities were closed for a relatively large part of the year and teaching was moved to a distance form, therefore the primarily preventive lectures were adapted to the needs of the online space. Last year, eight regular employees of the organization La Strada CR were responsible for the implementation of the workshops, who were trained for this purpose. At the end of 2019, the La Strada CR organization in cooperation with SB Films prepared a short video spot that shows that human trafficking may not be obvious at first glance. During 2020, this video spot called "Looking Second" was used as part of a primary prevention lecture.

In 2020, La Strada CR celebrated its 25th birthday. On this occasion, the La Strada CR organization launched an information campaign on its Facebook page, in which it published comments and information about its mission, statistics and reports from important cases from previous years every day. The articles were published both in the Czech language and in other minority languages, which prevail among the organization's clients. In the same year, La Strada International, which La Strada ČR co-founded, also celebrated its 25th anniversary.

In August 2020, an article about the current situation of human trafficking in the Czech Republic was published with the support of Oko Magazine. In an interview for this magazine, La Strada CR provided information about what tactics criminals use, how they establish contacts with people, and what forms of trafficking La Strada ČR has most recently come across in its practice.

La Strada CR has again revised informational and preventive materials for trafficked persons. The materials are distributed during the field trips of the organization and across other services and contain self-identification questions, the offer of services and contacts of the organization La Strada CR. In 2020, 12,000 pieces of information leaflets for the target group were reprinted in 6 different languages.

In 2020, La Strada CR together with IOM Slovakia worked on a project to update and update the SAFE mobile application. The app offers tips on how to prepare for travel and useful contacts together in one place. The interactive game simulates the real stories of people who find themselves in human trafficking situations and gives users the opportunity to influence their fate. In certain situations, during the game, the emphasis is on preventive information that the user must remember and pay more attention to. The application is mainly intended for young people who are thinking about traveling or working abroad and for professionals who can use it in preventive activities. The application is free and has 5 language versions: Slovak, Czech, Polish, Hungarian and English. The web version is available at www.safe.iom.sk.

Cooperation between the organization La Strada CR and the Czech Embassy Manila also continued. Every applicant for a long-term visa is given a leaflet from the non-governmental organization La Strada CR when applying, so that potential victims know who they can turn to in case of emergency in the Czech Republic.

During 2020, 11,479 pieces of prevention and information materials of the organization La Strada CR containing the organization's service offer with contacts and self-identification questions aimed at identifying the trading situation were distributed in the field. Of these, 7,687 were given directly to people from the target group and people close to the target group. Other materials were disseminated at selected locations in the field, in organizations and institutions. Materials from other relevant organizations and institutions were distributed rather occasionally during fieldwork during this period. In addition, 2,263 stickers with the offer of services and the contact of the organization La Strada CR were pasted in suitable places.

In 2020, the Magdala Project also provided field services in the Olomouc, Brno and Zlín regions. Closer cooperation took place with the diocese of Brno, specifically the Blansko Regional Charity. In 2020, the Archdiocesan Charity of Prague paid for human trafficking prevention activities provided in this region. In 2020, the field service worked with a total of 98 users, with 1 user classified as a potential victim of human trafficking.

In 2020, Diakonie ČCE also carried out regular field trips to all localities within the Czech Republic. Their terrain is primarily focused on mapping risky locations and places where there is a high incidence of foreign workers and various forms of exploitation may occur. These are mainly hostels, other accommodation facilities, logistics areas, and they also turn to former clients who have valuable information about places with a potential risk of exploitation. However, due to the situation with COVID-19 and the declaration of a state of emergency in the Czech Republic, field trips were limited and focused more on locations in Prague and the Czech Republic. Even so, workers made a total of 43 field trips in 2020 in the following regions: Capital Prague (19), Central Bohemian Region (6), Ústí Region (1), Vysočina Region (1), South Moravian Region (12), Olomouc Region (2) and the Zlín region (2). Approximately 260 people were approached in the field and more than 2,500 pieces of information leaflets were distributed to hostels and institutions throughout the Czech Republic. In 2020, the field crisis assistance service provided assistance to 206 clients nationwide. There were 49 clients in Prague, 28 clients in Brno and 129 clients in Pilsen. There were 93 women and 113 men. The largest number of people came from Bulgaria (185), followed by Ukraine (6), the Czech Republic (6), Romania (5) and Moldova (4). Most often, workers dealt with orders in connection with non-payment of wages and supported persons in crisis in connection with an adverse social situation in the work area.

Year 2021

As part of preventive activities, the Czech Republic joined the EMPACT campaign in 2021, focused on sexual exploitation. As part of this campaign, materials were disseminated via social media and also sent to non-profit organizations for possible use in field work.

During 2021, 13,332 pieces of prevention and information materials of the organization La Strada CR containing the organization's service offer with contacts and self-identification questions aimed at identifying the trading situation were distributed in the field.

Of these, 8,679 were given directly to people from the target group and people close to the target group. Other materials were disseminated at selected locations in the field, in organizations and institutions. Materials from other relevant organizations and institutions were distributed rather occasionally during fieldwork during this period.

In addition, 1,468 stickers with the offer of services and contact details of the organization La Strada CR were pasted in suitable places. La Strada CR implemented its preventive activities through preventive lectures at schools and education on the topic of human trafficking.

In 2021, 15 lectures were held at secondary schools, colleges and universities. The organization La Strada CR also continued to contact facilities in Prague focused on institutional care for juveniles, such as children's homes, diagnostic institutes and similar facilities. However, they recorded a small response rate, just like in previous years of project implementation. Considering that a large part of the clients went through one of these institutions, it is essential to increase the number of young people trained from these institutions.

In 2021, La Strada CR also participated in a project called Cross Continent Collaboration to Protect Asian Trafficking Victims in Europe. Funded by Porticus Asia and organized by La Strada

International, other members of La Strada International also participated in this project. Namely La Strada Poland and Adpare (Romania). Together, the phenomenon of human trafficking from Asia to the Czech Republic, Poland and Romania was mapped, or system of assistance, the rights of victims of this crime and the relevant jurisprudence. The project met with a positive response and will continue in the years 2022 - 2023. In January 2021, the two-year project Hidden at Work - Occupational and sexual exploitation and harassment of women in the (private) working sphere - started. The project is financed by the European Commission's "Rights, Equality and Citizenship" program. The project aims to raise awareness (online and offline) and reach out to women in hidden environments, including women who have an irregular status. Women are provided with information and a link to direct support services they can turn to in their difficult work situation. The project consortium trains professionals who are likely to detect exploited or harassed women at work. In addition, the consortium focuses on monitoring the implementation of existing legal instruments and will advocate for better compliance with legislation.

The Facility for Foreign Children discussed, among other things, topics related to the risk of human trafficking as part of school education. As part of individual and group work with long-term clients, the Facility focuses mainly on the prevention of risks related to the integration process. Many socialization programs serve this purpose. In addition, Facility for Foreign Children provides therapeutic services, a program of preparation for leaving the facility and other services according to the individual needs of clients. As part of the prevention of risks, including trafficking and abuse, various seminars and workshops are organized in cooperation with other organizations aimed at increasing awareness of the risks associated with life in Europe, extremism, etc. Legal and social counselling is continuously provided to clients.

For the performance of the service, indicators and risk profiles of victims of human trafficking are published on the intranet pages of the Risk Analysis Department of the Foreign Police Directorate, which are regularly processed by Frontex in the "Handbook on Risk Profiles on Trafficking in Human Beings", and which are relevant for the Czech Republic (citizens Nigeria, Vietnam, Ukraine, Russia). The Frontex material "Vega - Handbook: Children at airports" is also available here, where there is information on human trafficking.

Year 2022

The Czech Republic showed unconditional solidarity with Ukrainian refugees who were granted temporary protection within the EU. The vast majority of refugees are women and children. Their vulnerable situation and the conditions of their arrival substantially increase the risk that they may become victims of human trafficking and exploitation. Despite the large number of refugees from Ukraine (more than 400,000 temporary protection visas have been issued), no case of people fleeing the armed conflict in Ukraine becoming victims of human trafficking has yet been identified and confirmed in the Czech Republic. However, several violations of labour law were found. In the area of prevention of human trafficking, the Czech Republic reacted very quickly.

Official information was, and continues to be, disseminated through various channels. Each ministry also has all the important information available in Ukrainian on their website. The Ministry of the Interior has established an information line for Ukrainian refugees.

We remain on high alert, warning refugees of the risks of perpetrators and criminal networks who may try to exploit their vulnerabilities or lure them with the promise of free transport, accommodation, employment or other forms of assistance.

The Government of the Czech Republic has promised additional financial resources for the Ministry of the Interior for the prevention of human trafficking and the Program for the Support and Protection of Victims of Human Trafficking. The program is thus prepared to protect and provide the necessary services to more victims than is the case under normal circumstances.

The coordination of preventive activities against human trafficking takes place within the framework of the Interdepartmental Coordination Group for Combating Human Trafficking, which includes both representatives of state authorities and representatives of non-governmental organizations.

The coordination group was also created within the framework of the Consortium of NGOs helping migrants in the Czech Republic.

Various entities have created several preventive materials, which are distributed directly to the target group in the Czech Republic in many ways. Entities that work with refugees are trained to be able to identify cases and provide assistance. The necessary information is transmitted both at the regional assistance centres for refugees and is distributed directly in the field. This also applies to materials and campaigns created by the European Commission or the OSCE, which we also share and distribute among the target group.

The police of the Czech Republic has intensified its criminal intelligence activities, monitors the situation, focuses on risky places and examines all relevant suspicions, both offline and online. Representatives of the Police of the Czech Republic regularly participate in online meetings within EUROPOL. They also regularly meet with representatives of non-governmental organizations. It trains volunteers and NGO social workers about the risk of human trafficking.

To prevent fraud and crimes against people fleeing Ukraine, the Police of the Czech Republic created preventive materials in the form of leaflets, audio spots or video spots on the screens. The video spot gives specific tips to Ukrainians who enter the EU and are looking for shelter. Materials are distributed through the police. The Ministry of the Interior disseminated the material to regions and municipalities through crime prevention managers, but also to volunteer organizations.

The Administration of Refugee Facilities of the Ministry of the Interior ensures the regular presence of social workers from the Centre for the Support of the Integration of Foreigners in its facilities, where it provides accommodation to refugees, who provide information and counselling services to the accommodated persons. All clients are informed that all services for obtaining residence status, health insurance, bank accounts and registration at the employment office are free of charge and only fraudsters demand a financial reward from them.

Even thanks to these measures, no victims of human trafficking from the wave of refugees have yet been confirmed. In conclusion, it must be added that prevention and education is a standard and integral part of the security policy of the Czech Republic in practically all its areas, including human trafficking.

Specific activities:

Information on the risks of human trafficking is provided by the Ministry of the Interior through a separate website, which mediates the prevention campaign of the OSCE, which is used throughout Europe. We also recommend the video spot produced by the European Commission.

For the purposes of the work of assisting units and organizations in identifying possible victims and helping them, the Ministry of the Interior published the Czech version of the OSCE campaign also on a website intended for volunteers and volunteer organizations, which, with the help of the Ministry of the Interior, also provide invaluable assistance to refugees.

A whole range of other useful information, which by its nature acts preventively and in the fight against human trafficking, is then available on the website of the Ministry of the Interior to help Ukrainian refugees. Refugees can also receive the necessary information on the free telephone line of the Ministry of the Interior +420 974 801 802 with operating hours: Mon - Fri: 8:00 - 18:00. The virtual assistant of the Ministry of the Interior is here outside of business hours.

In relation to Ukrainian migrants, the police of the Czech Republic has developed a whole range of preventive information activities that can be used at various stages of their integration process, while the overall overview is posted on its website.

This video spot was created to prevent various illegal brokers and fraudsters whose activities can lead to human trafficking, forcing the provision of sexual services, slave labour or other illegal activities.

The National Central Office against Organized Crime (NCOZ) as a specialized unit of the Police of the Czech Republic, in addition to its own operational investigative activities, also engages in educational activities, both for its own members and interested experts who, in the course of their duties, may come into contact with a potential victim of human trafficking. people, or they can provide these people with basic preventive advice.

In 2022, measures against the spread of the Covid 19 disease, which in recent years had significantly limited the possibilities of carrying out preventive activities and control actions, were ended.

On 15 till 21 June 2022, the Action Days control event took place, aimed at detecting possible labour exploitation, especially of war refugees from Ukraine. The event was carried out as part of the THB EMPACT project on the specified date in the territory of the EU member states with a multidisciplinary approach. In the Czech Republic, the event was managed by the staff of the Department of Human Trafficking and Illegal Migration of Czech Police in cooperation with the Prague Immigration Police Department.

On April 27, 2022, an inspection of night establishments was carried out in the city of Prague in order to find out information about the possible sexual exploitation of Ukrainian women, no victims were found. In cooperation with colleagues from the Immigration Police Department of the Ústí Region and in cooperation with the Regional Labour Inspectorate workers in Ústí nad Labem, an inspection of hotels and restaurants in the Ústí Region was carried out on 26 September 2022 in order to find out information about the possible labour exploitation of Ukrainian refugees, there were no victims of THB detected, only misconduct was detected in the labour-legal relations and the matter was resolved by the Regional Labour Inspectorate. On a smaller scale, targeted controls were carried out with the participation of a smaller number of entities, when these controls resulted from the requirements of individual criminal proceedings that were conducted in the said period.

The state administration bodies of the Ministry of Labour and Social Affairs act preventively against human trafficking in the Czech Republic and abroad, in particular by raising public awareness of rights and obligations, of the risks and possibilities of solving adverse life situations associated with employment (also of foreign workers) in the Czech Republic. This is mainly done using internet portals: the portal of the Ministry of Labour and Social Affairs, as well as the Employment Office of the Czech Republic, EURES (European Employment Services), the website of the State Labour Inspection Office, the website cizinci.cz, Support for foreigners - Interactive map (pracevceskerepublice.cz) etc.

The website pracevceskerepublice.cz was completely translated into Ukrainian during 2022. The Smart Migration mobile application was also launched.

In 2022, representatives of the Ministry of Labour and Social Affairs continuously provided personal and telephone consultations to interviewers, and also actively participated in online events, especially seminars and video conferences, in which they provided experts and the general public with up-to-date information regarding the potential occurrence of illegal employment of foreigners in the Czech Republic.

The Ministry of Labour and Social Affairs, in cooperation with the Ministry of Industry and Trade, the Ministry of the Interior and the Ministry of Foreign Affairs (possibly also in cooperation with the Union of Industry and Transport and the Chamber of Commerce), organized regional educational seminars on economic migration for employers who plan to employ foreigners in the Czech Republic.

After the start of the military operation of the troops of the Russian Federation against Ukraine, all the efforts of both DG and EURES were aimed at mitigating the effects of the refugee crisis and generally helping Ukraine in this complicated period. EURES advisers, including the narrow implementation team, actively participated in providing assistance to Ukrainian refugees, for these

purposes they were used primarily for their language skills and experience in working with foreign clients. These activities were subsequently legitimized by the activation of the Temporary Protection Directive, which de jure brought temporary protection visa holders into the EURES jurisdiction. They were thus placed on an equal footing with EU citizens and as such could use the entire repertoire of EURES services, with the exception of job placement abroad.

In addition to the above, the normal provision of EURES services took place without major complications. Counsellors participated in counselling days, gave lectures in schools and other facilities, participated in job fairs, both domestic and foreign. The majority of job fairs gradually returned to on-site, i.e. a form with the physical participation of visitors.

In the field of education, the EURES implementation team participated in language training that started in May, and advisors and other members of the implementation team participated in training, both domestic and European. Training took place in physical or online form.

The issue of illegal work was also dealt with by a research project of the Research Institute of Labour Safety in cooperation with the Institute of State and Law of the Academy of Sciences of the Czech Republic in the years 2020-2022, commissioned by the Ministry of Labour and Social Affairs.

As part of this project, the following websites were created:

Work of foreigners in the Czech Republic

Work of EU citizens in the Czech Republic

Within the framework of these pages, which are available in several language mutations, foreigners can learn about the issue of illegal work in the Czech Republic and how to work legally, as well as the labour law conditions in the Czech Republic, in an interactive way through clickable links.

As part of this project, an audio podcast and a video spot were also created, which introduce the issue in question:

PODCAST Illegal work of foreigners and work-related accidents in the Czech Republic

VIDEO SPOT The story of Vitaliye - the consequences of a work-related accident for an illegal worker

On May 2, 2022, the IOM Czech Republic launched the operation of the information line 800 050 749 for persons who travelled to the territory of the Czech Republic in connection with the Russian Federation's invasion of Ukraine. This information line is open every working day from 9 a.m. to 5 p.m. and information services are available in Ukrainian, English, Czech, and Russian. IOM employees increase the level of informing clients about labour-legal issues, assist clients in verifying employers and employment agencies, and overall ensure the prevention of possible labour exploitation. On the FB page of the IOM, a series of labour-law posts took place, which can be described as preventive in the context of exploitation on the labour market. An animated instructional video warning about the risk of labour exploitation was also created.

In cooperation with the Philippines Embassy in the Czech Republic, IOM Prague organized a lecture in 2022 for about 100 members of the Filipino diaspora in the Czech Republic on the topic of preventing human trafficking and exploitation.

La Strada Czech Republic regularly publishes posts on its Facebook page La Strada for persons fleeing the war in Ukraine with contacts and information aimed at preventing their exploitation and trafficking in the territory of the Czech Republic. It also includes a series of safety tips for the prevention of human trafficking in the Ukrainian language, when looking for work related to accommodation (targeted mainly at women – refugees) or a Manual for volunteers working with refugees from Ukraine. La Strada is also part of the Consortium of non-governmental organizations working with migrants in the Czech Republic, which created a central place on the website for offering help "Help Ukraine", where you can not only offer and ask for the necessary help in many forms, but also find important up-to-date information. She collaborated on the creation of a preventive spot for Regional Assistance Centre for Ukraine ("KACPU") throughout the Czech Republic.

In 2022, the implementation of the project Hidden at Work - Occupational and sexual exploitation and harassment of women in the (private) working sphere continued. This project is coordinated by the member organization LSI FairWork in the Netherlands and is implemented together with LEFÓ IBF in 28 Austria, La Strada Czech Republic and La Strada International. The project is financed by the European Commission's "Rights, Equality and Citizenship" program. This project aims (online and offline) to raise awareness and reach out to women working in hidden and hard-to-reach environments, including women who are in an irregular position. In the autumn of 2022, a total of 3 webinars took place - 2x in the language combination of English and Tagalog and 1x in Russian and Ukrainian. The webinars were intended for female domestic workers and focused mainly on providing basic information about rights and obligations in the field of labour law and about risky situations that can occur when working in the household, and how to avoid them, or where to seek help in solving them.

Last but not least, La Strada organizes a whole series of trainings for workers helping refugees, carries out preventive activities directly in the field, opened a new asylum apartment for refugee mothers with children and expanded its SOS line La Strada 222 71 71 71, 800 077 777 (free call) 5-days a week, also in Ukrainian and Russian.

In 2022, the Archdiocesan Charity of Prague also dealt with the support of female victims of trafficking or domestic violence in the Magdala Project. In 2022, a lecture and educational activity of field team workers focused on awareness and prevention of human trafficking took place:

*18 March 2022 lecture Týn nad Vltavou (POMOC association)
3/11/2022 - lecture at the Educational Institute for Girls - Velké Meziříčí
11/4/2022 - 2x lecture at the Catholic High School in Třebíč.*

During the implementation of economic migration programs, representatives of business unions are an active part. Representatives of employers and entrepreneurs are also permanent members of the National Contact Point ("NKM") for the implementation of the Directive for Multinational Enterprises, which contains recommendations for enterprises regarding responsible business conduct. NKM regularly promotes the principles of responsible business behavior, which of course includes respect for human rights.

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.

During 2022, two meetings of the Interministerial Authority for Combating Illegal Employment were held. The first took place on 11 April 2022 (second overall). The main topics were an evaluation of current events in Ukraine and its impact on the issue of illegal employment and a summary of the activities of individual working groups. The second meeting took place on 14 December 2022, when the issue of the public list of illegally employing employers and liability for illegal employment by subcontractors was addressed. The current situation related to the war in Ukraine was also summarized.

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On 14 June 2022, a meeting of the permanent working group on the issue of employment of foreigners was held, which focused on the impact of the war in Ukraine on the Czech labour market and the employment of foreigners. Furthermore, projects for the development of foreign employment and a project to strengthen the control activities of illegal employment were presented (unfortunately, this project will not be implemented in 2023). Representatives of the Ministry of Labour and Social Affairs also discussed the creation of the institute of a reliable/recognized employer and the introduction of a point system of preferential migration and related legislative changes.

On 6 October 2022, a meeting of the permanent working group of the working group on the issue of illegal work was held, which dealt with the topic of the public list of illegally employing employers and liability for illegal work within the subcontracting chain. On 6 October 2022, a meeting of the permanent working group on the issue of agency employment and disguised employment mediation was held. In particular, the upcoming amendment to Act No. 435/2004 Coll., on Employment, as amended, and other related acts, which has an impact on illegal employment, was discussed at the meeting.

On 6 December 2022, the second meeting of the permanent working group on the issue of employment of foreigners was held in 2022. A proposal for a reform of labour migration was presented, specifically an overview of the impacts of regulation and a timetable for preparations. In addition, participants were provided with information on the start of the implementation of the EURES+3Z project and information on the campaign to prevent illegal employment of persons under temporary protection.

Inspections of employment agencies and disguised employment mediation have long been priority areas of inspection of the Labour Inspection authorities.

The performance of inspection activities was supported by the adoption of the amendment to Act No. 435/2004 Coll., on Employment, which, with effect from 2 August 2021, extended the offence of disguised employment mediation to include its facilitation. Thus, it is now possible to sanction users who use the labour. If a natural person facilitated the disguised mediation of employment, an administrative penalty of up to CZK 5,000,000 may be imposed, if a legal entity or an entrepreneurial natural person facilitated this activity, a penalty in the range of CZK 50,000 and CZK 10,000,000 may be imposed.

In 2022, the State Labour Inspection Office carried out a total of 302 inspections directly focused on disguised employment mediation. The inspections were carried out in 294 business entities, 288 legal entities and in 6 cases natural persons. Violations of legal regulations were identified in 242 of these inspections, during which, disguised employment mediation was detected in 131 business entities. In addition, disguised mediation was detected in 128 other employers, i.e. during inspections that were primarily focused on a different inspection area.

Thus, in total, disguised employment mediation was detected in 259 business entities, and from the date of the new legislation on the Employment Act (i.e. from 2 August 2021) 126 business entities that allowed the performance of disguised employment mediation were also detected.

A total of 128 penalties were imposed for the offence of disguised employment mediation in 2022, the aggregate amount of which was CZK 67,957,000.

In 2022, the Labour Inspection authorities carried out a total of 140 inspections of employment agencies aimed at the fulfilment of the legal conditions for agency employment and employment mediation, during which they detected 325 breaches of the legal regulations governing agency employment (the Labour Code and the Employment Act). In selected cases, the inspections of employment agencies were carried out simultaneously with inspections of their users. In 2022, a total of 63 inspections of users were completed, revealing a total of 55 breaches of the Labour Code. These violations were identified during 27 inspections.

The Labour Inspection authorities also carried out 426 further inspections of employment agencies in 2022, which were primarily targeted at another inspection area or were carried out on the basis of received complaints.

In 2022, the Labour Inspection authorities imposed a total of 518 penalties on employment agencies, totalling CZK 19,097,500. In addition to the financial penalties, a total of 57 administrative penalties in the form of warnings were imposed on employment agencies on the basis of signals submitted from the Labour Office of the Czech Republic.

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;

The setting of procedures within the police stipulates that all information is finally processed by criminal police staff and police staff of National Centre against Organized Crime (NCOZ). Because if there is any indication or the filling of identifiers that it could be human trafficking, these professionals are informed and further action is taken according to their requirements and subsequently all information is forwarded to them for further use.

- d. identification of vulnerable persons in need of international protection among possible victims of trafficking.

To the a) b) d)

The equipment of police officers, their expertise, continues to be increased and improved, and as part of the collected information on trends and possible risks, measures are announced on individual sections of the internal state borders, where patrols are moved from all over the Czech Republic as needed. Always in such a way that the requirements of the given measure - control are fully covered and fulfilled.

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?

The issue of human smuggling and human trafficking is mainly dealt with in the field of civil aviation and is one of the important policy areas of the International Civil Aviation Organization (ICAO). The issue is covered in ICAO Annex 9, implemented into the Czech legal system as "Regulation L 9" (see [Regulations — AIM — ŘLP ČR \(rlp.cz\)](#)).

Human trafficking is addressed by the following recommendations:

8.49 States Parties should take measures to ensure that the anti-trafficking procedures in place are based on a comprehensive strategy and include the clear definition of reporting systems and the establishment of related contact points of competent authorities for airport and aircraft operators. Note: Key elements to be included in a comprehensive anti-trafficking strategy include: laws, leadership, policies, reporting protocols and response mechanisms, partnerships, training, public awareness, data collection, information sharing and victim support, and survivors. These key elements should be based as much as possible on a victim-centred and trauma-informed approach. Further guidance on developing a comprehensive strategy, including examples, can be found in ICAO Doc 10171; and

8.50 Contracting States should take measures to ensure that employees of airport and aircraft operators who come into direct contact with passengers are trained in human trafficking.

Representatives of air carriers and airport operators were informed of the above recommendations at the meeting of the National Facilitation Committee on May 19, 2022.

Non-governmental international organizations are also dealing with the issue, namely the International Air Transport Association (IATA) and the Airports Council International (ACI).

There is an e-learning course on human trafficking directly on the IATA website: "IATA - Human Trafficking Awareness" (e-learning). Both important air carriers of the Czech Republic - ČSA a.s. and Smartwings a.s. - are members of IATA. Air carriers have the issue included in the training plans for pilots and cabin crew.

ACI published the "Combatting Human Trafficking" handbook in 2019. This guide provides examples of activities that airports are developing to combat human trafficking. It presents information and materials that airport operators can use to strengthen joint efforts in awareness, training and messaging. Airport Prague a.s. is a member of ACI-Europe. The ground handling staff of Menzies Aviation operating at Prague Airport are introduced to the given issue as part of the initial training, after which the employees complete separate training on the subject of "Anti-slavery and human trafficking".

The launch of the EU systems - Entry/Exit System (EES) and European Travel Information and Authorization System (ETIAS) is expected in the near future. Carriers will have a legal obligation to inquire into the systems (EES - air carrier, ETIAS - air and bus carrier) whether the passenger meets the conditions for entry into the EU. Links to system information incl. information for carriers is available, among other things, on the website of the [Ministerstvo dopravy ČR - Životní situace \(mdcr.cz\)](http://mdcr.cz).

In the field of international truck transport, the ČESMAD BOHEMIA Association of the Road Transport Operators shared information about the campaign by Belgian association against human trafficking, the aim of which is to inform how strangers break into vehicles. Part of the campaign is the brochure "Don't give people smuggling a chance!" (tips for truck drivers), in various languages, including Czech.

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.

The National Border Protection Situation Center 27/7 has been created within the Foreign Police, which serves for the rapid exchange of information, including with other authorities. It establishes a uniform exchange of information between the customs administration, the police, the National Coordination Center and the FRONTEX agency. It also ensures continuous exchange of information at the international level and coordinates security measures with EU member states. There is also the use of police officers sent abroad as liaison officers who work abroad at embassies of the Czech Republic, at the security forces of other countries and at international organizations and are divided into 3 categories according to their scope of work:

- *liaison officers for international police cooperation*
- *experts for migration and documents*
- *national police experts*

Joint police cooperation centres with neighboring states (with Germany, Austria, Poland and Slovakia) are also operated for quick and operative cooperation.

As part of cooperation between border control authorities, the NCOZ cooperates very closely and uses individual Departments of the Foreign Police at the Regional Directorates of the Police of the Czech Republic and international airports in the Czech Republic, in Prague it cooperates directly with foreign police officers at the Directorate of the Foreign Police Service. Bilateral cooperation is also functional through the Operational Cooperation Department of the Directorate for International Police Cooperation of the Police Presidium of the Czech Republic, where information is shared via the secure SIENA channel via EUROPOL to individual member states. They are also used at the borders of the so-called Joint Centers (cooperation with the neighboring states of Germany, Poland, Slovakia and Austria) and, last but not least, they are used for the immediate operational exchange of information, the so-called personal contacts with partner units abroad.

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.

Yes, the National Reference Mechanism has been implemented in the Czech Republic for a long time and has been updated by the Methodological Manual No. 4 on 14 December 2022 signed by the First Deputy Minister of the Interior for the Management of the Internal Security and Police Education Section. It concerns the functioning of the MOI Programme for the Support and Protection of Victims of Human Trafficking and its Institutional Security and was published in the Ministry of the Interior Bulletin No. 102/2022 (hereinafter referred to as the "Methodological Guide"). The changes to the methodological guide mainly concern the expansion of the range of entities that can include a probable victim of human trafficking in the Programme. Among them there is the Administration of Refugee Facilities of the Ministry of the Interior. It is an entity that can come into direct contact with the trafficked person who will be in need of provision of help and support. Furthermore, on the basis of 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 victims, a change has been made that a victim of trafficking in human beings is not excluded from the Programme once a court has made a final decision that he or she has become a victim of human trafficking and that in cases where he or she is reliant on civil proceedings for damages, remains in the Program.

The directive requires, *inter alia*, the adoption of the measures necessary to ensure that assistance and support are provided to victims before, during and for a reasonable period of time after criminal proceedings. This change thus provides victims with legal aid even after the end of criminal proceedings and thus increases the possibility of obtaining damages. Similarly, legal aid is provided to victims who decide to return voluntarily to their country of origin or if they have left the territory of the Czech Republic permanently. Such legal aid is granted on condition that criminal proceedings are pending in the case and the victim has previously been provided with such services. A slight adjustment was made within the cooling-off period. A probable victim included in the Program still has the right to use a 60-day period to decide whether or not they want to cooperate with the police. There is no restriction on access to the rights and needs of victims. However, immediately after receiving the request for inclusion of the victim to the Programme, the Police will newly receive basic information about the victim such as the name, surname and date of birth for the purpose of identifying the victim and ensuring the safety of all Program entities and other probable victims using its services. The police will await the victim's decision to cooperate before contacting them.

Further adjustments have been made regarding the entry declaration so that the information received from the different entities is consistent. The entry declaration has been brought into line with personal data protection legislation. Other changes (beyond the above) of a technical nature were also made in the text to improve the systematic and logical coherence of the whole text, as well as partial adjustments responding to the needs of practice (the need to clearly define the procedure, subject or decisive time for the matter). The following bodies are involved in the national reference mechanism: Articles 11 to 17 of the Methodological Guide:

First Deputy Minister of the Interior:

- a) to ensure the functioning of the Programme and to coordinate activities, conclude and update as necessary service contracts (or other forms of cooperation agreements) with non-governmental non-profit organizations involved in the prevention of human trafficking and assistance to victims,
- b) approves necessary changes in the functioning of the Programme.

Department of Crime Prevention:

- a) ensures the inclusion or exclusion of victims in the Programme,
- b) prepares documents for the First Deputy Minister of the Interior in the performance of tasks pursuant to Article 11,
- c) keeps records of victims included in the Programme and ensures the protection of personal data of victims,
- d) analyses the effectiveness of the functioning of the Programme and proposes necessary changes to the First Deputy Minister of the Interior,
- e) coordinates the procedure of the stakeholders of the Program when it comes to work with victims.

The Regional Directorate and the National Centre against Organized Crime perform the tasks within the Programme set by the internal act of managing the Police President).

Cooperating non-profit organization:

- a) Accepts victims into their service and provides victims enrolled in the Programme with services pursuant to Article 8;*
- b) mediates the victim's contact with the regional headquarters or the National Centre against Organized Crime as soon as the victim decides to cooperate with law enforcement authorities, and informs the Department of Crime Prevention about the decision,*
- c) without undue delay, informs the Department of Crime Prevention, the Regional Directorate or the National Centre against Organized Crime about all serious facts concerning the victim included in the Programme, in particular the facts referred to in Article 10, par. 1,*
- d) consults on an ongoing basis with the Department of Crime Prevention, the Regional Directorate or the National Centre against Organized Crime on the further course of work with the victim,*
- e) assists the victim referred to in Article 2(a); c) point 1 or 2 with the residence administration in the Czech Republic,*
- f) cooperates, where appropriate, with other non-governmental non-profit organizations.*

International Organization for Migration Prague:

- a) prepares the voluntary return of the victim to his country of origin and, if possible, his or her subsequent social reintegration through its missions abroad;*
- b) carries out voluntary return of the victim to his country of origin;*
- c) cooperates with a cooperating non-profit organization. Other non-governmental non-profit organizations with which the Ministry of the Interior has not concluded a service contract are also involved in prevention in the area of human trafficking and assistance to victims of human trafficking. Their list is published on the website of the Ministry of the Interior: in the section "About us" of the "Security Policy" section of the section "Documents - Crime" of the article "Human trafficking - Contacts".*

As part of its activities, the Administration of Refugee Facilities of the Ministry of the Interior participates in the identification of victims and proposes their inclusion in the Programme.

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?

Formalized indicators for identifying victims are created. They are presented as part of the training of workers, during mandatory familiarization with information within the framework of circulars and distribution of manuals and printed materials. The materials are processed and distributed to police officers with basic information, a summary of the issue, identifiers and possible risks associated with the issue of human trafficking, setting up procedures and direct contacts to the responsible workplace of the Police of the Czech Republic.

Furthermore, informative materials for the public are presented and distributed with a focus not only on the victims, but also on the wider environment. The materials are distributed throughout the Police of the Czech Republic (detention facilities, reception centres, individual departments of the Police) as well as to Czech embassies abroad and to various help and support centres through non-profit organisations participating in the Programme on Support and Protection of Victims of Trafficking in Human Beings.

The Police of the Czech Republic has a methodology for the identification of particularly vulnerable victims, where victims of human trafficking belong. The methodology is widely used both in basic training programmes for future police officers and in specialised training for existing officers of all relevant police departments. In addition, the methodology is available to all police officers in electronic form.

For the particularly vulnerable victims, the methodology lists certain indicators that may lead to the conclusion that the victim of trafficking in human beings:

- *cut scars on their body,*
- *clothing that doesn't match the person's status,*
- *failure to explain why the victim is not carrying documents, incomplete and random information about travel,*
- *number of children born in a short period of time*
- *unwillingness to talk about age, uncooperative, inability to give location*
- *distrust of the world around,*
- *unintelligible and incoherent speech, skipping from one topic to another,*
- *showing gratitude or embarrassment following nice treatment.*

Labour inspection authorities have at their disposal material issued by the Ministry of the Interior of the Czech Republic on Trafficking in Human Beings; a handbook for victim assistance. This document includes forms of exploitation, characteristics of vulnerable persons, their ways of recognising them and forms of assistance to these persons. This material is an essential tool for inspectors to assess possible signs of trafficking in human beings.

Furthermore, the MOI CR annually publishes the Report on the State of Trafficking in Human Beings in the Czech Republic, which refers to the intranet pages of the Risk Analysis Department of the Foreign Police Directorate, where indicators and risk profiles of victims of trafficking in human beings are published, which are regularly processed by Frontex in the handbook "Handbook on Risk Profiles on Trafficking in Human Beings" and which are relevant for the Czech Republic (citizens of Nigeria, Vietnam, Ukraine, Russia). The State Labour Inspection Office also contributes annually to this report. This mainly concerns information on the results of inspection activities in the areas of illegal employment of foreigners and disguised employment mediation, which are most often exposed to the risk of human trafficking or labour exploitation.

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.

According to the general principle of the presumption of victim status, any person who feels that they are a victim of a crime committed must be considered a victim, unless the contrary is apparent or unless there is a clear abuse of the victim's status (Section 3 of Act No.45/2013 Coll., on Victims of Crime). Formal identification is carried out by the Police of the Czech Republic upon first contact with the victim. However, there is also specific training within migration and labour authorities to recognise this specific group of victims. A Victim Identification Methodology was developed in 2021 to facilitate the work of the Police in identifying victims and their needs. The specific focus of the methodology is also on particularly vulnerable victims, which include per se victims of the crime of trafficking in human beings (Section 2 of Act No. 45/2013 Coll., on Victims of Crime).

The methodology also outlines the specifics of these victims, where the perpetrators threaten the victim, isolate the victim from the surrounding environment, exploit the victim's dependency, try to weaken the victim physically or psychologically, keep the victim "in check", and also certain procedures for police tactics.

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

There is a whole range of preventive awareness-raising activities, where, in addition to websites in various language versions, various leaflets specifically focused on information on sexual and labour exploitation are available. These leaflets are then personally distributed by NGOs as part of fieldwork to selected vulnerable target groups (of course, always with specific offers of help). It should be added that this is a completely standard activity supported by NGOs dealing with this

issue. In addition, a special card – "Indicators of Possible Trafficking in Human Beings" – was created in 2022 and widely distributed among interested professional groups that may come into contact with potential victims of human trafficking. In addition, as part of activities related to the refugee crisis, the Czech Republic has joined the OSCE "Be Safe" campaign, which also includes a tool for self-identification of victims of crime.

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?

As part of the assessment of applications for international protection as well as applications for voluntary return, foreign nationals are interviewed which also include questions aimed at clarifying the history of the foreign national's stay in the Czech Republic, his/her reasons for migration from his/her home country and used migration methods. The aim of those investigations is, inter alia, the early detection of signs indicating possible trafficking of the foreign national concerned.

In addition to standard interviews in the framework of the procedure for international protection and the possible return process, applicants for international protection are in informal contact with specialised social workers who are also part of the standard communication network in the form of the National Referral Mechanism and the Programme on Support and Protection of Victims of Trafficking in Human Beings. Communication is ensured within the National Referral Mechanism. Active actors involved in identifying likely victims of trafficking in human beings include various stakeholders of the Ministry of the Interior, including those responsible for receiving applicants for international protection (Refugee Facilities Administration) and for running procedures for international protection (Department for Asylum and Migration Policy). As part of the admission procedures, applicants are screened in a timely manner order to identify possible victims of conduct that could constitute the crime of trafficking in human beings.

In the case of suspicion of human trafficking, the person who could be a victim is provided with a contact for social workers, with a psychological care and the law enforcement authorities are notified. All communication mechanisms and measures taken are in a standard form and are linked to the National Programme on Support and Protection of Victims of Trafficking.

Vulnerability assessment (including THB) is a standard IOM procedure conducted prior any assisted voluntary return. In the frame of the National THB Referral Mechanism, identified victims are referred to the National Programme on Support and Protection of Victims of Trafficking in Human Beings.

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?

We do not see any major problems in this area. We have properly transposed all relevant EU regulations in the field of personal data protection related to e.g. the performance of social work, including related measures that have ensured their proper application in practice. The boundaries between maintaining the confidentiality of the information communicated and the obligation to report criminal activities are therefore quite clear. These rules are generally applicable and binding. And, of course, they are also reflected in a very detailed form in the Ministry of Interior Programme.

La Strada Czech Republic provides social services in accordance with Act No. 108/2006 Coll., on Social Services, which imposes confidentiality on all social services workers pursuant to Section 100 of this Act. The organization collects and processes personal data, including sensitive personal data, related to persons who are provided with social services in accordance with Act No. 101/2000 Coll. on the protection of personal data, as amended, and within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council.

La Strada's employees are obliged to respect the client's right to privacy and confidentiality of communication. Employees are obliged to use the information they receive from the client to adapt the form of services and assistance as effectively as possible. Without the client's consent, La Strada will not disclose information about the client to a third party. This obligation of confidentiality applies even after the termination of the relationship with the client and even after the employee leaves the organization.

At the first contact with a potential client/person who has been a victim of trafficking, such person can act anonymously and decide whether she/he is interested in joining the services of La Strada. When entering the services, the potential client/trafficked person signs a consent to process personal data and a contract with the organization that describes how the client's sensitive data are handled.

If a prospective trafficked person is identified by La Strada, the organization informs her/him of its mandate and offers her/him the opportunity to join the Programme on Support and Protection of Victims of Trafficking in Human Beings and informs her/him of his/her rights and possibilities under the programme and the obligations arising therefrom. La Strada then informs the Crime Prevention Department of the Ministry of Interior about the expressed wish of the victim of human trafficking to join the Programme. When joining the Programme, the Client signs an entry declaration and consent to provide information to the Crime Prevention Department to the extent necessary to ensure the effective functioning of the Programme.

La Strada programme has clearly defined rights and obligations in relation to reporting and preventing the crime of trafficking in human beings. Situations where there may be a conflict of interest between professional ethics, on the one hand, and the obligation to report a crime, on the other, are part of the training of the organization's staff. In practice, all situations in which La Strada is obliged to report a crime are consulted with the managers and directly with the director of La Strada, and are implemented through a special unit of the National Centre for the Fight against Organised Crime.

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?

a) financing;

The Ministry of the Interior is the guarantor of the Programme of the Ministry of the Interior of the Czech Republic on Support and Protection of Victims of Human Trafficking". The ministry (with the application of the principle of multi-year financing) announced a public tender (for the conclusion of a "contract for the provision of services") for its long-term implementation. The services of the winning non-profit organization are reimbursed every year, including the implementation of preventive awareness campaigns in the amount of CZK 1.65 million.

b) the safety and security of victims;

La Strada Czech Republic provides comprehensive services to trafficked or exploited persons, including safe accommodation. La Strada operates three shelters with highly classified addresses, separately for men, women and mothers with children. The address of the counseling center and the office of the organization is not public for security reasons. The organization's consulting office is not visible from the street and is not listed as La Strada's office in the house. Prevention of risky situations is an essential security measure. Although the level of risk varies in different environments and situations, it is always necessary to behave as if the person is currently at risk. Therefore, a safety plan is created with the organization's clients when entering the service, which must prevent the emergence of risky situations, as well as provide instructions on how to behave if a person is in imminent danger. In cases where the level of threat to the trafficked person is very high, his situation is dealt with individually and by the police.

c) aid standards and their practical application;

La Strada Czech Republic is a non-governmental non-profit organization that has a registered social service and meets the Safety and Quality of Service Assurance Standards. La Strada has manuals and methodologies that guide its practice in providing assistance and support to trafficked and exploited persons. Any person who uses social services can complain if they are not satisfied with the quality of social services. Persons using the services are familiar with this procedure. Complaints can also be submitted anonymously. If there has been misconduct on the part of the organization, corrective measures will be taken.

d) access to medical treatment, psychological assistance, counselling and information;

La Strada Czech Republic provides comprehensive services including psychosocial counseling, social counseling and information, psychological assistance and mediation of access to medical care and subsequent psychological care. Access to medical care varies according to a person's residence status and access to the public health insurance system. Under the Programme on Support and Protection of Victims of Human Trafficking, a trafficked person is entitled to receive certain funds for medical care. The amount of funds provided for health care under the programme is sufficient only to cover emergency and basic health care. This poses a problem in cases where there is a need for more complex, long-term and costly health services, which is why La Strada Czech Republic is seeking to include trafficked persons participating in the Programme in the public health insurance system and/or to revise the procurement procedure. Part of this financial aid can be used to pay a psychologist or psychotherapist for the trafficked person. However, the funds are often exhausted for other necessary medical expenses, so psychological support to trafficked individuals is provided from other sources or in cooperation with other organisations.

e) Translation and interpretation, if appropriate

La Strada Czech Republic may provide services and case management in a language that the trafficked person understands. La Strada staff speaks Czech, English, Romanian, Bulgarian, Ukrainian, Russian and Tagalog. If the trafficked person speaks another language, La Strada has an extensive network of cooperating interpreters for other languages, with whom cooperation is arranged individually. The programme includes a range of services that are specified in the contract signed with La Strada, including translation and interpreting services.

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?

Rights, obligations and the whole system of assistance of the Mol Programme is described in a structured way in the above methodological guide. If a person is identified as a probable victim of human trafficking, they are offered assistance by the Programme entity (according to Article 2/f) by using their services or by joining the Programme. The procedure for the inclusion of such a person

to the Programme is regulated by Article 4 of the Methodological Instructions); the condition for inclusion being:

1. termination of cooperation of a probable victim of trafficking in human beings with a suspect of committing this crime
2. the victim's interest in participating in the Programme by completing and signing the entry declaration (it is attached to the methodological instructions).

From the time the probable victim is included in the Programme, a 60-day period runs to decide whether or not to cooperate with law enforcement authorities. During this period, the person receives all services (free of charge, of course), such as safe accommodation and food, medical, psychological, legal (including the services of a lawyer) and social services. Further stay in the Programme is tied to cooperation with law enforcement authorities, and if it decides not to cooperate, it is excluded from the Programme with the possibility of using voluntary return to the country of origin.

Therefore, it can be summed up that the provision of a wide range of assistance and support to persons who identify as victims of trafficking is not at all conditional or somehow tied to the granting of a special residence permit for the purpose of protection under Section 42e, Act. 326/1999 Coll.

Similarly, the conditions for granting that special type of residence permit to victims of trafficking are independent of whether or not the victim is receiving any specialised care; It makes no difference whether or not the likely victim of trafficking is included in a special support program.

A person who identifies as a victim of human trafficking may obtain either a special long-term residence permit for the purpose of protection in the Czech Republic if they accept an offer of law enforcement authorities for cooperation in criminal proceedings, or another type of residence, taking into account their needs and current personal situation, which results in a reason for staying in the Czech Republic. Another type of residence may be, for example, a long-term stay for the purpose of toleration, if the necessity of the presence of such a person in the Czech Republic is given by his/her current health and mental condition and the need to provide professional care in the Czech Republic, or by the participation of such a person in criminal proceedings in the position of the injured party (not a witness) for the purpose of defending his/her legal rights.

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

La Strada Czech Republic provides comprehensive services to trafficked or exploited persons, including safe accommodation. La Strada operates three shelters with highly classified addresses, separately for men, women and mothers with children.

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

Entry into the Programme and the use of its services is entirely voluntary and, as it is clear from the answer to point 34, it is not conditional on cooperation with law enforcement authorities. Introductory information is provided in the native language of the likely victim of trafficking, or in a language they fully understand, to ensure that they understand everything. Even if the organization cannot provide interpreting into the necessary language from its own resources, a freelance interpreter is invited to the meeting. A probable victim of human trafficking has the right to terminate cooperation with and/or participation in the Programme without giving reasons and without notice if he or she so wishes.

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?

If a victim is excluded from the Programme (regulated by Article 10 of the Guidelines), it always depends on the situation in which they find themselves. For example, if the victim is still in the Czech Republic, it can apply to a number of other specifically targeted services that are offered by both public authorities and non-profit organizations.

Yes, if the guilt of the offender has been finally decided in the case of human trafficking and the victim has been referred to civil proceedings in the matter of damages, the Crime Prevention Department of the Ministry of the Interior will not exclude the victim from the Programme for the duration of ongoing civil proceedings and newly also after returning to the country of origin. Such victims continue to be provided by the cooperating non-profit organization only with the legal services.

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.

All persons (meaning any persons who identify themselves as a victim) who are included in the Programme (conditions of inclusion – see point 34) during which they can use all its services provided free of charge are entitled to use the 60-day cooling-off period. However, they may take their decision at any time during that period.

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.

Each residence permit is decided on taking into account the applicant's individual context, which naturally includes the applicant's current personal situation. This guiding principle of individual assessment of applications for residence permits is enshrined in the general procedural norm which, with the exception laid down by Act No. 326/1999 Coll., governs proceedings on decision-making in residence matters – the so-called Administrative Code. The same guiding principle is then also embodied in a special legal norm that regulates decision-making in residential matters, which is the Act on the Residence of Foreign Nationals No. 326/1999 Coll.

A person who identifies as a victim of human trafficking has the opportunity to use a wide range of residence permits if they meet the conditions for their issuance. Specifically, it can be stated that such a person may use, for example, a special long-term residence permit for the purpose of protection pursuant to Section 42e of Act No. 326/1999 Coll., or may use long-term residence for the purpose of toleration – if he/she intends to participate in criminal proceedings in the position of the injured party, or if his/her current health or psychological situation and the specific nature of the care provided to him or her so requires.

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?

In the event that a long-term residence permit is issued for the purpose of protection pursuant to Section 42e of Act No. 326/1999 Coll., the purpose of which is to enable victims of human trafficking to cooperate with law enforcement authorities and participate in criminal proceedings as a witness, the scope of cooperation is determined by the specific needs of criminal proceedings and mutual agreement between crime victims and law enforcement authorities. The issue of a special residence permit pursuant to Section 42e is determined by a confirmation by the competent

law enforcement authority that the victim in question cooperates with the Czech Police in specific criminal proceedings as a witness. The authority deciding on the residence permit pursuant to Section 42e of Act No. 326/1999 Coll. takes note of the notification of the victim's cooperation with the Czech Police Corps and does not examine the specific content of the victim's cooperation with the Czech Police Officer, as it is not legally entitled to do so.

In the case of an extension of the above-mentioned residence permit, the cooperation of the victim in the criminal proceedings as a witness is evaluated by the competent authorities conducting the criminal proceedings. If such a person simultaneously participates in a special support programme for the protection and support of victims of human trafficking, then participation in the program is evaluated by a specific helping NGO that has the victim in its care.

The administrative authority that decides on the extension of the above-mentioned residence permit then takes note of both evaluations and examines whether they state that the relevant investigating authority terminates cooperation with the victim or that the victim has violated the rules laid down by law for granting and implementing this stay (see Section 42e of Act No. 326/1999 Coll.). As a general rule, such a witness must not obstruct the criminal proceedings and, at the same time, must not maintain contact with persons who were involved in his/her trafficking and maintain contact with the risky environment in which the trading took place.

A special type of stay under Section 42e may be revoked in view of the above only if the victim of trafficking as a witness in criminal proceedings frustrates these criminal proceedings or establishes contact with the environment in which he or she was trafficked.

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?

As mentioned above, persons who declare themselves to be victims of human trafficking can use a wide range of residence permits if they meet the conditions for their issuance. Specifically, it can be stated that such a person may use, for example, a special long-term residence permit for the purpose of protection pursuant to Section 42e of Act No. 326/1999 Coll., or may use long-term residence for the purpose of toleration – if he/she intends to participate in criminal proceedings in the position of the injured party, or if his/her current health or psychological situation and the specific nature of the care provided to him or her so requires.

As a general rule, in order for anyone to be allowed to reside in the territory, there must be a relevant and objectifiable reason for such residence. The very fact that a person considers himself to be someone and somehow declares himself is not and cannot be such a reason in the above sense.

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.

- a) *The victim has the right to access the information relating to the matter of the offence committed (Section 7 of Act No. 45/2013 Coll., on Victims of Crime). No new measures have been taken in this area since the first evaluation.*

- b) *The injured party has the right to free legal assistance provided by a legal representative, provided that the conditions are met (Section 51a of Act No. 141/1961 Coll., Criminal Procedure Code). The injured party who is a victim of the crime of trafficking in human beings always has the right to a legal representative. No new measures have been taken in this area since the first evaluation.*
- c) *The defendant may be ordered to compensate for the damage or non-pecuniary harm. Their compensation shall also be taken into account when determining the type of punishment and the penalty rate. No new measures have been taken in this area since the first evaluation, so we refer to the answer to question 42 in the Reply to the Questionnaire from the Czech Republic.*
- d) *The victim has the right to monetary assistance from the State, provided that the conditions are met, which is provided to the victim if the damage, non-pecuniary harm or bodily injury has not been fully compensated (Section 23 et seq. of Act No. 45/2013 Coll., on Victims of Crime). No new measures have been taken in this area since the first evaluation, so we refer to the answer to question 42 in the Reply to the Questionnaire from the Czech Republic.*

As far as financial assistance pursuant to Act No. 45/2013 Coll. is concerned, it is not statistically monitored by what specific crime the applicant for financial assistance was victimized (it is not essential, financial assistance is provided according to the criteria of the consequence caused, regardless of the constituent elements of the crime under which they were subsumed), so we cannot single out from our statistics only cases of financial assistance provided to victims of crimes related to human trafficking.

- e. *Non-payment of wages, its part or any of their components constitutes a serious breach of the employer's obligations imposed by Act No. 262/2006 Coll., the Labour Code, as amended. This conduct is then qualified as an offense in the area of remuneration under the provisions art. 13 and art. 26 of Act. No. 251/2005 Coll., the Labour Inspection Act, as amended, and subsequently it is possible to impose a fine of up to CZK 2,000,000.*

On the basis of an inspection, the labour inspection authorities may also impose on the employer measures to remedy deficiencies in the payment or additional payment of wages. However, if the employer does not want to pay to the employee the wage or part thereof, it is a debt that the employee must enforce at the court. The employee has the possibility to bring an action for payment of the amount due or an application for an order for payment.

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

The above is supplemented, for example, by the judgment of the Constitutional Court of 7 March 2022, file no. Act IV. ÚS 2620/21 "On the procedural aspects of compensation for non-pecuniary damage in adhesion proceedings": "If the victim's statement in the criminal proceedings is not sufficient to determine the amount of non-pecuniary damage (in particular mental anguish caused by killing or serious bodily injury, as well as diminishing the victim's dignity caused by the interference with moral rights or damage to so-called other rights) in the adhesion proceedings, but extensive supplementation through expert evidence is necessary, the general courts cannot be reasonably reproached for violating the right to judicial protection pursuant to Art. 36(1) of the Charter of Fundamental Rights and Freedoms if they do not proceed with the evidence procedure for monetary compensation for non-pecuniary damage and refer the victim to the civil proceedings for his/her claim pursuant to Section 229(1) of the Code of Criminal Procedure."

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)?

If damage or non-pecuniary harm has been caused to the victim by an offence, or if the accused has obtained unjustified enrichment at the expense of the victim, the claim may be secured against the property of the accused up to the probable amount of the damage or non-pecuniary harm or unjustified enrichment (Section 47 of Act No. 141/1961 Coll., Criminal Procedure Code). When questioning the accused, it is also necessary to take evidence of the accused's circumstances (Section 92 of Act No. 141/1961 Coll., Criminal Procedure Code). A financial investigation may also be conducted to determine the financial circumstances of the accused and to find, document and seize the proceeds of the offence or to seize a substitute value. It is based on obtaining information from natural persons, legal persons and administrative authorities, including information subject to bank secrecy, information from the tax authorities, etc. (Section 8 of Act No. 141/1961 Coll., Criminal Procedure Code). If property is found in suspects' possessions, it is seized as substitute value or proceeds of crime. The Aggrieved Party which has been granted a claim for compensation for damage or non-pecuniary harm caused by an offence or a claim for the release of unjustified enrichment obtained by the perpetrator at their expense by means of an offence, may request the Ministry of Justice to disburse the funds in the event that the perpetrator's property has been withdrawn in the criminal proceedings by means of sanctions imposed (Section 2 et seq. of Act No. 59/2017 Coll.). Information has already been provided on the latter in the questionnaire within the first evaluation round.

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.

Czech legislation ensures that where a criminal offence has been committed in a Member State of the European Union other than the Member State of habitual residence of the applicant, the applicant has the right to submit a claim to an authority or other body in the Member State of their habitual residence. The Ministry of Justice provides assistance to victims who are citizens of the Czech Republic, who have their permanent or habitual residence in the Czech Republic and who have been victims of an offence in another Member State, in particular in the processing of an application for financial assistance in another Member State of the European Union (§ 35 in conjunction with § 23 of Act No 45/2013 Coll., on Victims of Crime). In the case of applicants who have been victims of an offence in the territory of the Czech Republic, the Ministry of Justice accepts applications sent by the assistance authorities of another Member State of the European Union and decides on the issue of financial assistance (Section 36 of Act No 45/2013 Coll., on Victims of Crime).

Overall, it can therefore be stated that in the case of administrative proceedings on financial assistance and on the satisfaction of legitimate claims of victims for damages from the proceeds of criminal property sanctions, the initiation of such proceedings can be filed from any destination and the applicant's personal presence at the proceedings is usually not necessary. However, both proceedings can only be conducted by the local (Czech) ministry.

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 co-operation with the authorities of the receiving state?

The services provided to victims of trafficking by the Programme on Support and Protection of Victims of Trafficking include the possibility of ensuring safe, discreet and dignified voluntary return to the country of origin, including referral to a local assisting organisation for the subsequent provision of care upon return (if such care is necessary and the victim concerned wishes to receive support and care upon return). Since the return is voluntary, such return is always carried out at the request of the victim concerned.

In the context of the Programme Support and Protection of Victims of Human Trafficking, the preparation of return is carried out in cooperation with a specialized assisting NGO that provides the victim with the care. The actual preparation and implementation of the voluntary return of the victim is entrusted to the IOM which has a worldwide network of missions and offices in almost all countries of the world. Forced returns of victims of trafficking in human beings are not taking place.

All IOM assisted voluntary returns are carried out in accordance with principles specified in [IOM AVRR Framework](#)

In addition, according to applicable legislation, a person cannot be expelled/returned to a state that is not considered as safe. There is also a Voluntary Return programme which is implemented by the Ministry of Interior.

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?

For the entire period of operation of the specialized Program for the Protection and Support of Victims of Human Trafficking, we have not registered any case of a victim of trafficking being returned to the Czech Republic from abroad against his or her will.

Victims of human trafficking returned to the Czech Republic from abroad receive a very wide range of social, medical, psychological and legal services provided to them by assisting NGOs within the Programme Support and Protection of Victims of Human Trafficking.

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.

In order to address the issue of responsible business conduct, whose parts are also corporate social responsibility and preventing trafficking in supply chains, the Czech Republic has adhered to the OECD Guidelines for Multinational Enterprises. The Guidelines contain non-binding principles and recommendations on areas of human rights, environment, employment rights, etc. The issue of trafficking in supply chains is addressed in the Guidelines in chapter focusing on human rights and avoid infringing on the human rights of others. The enterprises should promote the principles and recommendations contained in the Guidelines also among their business partners and in the supply chains in which they are involved.

The promotion and implementation of the Guidelines is ensured by the National Contact Point for the Implementation of the OECD Guidelines for Multinational Enterprises (hereinafter "the National Contact Point" or "NCP"). The Czech Republic NCP has quadripartite structure, which is composed of state representatives (ministries, Czech national Bank), employers (the Confederation of Industry - Czech representatives in BIAC), employees (the Bohemian—Moravian Confederation of Trade Unions - Czech representatives in TUAC) and the non-profit sector (Frank Bold - Czech representatives in OECD Watch). This structure secures strong involvement of all relevant stakeholders in activities of NCP and cooperation between them.

The tasks of the NCPs include among others promotion of the Guidelines towards the public, especially among the enterprises with multinational business to which the recommendations contained in the Guidelines are addressed. Therefore, the NCP is helping to strengthen the position of corporate social responsibility as a very basis of the nowadays economic environment.

The National Bureau for Combating Organized Crime is intensively dealing with the issue of corporate liability in its criminal proceedings, evaluating and examining whether the conditions for prosecuting legal persons are met but it has not been established that these conditions have been met in any of the cases of trafficking in human beings prosecuted by the police so far.

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.

No.

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.

In this context, there has been no change since the first evaluation. Therefore we refer to paragraph 25 in the Report submitted by the authorities of the Czech Republic on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2020)01.

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.

The Code of Criminal Procedure is based on the principle of legality and officiality (Section 2 of Act No. 141/1961 Coll., the Code of Criminal Procedure), which means, first, that the public prosecutor is obliged to prosecute all criminal offences of which they become aware, unless the law or a published international treaty to which the Czech Republic is bound provides otherwise, and, second, that the prosecuting authorities act ex officio. The law enforcement authorities are obliged to investigate every potential crime of which they become aware, regardless of the manner in which they became aware of the commission of the crime. It is therefore not relevant whether or not the victim files a criminal complaint or in which country they file it. The criminality of an act committed on the territory of the Czech Republic is then assessed according to the principle of territoriality (Section 4 of Act No.40/2009 Coll., the Criminal Code), according to which the criminality of an act committed on its territory is assessed according to the law of the Czech Republic. An offence is deemed to have been committed in the Czech Republic if the perpetrator committed the act wholly or partly in the Czech Republic, even if the violation or threat to the interest protected by the criminal law occurred or should have occurred wholly or partly abroad. An offence shall also be deemed to have been committed in the territory of the Czech Republic if the offender has violated or threatened an interest protected by criminal law in the territory of the Czech Republic, or where such a consequence should have occurred, at least in part, in the territory of the Czech Republic, even if the act was committed abroad.

The Czech Republic seeks to minimize the risk associated with conducting criminal proceedings in multiple jurisdictions where the so-called jurisdictional disputes may arise and where there is a potential risk of violating the ne bis in idem principle. The Czech Republic ratified the European

Convention on Transfer of Criminal Proceedings in 1992. Also, within the European Union, there is a legislative instrument dealing with the prevention of conflicts of competence in the exercise of jurisdiction in criminal proceedings (Council Framework Decision 2009/948/JHA).

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. The issue of THB in the Czech Republic is dealt with by experts of the National Centre against Organized Crime assigned to the Department of Trafficking in Human Beings and Illegal Migration, experts of the National Centre for Organized Crime assigned to individual branches (7 branches in the Czech Republic) and experts from the General Crime Department at individual Regional Police Directorates.

b. International police cooperation takes place through the Directorate for International Police Cooperation of the Police Presidium, or EUROPOL and INTERPOL.

c. Under the conditions specified in the Code of Criminal Procedure, both interception of communication and monitoring of persons can be used when documenting THB in the Czech Republic. Under the conditions specified in the Act on the Police of the Czech Republic, it is possible to use informants, information sources, cover means, special funds, safety equipment (cameras, etc.).

d. THB has not been detected in cyberspace. The criminal activities in question are dealt with by the newly established Central Office for Terrorism, Extremism and Cybercriminality of the Criminal Police and Investigation Service.

e. The area of financial investigation in criminal proceedings in the field of trafficking in human beings is comparable to the previous period. Tracing the proceeds of crime is problematic as a result of the actions of the perpetrators. The vast majority of suspects - perpetrators of this crime, use cash payments, and in addition, these persons are in execution proceedings and without traceable property. The use of non-cash financial transactions through bank transfers and services is done to a limited extent, the information regarding the transactions serves then as evidence.

In 2022, on the basis of criminal proceedings in connection with trafficking in human beings processed at the Department of Trafficking in Human Beings and Illegal Migration of National Center against Organised Crime, property (funds and real estate) worth CZK 7.5 million was seized. CZK, partly as proceeds of crime pursuant to art. 79a par. 1 tr. Criminal Procedure Code, and partly as a substitute value pursuant to art. 79g of the Code of Criminal Procedure.

f. Joint Investigation Teams are used in most cases with an international element.

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?

No such case was investigated.

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.

The regulations governing this issue are Act No. 141/1961 Coll., on Judicial Criminal Proceedings (Code of Criminal Procedure), Act No. 45/2013 Coll., on Victims of Crime, and Act No. 137/2001, on the Special Protection of Witnesses and Other Persons in Connection with Criminal Proceedings.

In the case of the Act on Victims of Crime, the relevant legislation can be found in its art. 14, which regulates the right to protection against imminent danger. Articles 17-22 regulate the right to protection against secondary damage.

In relation to the Act on the Special Protection of Witnesses and Other Persons in the Context of Criminal Proceedings, we can mention art. 2, which defines who may be considered a person at risk. Art. 3 also defines what special protection and assistance includes. The provision of special protection and assistance is governed by Articles 4-7b.

In the Czech Republic, there is also the Programme on Support and Protection of Victims of Human Trafficking which is implemented by the Ministry of the Interior together with a specialised non-governmental organisation and the International Organisation for Migration Prague. This program is intended for probable victims of human trafficking over 18 years of age, both for citizens of the European Union trafficked in the Czech Republic, for citizens of a third country trafficked in the territory of the Czech Republic and for citizens of the Czech Republic trafficked in the Czech Republic or abroad.

Statistics are not kept on how many cases special protection measures have been applied in relation to victims and witnesses of crime. It is only possible to refer to the publicly available Report on the State of Human Trafficking in the Czech Republic published on the website of the Ministry of Interior. Detailed figures are introduced below in the Statistics section.

Regarding the functioning of the Programme, coordination meetings were held continuously with non-governmental and intergovernmental organizations included among the Programme entities and other state administration bodies. In December 2022, an amended Instruction of the 1st Deputy Minister of Interior regulating the functioning of the Programme on Support and Protection of Victims of Human Trafficking was issued. The modifications are aimed at improving the mutual transfer of information and its scope between the entities of the Programme in order to ensure even higher security of the entities and credibility of the Programme.

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?

Pursuant to Act No. 45/2013 Coll., on Victims of Crime and on Amendments to Certain Acts, specifically its art. 21, the victim has the right to be accompanied by a confidant during various criminal proceedings steps and to provide explanations. Such confidant may be a natural person with legal capacity and may be chosen by the victim. The confidant provides the victim with necessary, especially psychological, assistance and also may be the victim's representative. The confidant cannot be a person who has the status of an accused, defence counsel, witness, expert or interpreter in criminal proceedings. The confidant can be excluded from the participation in the criminal proceedings only exceptionally if the participation of such confidant would disrupt the course of the particular step of the proceedings or jeopardize the achievement of the purpose of such step. Where the confidant has been excluded from the proceedings, the victim must be allowed to choose another confidant, unless the particular step of the proceedings cannot be postponed or its postponement would involve disproportionate difficulties or costs.

The right of a confidant to be present at the trial and public session, even in cases where the public is excluded, stems from art. 201 para. 2 of Act No. 141/1961 Coll., Code of Criminal Procedure, and from art. 54 para 1 of Act No 218/2003 on the Liability of Young People for Unlawful Acts and on Juvenile Justice and Amending Certain Acts (Act on Juvenile Justice).

National Center against Organized Crime is closely cooperating with the non-profit organization LA STRADA, which provides victims with confidants, as well as attorneys (lawyers), social workers and field workers.

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).

We refer to the answer to question n. 55.

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.

Everything relevant to international cooperation has already been described in the GRETA first round report on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings in the Czech Republic on pages 29 and 30 and in our following answers to the GRETA recommendations on international co-operation on page n. 5.

We enclose a list of international treaties that the Czech Republic has concluded in the field of international judicial cooperation in criminal matters, specifically in the areas of legal aid in a narrow sense, extradition and transfer of sentenced persons. Important multilateral treaties as well as bilateral treaties are included in this list.

Even in the absence of an agreement, treaty or convention the Czech Republic is able to provide mutual legal assistance to foreign judicial authorities for the purposes of investigation and prosecution of offences covered by the Convention. In such a case the competent authorities of the requesting State must provide assurance of reciprocity that the requesting State will comply with a future request by the Czech judicial authorities in a similar case. The request for assistance from the requesting State will be processed in accordance with Act No. 104/2013 Coll. on International Judicial Co-operation in Criminal Matters.

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.

The International Police Co-operation Division of the Police Presidium of the Czech Republic is responsible for the communication towards the requested and requesting parties such as Interpol, Europol and SIRENE. This communication is conducted as fast as possible and it concerns also the situation when the authorities believe a person in another country is in immediate danger. The communication is executed within hours.

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?

The Czech Republic has a "warning system for missing children" (in the Czech Republic it is called "Child at Risk"). The system is triggered after meeting the following criteria: A missing person below the age of 15 who:

- Can become a victim of an unfortunate accident
- Lacks access to life-needed medicines
- is demonstrably physically or mentally handicapped
- was the victim of a kidnapping

In cases worthy of special consideration, also a missing person over 15 and under 18 years of age is considered. The system is not intended for voluntary escapes from home or institutional facilities.

If the criteria for declaring a child with the flag " Child at Risk ", are met, the so-called National Coordination Mechanism for the Search for a Missing Child (NCM) is launched and the information will also be transferred to the ECHO mobile App.

Mobile application Echo is freely downloadable for phones with iOS and Android operating system in AppStore and GooglePlay. It is free of charge and as soon as the "Child at Risk" mode is activated, all users of this application will receive information with a photo of the missing child and information about where and under what circumstances the child went missing.

NCM was established in 2010, when cooperation with the most important media partners was established – currently a total of 10 media are involved in the project (Czech Television, TV Prima, TV Barrandov, Czech Radio, Radio Impuls, Frekvence 1, Aktuálně.cz, Czech News Agency, TN news website. CZ and Týden.cz).

Information about a missing child is provided to the public until the child is found.

In the event of a "Child at Risk" call, international cooperation with the European platform for missing children Amber Alert Europe is automatically triggered. The AAEU is officially recognized by the Council of the European Union and all member states. It consists of more than 80 law enforcement experts from 30 countries.

Cross-border cooperation between law enforcement authorities in the area of missing persons takes the form of direct cooperation and communication between PEN-MP (Police Expert Network on Missing Person) contact points. It is officially affiliated to the Law Enforcement Working Party (LEWP) of the Council of the European Union.

PEN-MP is the first and only network of police experts on missing persons in Europe – the aim is to bring together experts on missing persons in Europe, focusing on the most vulnerable groups – children and the elderly.

The PEN-MP enables fast and direct cross-border cooperation and communication between law enforcement experts in cases of missing persons.

Every year there are meetings of the core group (CORE-GROUP) + meetings of all members of Europe. Training and online webinars on missing persons are ongoing.

Direct cooperation of PEN-MP members is very beneficial in cases of missing children where there is a reasonable fear for their life and health and it is assumed that they are outside the territory of the Czech Republic, or if there is a risk that they have become a victim of kidnapping or human trafficking. There is no harmonised telephone number for missing children.

Co-operation with civil society (Article 35)

59. What steps are taken by your country to encourage state authorities and public officials to co-operate 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.

The Czech Republic has long been striving for the transparent and open performance of public administration, and therefore it has been a long-term standard in the creation and implementation of almost any type of government policy that civil society participates in its creation, implementation and evaluation. In this context and for these purposes, the Interdepartmental Coordination Group for the Fight against Human Trafficking (hereinafter referred to as ICG) was established many years ago, which became part of the permanent advisory bodies of the Government. The ICG includes both central government bodies and representatives of professional societies, law enforcement authorities, inspection bodies, non-governmental non-profit organizations and the International Organization for Migration. The ICG includes both central government bodies and representatives of professional societies, law enforcement authorities, inspection bodies, non-governmental non-profit organizations and the international organization IOM.

The Interdepartmental Group for Combatting Illegal Employment operates in the same way. It is also an advisory body established by a government resolution with an adequately composed membership base.

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.

In the annex we attach a list of international treaties that the Czech Republic has concluded in the field of international judicial cooperation in criminal matters, specifically in the areas of legal aid in the strict sense, extradition and transfer of sentenced persons. Important multilateral treaties as well as bilateral treaties are included.

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

Within the mechanisms that are part of the National Reference Mechanism and the Programme on Support and Protection of Victims of Human Trafficking, probable victims of human trafficking are granted a special residence permit that allows their protection and at the same time material, social and psychological support from the state budget.

D. Final questions

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

Ministry of Interior, Ministry of Justice, Ministry of Labour and Social Affairs, Ministry of Education, Youth and Sports, Ministry of Transport, Ministry of Health, Supreme Court, Prosecutor General's Office, Ministry of Industry and Trade, State Labour Inspection Office, Foreign Police Service Directorate, National Centre against Organized Crime, International Organization for Migration.

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

Department of International Cooperation and the EU of the Ministry of Justice.

E. Statistics on THB (per year, starting with 2019)

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).

In summary to the above questions- in the Czech Republic, "victims" of any criminal activity are not registered as part of the collection of data from criminal proceedings. The Czech Police registers only "objects of assault", while it would currently be possible to identify all victims of criminal activity only by studying individual criminal files. However, the government is currently very interested in changing the crime statistics (a relevant government resolution was also issued for this purpose). Therefore, the currently available numbers of probable victims of human trafficking are those of who have entered the Mol Program. Their numbers, including all available data, are shown in the following tables.

Likely victims in the Program in 2019:

	Total number	Men	Woman
Number of victims	15	11	4
Nationality:			
<i>Czech Republic</i>	8	6	2
<i>Philippines</i>	6	4	2
<i>Slovakia</i>	1	1	

Note: in 2019, the Probable Victims Program was not divided according to the type of exploitation

Likely victims in the Program in 2020:

	Total	Men	Women	Sexual	Labor	Other

	number			exploitation	exploitation	
Number of victims	13	6	7	XXX	XXX	
Sexual exploitation	2*	1*	1	XXX	XXX	
Labor exploitation	12*	6*	6	XXX	XXX	
Nationality:						
Czech Republic	4	4		1*	4*	
Ukraine	4	2	2		4	
Mongolia	1	1	1		1	
Philippines			1		1	
Honduras			1	1		
Bulgaria			2		2	

***1 man classified by the police according to § 168 paragraph 2 letter a) and letter e)**

Likely victims in the Program in 2021:

	Total number	Men	Women	Sexual exploitation	Labor exploitation	Other
Number of victims	11	6	5	XXX	XXX	
Sexual exploitation	3	0	3	XXX	XXX	
Labor exploitation	11	6	5	XXX	XXX	
Nationality:						
Czech Republic	5	2	3	3*	5*	
Mongolia	6	4	2		6	

***3 women both sexual and labor exploitation**

Likely victims in the Program in 2022:

	Total number	Men	Women	Sexual exploitation	Labor exploitation	Other
Number of victims	33	25	8	XXX	XXX	
Sexual exploitation	1	0	1	XXX	XXX	
Labor exploitation	32	25	7	XXX	XXX	
Nationality:						
Czech Republic		8	1	1	8	
Slovakia		4			4	
Poland		4			4	
Romania		1			1	
Moldova		1			1	
Pakistan		1			1	
Philippines		4	4		8	
Ukraine			3		3	
Latvia		1			1	
Bulgaria		1			1	

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).

Between 2019 and 2022, 7 adults, citizens of the Philippines (4 women and 3 men) stayed in the territory of the Czech Republic under the regime of a special residence permit for the purpose of protection in the territory of the Czech Republic. In all cases, these were likely victims of human trafficking for labor exploitation. The group of 7 people was in 2020 joined by one adult citizen of India, who was also a probable victim of trafficking for the purpose of labor exploitation. Below is an overview table of implemented special long-term stays for the purpose of protection between 2019 and 2022.

Year	Nationality	Sex	Age	Form of exploitation
2019 – 7 people	Philippines – 7 people	female- 4	adult	Labor exploitation
		male- 3	adult	Labor exploitation
2020 – 8 people	Philippines – 7 people	female- 4	adult	Labor exploitation
		male- 3	adult	Labor exploitation
	India – 1 osoba	female- 0	----- -	----- -
		male-1	adult	Labor exploitation
2021 – 7 people	Philippines – 7 people	female- 4	adult	Labor exploitation
		male- 3	adult	Labor exploitation
2022 – 7 people	Philippines – 7 people	female - 4	adult	Labor exploitation
		male - 3	adult	Labor exploitation

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

As mentioned above, as a part of the care for probable victims of human trafficking, the Czech Republic has a system of granting a special residence permit, which enables the victim to be provided with protection, material and social support, including psychological and medical care, it is not necessary to use international protection institutes. A special residence permit for the purpose of protection in the territory also enables, in relevant cases, the subsequent acquisition of permanent residence in the territory of the Czech Republic.

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.

As far as financial assistance pursuant to Act No. 45/2013 Coll. is concerned, it is not statistically monitored by what specific crime the applicant for financial assistance was victimized (it is not essential, financial assistance is provided according to the criteria of the consequence caused, regardless of the constituent elements of the crime under which they were subsumed), so we cannot single out from our statistics only cases of financial assistance provided to victims of crimes related to human trafficking.

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

Only in 2019 there were 2 victims (men, date of birth 1975 and 1983) to the Czech Republic, from Lithuania and Great Britain.

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

During the 2019 till 2022 there was no victim repatriated from the Czech Republic to another country.

Following data were provided by Judicial Analysis and Statistics Unit of the Ministry of Justice of the Czech Republic. All below data are based on section 168 of the Penal code 40/2009 Coll. Statistical unit = offence.

Number of investigations into THB cases.

Number of investigated criminal offences in following years 2019 – 21, 2020 – 10, 2021 – 22, 2022 – 22.

Number of prosecutions of THB cases.

We provide number of prosecuted criminal offences in following years 2019 – 21, 2020 -9, 2021 – 22, 2022 – 22.

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 convicted criminal offences for THB resulting in penalties involving deprivation of liberty in following years 2019 – 9, 2020 – 8, 2021 – 21, 2022 – 16.

*Number of convicted criminal offences for THB resulting in penalties involving deprivation of liberty **SUSPENDED** – 2019 - 1, 2020 – 3, 2021 – 3, 2022 – 10.*

*Number of convicted criminal offences for THB resulting in penalties involving deprivation of liberty – **PRISON SENTENCE**, in years 2019 – 8, 2020 – 5, 2021 – 18, 2022 – 6.*

*Duration of penalties on grounds of THB involving deprivation of liberty – **minimum duration** (months), in the years 2019 – 48, 2020 – 36, 2021 – 48, 2022 – 48.*

*Duration of penalties on grounds of THB involving deprivation of liberty – **maximum duration** (months), in the years 2019 – 132, 2020 – 102, 2021 – 216, 2022 – 78.*

Number of judgments resulting in the confiscation of assets.

Number of judgments resulting in the confiscation of assets, in the years 2019 - 4, 2020 – 3, 2021 – 10, 2022 – 1.

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

Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB, in the years 2019 - 1, 2020 – 0, 2021 – 0, 2022 – 1.

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

No data are available.

