



## **G R E T A**

Group of Experts on Action  
against Trafficking in Human Beings

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

## **Third evaluation round**

**Thematic focus: Access to justice and effective remedies for  
victims of trafficking in human beings**

**Reply submitted on 11 November 2021**

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## Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), 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.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' **access to justice and effective remedies**, which is essential for victims' rehabilitation and reinstatement of rights and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. Moreover, victims of trafficking, by virtue of their status as victims of human rights violations, are entitled to effective remedies under the European Convention on Human Rights. Access to justice and effective remedies must be guaranteed, in a gender- and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of State Parties, irrespective of their immigration status or presence on the national territory and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, regularisation of the victim's stay, the right to seek and enjoy asylum, and the application of the principle of *non-refoulement*. These preconditions, corresponding to different provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics, through a separate country-specific part of the questionnaire, rather than including once again questions related to the same provisions in the general questionnaire for the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. 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. 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 second evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, 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.

## Part I - Access to justice and effective remedies

### 1. Right to information (Articles 12 and 15)

1.1 How, at what stage and by whom are presumed victims and victims of THB informed of their rights, the relevant judicial and administrative proceedings, and the legal possibilities for obtaining compensation and other remedies, in a language that they can understand? Please provide copies of any information materials developed to inform victims of THB, including any materials specifically developed for child victims, in the languages in which they exist.

Act Amending the Criminal Procedure Act (Official Gazette of the Republic of Slovenia, No. 32/12 - official consolidated text, 47/13, 87/14, 8/16 - Constitutional Court Decision, 64/16 - Constitutional Court Decision, 65/16 - Constitutional Court Decision, 66/17 - ORZKP153,154, 22/19, 55/20 - Constitutional Court Decision, 89/20 - Constitutional Court Decision, 191/20 - Constitutional Court Decision, 200/20 and 105/21 - Constitutional Court Decision; hereinafter: ZKP), which entered into force on 20 April 2019, provides for adequate protection of the rights of victims of crime, as provided for in Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime. It ensures clear rights for victims of crime to access information, to participate in criminal proceedings and to receive support and protection tailored to their needs. It strengthens the position and security of victims in pre-trial and criminal proceedings, and enables victims to be properly informed and to follow proceedings, by imposing an obligation on the authorities to provide adequate information in a language the victim understands, and by providing additional protection for minor victims.

Following the adoption of the amendment to the ZKP in 2019, a special implementation working group was established within the Ministry of Justice, including representatives of all stakeholders in the justice system, with the task of developing "harmonised solutions for stakeholders in the criminal proceedings relating to the rights of victims of crime, in particular with regard to: informing victims of their rights and the creation and updating of an individual victim assessment, as well as with regard to access to information on the stage of the proceedings. Following the entry into force of the amendment to the ZKP-N, the implementation group has also monitored its implementation in practice. Among other things, it has developed a leaflet listing the rights of victims of crime, which has been translated into the languages most commonly used in the territory of the Republic of Slovenia (and is also available in an extended form on the internet).



Rights of victims of  
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In addition, the working group has developed a working tool - the Individual Assessment of Victims of Crime form - which facilitates the work of police officers and state prosecutors, as they are required to assess each victim individually in accordance with the requirements of Directive 2012/29/EU, or to refresh the assessment if changes occur.

Under the new Article 65a of the ZKP, the authority must, at the time of first contact, adequately inform the victim of various rights, including information of the right to a certificate of filing the complaint, the right to assume the prosecution, medical support, measures to ensure personal safety, the right to free legal aid, and, during the proceedings, of the status of the pre-trial and criminal proceedings and the obligation to inform the authority of any change of address or residence.

The competent authority must also assess, during the very time first contact, the victim's level of exposure to secondary and repeated victimisation, intimidation and retaliation and make an individual assessment, in accordance with the new Article 143 of the ZKP.

In the process of identification of the victim or alleged victim of trafficking in human beings, the police, in accordance with the Manual on the Identification of, Assistance to and Protection of Victims of Trafficking in Human Beings (hereinafter: the Manual), inform the victim in a language that he or she understands of his or her right to assistance and support, his or her right to safe accommodation during recovery and reflection, and his or her right to participate in the criminal proceedings. NGOs and humanitarian organisations are always involved.

The police provide representatives of an NGO and/or humanitarian organisation with an opportunity to have an individual interview with the victim before the procedure of collecting information from the victim is carried out. Victims of trafficking in human beings receive information on:

- the type of services or organisations they can contact for assistance;
- the type of assistance they can receive;
- where and how to report the crime;
- the procedures following the report and their role in relation to such procedures;
- how and under what conditions they can obtain protection;
- the extent to which and under what conditions they have access to legal advice, legal aid or any other type of advice;
- the requirements they must meet to be entitled to compensation;
- any special arrangements available to them to protect their interests if they have permanent residence in another Member State;
- how to obtain reimbursement of costs incurred as a result of their participation in criminal proceedings.

The victim is also given information material (leaflets) in a language he or she understands. The material is prepared by NGOs and humanitarian organisations with the help of financial resources provided by the Ministry of Labour, Family, Social Affairs and Equal Opportunities (hereinafter: MDDSZ) and the Ministry of the Interior within the framework of the projects of care for victims of trafficking in human beings - crisis accommodation and care for victims of trafficking in human beings - safe accommodation".



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When accommodated in a safe place, victims are informed that their rights and interests are represented and addressed at different stages of the prosecution against the perpetrators. Special attention is given to child victims of trafficking, where assistance is available when informing them of their rights and providing appropriate support.

1.2 How is the obligation to provide translation and interpretation services, when appropriate, met at different stages of the legal and administrative proceedings by different agencies?

In pre-trial proceedings, **the police** provide appropriate translators and interpreters for the purpose of collecting information from victims of trafficking in human beings. The list of interpreters with whom the police have concluded a relevant contract is available to all police officers and criminal investigators on the police intranet. Interpreters are required to comply with the rules of the Code of Conduct for interpreters and translators in police proceedings and in performing work for the police, which was adopted on 22 November 2019.

In addition, the Ministry of the Interior has a contract with certain Slovenian sign language interpreters to ensure that the legal right of deaf persons to use sign language in proceedings before state authorities is exercised. A list of all interpreters is published and accessible to police officers and criminal investigators on the website of the Sign Language Interpreters Association of Slovenia.<sup>1</sup>

<sup>1</sup> <https://tolmaci.si>

**In the course of judicial proceedings**, the court hearing the case is responsible for keeping victims properly informed. Under Article 8 of the ZKP, victims have the right to use their own language in the proceedings, through interpretation of what others say during a particular procedural step and through written translation of essential documentation. For victims, essential documentation includes, in particular, summonses, decisions rejecting a criminal complaint, decisions rejecting or refusing a request for an investigation, decisions to discontinue proceedings, decisions rejecting an indictment, judgments and notices of the right to assume or continue prosecution - in short, those documents which are essential for victims and their rights in the proceedings. As a rule, the translation and interpretation is carried out by a court interpreter, the victims must be informed of their right to translation and interpretation and, in the event of any irregularities, they have the right to object.

In individual stages of the proceedings, the ZKP further regulates the rights of the participants to participate in the proceedings in a language they understand (Articles 65a, 74, 128, 233, 243, 288, 410, 439, 453 of the ZKP).

The **Act on General Administrative Procedure** (Official Gazette of the RS, No 24/06 - official consolidated text), which governs the actions of administrative and other state bodies, bodies of self-governing local communities and holders of public powers when deciding on the rights, obligations or legal benefits of individuals, legal persons and other parties in administrative matters, also contains provisions on the right to an interpreter for a party to the proceedings (Article 62 of the Act on General Administrative Procedure).

Translation and interpretation for foreigners who do not speak Slovenian is also provided by non-governmental and humanitarian organisations in accordance with the provisions of the contracts concluded with the Ministry of the Interior and the MDDSZ for the implementation of **crisis and safe accommodation programmes** for victims of trafficking in human beings. Interpretation, which is available to the victim at the time of admission to the crisis accommodation programme and for the duration of the comprehensive treatment, is mostly provided by volunteers.

## **2. Legal assistance and free legal aid (Article 15)**

2.1 How, by whom and from what moment is legal assistance provided to victims of trafficking? How is legal assistance provided to children?

Assistance to victims of trafficking in human beings is provided in the Republic of Slovenia on the basis of the Act on the Ratification of the Council of Europe Convention on Action against Trafficking in Human Beings. On this basis, the Government of the Republic of Slovenia finances two assistance programmes implemented by NGOs selected in a public tender.

The project of care for victims of trafficking in human beings - crisis accommodation, funded by the MDDSZ, and the project of care for victims of trafficking in human beings - safe accommodation, funded by the Ministry of the Interior, accommodate persons identified by the police as victims of trafficking in human beings, or who are reasonably believed to be victims of trafficking in human beings. These persons are also entitled to legal assistance, which includes both paid legal advice and pro bono legal assistance. Volunteers with relevant expertise are also involved in the activities. The Legal Information Centre for NGOs, the Victim Support Service of the District Court of Ljubljana and the Legal Centre for the Protection of Human Rights can also be contacted for assistance. In certain cases, an application for free legal aid has been submitted, which is regulated by the Legal Aid Act.

If the victim of trafficking in human beings is a child, the local centre for social work or its intervention service is involved. The social work centre, as the holder of the public authority and of the tasks and services conferred on it by law, must send a professional to the place and, ex officio, appoint a legal representative (e.g. for an unaccompanied minor applying for asylum) or a special case guardian before

the proceedings are initiated. In pursuing the best interests of the child and protecting his or her rights, the child must also be provided with legal assistance, if necessary. The child also receives legal assistance by being included in crisis and safe accommodation programmes.

Legal aid for children is also provided for by the Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act (Official Gazette of the Republic of Slovenia, No 54/21), adopted on 24 April 2021. The protection of children involved in criminal proceedings is organised as a public service in the Children's House, a public institution, where children (under 18 years of age) are treated in a comprehensive manner, including procedures of interrogation, physical examination, crisis support and psychosocial assistance. Children, in particular victims of sexual abuse, will thus be treated in a manner appropriate to them in the criminal proceedings, with full and highly qualified professional support and in a child-friendly and safe environment.

2.2 Do all presumed victims of THB have access to legal assistance, irrespective of immigration status or type of exploitation?

All identified victims of trafficking in human beings who are included in the crisis and safe accommodation programme have access to legal aid. Presumed victims may benefit from free legal aid under the conditions set out in the Legal Aid Act (Official Gazette of the Republic of Slovenia, No 96/04 - official consolidated text, 23/08, 15/14 – Constitutional Court Decision 19/15).

2.3 What are the conditions for access to free legal aid for victims of THB, including children? For which types of proceedings is free legal aid available? Is free legal aid available to help victims claim compensation and execute compensation orders? Please provide the text of the relevant provisions.

Free legal aid in the Republic of Slovenia is regulated by the Legal Aid Act. Citizens of the Republic of Slovenia, foreigners with a permanent or temporary residence permit and other persons are entitled to legal aid in accordance with Article 10 of the Act. In general, a person may be entitled to free legal aid if his or her monthly income or income per family member does not exceed the minimum income, his or her assets or assets of the family do not exceed a certain amount - 19,304.64 EUR, and the court verifies the chances of success in the proceedings. In the case of victims of trafficking in human beings, free legal aid is most often granted for legal advice from an attorney, representation by an attorney before a court, as an exemption from the costs of proceedings (e.g. advance payment for an expert or an enforcement agent) or costs incurred in concluding an out-of-court settlement.

2.4 Are there lawyers specialised to provide legal aid and represent victims of THB in court? What regulations, if any, are applicable to the provision of such legal aid/representation?

There are no lawyers specialised in, or at least predominantly representing, victims of trafficking in human beings in the Republic of Slovenia. Typically, attorneys who represent victims in similar situations (e.g. sexual offences) also represent victims of trafficking in human beings offences.

2.5 How is the provision of legal assistance and free legal aid for victims of THB funded? Do victims have to pay a fee to obtain legal assistance or start a procedure, or are there other financial barriers in place? If yes, please specify the amount(s).

Free legal aid under the Legal Aid Act is financed from the budget of the Republic of Slovenia. The Legal Aid Act does not provide for fees for initiating proceedings. However, legal aid for victims of trafficking in human beings is financed from various sources (see Section 2.1.).

### 3. Compensation from the perpetrators (Article 15)

3.1 What measures are in place to enable courts to award compensation to victims of THB, including children, from the perpetrators as part of criminal proceedings? What is the role of prosecutors in this respect?

Victims of crime may claim compensation from the perpetrator in accordance with the general provisions of the Obligations Code (Official Gazette of the Republic of Slovenia, No.97/07 - official consolidated text, 64/16 – Constitutional Court Decision and 20/18 - OROZ631) and the ZKP. A victim of trafficking in human beings may claim compensation from the perpetrator by means of a civil action or by lodging a property claim under the ZKP, together with a criminal complaint against the perpetrator.

It is generally accepted that in any criminal proceedings in which proceeds of crime have been established, the latter shall be confiscated. The same applies to the offence of trafficking in human beings. In addition, under the provisions of the ZKP, the injured party may file a pecuniary claim, which takes precedence over the confiscation of the proceeds of crime. A pecuniary claim is not compulsory, but it is an option given to the injured party in criminal proceedings. If the injured party does not file a pecuniary claim, the proceeds of crime established by the court shall be confiscated by a judgment and become part of the budget of the Republic of Slovenia.

3.2 How is the amount of compensation calculated and are there specific criteria or models for calculating it? What types of injury/damage and costs are covered? Are there any circumstances/conditions that would lead to a reduction of the amount of compensation?

The Crime Victim Compensation Act (Official Gazette of the Republic of Slovenia, No 101/05, 114/06 - ZUE and 86/10; hereinafter: ZOZKD) regulates the right to compensation to victims of intentional acts of violence and their relatives, the procedure for exercising these rights, and the bodies that decide and participate in the decision-making process regarding these rights. Under the conditions set out in this Act, compensation shall be granted for physical pain or impairment of health, mental pain, loss of livelihood, costs relating to medical treatment, funeral expenses, damages for destroyed medical devices and the costs incurred in claiming compensation. In deciding the amount of compensation, account is also taken of the conduct of the beneficiary at the time of and after the act and his or her contribution to the cause and extent of the damage. The compensation determined for a particular type of damage under this Act shall be reduced by any compensation, reimbursement and any other payment received by the beneficiary on any other basis in respect of the same type of damage.

3.3 How are compensation orders/verdicts enforced? What measures are in place to guarantee and ensure effective payment of compensation?

The court that heard the case has full jurisdiction to enforce individual decisions or judgments.

If the victim seeks compensation under the ZKP, the compensation is normally paid out of the assets seized from the perpetrator, if any.

If the compensation is payable under the ZOZKD, it is paid from the state budget. The compensation is paid by an independent state authority - the State Attorney's Office of the Republic of Slovenia.

Compensation based on a private action for damages is paid in enforcement proceedings through the courts. If the payment of compensation is not made voluntarily, it is made through an enforcement agent appointed by the court.



3.4 When foreign victims of THB are removed from or choose to leave the country where the exploitation took place, what measures are in place to enable them to obtain compensation and other remedies?

In the Republic of Slovenia, victims can also act by proxy, which means that a victim of a crime can file claims for compensation in criminal proceedings by proxy, regardless of where he or she is located.

3.5 What procedures are in place to ensure effective access to compensation for victims of THB for the purpose of labour exploitation? Can such victims bring civil claims for compensation and/or recovery of unpaid wages and social contributions on the basis of tort, labour, employment or other laws? Please specify the relevant measures. Can victims of THB working in irregular employment or without a contract claim unpaid wages and other compensation and if yes, how is the amount of unpaid wages and other compensation established?

At the very least, victims of trafficking in human beings have the right to bring an action for damages under general civil law (the Obligations Code, in particular Articles 131, 132, 146 and 147). Moreover, according to the established case-law of the courts of general jurisdiction of the Republic of Slovenia, the performance of undeclared work is also considered to be work where payment or assessment for pecuniary damage is required (albeit through the application of judicial protection) (e.g. Decision of the Civil Division of the Supreme Court of the Republic of Slovenia, No. II Ips 554/96, 9 April 1998, Judgment of the Civil Division of the Supreme Court of the Republic of Slovenia, No. II Ips 1250/2008, 15 January 2009).

3.6 What training is provided to build the capacity of relevant professionals, such as lawyers, law enforcement officers, prosecutors and judges, to enable victims of THB to obtain compensation and other remedies?

The issue of trafficking in human beings continues to be a part of training, in particular within the judicial and prosecutorial schools of the Judicial Training Centre. The content is adapted to trends in the prosecution of trafficking in human beings and, for the next biennium, focuses on the treatment of cases in which the victim's vulnerability has been exploited, and on the issue of compensation. Foreign experts and experts who are able to identify the vulnerability of victims are invited as trainers. Funding for the training is provided within the contractor's programme.

#### **4. State compensation (Article 15)**

4.1 Do the eligibility criteria for State compensation schemes for victims of crimes exclude some victims of THB (e.g. due to irregular residence status, nationality, nature of the offence)? Does access to State compensation depend on the outcome of the criminal case and on failure to obtain compensation from the offenders?

The basis for the payment of compensation to victims of crime by the State is the ZOZKD, which, among other things, confers the power to pay compensation on a commission appointed by the Government of the Republic of Slovenia. The commission is composed of the following members: a supreme or senior judge, a supreme or senior state prosecutor, an expert in the field of trauma medicine, an expert in the field of health care and insurance, and an expert in the field of pension and disability insurance.

The funds for the payment of compensation under the ZOZKD are provided for in the budget of the Republic of Slovenia, and the formal condition for claiming compensation under this act is that the claimant must be a citizen of the Republic of Slovenia or a citizen of another Member State of the European Union. This act has not yet been amended as regards the condition of citizenship, and the relevant amendments are planned to be made in 2022. The above constitutes a problem at systemic level and falls within the competence of the legislator, who established such a condition for the exercise of the right to compensation of victims of crime and their relatives.

Compensation determined for a particular type of damage under this act is reduced by compensation, reimbursement and any other payments received by the beneficiary for the same type of damage on any other basis.

4.2 How is the amount of State compensation calculated so as to address the gravity of the harm endured by the victim?

The ZOZKD sets out the conditions under which compensation is awarded for physical pain or impairment of health, mental pain, loss of livelihood, medical expenses, funeral expenses, damages for destroyed medical devices and the costs of claiming compensation. In deciding the amount of compensation, account is also taken of the conduct of the beneficiary at the time of and after the act and his or her contribution to the cause and extent of the damage. The compensation determined for a particular type of damage under this Act is reduced by any compensation, reimbursement and any other payment received by the beneficiary on any other basis in respect of the same type of damage.

4.3 Is it possible for foreign victims of trafficking to submit claims for State compensation in your country after being returned or repatriated to their countries of origin? Please provide examples of any such cases and indicate the measures stipulating such a possibility.

Article 5 of the ZOZKD provides that victims who are citizens of the Republic of Slovenia or another EU Member State may claim compensation from the State.

4.4 Are victims seeking State compensation liable for lawyers' costs and fees? Are State compensation awards subject to taxation? Does the receipt of compensation have consequences for access to social security or other benefits?

Under Article 8 of the ZOZKD, compensation is also awarded for the costs of claiming compensation, which include attorneys' fees and expenses. Pursuant to Article 15 of this Act, no fees are payable in respect of applications, actions and decisions in proceedings for claiming compensation under this Act. Translation costs and expert fees are charged to the budget of the Republic of Slovenia. In the event of a justified request, the claimant is reimbursed for the costs incurred by him or her in connection with the services necessary to establish the state of health for the purpose of claiming compensation under this Act.

## **5. Sanctions and measures (Article 23)**

5.1 Please describe the legislative and other measures adopted by your country which allow to: i) confiscate or otherwise deprive perpetrators of the proceeds of criminal offences, or property of an equivalent value to those proceeds; and ii) identify, trace, freeze or seize rapidly property which is liable to confiscation, in order to facilitate the enforcement of a later confiscation. Do these measures allow the identification, tracing and seizure of property into which the proceeds of illicit activities have been converted?

The basis for the confiscation of property from criminals is the Criminal Code (Official Journal of the Republic of Slovenia, No. 50/12 - official consolidated text, 6/16 – corr., 54/15, 38/16, 27/17, 23/20, 91/20 and 95/21; hereinafter: KZ-1), the ZKP and the Confiscation of Assets of Illicit Origin Act (Official Gazette of the Republic of Slovenia, No. 91/11, 25/14 and 53/18 – Constitutional Court Decision). Primarily, the offender is deprived of the proceeds of crime on the basis of acts of the prosecutor's office at the time of conviction. At the same time, on the basis of the Confiscation of Assets of Illicit Origin Act, the prosecutor's office, if the formal and material prerequisites are met, initiates a financial investigation procedure which may result in the civil confiscation of the offender's assets, but only of the part of the assets that has not been acquired through criminal means and whose lawful origin the offender is unable to prove.

We would like to point out that in recent years the state prosecutor's office has paid particular attention to the identification and freezing of the proceeds of crime obtained by perpetrators of trafficking in human

beings, because practice has shown that perpetrators commit the offences in question primarily with the aim of economically exploiting the victims and obtaining the greatest possible financial gain.

5.2 In what way do victims of THB benefit from seized and confiscated assets of perpetrators of THB? Do the confiscated assets go directly to victims, to a compensation fund or scheme for victims of trafficking or to other programmes for the assistance or support of victims of THB? Please provide information on seizures and confiscations of assets in THB cases and how they were used.

In cases of trafficking in human beings and in court proceedings in general, victims do not, in principle, benefit in any way from the seized or confiscated assets, as they belong to the budget of the Republic of Slovenia after they have been confiscated. Victims of crimes may potentially benefit indirectly under the ZOZKD, as the budget of the Republic of Slovenia provides the funds for the payment of compensation, and the procedure for obtaining compensation is described in detail in the previous replies. The handling of seized and confiscated assets is a matter for the courts.

5.3 Is it possible to use plea bargaining or some other form of settlement in cases of THB? If yes, please provide the relevant provisions. What protections are in place for victims of THB to ensure that their right of access to justice and effective remedies is not compromised by the plea bargaining or settlement in the legal process?

Under the provisions of the ZKP, a guilty plea agreement can also be used in cases of trafficking in human beings and is applied in practice. The conditions and procedure for concluding a guilty plea agreement are regulated in Chapter XXVIa of the ZKP (Articles 450a-450č). Pursuant to Article 367 of the ZKP, the right to appeal shall be granted to the parties, the defence counsel, the defendant's legal representative and the injured party. They may also, pursuant to paragraph two of Article 370 of the ZKP, challenge a judgment rendered on the basis of the accepted confession of guilt and a guilty plea agreement, except on the ground of an erroneous or incomplete finding of fact. However, a judgment given on the basis of a guilty plea agreement may not be challenged on the basis of a decision on criminal sanctions, the confiscation of proceeds, the costs of the criminal proceedings, pecuniary claims and on the basis of a decision to publish the judgment in the press, on radio or on television, if the judgment is pronounced in compliance with the conditions laid down by the state prosecutor in the indictment for a guilty plea or in the concluded guilty plea agreement

Depending on the prescribed penalty, deferred prosecution or referring a case to a settlement procedure are also permissible in the cases provided for by law (in both cases, the consent of the injured party is a precondition; Articles 161a and 162 of the ZKP).

5.4 What is the average duration of court proceedings in THB cases? In which circumstances are such cases given priority? Do you have a system to fast-track human trafficking-related prosecutions in order to improve the trial process and reduce the burden on victims and witnesses, including children? What safeguards are in place to ensure that judges deal with cases of THB without undue delay?

Court proceedings in human trafficking cases are usually lengthy due to their size and complexity and the unavailability of witnesses and defendants. Despite the importance of the cases and the particular vulnerability of the victims, such cases do not take precedence over other criminal cases. As part of the system to expedite prosecutions, prosecutors use general tools available in other judicial proceedings, such as urgent appeals, supervisory appeals and time limit motions, in prosecuting human trafficking offences, as the law does not provide for specific means to expedite the prosecution of human trafficking offences. In general, in all criminal cases, including the prosecution of trafficking in human beings offences, priority is given to custody cases and to cases in which a temporary measure securing the claim for the confiscation of proceeds is ordered.

## 5.5 How do you ensure that sanctions for THB offences are effective, proportionate and dissuasive?

State prosecutors propose sanctions on the basis of the General Instruction of the Supreme State Prosecutor's Office of the Republic of Slovenia on proposing the type and amount of penalties and in accordance with the penal policy and existing case law. The final decision on the sanction to be imposed is a matter for the court.

## 6. Ex parte and ex officio applications (Article 27)

6.1 What is the procedural position of a victim of THB in criminal proceedings? What steps are taken to assist victims of THB, including children, to enable their rights, interests and views to be presented and considered during the criminal proceedings against offenders? Who is entitled to assist victims of THB in court? Can victims of THB be represented by NGOs in criminal proceedings?

As part of the care and accommodation process, the Manual provides for crisis accommodation and subsequent accommodation in a safe area, and provides victims with interpretation and translation services, if necessary, as well as counselling and information on their rights in a language they understand. Victims' rights and interests are represented and addressed at the various stages of the prosecution against the perpetrators. Particular attention is paid to child victims of trafficking, where assistance is available to inform them of their rights and to provide appropriate support, and NGOs are always involved in these procedures. The provision of adequate accommodation and assistance programmes, especially for children identified as victims of trafficking, is of particular importance. The care of children identified in this way also requires the involvement of the competent social work centre, the provision of a legal representative for the child and the provision of a guardian. All these actors are also involved in presenting and taking into account the rights, views and interests of the child. In accordance with their competences and in compliance with the ZKP, courts assist victims of trafficking in human beings during the judicial process. NGOs cannot represent victims in criminal proceedings, but can provide various forms of support.

6.2 If the authorities fail to discharge their obligation to effectively investigate and prosecute suspected cases of trafficking, what possibilities for redress exist for victims of THB and their families? To what extent have victims of trafficking, including children, access to complaint mechanisms, such as Ombudsman institutions and other national human rights institutions?

A victim of trafficking in human beings can seek compensation from the perpetrator through a civil lawsuit. If he or she is unable to claim compensation from the perpetrator, he or she may also seek compensation from the State in accordance with the provisions of the ZOZKD.

During the period of involvement in the crisis and safe accommodation programme, the victim can access complaint mechanisms (e.g. the human rights ombudsman) through the project caseworker. Assistance in dealing with victims in pre-trial and criminal proceedings is also provided by the Victim Support Service, which was launched on 20 October 2019 at the District Court of Ljubljana. The contact person of the service explains the procedure of the court hearing, provides information and assistance, explains the possibilities of filing a property claim, offers free legal aid and provides other information needed by the victim.

Legal aid for children is regulated by the Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act. For more information see section 2.1.

6.3 What reporting and complaint mechanisms are in place for victims of trafficking who are in an irregular migration situation and/or in detention?

If the victim disagrees with an act or omission of a police officer in the performance of police duties that may constitute a violation of human rights or fundamental freedoms, he or she may lodge a complaint against the officer's performance.

The procedure for complaints against police officers is defined in the provisions of Chapter IV of the Police Tasks and Powers Act (Official Gazette of the RS, No. 15/13, 23/15 – corr., 10/17, 46/19 - Constitutional Court Decision and 47/19) and the Rules on handling complaints against police officers (Official Gazette of the RS, No. 54/13). The complaint may also be submitted electronically, via the eUPRAVA portal (<https://e-uprava.gov.si/si/podrocja/drzava-druzba/kazniva-dejanja/pritozba-zoper-delo-policistov>).

6.4 Can victims of THB bring claims against the State or its officials for: i) direct involvement in THB; ii) failure to prevent THB or protect them from THB? Have there been cases where State agents or persons acting on behalf, or at the direction, of the State were found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties? Please provide information on any prosecutions against diplomatic and consular staff for alleged involvement in THB.

The Specialised State Prosecutor's Office of the Republic of Slovenia (hereinafter: SDT RS) has not dealt with any cases in which State officials or persons acting on behalf of or at the direction of the State have been found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties.

In this context we would like to highlight the case against the Embassy of the Hellenic Republic in the Republic of Slovenia, which was referred to the Hellenic Republic.

6.5 What steps have been taken to strengthen and maintain the capacity of prosecutors to effectively prosecute trafficking cases?

In the Republic of Slovenia, the SDT RS is exclusively responsible for the prosecution of cases of trafficking in human beings. Prosecutors from one of the divisions of the SDT RS deal with the most serious forms of general and organised crime, including trafficking in human beings. Prosecutors and other prosecutorial staff receive regular training in this area, and the state prosecutors of the SDT RS regularly pass on their knowledge through lectures.

## **7. Non-punishment provision (Article 26)**

7.1 Please indicate what measures are taken to ensure that victims of THB, including children, are not punished for their involvement in unlawful activities (criminal, civil, administrative offences), to the extent they were compelled to do so, providing any concrete examples of their implementation.

The principle of impunity for victims of trafficking in human beings is guaranteed in the Republic of Slovenia by Article 23 of the KZ-1, which stipulates that any act committed under coercion that the perpetrator is not able to resist shall not constitute a criminal offence. This Article sufficiently transposes the provision on impunity in Article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings. In practice, victims of trafficking in human beings are not known to have been prosecuted, convicted or punished. There are no discrepancies in the cases handled by the prosecutors of the SDT RS, as in cases where victims are identified as victims of trafficking in human beings, they are not prosecuted. In 2018, we dealt with a case in which 32 victims of trafficking in human beings had committed fraud offences under duress. Criminal proceedings were only brought against the members of the criminal group, who were convicted of a human trafficking offence, while all 32 victims returned to their country of origin after being heard in court.

7.2 Can persons who have breached national laws in the course, or as a consequence, of being trafficked have access to remedies for victims of trafficking, including State compensation?

Under the ZOZKD, victims of trafficking in human beings have access to compensation from the State, but only for violent crimes and on condition of citizenship of the Republic of Slovenia or of the European Union.

## 8. Protection of victims and witnesses (Articles 28 and 30)

8.1 How are victims of THB protected in practice against potential retaliation or intimidation before, during and after legal proceedings? How is the assessment of the needs for protection performed and who recommends the application of the protection measures? Who is responsible of the implementation of the protection measures?

The victim's vulnerability is assessed by the police and the state prosecutor's office. Article 143č of the ZKP stipulates that the competent authority in pre-trial and criminal proceedings shall, if possible, assess the degree of the injured person's exposure to secondary and repeated victimisation, intimidation and retaliation (individual assessment) in order to establish the existence of special needs for protection during the very first contact with the injured person.

The **police** prepare the individual assessment, considering in particular the personal characteristics of the victim, the nature, gravity and circumstances of the offence, the conduct of the defendant and the victim in the pre-trial and criminal proceedings and outside the criminal proceedings, while the opinion of the victim is taken into account, in particular if the victim explicitly refuses the possibility of special protection in advance. Particular account is taken of the age and possible disability of the victim and of the circumstances of offences committed on the grounds of prejudice, discrimination, exploitation or hatred, offences involving elements of violence or sexual offences, offences involving elements of terrorism, trafficking in human beings, and offences committed within a criminal group.

The extent of the individual assessment may be adjusted according to the gravity of the offence and the degree of obvious harm suffered by the victim. A victim who is a minor is always considered to have special protection needs.

The ZKP sets out a number of safeguards, which can include:

- recording of the testimony of a witness or a victim under the age of 15, as provided for in paragraph one of Article 84,
- the collection of information by the same person or by a person of the same sex, as provided for in Article 148b,
- interrogation with the assistance of an expert and in adapted premises, as provided for in paragraphs five and six of Article 240,
- the protection of the personal data of the witness and hearing the witness by means of technical equipment, such as the provision of a protective screen, as provided for in Article 240a,
- hearing by videoconference, as provided for in Article 244a,
- exclusion of the public at the main hearing, as provided for in Article 295.

The individual assessment is updated in cases where there are significant changes to its elements. The police prepare and update the individual assessment before the filing of a criminal complaint or the submission of a report pursuant to paragraph ten of Article 148 of the ZKP, while the state prosecutor's office prepares and updates the individual assessment during the continuation of the pre-trial and criminal proceedings, or in the event that the victim has filed a complaint with the state prosecutor's office. For the purpose of making an individual assessment, the police or the state prosecutor's office may summon the victim to the police station or the state prosecutor's office. The opinion of the competent social work centre may also be obtained and considered when the assessment is made or updated.

During the accommodation of victims in programmes of care for victims of trafficking in human beings and for the needs of pre-trial and criminal proceedings, the police carry out the following procedures in accordance with the provisions of the Manual:

- protect the lives and ensure the personal safety of the victims;
- during the accommodation of victims in the programme of care for victims of trafficking in human beings (crisis accommodation, safe accommodation), carry out a risk assessment of the victim. On

the basis of the assessment by the police and the proposal of the programme provider, the multidisciplinary team for the treatment of trafficking victims takes a decision on the implementation of the necessary additional emergency measures to ensure the victim's safety;

- during the accommodation of the victim within the programme of care for victims of trafficking in human beings, on the basis of the victim's threat assessment and the risk assessment of the individual case, propose to the provider the implementation of additional self-protective practices and measures to ensure the victim's safety, while implementing the necessary measures to ensure the victim's safety through their own activities;
- ensure the safety of the victim during the transfer from the location of the accommodation and at the locations where the procedures are carried out, to meet the requirements of the pre-trial and criminal proceedings. The transfer is carried out according to the procedures agreed with the programme providers. Representatives of the programme providers may accompany the victims as agreed with the police representative. The movement of victims is carried out in unmarked police vehicles.

The **state prosecutor's office** pays special attention, within the scope of its competences, to the protection of victims; in practice, the identity of the victim has been protected in some proceedings, either by concealing some of the victim's personal data, or by concealing the victim's entire identity and hearing him or her by videoconference in such a way that the victim could not be identified. In this way, both victims and witnesses feel safer and are more willing to testify, while the state prosecutor's office protects them from possible retaliation by the perpetrators. The ZKP also provides for special protection for minor victims, who must have a representative from the outset of the criminal proceedings to look after the rights and interests of the minor. A person in whom the minor has confidence may be present when the minor is heard (Article 65 of the ZKP). In accordance with Article 178 of the ZKP, the defendant may not be present during the interrogation of a person younger than 15 years who is a witness and the victim of trafficking in human beings, while Article 331 of the ZKP does not allow the direct interrogation of a person under 15 years of age during the main hearing.

Under the current Slovenian legislation, a victim of trafficking in human beings has the status of a witness when questioned in court and, as such, has the same rights and obligations as any other witness in criminal proceedings. The assessment of the need for protection in the context of court proceedings is carried out by the court on the prosecution's motion or ex officio, and the court is also responsible for the implementation of the protection measures ordered.

**NGOs and humanitarian organisations** provide, among other things, safe accommodation in hidden locations, as well as protection and psychosocial support in the framework of crisis and safe accommodation projects for victims of trafficking in human beings. The victim is removed from the threatening circumstances, with targeted measures adapted to the circumstances of each case (e.g. limited access to the internet and telephone to prevent contact with alleged perpetrators). In the event of a threat assessment that identifies a threat, the contract administrator provides additional resources for the hiring of a security service.

8.2 How do you ensure that victims are provided with realistic and practical information about the progress of the case and whether the perpetrator has been detained or released?

Following the amendment of the ZKP, which implemented the Directive on protecting the victims in criminal proceedings, Article 65a adds a wide range of information to be provided to the victim at the time of the first contact with the competent authorities in pre-trial and criminal proceedings, and subsequently on the state of the proceedings and on the release or escape of the suspect or defendant from detention or pre-trial house detention.

The victim of a crime can also monitor the progress of the pre-trial proceedings against the alleged offender via the police website<sup>2</sup>. To use the app, the victim must enter his or her name, surname, personal

<sup>2</sup> Access the app at: [https://www.policija.si/apps/obvescanje\\_oskodovancev/form.php](https://www.policija.si/apps/obvescanje_oskodovancev/form.php)

identification number, e-mail address and the date of reporting the criminal offence. The website also contains a brochure "*When I become a victim of crime*", which provides general information on the reporting procedure, assistance and victims' rights. The brochure also provides individual contact details for health and care support and contact details of NGOs.

During the accommodation in a crisis or safe accommodation programme, the victim of trafficking in human beings receives realistic and practical information about the procedure either directly from the police contact person or indirectly through the project caseworker. The latter works closely with the police officer in charge of the case or the police contact person, so that the trafficked person is provided with relevant information to the extent that it does not jeopardise the further investigation process.

In the event that, in the course of the pre-trial and criminal proceedings, the victim has made a request to be informed of the suspect's release, the victim, in accordance with the provisions of Article 30b of the Enforcement of Penal Sanctions Act, must also be informed of the convicted person's exits from the penal institution, their release or escape.

8.3 How do you ensure respect for the victims' right to safety, privacy and confidentiality during court proceedings?

During criminal proceedings, the basic rights of victims are guaranteed by the ZKP, which does not distinguish between victims of trafficking in human beings and victims of other crimes. The safety and privacy of victims of trafficking are thus ensured by the state authorities, as well as by NGOs and humanitarian organisations, which provide anonymity to victims in crisis and safe accommodation programmes. In court proceedings, it has proven to be good practice for NGOs to ask the judicial authorities to allow victims to testify remotely, thus ensuring their safety and making it easier for victims to testify before the court.

See also the replies in section 8.1 in this respect.

8.4 In how many cases were witness protection measures used for the protection of victims and witnesses of THB, including children? If witness protection measures/programmes are not applied to victims of trafficking, what are the reasons?

The protection of witnesses is regulated by the Witness Protection Act (Official Gazette of the Republic of Slovenia, No. 81/06 - official consolidated text, 117/06 - ZDoh-2, 110/07 and 30/18). There have been no cases in Slovenia where the conditions for the protection of victims of trafficking in human beings and witnesses under the provisions of the Witness Protection Act have been met. However, in individual cases, the identity of witnesses was concealed in the course of court proceedings or individual measures were taken under the ZKP.

8.5 When victim protection is provided by NGOs, how are NGOs resourced and supported to perform this function and how do the police and the prosecution co-operate with NGOs?

In the case of NGOs and humanitarian organisations, the security of the victims is ensured with the help of a security service. In this case, the costs are covered by the Ministry of the Interior or the MDDSZ under the contract on the provision of care to victims of trafficking in human beings in crisis or safe accommodation. In certain cases, additional protection is also provided by the police through patrols in the vicinity of the hidden location. The Slovenian Caritas has a video surveillance system in place in one of the hidden locations, which is constantly activated during the stay of a trafficked person.

In the area of victim protection, the police cooperate with NGOs and humanitarian organisations implementing crisis and safe accommodation programmes in the manner set out in the Manual (see more in point 8.1.).



The prosecutor's office, within the framework of its legislative powers, is committed to ensuring adequate protection for victims who are willing to testify, including by promoting the possibility of video-conferencing in the presence of representatives of NGOs.

The Ključ Association has separate cooperation agreements with the Police, the Ministry of the Interior and the Supreme State Prosecutor's Office, which, among other things, provide for mutual support in specific cases.

8.6 How do you ensure that child victims of THB are treated in a child-sensitive way and are provided with protection before, during and after judicial proceedings in accordance with the Council of Europe Guidelines on Child Friendly Justice? Are interviews with children conducted in specially designated and adapted spaces by professionals trained to interview children? What measures are taken in order to ensure a limited number of interviews?

Procedures for child victims of trafficking are defined in Chapter III of the Manual. The conduct of all authorities and organisations in dealing with trafficked children must be consistent with the principles of the best interests of the child, which must take precedence over immigration or crime prevention concerns. The views and wishes of trafficked children must be sought and taken into account whenever decisions affecting them are taken, including as an aid to their rehabilitation and training. Child victims have the right to assistance and support, taking into account their specific circumstances. The best interests of the child, which are the overriding consideration, are assessed on a case-by-case basis, and a child-sensitive approach must prevail, taking due account of the age and maturity level of the child and his or her views, needs and concerns.

In the context of providing appropriate accommodation and assistance programmes for children identified as victims of trafficking, the child is also provided with a legal representative and subsequently with a guardian who takes appropriate care to protect the child's interests and rights. The child and the holder of parental responsibility or other legal representative, if any, are informed of any measures or rights specifically directed towards the child.

In the context of criminal proceedings, Article 84 of the ZKP provides for the mandatory recording of the testimony of a witness under the age of 15 who was the victim of the crime of trafficking in human beings. It is also possible to conduct the interrogation from a so-called safe room by video-conference or with the assistance of an expert. As a general rule, such a victim should be interviewed only once and later in the proceedings a recording of the interview should be played or a record of the interrogation should be read.

The first Barnahus (Children's House) is being set up under the Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act. This new systemic legal measure is aimed at children who find themselves in criminal proceedings - as victims, witnesses or perpetrators. Child victims of sexual abuse will be provided with a treatment that will ensure that they are not unnecessarily exposed to new trauma and so-called secondary victimisation - preferably only one hearing for the child, but without prejudice to the rights of the defence. The main purpose of the Children's House is to coordinate concurrent criminal investigations and child protection procedures and to support children who are victims or witnesses of violence, in a child-friendly and safe environment. Among other things, the project also aims to raise awareness among professionals and the general public about the phenomenon of child sexual abuse in Slovenia. The facilities of Barnahus have already been provided, but still need to be arranged for its pilot operation.

## **9. Specialised authorities and co-ordinating bodies (Article 29)**

9.1 What budget, staff and resources, including technical means, are put at the disposal of law enforcement bodies specialised in combating and investigating THB?

Pre-trial investigations of trafficking in human beings are carried out by specially trained criminal investigators from all eight police directorates, criminal investigators from the Criminal Police Directorate

of the General Police Directorate (Organised Crime Division) and the National Bureau of Investigation. A total of 35 criminal investigators are involved in the investigation of this crime.

In pre-trial proceedings, the police investigate trafficking in human beings offences using covert investigative measures, which are defined in the ZKP. In this context, technical equipment for determining the position and movement and technical equipment for audio transmission and recording, for photography and video recording, are available to the police within the framework of the law.

The funds for conducting pre-trial investigations of trafficking in human beings and the use of covert investigative measures are provided from the police budget.

9.2 If your country has specialised units for financial investigations, financial intelligence units and asset and recovery units, please describe whether and how are they used in investigating and prosecuting THB cases. Which special investigation techniques do these units use? Which public and/or private bodies do these specialised financial investigation units co-operate with in relation to THB cases?

When investigating the crime of trafficking in human beings, the police also carry out an integrated financial investigation, which is carried out under the ZKP. This means that the criminal offence is investigated at the same time as the financial part of the suspicious transaction is checked. Another financial investigation that can be carried out is provided for under the Confiscation of Assets of Illicit Origin Act and is ordered and conducted by the state prosecutor. The police are usually involved in this investigation, but it is not compulsory. There is also a financial investigation that determines the accumulation of wealth from a tax perspective. This type of investigation is conducted by the Financial Administration of the Republic of Slovenia, which notifies the state prosecutor's office or the police if it suspects that a crime has been committed.

The Office of the Republic of Slovenia for Money Laundering Prevention operates within the Ministry of Finance. The office performs tasks relating to the prevention and detection of money laundering, predicate offences and the financing of terrorism, carries out inspections of the implementation of the provisions of the Prevention of Money Laundering and the Terrorist Financing Act and other regulations in the field of the detection and prevention of money laundering and the financing of terrorism, and performs other tasks provided for by law. In the performance of their tasks, they are fully autonomous, independent and operationally independent, including decisions to receive and analyse data, information and documentation and to transmit the results of their analyses to the competent authorities. The office informs the police in cases where suspicious transactions are identified and where, according to data analysis, there are grounds to suspect that the property and assets originate from previous criminal offences.

## **10. International co-operation (Article 32)**

10.1 How does your country co-operate with other countries to enable victims of THB to realise their right to redress and compensation, including recovery and transfer of unpaid wages after they leave the country in which the exploitation occurred?

The conditions, competent authorities and procedure for claiming compensation are laid down in the ZOZKD. Compensation is granted to a claimant who is a citizen of the Republic of Slovenia or a national of another EU Member State. Victims of crime in Slovenia can receive compensation for injuries or damages they have suffered, regardless of where in the EU the crime was committed. The compensation is granted to a person who is a citizen of the Republic of Slovenia or a national of another EU Member State. In these cases, the Ministry of Justice:

- ensures cooperation and exchange of information between the authorities - the Commission, the Police and the competent authorities of other countries responsible to carry out tasks in proceedings for the enforcement of compensation, and assists in finding appropriate solutions for the implementation of the provisions of this Act in cross-border cases,

- provides claimants with basic information on the possibilities and conditions for claiming compensation in other EU Member States,
- receives and forwards requests for compensation from claimants (to the competent authority of another EU Member State) in cross-border cases.

10.2 Has your country co-operated with other countries in the investigation and prosecution of THB cases through financial investigations and/or Joint Investigation Teams? Please provide statistics on such cases and examples from practice.

The SDT RS participates in Joint Investigation Teams to investigate crimes, but has not yet been involved in any Joint Investigation Team in the area of trafficking in human beings. In prosecuting trafficking in human beings offences, the prosecutor's office obtains information from abroad through international legal assistance.

10.3 How many mutual legal assistance requests and/or European Investigation Order have you made in THB cases and what was their outcome?

From 2017 to 2020, the SDT RS issued or received requests for international legal assistance in cases of trafficking in human beings in a total of 32 cases and issued or received European Investigation Orders in two cases. In individual cases, specific procedural rules of the state in executing requests for international legal assistance proved to be an obstacle.

10.4 What forms of international co-operation have proven to be particularly helpful in upholding the rights of victims of trafficking, including children, and prosecuting alleged traffickers?

In terms of detecting and prosecuting perpetrators of trafficking in human beings, cooperation at the operational level, in particular cooperation between individual police services and the state prosecutor's office in specific cases of detecting and prosecuting perpetrators, has proved particularly useful. On this basis, we consider it necessary to continue some of the already established forms of cooperation within individual institutions (EUROPOL, INTERPOL, EUROJUST), as well as to strengthen cooperation in the investigation and prosecution of cases of trafficking in human beings.

10.5 What international co-operation measures are in place to ensure protection and assistance to victims on return from your country to their countries of origin following their participation in criminal proceedings?

In the area of combating trafficking in human beings, the Republic of Slovenia strives for constructive cooperation with other countries, especially with the countries of origin of victims of trafficking. In cases of repatriation of victims in the region of South-East Europe, where a large number of identified victims originate, information is provided within the informal network of the National Anti-Trafficking Coordinators of South-East European countries, which was established in 2010 on the initiative of Slovenia.

The Government of the Republic of Slovenia is currently preparing cooperation agreements on combating trafficking in human beings and child abuse with the Government of the Republic of Serbia, the Government of the Republic of Montenegro, the Government of the Republic of Bosnia and Herzegovina and the Government of the Republic of North Macedonia. The aim of the agreements is to improve the prevention, identification, protection, referral and cooperation of countries in criminal and other proceedings, and to assist each other in the voluntary return of victims and potential victims of trafficking in human beings, while respecting their fundamental human rights.

10.6 What international co-operation measures are in place to protect and assist victims of THB for the purpose of sexual exploitation through online streaming where the perpetrator is a national or habitual resident of your country and elements of the crime have occurred in your country's jurisdiction?

We have not yet seen such a case in Slovenia. However, identified victims are offered the possibility of being included in the programme of care for victims of trafficking in human beings - crisis accommodation and care for victims of trafficking in human beings – safe accommodation.

## **11. Cross-cutting questions**

11.1 What steps are taken to ensure that victims of THB have equal access to justice and effective remedies, irrespective of their immigration status and the form of exploitation?

For a number of years the Asylum Centre has been implementing the project "Introducing a mechanism for the identification of, assistance to and protection of victims of trafficking in human beings and/or sexual violence in the procedures for granting international protection in Slovenia (PATS)" for potential victims of trafficking in human beings. The programme provider offers individual awareness-raising on the dangers of trafficking in human beings in the victims' own language or in a language they understand, and informs them about protection and assistance options. In recent years, no victims of trafficking in human beings have been recorded among applicants for international protection in the Republic of Slovenia.

11.2 What steps are taken to ensure that criminal, civil, labour and administrative proceedings concerning victims of THB are gender-sensitive?

Pursuant to Article 148b of the ZKP, victims of crime are entitled to have the same person or a person of the same gender collect the information from the victim of a criminal offence against sexual integrity, the criminal offence of domestic violence referred to in Article 191 of the KZ-1, other criminal acts with elements of violence committed against a fellow human being, or a crime committed against the victim because of his or her gender. The provisions of this Article do not apply if the collection of information cannot be delayed or if such collection is prevented by temporary reasons of an organisational nature.

The right to protection against discrimination is enshrined in Article 14 of the Constitution of the Republic of Slovenia. For this purpose, the Advocate of the Principle of Equality was established in 2016, which, in accordance with the Protection against Discrimination Act (Official Gazette of the Republic of Slovenia, No. 33/16 and 21/18 - ZNOrg), acts as an independent state body and provides independent assistance to persons who are discriminated against in exercising their rights in relation to protection against discrimination in administrative and judicial proceedings.

11.3 What steps are taken to ensure that procedures for obtaining access to justice and remedies are child-sensitive, readily accessible to children and their representatives, and give weight to the child's views?

Legal aid for children is provided by the Protection of Children in Criminal Procedures and their Comprehensive Treatment in Children's House Act. For more information, see section 8.6.

11.4 What steps are taken to ensure that private entities take steps to prevent and eradicate trafficking from their business or supply chains and to support the rehabilitation and recovery of victims? What options exist for victims of trafficking to access effective remedies from businesses implicated in human trafficking?

Business entities established under Slovenian law or operating in Slovenia are obliged to respect and protect human rights. In November 2018, the Government of the Republic of Slovenia adopted the National Action Plan on Business and Human Rights (hereinafter: NAN), which aims to ensure the implementation of the UN Guiding Principles on Business and Human Rights and to contribute to ensuring respect for human rights in economic activities throughout the value chain, and to further develop cooperation between the state, companies and business associations, trade unions, non-governmental organisations and other stakeholders.

The NAN also aims to further develop cooperation between the state, business enterprises, business associations, trade unions, NGOs and other stakeholders. Of the six priorities identified in the NAN, one is also dedicated to the prevention of trafficking in human beings. So far, 18 Slovenian companies have signed the NAN pledge to respect human rights in their business operations. By signing this document, they commit to implement the measures to respect human rights in business as set out in the NAN.

In addition, to raise awareness of the issue of trafficking in human beings among as many employers as possible, the Ministry of the Interior issued in 2020 the "Prevent Forced Labour" manual, which provides relevant information to employers at risk of being associated with forced labour. In line with the current action plan, the Inter-Ministerial Working Group on Combating Trafficking in Human Beings (hereafter: IWG THB) is carrying out various activities to further promote the manual and raise employers' awareness, in particular when recruiting foreign workers and when subcontracting.

11.5 What legal, policy and practical measures are taken in your country to prevent and detect situations where corruption facilitates human trafficking and infringes the right of victims of THB of access to justice and effective remedies? Please provide information on any known or proven cases of corruption or related misconduct of public officials in THB cases and any sanctions issued.

In the Republic of Slovenia, no cases of corruption or related misconduct by public officials in cases of trafficking in human beings have been recorded.

## Part II – Country-specific follow-up questions

12. Please provide information on new developments in your country since GRETA's second evaluation report concerning:

- emerging trends of trafficking in human beings (new forms of exploitation, new recruitment methods, vulnerable groups, gender-specific aspects of trafficking, child trafficking);

According to the findings of the police, the trend of the past years in the Republic of Slovenia continues, which is mainly reflected in the fact that Slovenia is a target country for the exploitation of victims of trafficking in human beings. The most frequently identified forms of exploitation of victims are prostitution and sexual abuse, and to a lesser extent other forms of exploitation of victims, such as forced labour and forced commission of criminal offences. It has been established that the Republic of Slovenia is also a transit country, with victims transiting Slovenia from South-East Europe to other EU Member States. According to the available data, the Republic of Slovenia is not a country of origin for victims of trafficking in human beings who are exploited in other EU countries or in third countries.

The detected crimes of trafficking in human beings and abuse of prostitution are largely the result of police activities aimed at identifying victims of these crimes. Reports of these crimes by victims or citizens are very rare.

Due to the COVID-19 pandemic in the Republic of Slovenia, there has been a trend towards the recruitment of victims via the Internet and social networks, which are increasingly used by criminal groups to attract and abuse victims.

- the legislation and regulations relevant to action against THB (e.g. criminalisation of THB, identification and assistance of victims of THB, recovery and reflection period, residence permit, supply chains, public procurement);

### **2017**

On 17 October 2017, the Act Amending the Foreigners Act (Official Gazette of the Republic of Slovenia, No 1/18 – official consolidates text) was adopted, with amended Article 50 (Victims of trafficking in human beings, illegal employment and domestic violence). The provisions entered into force on 1 January 2018. Amendments were also made to the part setting out the conditions for issuing a temporary residence permit to victims of trafficking in human beings.

As regards the conditions for issuing a temporary residence permit, the condition that the victim's testimony must be relevant has been deleted and a new ground for refusal has been added - "if in a permit procedure there is a reasonable suspicion that the victim's criminal complaint is false or it can be reasonably concluded that his or her cooperation is false".

The existence of danger to public health as the ground for refusal has also been deleted (if, in the course of the procedure for issuing the permit, it is established that the foreigner comes from regions where infectious diseases with epidemic potential listed in the International Health Regulations of the World Health Organization are prevalent, or from regions where infectious diseases are prevalent that could represent a threat to people's health and which require that measures be taken in accordance with the Act governing infectious diseases, a temporary residence permit was not issued to the victim). The victim is already in the country and, if he or she has not been previously treated as a person coming from those critical areas and is not under the quarantine prescribed by the Act governing communicable diseases, this ground for refusal is not necessary.

## **2018**

On 6 December 2018, Slovenia signed the Council of Europe Convention against Trafficking in Human Organs.

On 7 November 2018, the Protocol for the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Serbia on the employment of citizens of the Republic of Serbia in the Republic of Slovenia was signed. The agreement on the employment of migrant workers from Serbia sets out the conditions and scope of employment of Serbian citizens in Slovenia, the conditions and procedures for issuing work permits, and the obligations of employers and workers.

## **2019**

On 26 March 2019, the National Assembly of the Republic of Slovenia adopted the Act Amending the Criminal Procedure Act (ZKP-N), which entered into force on 20 April 2019 and became fully applicable on 20 October 2019. The main objective of the amended Act is to implement Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. The amendment to the Act thus introduced new legal solutions into the Slovenian legal order, which provide victims of crime with a wide range of rights in pre-trial and criminal proceedings in terms of protection, support and compensation for victims.

## **2021**

On 3 March 2021, the National Assembly of the Republic of Slovenia adopted the Act Amending the Residence Registration Act (hereinafter: ZPPreb-1A), which was published on 12 March 2021 in the Official Gazette of the Republic of Slovenia No 36/2021. In Article 19, which regulates the determination of the legal residence, a new fifth paragraph was added at the suggestion of the IWG THB. It stipulates that in the procedure for determining temporary residence, the administrative unit shall determine the legal residence of a foreigner who holds a temporary residence permit, a residence registration certificate or a long-term residence visa and who is a victim of domestic violence or a victim of trafficking in human beings, if they cannot register his or her permanent or temporary residence under the provisions of this Act, at the address of the social work centre in the area of which he or she has or last had a registered temporary residence or the social work centre that made the proposal or gave consent to the registration. This legal residence shall have the character of a temporary residence. The possibility of registering the legal residence only on the basis of the consent of the social work centre will allow for a quicker decision-making process in the registration procedure, as no further proof will be required in this case.

On 30 March 2021, the National Assembly of the Republic of Slovenia adopted the Act Amending the Foreigners Act (ZTuj-2F), amending paragraph one of Article 50 and thereby introducing new grounds on the basis of which the police may allow a victim of trafficking in human beings (and a victim of domestic violence) to stay for a period of 90 days. This reason is the existence of personal circumstances justifying the victim's residence in the Republic of Slovenia, which transposes the provisions of the Istanbul Convention and the provisions of paragraph one of Article 14 of the Council of Europe Convention on Action against Trafficking in Human Beings into Slovenian law. A permit issued in the case of the existence of personal circumstances will be issued to the beneficiary for the duration of those circumstances, but for no longer than one year, with the possibility of renewal for up to one year.

- the institutional and policy framework for action against THB (bodies responsible for co-ordinating national action against THB, entities specialised in the fight against THB, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

## **Institutional framework**

In line with GRETA's long-standing recommendations, the Anti-Trafficking Service was established within the Ministry of the Interior on 26 November 2018. This service ensures inter-ministerial cooperation and coordination of activities in the field of preventing and combating trafficking in human beings at the national level. It provides expert support to the National Anti-Trafficking Coordinator in the preparation of proposals for strengthening the effectiveness of policies and measures to combat trafficking in human beings, periodic reports to the Government of the Republic of Slovenia, action plans and other strategic documents in this area, and monitors the implementation of planned measures. It participates in EU institutions and international organisations working in the field of combating trafficking in human beings and ensures the implementation of the requirements and recommendations of the various international monitoring mechanisms in this area.

On 17 October 2019, the Government of the Republic of Slovenia adopted a Decision on the establishment of the IWG THB, updating the membership of the working group and aligning the content of the Decision with the provisions of the Rules of Procedure of the Government of the Republic of Slovenia.

On 11 June 2020, the Government of the Republic of Slovenia adopted a Decision amending the Decision on the establishment of the IWG THB, appointing a new National Anti-Trafficking Coordinator and updating the membership of the working group. In accordance with this Decision, representatives of nine ministries and government offices, the Police, the Financial Administration of the Republic of Slovenia and the Labour Inspectorate of the Republic of Slovenia continue to be involved in the work of the IWG THB. Representatives of the SDT RS, the National Assembly of the Republic of Slovenia, the Ključ Association, the Slovenian Caritas, the Slovenian Philanthropy, the Legal Centre for the Protection of Human Rights and the Slovenian Association of Free Trade Unions also participate in the work of the group as independent external members.

## **National Rapporteur**

In line with the Action Plan to Combat Trafficking in Human Beings 2021-2022<sup>3</sup>, we have started activities to establish a National Rapporteur as an independent mechanism to monitor the activities of state authorities in the field of preventing and combating trafficking in human beings.

## **Cooperation with civil society**

The 2017-2018 and 2019-2020 Action Plans to Combat Trafficking in Human Beings have been the basis for a number of prevention activities and awareness-raising among at-risk target groups. During the reporting period, the Government of the Republic of Slovenia regularly co-financed various prevention projects implemented by NGOs and humanitarian organisations. In 2018-2020, within the framework of projects to raise awareness of primary and secondary school pupils about trafficking in human beings, approximately one third of the workshops were carried out in environments where members of the Roma community also live, with the aim of raising awareness about forced and arranged marriages.

In 2020, the Government Communications Office discontinued this type of cooperation with NGOs, and in 2021, the Ministry of the Interior took over the implementation of awareness-raising projects for primary and secondary school pupils, as well as awareness-raising for the general public on the occasion of the EU Anti-Trafficking Day.

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<sup>3</sup> <https://www.gov.si/en/registries/working-bodies/the-national-working-group-for-combating-trafficking-in-human-being/>



In 2019, a two-year project "(Re)integration of victims of trafficking in human beings" was launched as a logical follow-up to the programmes of crisis and safe accommodation. The implementation of the project is co-financed by the Ministry of the Interior – the Police under the EU Internal Security Fund. The overall objective of the project is to prevent the re-victimisation of victims of trafficking in human beings by integrating victims of trafficking in human beings into the education system, the labour market, the acquisition and improvement of vocational skills and qualifications, and the provision of appropriate care or admission into a family or appropriate care institution (applies to children). The project is aimed at both citizens of the Republic of Slovenia who have been treated as victims of trafficking in human beings abroad and foreign nationals who have been treated as victims of trafficking in human beings in pre-trial and criminal proceedings in the Republic of Slovenia and are legally residing in the Republic of Slovenia. In 2019, six persons were included in the programme, while three persons were included in the programme in 2020. Also in 2021, the Ministry of the Interior – the Police has secured funding for the implementation of the project until the adoption of the new EU Multiannual Financial Framework.

A three-year project co-funded by the Ministry of Health was launched in 2020, focusing on providing various forms of support to persons who are (not yet) ready or able to leave prostitution and/or are not ready to share information about the abuse they have experienced with law enforcement authorities. The main objective of the programme is to offer people in prostitution a holistic treatment according to their needs and through the forms of assistance that Ključ Association has been providing for many years. The key objective of the programme is to offer a much-needed alternative to the support they need in a situation where they often believe there is no choice.

### **Public-private partnerships**

In November 2018, the Government of the Republic of Slovenia adopted the National Action Plan on Business and Human Rights (NAN), under which 18 Slovenian companies signed a pledge to respect human rights in their business operations. More in section 11.4.

- the current national strategy and/or action plan for combating trafficking in human beings (objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results);

On 4 March 2021, the Government of the Republic of Slovenia adopted a new Action Plan to Combat Trafficking in Human Beings for the period 2021-2022<sup>4</sup>, for the implementation of which the state budget has allocated 350,217 EUR for the next biennium, which is 7,000 EUR more than in the previous Action Plan. This amount does not yet include funding for the implementation of the reintegration programme and the PATS project for 2022, as these programmes are linked to the adoption of the new EU Multiannual Financial Framework. The Ministry of the Interior and the MDDSZ continue to provide the bulk of the funding, while the Ministry of Health, the Police, the Government Office for the Support and Integration of Migrants and the Ministry of Education, Science and Sport also contribute funds for the implementation of activities in their respective fields of work.

The current Action Plan is a sensible continuation of already established projects that have proven to be successful and require continuity due to the nature of the work (e.g. programmes of crisis and safe accommodation, reintegration, PATS project, etc.). Some of GRETA's recommendations from the second round of evaluation of the Republic of Slovenia on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings have been taken into account as well. Thus, the Action Plan foresees the establishment of a National Rapporteur for combating trafficking in human beings, the systemic regulation of the medical protection of victims of trafficking in human beings and the care for underage victims, and the regulation of the issue of compensation. It proposes activities which are based both on past experience and new ideas. In the area of prevention, we plan to strengthen cooperation with

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<sup>4</sup> <https://www.gov.si/en/registries/working-bodies/the-national-working-group-for-combating-trafficking-in-human-being/>

the private sector, which is directly or indirectly involved in most cases of forced labour. To this end, various activities will be carried out to further promote the manual for employers, *Prevent Forced Labour*, which was published in October 2020. In the future, more attention will also be paid to more effectively identifying and detecting trafficking in human beings for the purpose of forced labour and labour exploitation. The new Action Plan also introduces systematic and long-term awareness-raising for children and minors. On the basis of a detailed plan and the additional recruitment of one person at the Ministry of the Interior, awareness-raising workshops will be carried out for the pupils of all ninth grade classes of primary schools and all second year classes of secondary schools in Slovenia over a period of three years. The activities will also be carried out in areas where members of the Roma community live.

Furthermore, the IWG THB will seek to identify possible solutions to conduct an expert analysis of all trafficking cases that have been concluded with final effect over the last ten years, which will objectively assess the situation in this area and provide recommendations for more effective prosecution of these crimes, including proposals for possible changes in legislation.

In the coming period, we will also look for appropriate solutions for the systemic regulation of prostitution, which has been decriminalised in Slovenia since 2003. From a criminal law point of view, Article 175 of the KZ-1 only criminalizes the abuse of prostitution, i.e. participation for exploitative purposes in the prostitution of another, or instructing, obtaining or encouraging another to engage in prostitution by force, threat or deception. In most cases, prostituted persons do not recognize themselves as victims of trafficking in human beings in police proceedings and therefore rarely participate in pre-trial and criminal proceedings. All this makes it very difficult for law enforcement authorities to detect, investigate and even prove these crimes and points to the need for more effective regulation in this area at national level.

The activities set out in the Action Plan are regularly monitored in the framework of the IWG THB, which normally meets every two months.

- recent case law concerning THB for different forms of exploitation.

In the past period, there have been several court decisions that have changed the case law in the broader area of combating trafficking in human beings, tilting it in favour of the defendant and away from the victims. We note that the courts have very rigid and restrictive positions and find it difficult to identify victims of trafficking in human beings in the absence of serious physical violence and deprivation of personal liberty. Another problem is inconsistent case law of both the courts of first instance and the higher courts. Perpetrators of trafficking in human beings follow the case law closely and are skilful in adapting to it when committing such offences. When a court, in a particular case, identifies circumstances that support trafficking in human beings, perpetrators adapt their modus operandi.

In this respect, it is important to highlight the decision of the Supreme Court of the Republic of Slovenia, which, in its judgment No I Ips 54529/2010 of 23 April 2020, rejected the applicant's request for the protection of legality and, with regard to the allegations that the difference between trafficking in human beings (Article 113 of the KZ-1) and prostitution (Article 175 of the KZ-1) is to be found in the victim's free consent, clearly explained that the victim's consent does not mean that an offence pursuant to Article 113 of the KZ-1 was not committed. This is clear from the very description of the offence, which explicitly states that the offence was committed irrespective of the (injured) person's consent. Such an explicit legal provision reflects the fact that victims of trafficking in human beings often, due to their difficult socio-economic situation, "voluntarily" decide to participate in trafficking in human beings, which they are forced to do because of their difficult existential situation, which makes it difficult to speak of true voluntariness.

Another important decision is the recent decision of the Supreme Court of the Republic of Slovenia, which, in its judgment No I Ips 58554/2012 of 17 December 2020, rejected another request for protection of legality and, in that judgment, further confirmed that the District Court and the Higher Court of Ljubljana, in the contested judgments, had departed entirely from established case law. The Supreme Court wrote, *inter alia*, that an application cannot succeed on the grounds that there is no uniform case-law on the issue of exploitation of prostitution, referring to final judgments of acquittal of lower courts which had not been challenged before their court. A review of the case-law of the Supreme Court shows that it is uniform and that this court considers it prohibited to derive financial gain from the prostitution of others and to interfere with the right to sexual self-determination. Thus, it rejected the view that the statutory element of exploitation of prostitution would only be present if the convicted persons took more than half of the girls' earnings. It further held that the continuous commission of an offence constituting an established and lucrative business and the actual management and control of prostitution constituted exploitation of prostitution. The Supreme Court went on to say that exploitation of prostitution is not permissible and that, even in countries where prostitution is legalised and regulated, it is necessary to prevent other persons from exploiting prostitution. For the same reason, it is unjustified to insist that the organisation and management of the prostitution of others should be regarded as a normal, permissible economic activity. The Supreme Court further stated, *inter alia*, that it is not the earnings of the girls that are relevant for the assessment of the statutory element of exploitation, but whether the persons who participated in the prostitution benefited from it.

We would also like to point out the judgement of the Supreme Court of the Republic of Slovenia No. I Ips 22460/2015 of 28 January 2021, in which the court confirmed, *inter alia*, the conclusions of the judgements of the courts of first and second instance that the elements of the offence of trafficking in human beings are given even in the case of consent of the victims of trafficking in human beings.

13. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's second evaluation report:

- develop and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical data on measures to protect and promote the rights of victims as well as on the investigation, prosecution and adjudication of human trafficking cases;

Based on the Action Plan to Combat Trafficking in Human Beings 2021-2022, the National Anti-Trafficking Coordinator ensures the coordinated collection of statistical information from law enforcement authorities, as well as from other ministries, including NGOs involved in the identification of victims of trafficking. Statistical data on victims and perpetrators, disaggregated by gender, nationality and form of exploitation, are included in the annual reports on the work of the IWG THB, which are publicly available on the website of the Government of the Republic of Slovenia in both Slovenian and English.

In accordance with GRETA recommendations, in 2019 we also started processing statistical data on accused and convicted persons on the basis of judgments passed for the crime of trafficking in human beings and substantive reports on the work of the SDT RS. This data is also disaggregated by gender, nationality and type of exploitation.

- prevent trafficking for the purpose of labour exploitation, in particular by providing regular practice-oriented training to relevant officials and strengthening the monitoring of recruitment and temporary work agencies;

In procedures to identify potential victims of trafficking in human beings for forced labour, the police cooperate closely with the Labour Inspectorate of the Republic of Slovenia and the Financial Administration of the Republic of Slovenia, as well as with other relevant institutions, as appropriate. During the reporting years, the police detected and investigated several offences of violation of fundamental rights of workers under Article 196 of the KZ-1, with elements of labour exploitation of victims identified. However, in the pre-trial and subsequent criminal proceedings, no elements of forced labour as a form of exploitation of victims of trafficking in human beings were found in the above-mentioned offences.

In 2017, 2018 and 2019, the Slovenian Government co-financed various NGO projects for awareness-raising and prevention activities focusing on labour exploitation. Two projects were implemented each year for this purpose. The first was a project to provide information to potential victims of labour exploitation and to identify and directly assist victims, implemented by the Association for Advocacy of Vulnerable Groups – Workers' Counselling (Delavska svetovalnica). The second project was aimed at raising awareness among the general public about trafficking in human beings for forced labour and labour exploitation, which also included activities to mark 18 October, the EU Anti-Trafficking Day. To this end, an "Escape Room on Forced Labour and Labour Exploitation" was opened in Ljubljana for one week. The project was implemented by the social enterprise DrogArt.

During the reporting period, within the framework of joint action days of the Police, the Labour Inspectorate of the Republic of Slovenia, the Financial Administration of the Republic of Slovenia and the Slovenian Association of Free Trade Unions, preventive activities were carried out throughout the country to identify victims of trafficking in human beings for the purpose of forced labour and labour exploitation. The inspections focused on construction sites, drivers of goods vehicles in international transport, passengers in air transport, potential victims of trafficking in human beings exploited for the purpose of forced criminal offences and forced begging, employers carrying out agricultural activities with seasonal workers and employers carrying out cleaning activities at petrol stations.

In addition, on the basis of the 2017-2018 and 2019-2020 Action Plans to Combat Trafficking in Human Beings, the Labour Inspectorate of the Republic of Slovenia and the Financial Administration of the Republic of Slovenia organised regular annual professional training sessions for their staff, which included the topic of trafficking in human beings.

See also reply to point 11.4.

- guarantee access to public health care to all victims of trafficking;

Under the current legislation, foreign nationals who are victims of trafficking in human beings are only entitled to emergency medical assistance in Slovenia. However, in practice, each individual victim and his or her specific needs are dealt with on an individual basis within the multidisciplinary team for the accommodation of victims of trafficking in human beings. This team is formed each time a victim is placed in the programme of care for victims of trafficking in human beings – safe accommodation and then monitors the implementation of the programme, takes decisions on the implementation of additional measures to ensure the victim's safety, on the modification of the individual assistance programme and decides on the loss of the victim's right to the programme. The team also decides, inter alia, on the justification of additional costs incurred as a result of the victim's special needs, including in terms of the provision of additional health services.

Given the relatively low number of victims in the safe accommodation programme, we have so far always managed to find a solution for each victim, so that non-emergency medical services have almost always been provided. These services are usually covered by the Ministry of Health under a specific budget line on the basis of an agreement, through direct assistance, counselling and care programmes for vulnerable persons at risk and patients with rare diseases run by humanitarian organisations. Otherwise, the financing of additional material costs related to the care of victims of trafficking in human beings is also possible within the framework of the project of care for victims of trafficking in human beings – safe accommodation.

However, in line with the current Action Plan to Combat Trafficking in Human Beings, we have also taken a long-term, systemic approach to finding a solution for such cases. On 20 July 2021, the IWG THB thus adopted a decision that for each victim identified as such by the police, the Ministry of Health, on the proposal of the National Anti-Trafficking Coordinator, will issue a certificate stating that the person is entitled to medical care or to prescribed medication according to the opinion of a doctor. On this basis,

victims of trafficking in human beings will be entitled to a wider range of health services at the discretion of a doctor.

- bring the interpretation of the abuse of a position of vulnerability in full conformity with the Convention;

The interpretation of abuse of a position of vulnerability (paragraph two of Article 113 the KZ-1, which implements point a) of Article 4 of the Convention) is an area which can be developed by the case law of independent courts, also on the basis of proposals from independent state prosecutors (definition of the elements of the offence and the facts in the indictment). Recent case law already points in this direction (e.g. the judgment of the Supreme Court of the Republic of Slovenia No. I I Ips 32491/2016, 1.4.2021, in particular points 7-10 of the judgment).

- improve the identification of, and assistance to, child victims of trafficking, by paying particular attention to unaccompanied foreign children, Roma children and children involved in begging;

The treatment of trafficked children by all authorities and organisations is defined in a specific chapter of the Manual, which also contains indicators for the identification of trafficked children. The content of the Manual is presented to all stakeholders who may encounter cases of minors being trafficked in the course of their work, in the framework of training sessions held in accordance with the Action Plans to Combat Trafficking in Human Beings.

During the reporting period, the Social Chamber of Slovenia conducted three training sessions for practitioners and assistants of social work centres. The lectures included information on the process of identification of victims of trafficking in human beings, on working with victims of trafficking in human beings, on the reasons why minors leave home, their vulnerabilities, the different traps and forms of exploitation they find themselves in in relation to forced marriages as a form of trafficking in human beings. Participants also learned about the programmes for placing victims in crisis and safe accommodation and the possibilities for (re)integration.

In addition, the crisis accommodation provider, under a contract with the competent ministry, runs prevention workshops in Slovenian primary and secondary schools and prepares and distributes information material. Both are aimed at informing and raising awareness among children, young people and educational staff, as well as other target populations, about the dangers and pitfalls of trafficking in human beings.

In order to better identify child victims of trafficking in human beings in the context of the migrant wave, the police have prepared guidelines for police units on the identification of trafficking indicators and the standardisation of procedures. They have also prepared guidelines for police units on the identification of forced begging, while the appendix to the Manual identifies indicators for the identification of forced begging or the commission of criminal offences.

The Government Office for National Minorities has published a "Manual on the identification of early and forced marriages in the Roma community and on intervention in such cases" within the framework of the National Roma Platform project. The Manual is a useful tool for institutions and various organisations working with the Roma community. It contains general facts and experience that present this issue and the legislation in a concise and clear way, the existing procedures for action, concrete examples of procedures in practice, and contacts of the most experienced NGOs working in areas related to this issue to which institutions, other organisations and individuals can turn for help or cooperation.

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- review the legislation to ensure that all foreign persons for whom there are reasonable grounds to believe that they are victims of trafficking, including EU citizens, are provided with a recovery and reflection period.

The Manual specifies that, in accordance with the legislation in force and the contractual relationship with the provider of the programme of care for victims of trafficking in human beings - crisis accommodation, the trafficked person is provided with a 30 (thirty) day period of recovery and reflection to recover and free him or herself from the influence of the traffickers, and get information about the voluntary forms of follow-up care programme and about the possibilities of cooperation with the state authorities.

In accordance with the provisions of the Manual, the police, as part of the identification procedure, inform each victim of trafficking in human beings of his or her rights, the possibility of being included in a safe accommodation programme during the recovery and reflection period, and of his or her rights regarding participation in criminal proceedings. The information is given in a language that the victim understands and translators are involved where necessary. When interviewed by the police officers, the victim also has the right to an individual interview with a representative of an NGO and/or humanitarian organisation or other persons in whom the victim has confidence.

So far, we have not encountered any problems in implementing the above-mentioned instructions in the Manual. All victims, regardless of their nationality, are immediately offered assistance and care upon identification and are provided with all relevant information.

## Part III - Statistics on THB

14. Please provide the following statistics, **per year starting with 2017**, where available disaggregated as indicated below:

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

### **YEAR 2017:**

TABLE 1: Number of identified victims of trafficking in human beings in 2017, by gender and nationality

<b>CITIZENSHIP</b>	<b>MALE</b>	<b>FEMALE</b>	<b>TOTAL</b>
Slovenia	1	2	3
Bulgaria	0	2	2
Bosnia and Herzegovina	0	2	2
Dominican Republic	0	10	10
Philippines	0	2	2
Kazakhstan	0	1	1
Kosovo	0	2	2
Hungary	0	5	5
Moldova	0	4	4
Romania	0	2	2
Slovakia	0	3	3
Serbia	0	9	9
Spain	0	1	1
Ukraine	0	9	9
Unknown	0	11	11
<b>TOTAL</b>	<b>1</b>	<b>65</b>	<b>66</b>

TABLE 2: Number of identified victims of trafficking in human beings in 2017, by gender and form of exploitation

<b>FORM OF EXPLOITATION</b>	<b>MALE</b>	<b>FEMALE</b>	<b>TOTAL</b>
Sexual exploitation	1	65	66
<b>TOTAL</b>	<b>1</b>	<b>65</b>	<b>66</b>

All identified victims were adults (18+).

### **YEAR 2018:**

TABLE 3: Number of identified victims of trafficking in human beings in 2018, by gender and nationality

<b>CITIZENSHIP</b>	<b>MALE</b>	<b>FEMALE</b>	<b>TOTAL</b>
Slovenia	1	0	1
Austria	0	1	1
Bulgaria	0	1	1
Dominican Republic	0	3	3
France	0	1	1
China	28	4	32
Madagascar	0	1	1

Hungary	0	19	19
Poland	0	1	1
Portugal	0	1	1
Romania	0	18	18
Slovakia	1	9	10
Spain	0	1	1
Ukraine	0	10	10
Venezuela	1	0	1
<b>TOTAL</b>	<b>31</b>	<b>70</b>	<b>101</b>

TABLE 4: Number of identified victims of trafficking in 2018, by gender and form of exploitation

FORM OF EXPLOITATION	MALE	FEMALE	TOTAL
Sexual exploitation	1	66	67
Forced commission of criminal offences	28	4	32
Forced begging	2	0	2
<b>TOTAL</b>	<b>31</b>	<b>70</b>	<b>101</b>

All identified victims were adults (18+).

#### **YEAR 2019:**

TABLE 5: Number of identified victims of trafficking in human beings in 2019, by gender and nationality

CITIZENSHIP	MALE	FEMALE	TOTAL
Slovenia	0	1	1
Vietnam	1	3	4
Madagascar	0	1	1
China	0	1	1
<b>TOTAL</b>	<b>1</b>	<b>6</b>	<b>7</b>

TABLE 6: Number of identified victims of trafficking in human beings in 2019, by gender and form of exploitation

FORM OF EXPLOITATION	MALE	FEMALE	TOTAL
Sexual exploitation	0	5	5
Servitude	1	1	2
<b>TOTAL</b>	<b>1</b>	<b>6</b>	<b>7</b>

All identified victims were adults (18+).

#### **YEAR 2020:**

TABLE 7: Number of identified victims of trafficking in human beings in 2020, by gender and nationality

CITIZENSHIP	MALE	FEMALE	TOTAL
Ukraine	0	24	24
Moldova	0	2	2
Romania	0	1	1
<b>TOTAL</b>	<b>0</b>	<b>27</b>	<b>27</b>



TABLE 8: Number of identified victims of trafficking in human beings in 2020, by gender and form of exploitation

FORM OF EXPLOITATION	MALE	FEMALE	TOTAL
Sexual exploitation	0	27	<b>27</b>
<b>TOTAL</b>	<b>0</b>	<b>27</b>	<b>27</b>

All identified victims were adults (18+).

- Number of victims of THB identified as part of the asylum procedure (disaggregated by gender, age, nationality, form of exploitation).

No victims of trafficking in human beings were identified under the asylum procedure between 2017 and 2021.

In order to identify potential victims of trafficking among applicants for international protection, the Asylum Centre has been implementing the PATS project for a number of years, in which individuals are informed about trafficking in human beings and preventive measures. Interviews are conducted in the presence of an interpreter. Each applicant for international protection receives a leaflet (in a language they understand) with basic information on trafficking in human beings and telephone numbers where they can get help and advice.

- Number of victims of THB who received assistance (disaggregated by gender, age, nationality, form of exploitation, internal or transnational trafficking).

## **YEAR 2017**

TABLE 9: Number of victims of trafficking in human beings who received assistance in 2017

	GENDER	AGE	CITIZENSHIP	FORM OF EXPLOITATION	Internal/transnational trafficking
<b>a) Crisis accommodation</b>					
1.	M	54	Bulgaria	Forced begging	Transnational
2.	F	22	Bosnia and Herzegovina	Sexual exploitation	Transnational
3.	F	21	Bosnia and Herzegovina	Sexual exploitation	Transnational
4.	F <sup>5</sup>	23	Slovakia	Sexual exploitation	Transnational
5.	F	minor	Unknown	Forced commission of criminal offences	Transnational
<b>b) Safe accommodation</b>					
6.	F	23	Slovakia	Sexual exploitation	Transnational
7.	F	22	Bosnia and Herzegovina	Sexual exploitation	Transnational

<sup>5</sup> The victim was accommodated with her minor child.

**YEAR 2018**

TABLE 10: Number of victims of trafficking in human beings who received assistance in 2018

	<b>GENDER</b>	<b>AGE</b>	<b>CITIZENSHIP</b>	<b>FORM OF EXPLOITATION</b>	<b>Internal/transnational trafficking</b>
<b>a) Crisis accommodation</b>					
1.	F	25	China	Forced commission of criminal offences	Transnational
2.	F	36	China	Forced commission of criminal offences	Transnational
3.	F	30	China	Forced commission of criminal offences	Transnational
4.	F	36	China	Forced commission of criminal offences	Transnational
5.	M	34	China	Forced commission of criminal offences	Transnational
6.	M	32	China	Forced commission of criminal offences	Transnational
7.	M	33	China	Forced commission of criminal offences	Transnational
8.	M	25	China	Forced commission of criminal offences	Transnational
9.	M	28	China	Forced commission of criminal offences	Transnational
10.	M	32	China	Forced commission of criminal offences	Transnational
11.	M	26	China	Forced commission of criminal offences	Transnational
12.	M	24	China	Forced commission of criminal offences	Transnational
13.	M	27	China	Forced commission of criminal offences	Transnational
14.	M	29	China	Forced commission of criminal offences	Transnational
15.	M	30	China	Forced commission of criminal offences	Transnational
16.	M	21	China	Forced commission of criminal offences	Transnational
17.	M	39	China	Forced commission of criminal offences	Transnational
18.	M	32	China	Forced commission of criminal offences	Transnational
19.	M	30	China	Forced commission of criminal offences	Transnational
20.	M	27	China	Forced commission of criminal offences	Transnational
21.	M	25	China	Forced commission of criminal offences	Transnational
22.	M	26	China	Forced commission of criminal offences	Transnational
23.	M	25	China	Forced commission of criminal offences	Transnational
24.	M	33	China	Forced commission of criminal offences	Transnational

25.	M	26	China	Forced commission of criminal offences	Transnational
26.	M	33	China	Forced commission of criminal offences	Transnational
27.	M	31	China	Forced commission of criminal offences	Transnational
28.	M	24	China	Forced commission of criminal offences	Transnational
29.	M	30	China	Forced commission of criminal offences	Transnational
30.	M	31	China	Forced commission of criminal offences	Transnational
31.	M	24	China	Forced commission of criminal offences	Transnational
32.	M	33	China	Forced commission of criminal offences	Transnational
33.	F	33	Madagascar	Forced labour/slavery	Transnational
34.	F	35	China	Labour exploitation	Transnational
35.	F	22	Slovenia	Sexual exploitation	Internal
<b>b) Safe accommodation</b>					
36.	F	23	Slovakia	Sexual exploitation	Transnational
37.	F	21	Slovenia	Sexual exploitation	Internal
38.	F	33	Madagascar	Forced labour/slavery	Transnational

## **YEAR 2019**

TABLE 11: Number of victims of trafficking in human beings who received assistance in 2019<sup>6</sup>

	<b>GENDER</b>	<b>AGE</b>	<b>CITIZENSHIP</b>	<b>FORM OF EXPLOITATION</b>	<b>Internal/transnational trafficking</b>
<b>a) Crisis accommodation:</b>					
1.	F	22	Serbia	Sexual exploitation	Transnational
2.	F	28	Bosnia and Herzegovina	Sexual exploitation	Transnational
3.	F	22	Slovenia	Sexual exploitation	Internal
4.	F	36	Ukraine	Sexual exploitation	Transnational
<b>b) Safe accommodation:</b>					
5.	F	22	Slovenia	Sexual exploitation	Internal
6.	F	36	Ukraine	Sexual exploitation	Transnational
<b>c) Reintegration programme:</b>					
7.	F	17	Slovenia	Sexual exploitation	Internal
8.	F	27	Slovenia	Sexual exploitation	Internal

<sup>6</sup> In addition to the existing care programmes, a reintegration programme was launched in 2019.

9.	F	23	Slovenia	Sexual exploitation	Internal
10.	F	33	Slovenia	Labour exploitation	Internal

## **YEAR 2020**

TABLE 12: Number of victims of trafficking in human beings who received assistance in 2020

	<b>GENDER</b>	<b>AGE</b>	<b>CITIZENSHIP</b>	<b>FORM OF EXPLOITATION</b>	<b>Internal/transnational trafficking</b>
<b>a) Crisis accommodation: /</b>					
<b>b) Safe accommodation:</b>					
1.	F	24	Slovenia	Sexual exploitation	Internal
2.	F	36	Ukraine	Sexual exploitation	Transnational
<b>c) Reintegration programme:</b>					
3.	F	35	Madagascar	Forced labour/slavery	Transnational
4.	F	27	Slovenia	Sexual exploitation	Internal

- Number of child victims of THB who were appointed legal guardians.

During the reporting period, there were no cases where children were identified as victims of trafficking in human beings and, consequently, there was no need to assign legal guardians.

- Number of victims of THB granted a recovery and reflection period (disaggregated by gender, age, nationality, form of exploitation).

A period of recovery and reflection was granted to 44 victims of trafficking (see Tables 9-12, accommodation in the crisis room).

- Number of victims of THB granted a residence permit, with an indication of the type of the permit and its duration (disaggregated by gender, age, nationality, form of exploitation).

TABLE 13: Number of victims of trafficking in human beings who have been issued with a residence permit

	<b>GENDER</b>	<b>AGE GROUP</b>	<b>CITIZENSHIP</b>	<b>FORM OF EXPLOITATION</b>	<b>Issued permit<sup>7</sup></b>
1.	F	18-31	Bosnia and Herzegovina	Sexual exploitation	Temporary residence permit (valid from 29.9.2017 - 29.9.2018)
2.	F	31-41	Bosnia and Herzegovina	Sexual exploitation	Extended temporary residence permit (valid from 22.5. 2017 – 22.11. 2017)

<sup>7</sup> Article 50(7) of the Trafficking in Human Beings Act provides, inter alia, that a temporary residence permit shall be issued to a victim of trafficking in human beings for the duration of the criminal proceedings, but for not less than six months and not more than one year. The temporary residence permit may be renewed for a period of up to one year at the request of the victim of trafficking in human beings until the end of the criminal proceedings and if the conditions set out in this Article are met. In the event of the existence of personal circumstances justifying the victim's residence in the Republic of Slovenia, a temporary residence permit shall be issued to the victim of trafficking in human beings for the duration of those circumstances, but for no longer than one year, and may be renewed at the victim's request for a period of validity of up to one year.

- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by gender, age, nationality, form of exploitation).

We do not keep separate data on people who have been granted refugee or subsidiary protection status because they have been victims of trafficking in human beings.

- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by gender, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).

We do not collect this type of data.

- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.

We do not collect this type of data. Trafficked persons do receive funds for the purchase of basic necessities of life under the programme of care for victims of trafficking in human beings. The amount of a day of care is 20 EUR/day. In addition, during the reporting period, adequate funds were provided from the state budget to organise the return of victims of trafficking to their country of origin (tickets, pocket money).

However, both Slovenian and foreign nationals (on the basis of a temporary residence permit and in accordance with Article 50 of the Foreigners Act) can apply for financial social assistance from the state. Two Slovenian citizens received such assistance in 2017, one Slovenian citizen in 2018, one Slovenian citizen in 2019 and one Slovenian citizen and one citizen of Madagascar in 2020.

- Number of victims of THB who received free legal aid.

TABLE 14: Number of victims of trafficking in human beings who received free legal aid

Year	2017	2018	2019	2020
Number of victims	0	1	1	1

- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by gender, age, country of destination, form of exploitation).

For all victims, the target country was Slovenia. The number of victims who expressed a wish to return to their country of origin is 38, of whom 9 were women and 29 were men.

TABLE 15: Number of victims of THB who were returned to their country of origin

	GENDER	AGE	FORM OF EXPLOITATION
1.	M	54	Forced begging
2.	F	21	Forced labour
3.	F	35	Labour exploitation with recognised elements of trafficking in human beings
4.	F	22	Sexual exploitation
5.	F	28	Sexual exploitation
6.	F	25	Forced commission of criminal offences

7.	F	36	Forced commission of criminal offences
8.	F	30	Forced commission of criminal offences
9.	F	36	Forced commission of criminal offences
10.	M	34	Forced commission of criminal offences
11.	M	32	Forced commission of criminal offences
12.	M	33	Forced commission of criminal offences
13.	M	25	Forced commission of criminal offences
14.	M	28	Forced commission of criminal offences
15.	M	32	Forced commission of criminal offences
16.	M	26	Forced commission of criminal offences
17.	M	24	Forced commission of criminal offences
18.	M	27	Forced commission of criminal offences
19.	M	29	Forced commission of criminal offences
20.	M	30	Forced commission of criminal offences
21.	M	21	Forced commission of criminal offences
22.	M	39	Forced commission of criminal offences
23.	M	32	Forced commission of criminal offences
24.	M	30	Forced commission of criminal offences
25.	M	27	Forced commission of criminal offences
26.	M	25	Forced commission of criminal offences
27.	M	26	Forced commission of criminal offences
28.	M	25	Forced commission of criminal offences
29.	M	33	Forced commission of criminal offences
30.	M	26	Forced commission of criminal offences
31.	M	33	Forced commission of criminal offences
32.	M	31	Forced commission of criminal offences
33.	M	24	Forced commission of criminal offences
34.	M	30	Forced commission of criminal offences
35.	M	31	Forced commission of criminal offences
36.	M	24	Forced commission of criminal offences
37.	M	33	Forced commission of criminal offences
38.	F	31	Sexual exploitation

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).

TABLE 16: Number of investigations into cases of trafficking in human beings 2017-2020

Criminal offence	No. of investigations 2017	No. of investigations 2018	No. of investigations 2019	No. of investigations 2020
Trafficking in human beings (Article 113 of the KZ-1)	5	3	5	1

- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).<sup>8</sup>

TABLE 17: Number of offences under Article 113 (Trafficking in human beings) and Article 175 (Abuse of prostitution) of the KZ-1

Year	Article	RECEIVED CRIMINAL COMPLAINTS			REQUESTS FOR INVESTIGATION			MOTION OF INDICTMENT		
		No. of natural persons as defend.	No. of legal persons as defend.	No. of known victims	No. of natural persons as defend.	No. of legal persons as defend.	No. of known victims	No. of natural persons as defend.	No. of legal persons as defend.	No. of known victims
2017	KZ-1 113	52	0	3	42			42		4
	KZ-1 175	17	1	13	9	1	7	3		1
<b>2017 Total</b>		<b>69</b>	<b>1</b>	<b>16</b>	<b>51</b>	<b>1</b>	<b>7</b>	<b>45</b>		<b>5</b>
2018	KZ-1 113	356	3	56	429	3	55	7	1	
	KZ-1 175	19	1	56	16	1	53	5	2	12
<b>2018 Total</b>		<b>375</b>	<b>4</b>	<b>112</b>	<b>445</b>	<b>4</b>	<b>108</b>	<b>12</b>	<b>3</b>	<b>12</b>
2019	KZ-1 113	27	0	2	9		1	9		55
	KZ-1 175	24	1	8	18	1	6	27		53
<b>2019 Total</b>		<b>51</b>	<b>1</b>	<b>10</b>	<b>27</b>	<b>1</b>	<b>7</b>	<b>36</b>		<b>108</b>
2020	KZ-1 113	110	27	29	524	29	27	7		1
	KZ-1 175	9	1	113	7	1	111	6		2
<b>2020 Total</b>		<b>119</b>	<b>28</b>	<b>142</b>	<b>531</b>	<b>30</b>	<b>138</b>	<b>13</b>		<b>3</b>
2021	KZ-1 113	16	2	8	13		8			
	KZ-1 175	6	0	3				1		
<b>2021 Total</b>		<b>22</b>	<b>2</b>	<b>11</b>	<b>13</b>		<b>8</b>	<b>1</b>		
<b>Total sum</b>		<b>636</b>	<b>36</b>	<b>291</b>	<b>1067</b>	<b>36</b>	<b>268</b>	<b>107</b>	<b>3</b>	<b>128</b>

<sup>8</sup> With regard to the above statistics, it should be clarified that individual cases are dealt with at different stages in the same reporting period, i.e. from receiving the criminal complaint or the report for supplementation pursuant to paragraph ten of Article 148 of the ZKP to the adoption of the prosecutor's decision, i.e. from filing the request for investigation, motion for the indictment and issuing the decision on dismissal, which may be only a part of the case. In view of the above, the same case is often reported under the head of received criminal complaints or reports pursuant to paragraph ten of Article 148 of the ZKP, under the head of dismissal, under the head of filing the request for investigation and under the head of motion for indictment.

- Number of convicted perpetrators of THB (disaggregated by gender, age, nationality, form of exploitation).<sup>9</sup>

TABLE 18: Number of convicted offenders in 2017

	MALE	FEMALE	TOTAL
<b>CITIZENSHIP : n/a</b>			
<b>FORM OF EXPLOITATION</b>			
Sexual exploitation	n/a	n/a	8
Servitude	n/a	n/a	2
<b>TOTAL</b>	<b>n/a</b>	<b>n/a</b>	<b>10</b>

TABLE 19: Number of convicted offenders in 2018

	MALE	FEMALE	TOTAL
<b>CITIZENSHIP : n/a</b>			
<b>FORM OF EXPLOITATION</b>			
Sexual exploitation	n/a	n/a	7
<b>TOTAL</b>	<b>n/a</b>	<b>n/a</b>	<b>7</b>

TABLE 20: Number of convicted offenders in 2019

	MALE	FEMALE	TOTAL
<b>CITIZENSHIP</b>			
China	1	0	1
Montenegro	0	1	1
Slovenia	0	2	2
<b>TOTAL</b>	<b>1</b>	<b>3</b>	<b>4</b>
<b>FORM OF EXPLOITATION</b>			
Commission of criminal offences	1	0	1
Sexual exploitation	0	2	2
Servitude	0	1	1
<b>TOTAL</b>	<b>1</b>	<b>3</b>	<b>4</b>

TABLE 21: Number of convicted offenders in 2020

	MALE	FEMALE	TOTAL
<b>CITIZENSHIP</b>			
Slovenia	2	0	2
China	3	0	3
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>5</b>
<b>FORM OF EXPLOITATION</b>			
Commission of criminal offences	5	0	5
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>5</b>

During the reporting period, all convicted offenders were adults.

<sup>9</sup> Statistics on convicted offenders by gender, age and nationality have been kept since the establishment of the Anti-Trafficking Service (December 2018).



- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.<sup>10</sup>

Table 22: Convictions of Trafficking in Human Beings offenders in 2019

No. of convictions		FORM OF EXPLOITATION	Sanctions
	1	Commission of criminal offences	Three years' and eight months' imprisonment, a fine of 500 EUR and expulsion from the country for five years
	1	Sexual exploitation	Suspended sentence - one year and six months' imprisonment, with a period of probation of two years
	1	Servitude	Three years' and two months imprisonment
	1	Sexual exploitation	Two years' imprisonment, accessory penalty of 3,220 EUR
<b>TOTAL</b>	<b>4</b>		

Table 23: Convictions of Trafficking in Human Beings offenders in 2020

No. of convictions		FORM OF EXPLOITATION	Sanctions
	<b>1</b>	Commission of criminal offences	Four years' imprisonment and a fine of 10,000 EUR.
	<b>1</b>	Commission of criminal offences	Three years' and ten months' imprisonment and a fine of 4,000 EUR.
	<b>1</b>	Commission of criminal offences	Three years' and ten months' imprisonment, a fine of 500 EUR and expulsion from the country for five years.
	<b>1</b>	Commission of criminal offences	Three years' and ten months' imprisonment, a fine of 500 EUR and expulsion from the country for five years.
	<b>1</b>	Commission of criminal offences	Three years' and ten months' imprisonment, a fine of 500 EUR and expulsion from the country for five years.
<b>TOTAL</b>	<b>5</b>		

During the reporting period, all convicted offenders were adults.

<sup>10</sup> Statistics on convicted offenders and sanctions have been kept since December 2018.

- Number of judgments in THB cases resulting in the confiscation of assets.

TABLE 24: Number of judgments resulting in confiscation of proceeds (by offence)

Year	Article	No. of events - judgments	Value of confiscated proceeds
2017	KZ-1 113	92	104,509
	KZ-1 175	4	863,210
2017 Total		96	<b>967,719</b>
2018	KZ-1 113	5	111,796
	KZ-1 175	1	10,233
2018 Total		6	<b>122,029</b>
2019	KZ-1 113	1	180
	KZ-1 175	9	1,450,019
2019 Total		10	<b>1,450,199</b>
2020	KZ-1 113	4	131,904
	KZ-1 175	4	20,754
2020 Total		8	<b>152,658</b>
<b>Total sum</b>		<b>120</b>	<b>2,692,605</b>

- Number of convictions of legal entities for THB.

No convictions of legal persons for the offence of trafficking in human beings were reported during the reporting period.