



The EU Mutual Learning Programme in Gender Equality

Combatting trafficking in women and girls for the purpose of sexual exploitation

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Comments Paper - Slovakia



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Combatting trafficking in women and girls in Slovakia

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1. The Slovak country context

The Slovak Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labour. Slovak women, who comprise the majority of victims, are subjected to sex trafficking in Germany, Austria, the UK, Ireland, Switzerland, Poland, and other European countries. Ukrainian, Moldovan, Bulgarian, Romanian, and Vietnamese men and women are subjected to forced labour in Slovakia. Eastern European women are also reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Romas from marginalised communities are disproportionately vulnerable to trafficking. Slovak children of Romani descent are subjected to sex trafficking within marginalised communities in the Slovak Republic and forced criminal behaviour in the UK. Forms of trafficking in human beings include forced labour or forced begging, sexual exploitation, forced marriage, forced criminality or forced begging throughout Western Europe.

The Slovak Republic as European Union Member State fully implemented Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims. The Slovak Republic fully complies with the international standards for the elimination of trafficking. The government increased investigations, prosecutions, and convictions of traffickers and funding for victim protection. However, courts issued light and suspended sentences for convicted traffickers that did not deter traffickers nor protect victims. Sixteen of the 19 convicted traffickers received suspended sentences; another received a mere fine, and two received sentences of two years' imprisonment. The Penal Code prohibits all forms of trafficking through Section 179, which prescribes penalties between 4- and 25-years' imprisonment for trafficking offences. These penalties are sufficiently stringent and commensurate with those specified for other serious crimes, such as rape.

The government maintained efforts to prevent human trafficking but acknowledged the need to raise public awareness and improve data collection on anti-trafficking efforts. In February 2015, the government approved a **National Programme to for Combatting Human Trafficking 2015-2018** (hereinafter referred to as „Programme“) that acknowledged the need to improve ministries' anti-trafficking capacities. The objective of the Programme is to effectively and comprehensively combat human trafficking in order to support the development of coordinated activities of all entities involved in eliminating risks and preventing criminal activities related to human trafficking as well as to create conditions for providing support and assistance to victims of human trafficking and to ensure protection of their human rights and dignity having regard to gender aspects. Its performance implies the necessity to adhere to the principle of active participation of the government and close cooperation with relevant civil society organisations active in this field, respecting human rights and interdepartmental collaboration.

1.1. Coordination mechanism

The interior ministry's crime prevention office coordinates the government's anti-trafficking activities, including overseeing victim care services, training officials on victim identification, conducting awareness campaigns and trainings and convening **The Expert Group for the Field of Combating Human Trafficking**, consisting of government and NGO representatives.

The **National Unit of Combating Illegal Migration of the Bureau of Border and Alien Police of the Police Force Presidium** (hereinafter referred to as „National Unit“) has been responsible for combating human trafficking at the national level since 1 July 2013 and performs operational-search activities, gathers information and participates in detection and investigation of the mentioned crime. The National Unit has its specialised investigators for the field of human trafficking and ensures and coordinates cooperation with foreign services in the field of international organised crime connected with human trafficking as well as with state entities and third sector. The Ministry of the Interior of the Slovak Republic concluded a contract with the company Slovak Telekom a.s, on the establishment of **the National Helpline for Victims of Trafficking 0800 800 818** (+421 800 800 818 from abroad). The national helpline serves to provide preventive information about what to do before travel abroad, identification of victims of trafficking and provision of relevant assistance to potential victims of trafficking.

NGOs provided victims with shelter and care services, including financial support, repatriation to Slovakia, healthcare, and psycho-social support. NGOs deemed the legal advice available to victims insufficient, and only one victim received it during the reporting period. Shelters for domestic violence victims accommodated trafficking victims but housed them separately. Adult victims were permitted to leave the shelters without a chaperone. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children. NGOs noted that Slovak police might lack the capacity to effectively supervise victims during investigations, particularly Romani victims in marginalised communities, who often return to the same environments from which they were subjected to trafficking.

In 2017, together 19 trafficked individuals entered a specialised Programme of Support and Assistance to Victims of Trafficking („programme“) which offers services of complex assistance to victims of trafficking. The total number of 35 victims of trafficking were provided with the aid and support in 2015. The number reflects the victims who entered the programme in the previous years and were provided with care also in relation to criminal proceedings.

In 2017, together eight female victims of trafficking (i.e. 42%) entered the programme. The number of female victims of trafficking increased in comparison with 2016. The majority of female victims in 2017 originated from the east of Slovakia (Košice region), the same as last year. The eastern region has been the most frequent place of origin of victims previously.

Table 1 Statistical overview of persons identified by State authorities as victims of trafficking in persons.

	2014	2015	2016	2017
Number of offences of trafficking in persons recorded	15	18	25	37
Total (children + adults)	34	25	45	88
Total no. of children	0	0	8	11
Children – females	0	0	3	11
Total no. of adults	34	25	37	77
Adult females	22	8	15	47
Total number of victims trafficked for sexual exploitation	13	2	18	44
Total adult female victims trafficked for sexual exploitation	13	2	14	33
Total female children (girls) trafficked for sexual exploitation	0	0	2*	9

Source: Evaluations of the Programme for support and protection of victims of trafficking in human beings available at http://www.minv.sk/?program_podpory_a_ochrany_obeti

2. Policy debate

In the past, Slovak girls were mainly trafficked for prostitution or work in the porn industry, but recently the focus has shifted to forced labour of women and men. Traffickers force them to work on farms, in production halls, doing jobs that the locals refuse to take.

A significant trend visible in Slovakia is the **forced or sham marriages with immigrants**; based on the marriage with an EU citizen these people gain residence in the EU. Women are trafficked to western and northern Member States and forced to marry Asian men, typically Pakistanis and Indians, to enable them to obtain residence benefits and legal stay in the EU. The women targeted are often in vulnerable positions due to their economic and social conditions, including disabilities; in some cases, they are kidnapped and brought to the country of destination against their will, while the traffickers retain their documents and hold them captive. The victims are also often sexually abused by their husbands or otherwise sexually exploited. It is currently unclear whether these brokers belong to networks involved in trafficking in human beings or act as service providers to organised criminal groups facilitating irregular migration.¹ They are looking for women who look of similar type. Most often, they end up with uneducated Roma from eastern Slovakia who do not speak the language and thus cannot defend themselves.

Romani people from marginalised communities are vulnerable to human trafficking, as they are often underemployed and undereducated. Traffickers are particularly prominent individuals in Romani communities. They find victims through family and village networks, preying on individuals with disabilities or large debts. Slovak women of Romani descent are particularly vulnerable to sex trafficking. They are commonly transported to the UK by force or deception to facilitate benefit fraud and to marry third

¹ European Commission (2016) Report on the progress made in the fight against trafficking in human beings (2016) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Brussels.

country nationals attempting to avoid deportation by marrying EU citizens. Many of these women then become victims of sex and labour trafficking.

The most at-risk group consists of:

- young women;
- young people leaving care facilities (children houses) lack sufficient support and are vulnerable to human trafficking;
- disabled people;
- undereducated and unemployed people;
- Romani people.

Prostitution

Prostitution is seen as a phenomenon that is against public decency and good morals, yet, as such, it is not criminalised. It is the negotiation, facilitation, acquisition, pimping and profiting from prostitution as well as other related activities that are penalised (§ 367 of the Penal Code). The perpetrator may also be the prostitute herself if she further performs pimping.

In Slovakia, prostitution is concentrated in cities and towns especially due to the anonymity of the environment, the concentration of more solvent clients living there and coming there (for business tourism, etc.). The densest concentration of prostitutes is in the capital city of Bratislava. The girls come from Eastern and Central Slovakia, and the service is mostly offered in Western Slovakia, especially in Bratislava. The prostitutes move to Bratislava in summer; sex business also increases during more significant sports events, exhibitions, fairs etc., which are accompanied by an influx of foreign visitors. The street scene in Bratislava is thickening by an inflow of addicted girls, who go down with the prices. Generally, erotic services are promoted in Bratislava more overtly than in other parts of Slovakia.

Motives for prostitutes or sex-work in Slovakia are mainly financial; prostitutes are coming from the countryside, areas with low standards of living – primarily east part of the country, students, and prostitutes on drugs. In some cases, additional income for young women is the primary motive with a strong urge for having an easy gained high income to enjoy a "good life"; they work in parlours or private apartments. Further, there might be personal and social reasons, e.g. trauma in a partner relationship, interesting in exciting lifestyle and last but not least, earning money for drugs by means of prostitution.

Typology of clients: The age of clients is approximately from 18 to 55 years; a majority are a middle-aged man between 30-45 years. Their education ranges from elementary to university level, with a prevalence of secondary education. Their marital status is single, married, or divorced. Many clients of street prostitution are coming from Austria, as it is close to Bratislava and prices in Slovakia are lower. Parlours in Central and East Slovakia are often visited by clients from Ukraine, Hungary and Poland. Also, prominent people, like an ice hockey player, can be found in the parlours.

3. Good practice examples

The procedure for identifying victims of human trafficking in the Slovak Republic and their inclusion into the **Programme of Support and Protection for Victims of Human Trafficking** is defined in the **National Referral Mechanism**. This material

contains the structure of cooperating entities through which the governmental authorities fulfil their obligations concerning protection and enforcement of human rights for individuals who became victims of human trafficking while coordinating their efforts as part of the strategic partnership with civil society. Its main aim is to ensure adherence to the human rights of victims of human trafficking and provide them with effective and accessible services. Secondly, the national reference mechanism can help to develop national policies and procedures regarding victims of human trafficking, such as a legal provision in the field of the legalisation of their stay and resettlement, compensation and protection.

Any entity within the state authorities and non-governmental organisations, as well as those from abroad, can identify a potential victim of human trafficking. Thus, members of various services of the Police Force, Prosecution Office, employees of the Migration Office, employees of Offices of Labour, Social Affairs and Family, healthcare staff, employees of the Ministry of Education of the Slovak Republic, field social workers, employees of consular offices of the Slovak Republic abroad, non-governmental and international organisations working in Slovakia or abroad, as well as the victims of human trafficking themselves or their family members can initiate identification of victims of human trafficking through the **National Helpline for Victims of Human Trafficking at 0800 800 818**.

The programme for victims includes isolation from the criminal environment, information about reflection period in the territory of the Slovak Republic and if needed also information about the possibility to provide international protection in case the victims is a third-country national, assistance to a national of the Slovak Republic with voluntary return to Slovakia, social assistance, psychological and social counselling, psychotherapeutic services, translation and interpretation services, legal advice, healthcare, requalification courses, possibility of being included in the Witness Protection Programme under special law, possibility for financial compensation under special legislation, assistance to a national of a member state of the European Union and a third-country national with assisted voluntary return to the country of origin and mediation of aid by organization active in the land of origin as well as possibility of safe accommodation.

Prevention

The **International Organisation for Migration (IOM)** in cooperation with government institutions, non-governmental and international organisations, has been working in the area of the counter-trafficking issue since 2003. In this area IOM currently carries out following activities:

- Various preventive activities and information campaigns (mobile application [Safe Travel & Work Abroad](#) to help prevent human trafficking, campaign [Don't become a slave!](#) to raise awareness about helpline for victims of human trafficking);
- [Educates and strengthens](#) the capacity of government experts and helping organisations in the area of prevention, identification of victims and providing comprehensive assistance for victims of human trafficking;
- Develops and offers [information and educational materials](#) for teachers, lecturers, and other professionals (documentary films, didactic and training materials, information brochures, the website about safe travel and work abroad).



VYUŽÍTE APLIKÁČKU V RÁMCI PREVENTÍVNYCH AKTIVÍT

Mobilná aplikácia je možno využiť pri rôznych typoch preventívnych aktivít, ktoré sú zamerané na zvyšovanie povedomia o ľudskom obchode a ochrane jeho obev.

Časťou preventívnych aktivít je zdieľanie informácií o ľudskom obchode a ochrane jeho obev.

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SAFE – Mobile Application to Prevent Human Trafficking SAFE TRAVEL & WORK ABROAD first.

Through an interactive game, you can walk in the shoes of one of four young people who decided to explore the world. Your goal is to escape the human traffickers by taking responsibility and making the decision that will influence the direction of their lives. Whether the protagonists end up travelling and working abroad safely – or fall into the traps set by traffickers – is in your hands. In addition to the game, the application provides key information about human trafficking, safe travelling principles and tips for working abroad as well as useful contacts in case of emergency. Whether you travel abroad, on holidays or for work, you can find

beneficial information here. Learn about human trafficking through the app and be prepared to rely on yourself in real life. The SAFE application is available for free at Google Play and App Store and on the IOM website www.safe.iom.sk in five languages: Slovak, Czech, Polish, Hungarian and English. As a new tool, the application can be used for educational purposes and for the prevention of human trafficking by professionals working with young people.

4. Transferability aspects

Legal regulation of prostitution in Slovakia falls under the abolitionist model, and there is no effort to open a discussion about the possible regulation. Prostitution by adults is not subject to punishment, but profiting from another person's prostitution is, however, criminalised. Thus, the state decides to tolerate prostitution and not to intervene in it.

There is no consensus which model could be applied in Slovakia. Opening the discussion could be problematic because of the ongoing campaign against the Istanbul Convention which could harm the entire process with an unclear outcome. Thus, the Spanish example of reducing the demand of prostitution is transferable in a limited way when it comes to the importance of working with the media prioritising the elimination of stereotypes and sexist contents and information and promotion of good practices in the treatment of information related to sex trafficking. However, in the Slovak legislation there is no consensus reached, yet.

In Slovakia, as a good practice example the gender sensitive approach in the intra-territorial and international coordination and communication in order to achieve a better protection for victims of trafficking can be used. And also, to make the victim-centred approach more effective.

5. Conclusions and recommendations

Trafficking in women and girls is not recognised as a problem of gender-based violence but rather as a problem of trafficking in human beings. Consequently, the gender-sensitive approach might be insufficient in all the processed and services concerning victims of trafficking. Therefore, a closer cooperation between authorities responsible for gender-based violence and trafficking of human being would allow including the gender perspective in the process. Again, more education – in form such as interactive games is required for potential victims.

Sources

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Human trafficking also concerns Slovaks. They are mostly sold to the UK <https://spectator.sme.sk/c/20495598/human-trafficking-also-concerns-slovaks-they-are-mostly-sold-to-the-uk.html> [accessed 20 September 2018]

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