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

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Comments Paper – Slovenia



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Women Trafficking: Gender, Migration and Work

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1. Where in the puzzle: trafficking from, to and through Slovenia

1. 1. Introduction

Trafficking in women and girls is framed through different lenses, most commonly there is a direct connection to the sex industry, exploitation, forced prostitution and slavery. However, questions of migration, inequalities and access to decent income define the complex relationships between legal and illegal migration, voluntary and forced prostitution, human rights and the position of the victims of sex trafficking. Therefore, a victim-centred approach in policies on combating human trafficking should follow the assumption of individual's socio-economic needs, ethics of care and efficient reintegration of the victims in the new society.

According to the first assessment study in 2003¹, Slovenia appears in all three forms: mainly as a country of transit, but also as a country of destination and origin. The latest reports point to the role of the transit and destination country, however some data and assessments confirm that it is also a country of origin².

1.1.1. Statistical data

Table 1: Number of identified victims of trafficking in human beings in Slovenia in the period 2010 – 2017

	2010	2011	2012	2013	2014	2015	2016	2017
Women	31	19	13	39	4	45	25	65
Man	1	1	2	1	1	0	2	1
Minors	1	1	0	0	0	2	0	0
Total	33	21	15	40	5	47	27	66

Source: Ministry of the Interior

1.1.2. Victims according to the purpose of exploitation

¹ "Where in the puzzle: trafficking from, to and through Slovenia", IOM and Peace Institute, 2003.

² See more:

http://www.vlada.si/en/projects/fight_against_trafficking_in_persons/combating_trafficking_in_human_beings/some_facts_and_figures/ (access: 12.11.2018)

In the period from 2010 to 2016, the governmental statistics show a clear trend of sexual exploitation/sexual abuse of trafficked women. 96% of victims are involved in sexual exploitation and 4% in other forms of exploitation (forced labour, servitude and begging). The annual report of the National Working Group on Combating Trafficking in Human Beings confirms these characteristics also continue in the year 2017; sexual abuse is a form of exploitation for all 66 victims.

In 2016, criminal offences of trafficking in human beings were investigated within the scope of five police investigations, dealing with 31 criminal offences against 15 suspects and 27 victims of trafficking in human beings. Criminal offences relating to trafficking in human beings for the purpose of sexual abuse are still the most common. Taking into account cases from recent years, the State Prosecutor's Office filed charges against 21 persons and 2 legal entities. In two cases, courts passed judgements of conviction against 6 persons³.

1.1.3. Victims by their country of origin

Table 2: Victims of human trafficking by their country of origin 2010 – 2016

Romania	20 %
Ukraine	19 %
Serbia	10 %
Slovenia	9 %
Dominican Republic	7 %
Hungary	6 %
Czech Republic	6 %
Slovakia	5 %
Bulgaria	4 %
Macedonia	3 %

Source: Ministry of the Interior

The number of victims of trafficking who received any kind of assistance during the period 2010 – 2016 is according to governmental statistics 127, of which 34 were accommodated in safe places. In the year 2017, 5 women (of total 65 who received any kind of assistance) were accommodated in shelter.

1.1.4. Legal framework

The criminal act of trafficking in human beings is defined in Article 113 of the Penal Code of the Republic of Slovenia. In addition, the following criminal offences are connected with the occurrence of trafficking in human beings: enslavement (Article 112), forced marriage (Article 132), undeclared employment (Article 199). Human trafficking is also addressed by Aliens Act (2007). Further, key international documents such as the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children and the Council of Europe Convention on Action against Trafficking in Human Beings constitute crucial legal background.

³ Reports of the National Working Group on Combating Trafficking in Human Beings, http://www.vlada.si/en/projects/fight_against_trafficking_in_persons/national_working_group_on_combating_trafficking_in_human_beings/annual_reports/

1.2. Future developments

The following recommendations and suggestions upon activities on a national level could be summarised:

- **Launching an applied research project within the SRA programme⁴**, with the impact in Slovenia and the Balkan region. There has been a clear lack of in-depth research in recent years. Applied research is needed to be able to follow the trends, dynamics, structural change and intersections of human trafficking, sex work, global migration and human rights. Research backed by statistical data and case-studies (personal bibliographies of victims) can contribute to more evidence-based strategies and tools that can build a more coherent response to assist and empower individual victims of human trafficking. The government of the RS has a powerful tool under the “Target research programmes”.
- **Coordination of an assessment study along the Balkan route.** Combatting trafficking in women and girls for the purpose of sexual exploitation should be linked to recent global migratory routes, in which Slovenia and most of the Balkan countries are part of a global crossroads between the North and the South.
- **Increasing participation of civil society** in the form of a “Social forum”. More visible participation of the civil society organisations and expansion of activities and actions beyond the government group are welcome; social forum would involve local organisations and individuals, for example, interest associations (trade unions, tourist associations, employers, academia etc.).

2. Policy debate

2.1. Introduction

Slovenia has stable and long-term institutional structure in the field of policies against trafficking in human beings. Two actors are taking the key role, the National coordinator for combatting trafficking in human beings (appointed in 2002) and the National Working Group on Combating Trafficking in Human Beings (NWG)⁵, which is composed of various ministries, NGO representatives, Trade Unions and the State Prosecutor’s Office. Policies are outlined through the Action Plans, while implementation can be monitored through the Annual Reports. We can observe that the Working Group responds to the recommendations of international institutions, in particular the GRETA Report. Annual reports bring information regarding prevention of THB, victim’s assistance, information, awareness raising and similar. A certain update is also detected through years; such as raising awareness of human trafficking among refugees and migrants and co-operation in the region during the greater presence of refugees in the Balkans.

⁴ Slovenian Research Agency.

⁵ NWG is responsible for the whole policy in the domain of legislation, prevention, detection, assistance to and protection of the victims of human trafficking and cooperation within the regional and international organisations to prevent and combat human trafficking (See more: http://www.vlada.si/en/projects/fight_against_trafficking_in_persons/combating_trafficking_in_human_beings/).

Recent discussions, according to our observation, relate to two major topics: 1. the issue of reintegration of persons who have survived trafficking in human beings, and 2. relation of THB to sex work and prostitution. Different views are present in this field; however, the discussion and regulation of sex work affect policies in the field of THB. Governmental policies are built on the standpoint that the THB is clearly about exploiting the vulnerability of individuals: *“Trafficking in human beings is a modern slavery, which violates the fundamental human rights of victims. It is a severe violation of individuals’ freedom and dignity and a serious crime”*. (Ministry of the Interior)

2.2. Future developments

In view of future developments the following recommendations might be incorporated in future Action plans and activities of the NWG:

- **Focus on the reintegration process and access to permanent residence permits for victims of trafficking.** We note that after the completion of the trial (which can last for more than one or even two years), the question is how the victim can stay and continue a “normal life” in the new country. From the reintegration point of view, it is important to have an open possibility of access to permanent residence. This would allow the person to, for example, continue schooling. It is necessary to take into account that victims might be present in the country for a longer period and are already integrated to some aspects of everyday life.
- **Focus on the local level.** The weakest point in governmental policy seems to be the lack of transfer to the local level. Due to the small size of the country, the numerous borders and also tourist areas along the borders, it is necessary to work towards enhanced activities at the level of local communities.
- **Action plans oriented towards a longer time period, e.g. 4-5 years.** This might allow better transfer of strategies and measures to the local level (to young people, workers in tourism, and public servants in municipalities).
- **Better information on the juridical praxis.** As mentioned also by the NWG, information needs to be strengthened in the field of case-law. This is important for policy-makers as well as for raising public awareness on persecution of trafficking in human beings.
- **Focus on tourism and sex work.** More attention should be paid to the intersection of tourism and sex work, both in terms of non-existing research and policies.
- **Inclusion of academy/research in the NWG.** Due to broad theoretical knowledge it might be productive to include representatives from the research field in the working group.

3. Good practice examples

3.1. Society Ključ: Project “Telesnica”

Within the frame of activities of raising awareness of the youth, the project called "Telesnica" – how to recognise trafficking in human beings and avoid it – was carried out by the Ključ Society – centre for combating trafficking in human beings. In 2016, there were 60 workshops in ten secondary schools and four educational institutions organised in Slovenia. This project has great potential for on-going actions among young people.

3.2. Annual concert on the European day of anti-trafficking, 18th of October

Raising awareness among the general public in the form of concerts of popular music has already been taking place in Ljubljana for some years. For example, the Ključ Society holds a concert, free of admission at the Kino Šiška Centre of Urban Culture where several musical groups perform in front of 500 people. The concert was co-funded by the City Municipality of Ljubljana and the Government of Slovenia, while contributions from individual donors were also collected. Concerts are certainly a suitable medium that addresses young people, but it is also visible among the broad audience. We would recommend that the concerts should also be extending beyond the capital city.

3.3. Coordinated approach on the national level

In 2003, the National Working Group was established as the central coordinating body at a national level, which contributed to the visibility of the field and policies of preventing trafficking in human beings. It is important that the group act inter-ministerial and at the same time involve a link with civil society. The key is to ensure continuous operation in several areas, from assistance to victims, campaigns in the public, educational activities etc.

4. Transferability aspects

The gender based approach as a core element of the fight against trafficking in human beings for the purposes of sexual exploitation, as adopted by the Spanish state, seems to be the most appropriate strategy in contemporary anti-trafficking policies. This perspective contributes to equality policies, while at the same time addresses gender-based migration, sex work and human rights. According to our observation, the following measures have transferability potential to the local Slovenian context (even if most of them are already present to some extent):

- **Introducing a regional approach.** Even if a direct comparison between Spain and Slovenia is not possible due to differences (size of the country, population etc.), the fact remains that the regional and local level is extremely important in fighting trafficking for sexual exploitation and needs to be strengthened in Slovenia. In addition, especially in the case of small countries (which is linked to the many borders that the victims might cross) it is essential to strengthen international cooperation.

- **Focus on sex tourism.** Sex work in the tourism sector and possible link to human trafficking are still overlooked in the Slovenian context; therefore the Spanish experience could give highly relevant backgrounds.
- **Prevention by reducing the demand.** Media coverage and commercial adverts are two areas in which further work should be done in line with the principle of zero tolerance to sex trafficking.

5. Conclusions and recommendations

On the European level there is a need for long-term coordinated action in the field of monitoring (research, improving statistical and qualitative data from the perspectives of victims), awareness raising (THB appears to be underrepresented and marginal topic), but above all preventing sex trafficking and breaking the circle of exploitation.

In accordance with the new migration realities in the Balkans and in Mediterranean countries (new routes), it is necessary to detect vulnerabilities for different groups and individuals. Information from the field shows great risks for young migrants, especially unaccompanied minors. Sexual abuse and forced prostitution are not rare for women and girls on their migratory routes, but also for young boys; the problem of homosexual prostitution is still largely overlooked.

Further, through the European Union's diplomatic service, the European External Action Service, broader scope of activities of prevention and protection must be initiated in neighbouring regions, such as (post)conflict zones in Northern Africa and Middle East. Alarming reports concerning slavery in the form of re-established "slave markets" are coming from Libya and other countries in the region too.