

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2016)9

**Report submitted by the Slovenian authorities
on measures taken to comply with
Committee of the Parties Recommendation
CP(2014)7 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Received on 5 February 2016

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REPORT OF THE REPUBLIC OF SLOVENIA ON MEASURES TAKEN TO COMPLY WITH COMMITTEE OF THE PARTIES RECOMMENDATION CP(2014)7
ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION
ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

Comprehensive approach and co-ordination

1. GRETA invites the Slovenian authorities to invest in the human and financial resources of the secretariat of the Working Group and the National Co-ordinator so that they can effectively carry out the full range of tasks within their mandate.

In 2014, the Government of the Republic of Slovenia attempted to find solutions in terms of the placement of the National Anti-Trafficking Coordinator within the government structure, but no solutions were found. This is why the Minister of the Interior of the Republic of Slovenia in decision no. 500-301/2015/1 of 17. 6. 2015 adopted a decision for the national coordinator to continue to work at the Ministry of the Interior where a special position of the National Anti-Trafficking Coordinator was classified within the European Affairs and International Cooperation Service. The minister's decision also specified that the operation of the anti-trafficking coordinator be strengthened in terms of staffing by involving one ministry employee for professional and technical assistance. Given the fact that the national coordinator is still not placed within the government structure in a way that would ensure autonomy and independence, occasional problems still arise in practice due to a lack of response to his initiatives.

Since neither the Interdepartmental Working Group for Countering Trafficking in Human Beings persons (hereinafter: IWG THB) nor the National Anti-Trafficking Coordinator have any financial resources of their own, all the activities and measures in the area of trafficking in human beings are financed from the budgets of individual line ministries depending on the content of the activity.

2. GRETA considers that the Slovenian authorities should pay increased attention to human trafficking for the purpose of labour exploitation, trafficking in children, trafficking in persons from vulnerable groups, including Roma, as well as trafficking within Slovenia.

In 2014 in 2015, as in the previous years, the Slovenian Government co-funded four NGO projects in the total amount of EUR 20,000. Two projects were intended to raise awareness of adolescents on the dangers of trafficking in human beings, on the methods of recruitment and threat recognition, on appropriate ways to act and on self-protection behaviour. The third project focused on raising awareness of foreign workers about more efficient exercise and protection of their rights, protection against exploitation, caution against possible connection between labour exploitation and trafficking in human beings, and recognition of possible victims that are in need of additional support and protection. The purpose of the fourth project was to reduce demand for services provided by victims of trafficking in human beings by raising awareness of the users of these services and the general public.

In 2014, the Government Communication Office also financed a survey entitled "Analysis of trafficking in human beings with the purpose of exploitation of labour force, trafficking in children, forced begging and commission of criminal offences". As part of the survey, 20 in-depth interviews were conducted with employers in industries employing foreign workers, with migrant workers, trade unions and trade union representatives, informal groups providing assistance to exploited workers, non-governmental organisations working directly with victims of trafficking in human beings, police officers, criminal investigators, officials of the Specialised Office of the State Prosecutor of the Republic of Slovenia and officials of the Ministry of Foreign Affairs and the Ministry of Labour, Family, Social Affairs and Equal Opportunities. In addition to drawing up an extensive survey report, the authors also prepared recommendations for planning preventive activities intended to raise awareness of consumers and users of services provided by the victims of trafficking in human beings.

One of the new forms of trafficking in human beings recognised in Slovenia over the past few years have been forced marriages of underage girls, usually in the Roma community. This is why the Ministry of Labour, Family, Social Affairs and Equal Opportunities in 2014 commissioned the Social Protection Institute of the Republic of Slovenia to conduct research entitled Forced Marriages of Roma Girls. The research was aimed at determining the dimension of such marriage practices at our end and identifying their causes and consequences for the victims as well as proposing adequate solutions. One of the study's proposals to improve the situation in this area was to consider forced marriages as a special form of violence in Slovenia as well.

In view of the above, a proposal to include a new criminal offence related to forced marriages and forced non-marital cohabitation in the Criminal Code was submitted to government procedure upon the initiative of the IWG THB. In July 2015, an amendment to the Criminal Code was adopted, introducing a new Article 132.a, which lays down punishment for a perpetrator who forces another into marriage by abusing a subordinate or dependent position.

The Roma girl – investigation

In 2014, the police investigated several persons as there was reasonable cause to suspect that the criminal offence of trafficking in human beings under Article 113 of the Criminal Code had been committed. The investigation revealed that the perpetrators – the family members – had forced the victim to marry another family member, after which they made her do all the housework for the family by using threats, physical violence and superior position. At the same time, she was deprived of food, sleep, daily rest, heating and medical care when she was ill. In this case, a judgment of conviction was passed in 2015 against the perpetrator - citizen of the Republic of Slovenia, which was upheld in the judgment by the higher court. One perpetrator was sentenced to imprisonment for three years and one month and two perpetrators were sentenced to imprisonment for one year and one month.

3. Further, GRETA invites the Slovenian authorities to introduce a periodic independent evaluation of the Action Plan as a tool for assessing the impact of the activities and for planning future policies and measures to combat THB, and to consider the establishment of an independent National Rapporteur or other mechanism for monitoring the anti-trafficking activities of State institutions (see Article 29, paragraph 4, of the Convention and paragraph 298 of the Explanatory Report).

In Slovenia, the National Anti-Trafficking Coordinator currently represents an alternative to a national rapporteur, by providing both the coordination of activities in combating human trafficking and the monitoring of the implementation of activities defined in action plans. A mid-term review of the implementation of the action plan is conducted within the IWG THB, which meets every two months.

Training of relevant professionals

4. GRETA considers that the Slovenian authorities should take further steps to provide periodic training on THB and the rights of victims to all relevant professionals (such as judges, prosecutors, lawyers, staff of administrative units responsible for issuing residence permits, labour inspectors, child protection authorities and social workers). Future training programmes should be designed with a view to improving the knowledge and skills of relevant professionals which enable them to identify victims of trafficking for all forms of exploitation and assist and protect them, to facilitate compensation for victims and to secure convictions of traffickers.

The criminal police and the police continuously educate and train criminal investigators and police officers on trafficking in human beings at the local level, as they work on the frontline. The greatest attention is paid to recognising the forms of trafficking in human beings, detecting criminal offences and identifying and recognising the indicators of potential victims of trafficking and perpetrators, and to conducting further specific criminal procedures in dealing with such criminal offences.

In 2014, a training course for police officers from the police stations for compensatory measures was carried out on the issue of detecting and investigating criminal acts related to trafficking in human beings. The training was attended by 106 police officers.

In November 2014 the Criminal Police Directorate of the General Police Directorate conducted, in cooperation with the National Anti-Trafficking Coordinator, the district courts of Ljubljana and Koper, the Specialised Office of the State Prosecutor of the Republic of Slovenia, the Aliens Centre, the Asylum Centre and NGOs, a two-day training session on the issue of trafficking in human beings, which was intended for criminal police officers - investigators. The training was attended by 36 criminal police officers.

In 2015, training of criminal investigators from regional criminal police divisions was carried out, focusing on the procedures with victims of human trafficking and the recognition of Chinese citizens as potential victims of human trafficking. The police also carried out two training courses on human trafficking within the framework of the Police Academy (implementation of procedures with the victims of human trafficking and identification of the victims of human trafficking). While the first training was conducted for the students of the Police College, the second training was conducted for police officers supervising the state border. Both training courses were attended by a total of 160 trainees.

In 2015, a training course was planned for police officers working at border crossing points for international traffic under the FRONTEX programme, as well as a multidisciplinary training course for all actors who may encounter the victims of human trafficking in the course of their work. Due to police's operational activities in relation to the migration crisis, the training courses were not conducted. They have been postponed until early 2016. The multidisciplinary training course will be carried out on 23 and 24 February 2016.

At its regular annual consular consultations, the Ministry of Foreign Affairs informed and raised awareness of the Slovenian consular staff about the forms of trafficking in human beings and recognising the indicators of trafficking in human beings. In 2014, the ministry also started informing diplomats, before their post abroad, about the forms of trafficking in human beings and how they can prevent it when hiring workforce for household work during their post abroad.

The Slovenian Caritas provided the participation of 22 volunteers and 36 volunteer interpreters (25 languages) for assistance to victims of trafficking in human beings. All the procedures for the recruitment and training of new reliable volunteers to be part of the programme also started in 2014.

In 2014 the Association Ključ organised, independently or in cooperation with other partners, a number of lectures, training sessions and round table debates intended for expert public. A total of 980 expert workers from various structures (social affairs, education, police, judiciary, prosecution) were involved in these discussions. In 2015 the Association Ključ organised the first training course for medical staff on the recognition of high-risk and actual victims of human trafficking. The training was conducted within the framework of the project "Counselling, care, awareness-raising of medical professionals on trafficking in human beings", which is co-financed by the Ministry of Health.

In June 2015, the Social Chamber of Slovenia, in cooperation with the Ministry of Labour, Family, Social Affairs and Equal Opportunities, organised a seminar entitled "Training of practitioners on working with the victims of trafficking in human beings". The seminar was intended for social work practitioners working in social work centres.

The representatives of the Labour Inspectorate of the Republic of Slovenia in 2015 attended workshops organised by the ICMPD and CEPOL. All employees of the inspectorate were acquainted with the content of the workshops. In 2015, within the framework of regular training of inspectors, a training session was also conducted on the employment and work of foreigners, which included the presentation of the content of the new Employment, Self-employment and Work of Foreigners Act, given that the implementation of this act is quite important from the aspect of possible trafficking in human beings.

In addition to attending training at the national level, the Slovenian experts also participate in training courses organised by various international organisations. In December 2015, two Slovenian public prosecutors, together with a representative of the Legal centre for the protection of human rights, attended workshops within the framework of the Council of Europe on the victims' access to compensation and a more effective implementation of the non-punishment provisions of the Council of Europe Convention on Action against Trafficking in Human beings.

As regards training, it should be emphasised that there is room for improvement here, particularly when it comes to the training of judges, which was last conducted in 2013. Also, training was lacking in the Social Work Centres, as well as in the organisations responsible for issuing work permits and temporary residence permits.

Data collection and research

5. GRETA considers that, for the purpose of preparing, monitoring and evaluating anti-trafficking policies, the Slovenian authorities should develop and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical information from all main actors, including NGOs involved in victim identification, and allowing disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.).

The Republic of Slovenia is already compiling data on the victims and perpetrators of criminal offences as part of the official statistics of the police and state prosecutor's office concerning the investigation and prosecution of criminal offences in the area of trafficking in human beings. These data are broken down by gender, age, exploitation type and country of origin. In drawing up annual reports, records of the NGOs on assistance provided to the victims of human trafficking are taken into account as well.

We are aware that there is room for improvement, especially towards the unification of statistical parameters between various organisations compiling these data for different purposes. However, it should be kept in mind that the Republic of Slovenia, in compliance with its constitution, guarantees the protection of personal data and prohibits their use contrary to the purpose for which it was collected. The collection, processing, purpose, supervision and protection of the confidentiality of personal data, as well as the right to legal protection in the event of its abuse, is specified in the Personal Data Protection Act. In compliance with this act, personal data may only be processed if personal data processing and the personal data processed are determined by law or if personal consent to process specific personal data has been acquired by the individual concerned.

6. Further, GRETA considers that the Slovenian authorities should conduct and support research on trafficking-related issues as an important source of information for future policy measures. Areas where research is particularly needed at present to shed more light on the extent and nature of the problem include trafficking for labour exploitation, trafficking in children and trafficking within Slovenia.

As indicated in point 2 of this report, the Government Communication Office of the Republic of Slovenia in 2014 financed the implementation of research "Analysis of trafficking in human beings with the purpose of exploitation of labour force, trafficking in children, forced begging and commission of criminal offences". Furthermore, in 2014, the Ministry of Labour, Family, Social Affairs and Equal Opportunities financed research entitled "Forced Marriages of Roma Girls".

The Republic of Slovenia is indeed aware of the need for further strategic planning of policy measures against trafficking in human beings that should be based on facts, measurability of the phenomenon and trends. As a result, the Action Plan for Combating Trafficking in Human Beings for the 2015-2016 period envisages the implementation of comprehensive research on the situation in trafficking in human beings in Slovenia for 2016.

International co-operation

7. GRETA invites the Slovenian authorities to continue exploring further possibilities for strengthening international co-operation in the investigation and prosecution of human trafficking cases, as well as developing international co-operation for the purpose of preventing THB and providing assistance to victims.

In 2013, the Ministry of the Interior successfully applied for the tender of the European Commission within the ISEC project with its second project "The introduction of the requirements for establishing Joint Investigation Teams (JIT) to fight trafficking in human beings in the South-eastern Europe (JIT THB)". The project team, composed by the representatives of both the police and the ministry, was headed by the National Anti-Trafficking Coordinator. The project was focused on the training of prosecutors and police officers in all the countries of the Western Balkan region, with a view to more effectively using joint investigation teams in combating trafficking in human beings. Several workshops with lectures by the representatives of Eurojust and Europol were held in the participating countries and contributed to the participants' skills. There were approximately 250 participants. The project also resulted in setting up joint investigation teams, which included some countries of the region (such as the JIT between Bosnia and Herzegovina and France).

The Slovenian police also actively cooperate in the EU policy cycle (EMPACT project on trafficking in human beings) and carry out activities indicated in the annual operational action plan (OAP Trafficking in Human Beings).

In addition, "CHINESE THB" activities have been carried out within the framework of EMPACT, targeting Chinese criminal groups. The Slovenian police have not detected any such cases and so far have not processed any Chinese citizens as victims or perpetrators of the criminal offence of trafficking in human beings.

In investigating possible cases of trafficking in human beings, the police cooperate both with other EU member states and with the third countries. The cooperation takes place through data exchange via the EUROPOL and INTERPOL communication channel, at various operational meetings and within the framework of parallel investigations (such as the parallel investigation carried out in the Republic of Serbia and the Republic of Slovenia in 2015).

Measures to raise awareness

8. GRETA considers that future actions in the area of awareness raising should be designed in the light of the assessment of previous measures and be focused on the needs identified. Awareness raising should continue targeting vulnerable groups and inform the public of forms of THB which are on the rise, such as labour exploitation, forced begging and forced criminality.

Awareness-raising of the general public and the high-risk target groups about the issue of trafficking in human beings was continued in 2014 and 2015. On the basis of a public tender for co-funding information-communication and educational activities of non-governmental organisations, the Government Communication Office of the Republic of Slovenia co-funded three NGO projects in 2014 in the total amount of 15,000 EUR.

- The first project, called "Be attentive. Be careful." was carried out by the Slovenian Caritas. The project was intended for students of the last three years of primary school and children who belong to the vulnerable group for trafficking in human beings. A total of 21 primary schools participated in the project; 12 workshops were organised in local communities; two workshops were also organised for 60 children coming from a less supportive environment, which makes them particularly vulnerable. Many other activities were carried out in addition to workshops (a series of three posters called "Say NO to trafficking in human beings" and a total of 500 copies of the board game "In the labyrinth of trafficking in human beings" were issued; a radio

advertisement and the advertising banner "stopProstituciji.nisiSama" (Stop prostitution. You are not alone.) were prepared in cooperation with musician Neisha and 16 radio stations were invited to join the campaign; the video "Trafficking in human beings", which warns about the issue of child begging, was also prepared...).

- The second project, called "Telesnica – how to recognise trafficking in human beings and avoid it?", was carried out by the Association Ključ – centre for fight against trafficking in human beings. The project included 35 workshops for secondary school students in the areas of Ljubljana, Koper, Novo mesto, Ravne na Koroškem and Jesenice. The students were encouraged to make art (photographs, drawings, writings, poems, comics, etc.), which would be later included in a calendar. The Association Ključ also donated two copies of the youth novel "Loveboy" to all primary and secondary schools in Slovenia in a bid to raise awareness among young readers about trafficking in human beings.
- The third project, called "Combating trafficking in human beings – expansion of information is a weapon against exploitation", was carried out by Slovenian Philanthropy, the association for the promotion of voluntary work. As part of the project, migrant workers, other workers and the wider public were informed about trafficking in human beings, about potential dangers of trafficking in human beings, about recognising trafficking in human beings, about a possible connection between labour exploitation and trafficking in human beings and about mechanism that can help workers prevent exploitation. The informative campaign was carried out in 12 places around Slovenia. The association also emphasised the cooperation with the German and Austrian embassies and the Slovenian-German chamber of commerce and many other stakeholders seeking to achieve effective support and protection of the rights of foreign workers (trade unions, social work centres, NGOs, regional units of the Employment Service, regional associations of the Red Cross, ...). On the basis of a public tender for co-funding of information-communication and educational activities of non-governmental organisations, the Government Communication Office of the Republic of Slovenia co-funded three NGO projects in 2015 in the total amount of 15,000 EUR.
- The first project was carried out by the Legal centre for the protection of human rights from Koper. The project included 48 workshops involving over 1,000 students of the last three years of primary school. The workshops included a Power Point presentation informing the students about the forms of trafficking in human beings, recruitment, appropriate ways to act and self-protective behaviour. The participants received leaflets on self-protective measures, listing some basic information on the actors in the field of combating trafficking in human beings and their contact details. The folder can be accessed on the organiser's website and Facebook page. The organiser's website also offers a game, which informs the youth about trafficking in human beings in an interactive manner and requires the players to know the basic facts of the phenomenon. The game is also available as a smartphone application.
- The second project, called "Telesnica – how to recognise trafficking in human beings and avoid it?", was carried out by the Association Ključ – centre for fight against trafficking in human beings. The project included 52 workshops in eight secondary schools and four youth care centres throughout Slovenia. The workshops were attended by 1,275 students.
- The third project, called "Combating trafficking in human beings – expansion of information is a weapon against exploitation", was carried out by Slovenian Philanthropy, the association for the promotion of voluntary work. As part of the project, migrant workers, other workers and the wider public were informed about trafficking in human beings, the potential dangers of trafficking in human beings, about how to recognise trafficking in human beings, about a possible connection between labour exploitation and trafficking in human beings and about mechanisms that can help workers prevent exploitation. As part of the project, they identified possible victims of trafficking in human beings in need of additional support and protection and referred them to the organisations that can offer support and protection. The project's activities contributed to facilitating the integration of migrant workers in Slovenia. Furthermore, the project included informing and awareness-raising of workers who were about to travel to work abroad. To this

end, cooperation was sought with the embassies of the countries that are most frequent destinations of posted workers from Slovenia. Within the project, eight field visits were conducted to provide information throughout Slovenia.

9. Further, GRETA considers that the Slovenian authorities should strengthen their efforts to discourage demand for services from trafficked persons, in partnerships with the private sector and civil society.

On the basis of a public tender, the Government Communication Office of the Republic of Slovenia co-funded two projects in 2014 and 2015 respectively, aimed at decreasing demand for services provided by the victims of trafficking in human beings.

The project in 2014 was called "A human should not be for sale" and was carried out by the Association Drogart. A "real" shop where human beings were sold was open in Ljubljana on 17 and 18 October, to which passers-by were invited by "displayed exhibits": a forced prostitute, a forced beggar, a migrant worker and an underage bartered bride. Available to the visitors of the shop were additional information about the topic, informative material, a video screening, films, photographs etc. The visitors were also invited to symbolically sign a petition to close the shop.

In 2015, the Association Drogart carried out a project entitled "Prostitution is not always a matter of choice, it is often forced", which, in accordance with the tender, was intended to raise awareness of the users of sexual services and employees in industries directly related to sexual exploitation and sexual industry (tourism, hospitality, transport, etc.). As the latter are frequently unaware of the fact that girls could be the victims of forced prostitution, the main message was focused on recognising the signs of forced prostitution and on possible ways to help. On 14 October, a website entitled prisilnaprostitucija.si was launched, offering key information about the issue, the prevalence and forms of trafficking in human beings and forced prostitution in Slovenia, about the warning signs that might indicate that a person is the victim of forced prostitution, and about possible ways to help the victims. In addition, real-life stories of the victims of forced prostitution and types of recruitment in Slovenia are described.

Potential users of sexual services and the general public were also reached in the following ways: by publishing an online advertisement on the main portal sloescort.si; with online advertisements on general portals and on portal 24ur.com; with large posters in 69 bars, night clubs and pubs; with door hangers sent to hotels, motels and so called day rest places; with awareness-raising stickers for taxis. The employees in industries indirectly related to trafficking in human beings (taxi drivers, hotel accommodation providers,..) were addressed by way of direct informative mail containing information on this phenomenon, signs of forced prostitution and possible action. The target public was also reached through media publicity.

In 2014 and 2015, as in the previous years, the National Anti-Trafficking Coordinator and the Government Communication Office of the Republic of Slovenia prepared various activities to mark 18 October, the EU Anti-Trafficking Day.

On 17 October 2014, a press conference was held in the aforementioned "real" shop with human beings, which received extensive media coverage. As part of the project, three actual "exhibits" were displayed – people in packages, placed in Mercator shopping centres in Ljubljana, Maribor, Kranj and Koper. The display was also taken to the conference marking the European Anti-Trafficking Day and to the 5th Days of social economy in the Student Arena.

On this occasion, a conference was organised, focusing on possible actions to decrease demand for the services provided by the victims of trafficking in human beings, while also presenting the results of research on trafficking in human beings in Slovenia aimed at labour exploitation, trafficking in children and perpetration of criminal offences.

In 2015, the EU Anti-Trafficking day was also marked by a conference, which in the context of current migration flows focused on the differences between trafficking in human beings and smuggling of refugees and migrants and on recognising the victims of trafficking in human beings.

Identification of victims of trafficking in human beings

10. GRETA urges the Slovenian authorities to:

- strengthen multi-agency involvement in victim identification by introducing a clear national referral mechanism, defining the roles of all frontline staff who may come into contact with victims of trafficking;*
 - provide frontline staff with operational indicators, guidance and toolkits to be used in the identification process; these indicators should be regularly updated in order to reflect the changing nature of human trafficking and types of exploitation;*
 - ensure that law enforcement officials, social workers, labour inspectors and other relevant actors adopt a more proactive approach and increase their outreach work to identify potential victims of trafficking, in particular as regards forms of exploitation other than sexual (labour exploitation, forced begging, etc.);*
 - pay increased attention to detecting victims of THB among unaccompanied minors and set up a specific identification mechanism which takes into account the special circumstances and needs of child victims of trafficking, involves child specialists and ensures that the best interests of the child are the primary consideration.*
- The IWG THB prepared a Manual of the identification of, assistance to, and protection of the victims of trafficking in human beings (hereinafter: manual), which was adopted in December 2015 and specifies procedures to be taken by all competent institutions. The manual is also accompanied by a list of indicators for the identification of trafficking in human beings. The material will be submitted to the Government of the Republic of Slovenia for approval, after which it will be distributed to all stakeholders involved in the identification of the victims of trafficking in human beings.
- The police have already provided criminal investigators with operational indicators to be used in the identification of the victims of trafficking in human beings. Also, in the context of the migration crisis, police officers and criminal investigators were provided with guidelines on procedure to be taken when a migrant is identified as a victim of human trafficking, as well as operational indicators for the identification of victims of human trafficking, placing special attention on the identification of children victims of trafficking in human beings. In relation to the migration crisis, the police are preparing the translation of the manual "Guidelines for the first-level identification of victims of trafficking in Europe" (Euro TrafGuID project), to be used as study materials in training courses for criminal investigators, police officers and other national authorities and NGOs taking action against trafficking in human beings.
- On the basis of participation in the aforementioned EMPACT project – Chinese THB, the Slovenian police introduced a proactive approach in detecting potential cases of trafficking in human beings among Chinese citizens. The police thus obtain and analyse statistical data on the issued permanent and temporary residence permits and analyse the operation of the companies that employ Chinese citizens or were established by or are owned by Chinese citizens. Based on the analyses, the police, in cooperation with the competent inspection services, have been carrying out regular and extraordinary supervision, attempting to identify potential victims of trafficking in human beings, illegal immigration, undeclared work, suspicion of fiscal evasion and suspicion of the criminal offence of money laundering. Furthermore, the police obtain and analyse data on the issued short-term visas to Chinese citizens at consular missions of the Republic of Slovenia abroad.
- The aforementioned manual also includes a special chapter on children victims of trafficking in human beings. According to the manual, action taken by all authorities and organisations in procedures with

children victims of trafficking in human beings must be in compliance with the principles of the best interest of the child as laid down in Article 3 of the Convention on the Rights of the Child, which must prevail over the issues of immigration or prevention of criminal acts. In taking children-related decisions, the opinions and wishes of children victims of trafficking in human beings must be determined and taken into consideration. Children victims of human trafficking have a right to assistance and support while consideration must be taken of their special circumstances. The primary consideration - the best interest of the child – is assessed on a case by case basis and the approach taken is adapted to children and takes due account of the child's age, maturity level and his views, needs and concerns. The child and the holder of parental responsibility or another legal representative, if he has one, are informed of all measures undertaken and of the child's rights. If the holders of parental responsibility cannot exercise the principle of the best interest of the child, and/or represent the child, the child victims is assigned a guardian or representative. Further procedures after the identification of child victims of trafficking in human beings are carried out by professionals trained to conduct procedures with children.

Assistance to victims

11. GRETA urges the Slovenian authorities to ensure that access to assistance for victims of THB is not made conditional on their co-operation in the investigation and criminal proceedings. GRETA also urges the authorities to ensure that safe and suitable accommodation is provided to victims of trafficking depending on their needs, which may require the provision of accommodation and assistance beyond the five-day period of emergency assistance.

The chapter IV of the manual (Accommodation of victims of trafficking in human beings) specifies that a victim has the right to assistance and support as soon as they are believed on reasonable grounds to be victims of trafficking in human beings. Assistance and support are not conditional on the victims' willingness to cooperate in pre-trial and criminal procedure.

At the same time, pursuant to the public tender for the programme "Providing assistance to victims of trafficking in human beings – crisis accommodation" and the related contract concluded between the ministry responsible for the tender and the programme provider, victims of trafficking are guaranteed a 30-day period of recovery and reflection to recover and get rid of the influence of the human traffickers, as well as to learn about possible further assistance on a voluntary basis and the possibility to cooperate with national authorities. The terms and conditions of the tender documents and the concluded contract are based on the manual and are binding in accordance with the Act ratifying the Council of Europe Convention on Action against Trafficking in Human Beings.

12. Further, GRETA considers that the Slovenian authorities should step up their efforts to provide assistance to victims of trafficking and in particular to facilitate the reintegration into society of victims of trafficking and help them to avoid re-trafficking by providing them with access to education, vocational training and the labour market.

Slovenia provides assistance to victims of trafficking in human beings within the framework of the programme "Providing assistance to victims of trafficking in human beings – safe accommodation", in which the programme provider, in addition to basic forms of assistance (accommodation, food, care, psychological assistance, interpreting services, counselling and provision of information, in particular related to their rights), is also obliged to ensure that the victims are offered measures in terms of socialisation and revitalisation (education, training, expansion of social network and, ultimately, gaining a profession or recognition of the achieved education in the case of a foreigner, as well as the possibilities of employment). For the time being, a special programme of (re)integration of victims of trafficking in human beings is not funded by the state.

It should be emphasised that primary and regular secondary education in Slovenia is free for children and youth. Full-time schooling in public and private higher education institutions is free as well. Children who are foreign citizens or stateless persons and reside in Slovenia are entitled to compulsory schooling under the same conditions as the citizens of the Republic of Slovenia. This means that the victims of trafficking in human beings have access to all levels of education.

Furthermore, in compliance with the new Employment, Self-employment and Work of Foreigners Act, which entered into force on 1. 9. 2015, all victims of human trafficking are automatically included in the labour market.

13. GRETA also invites the Slovenian authorities to invest in the human and financial resources of centres for social work so that they can effectively provide support and assistance to child victims of trafficking.

Social work centres deal with children victims of trafficking within the framework procedures and measures for the protection of vulnerable children. Social work practitioners employed in centres attend various specialised training sessions and conferences as well as cooperate with other services in accordance with the adopted protocols.

In June 2015, a seminar entitled "Education of social work practitioners dealing with the victims of trafficking in human beings" was organised by the Social Chamber of Slovenia in cooperation with the Ministry of Labour, family, Social Affairs and Equal Opportunities. The seminar was intended for the practitioners of social work centres.

Recovery and reflection period

14. GRETA urges the Slovenian authorities to ensure that all possible victims of trafficking are offered a recovery and reflection period, in compliance with the obligations under Article 13 of the Convention. Further, GRETA considers that the Slovenian authorities should systematically inform victims of trafficking of the possibility of a recovery and reflection period and effectively grant such a period.

In the phase of the identification of victims of human trafficking the police inform the victims, in the language they understand, about their rights, including the right to safe accommodation in the recovery and reflection period, and about their rights regarding cooperation in criminal proceedings. This procedure is also specified in the manual.

In addition, the manual specifies that, pursuant to the legislation in force and the contractual relation with the provider of the programme "Providing assistance to victims of trafficking in human beings – crisis accommodation", the victim of human trafficking be provided with a 30 (thirty)-day recovery and reflection period to recover and get rid of the influence of the human traffickers, as well as to learn about possible further assistance on a voluntary basis and the possibility to cooperate with national authorities.

Victims residing illegally in the Republic of Slovenia are allowed by the police, upon their request or ex officio, to remain in the country for three months (which includes the 30-day recovery and reflection period) in order to decide on a voluntary basis on further steps, which in the case of victims – citizens of third countries also includes a decision whether to participate as a witness in criminal proceedings concerning the criminal offence of trafficking in human beings. The period of stay of a victim of the trafficking in human beings may be extended, for valid reasons, for a period of up to three months.

Residence permits

15. GRETA urges the Slovenian authorities to remove the condition of the victim's testimony being "important in the opinion of the authority in charge of the criminal case" from the Aliens Act.

The fourth paragraph of Article 50 of the Aliens Act transposes Article 8 of the Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal migration, who cooperate with the competent authorities. According to the first paragraph of Article 8 of this directive, a residence permit is issued if the member state is of the view that the third-country national has shown a clear intention to cooperate and has severed all relations with those suspected of action to facilitate illegal

migration or trafficking in human beings. In transposing the above directive into the national legislation, the Slovenian authorities were of the view that in assessing whether the residence of a third-country national is justified it is relevant to establish that his testimony in the investigation or judicial proceedings is important.

With regard to the fact that the above directive does not explicitly mention the condition of a person's testimony as important, the Ministry of the Interior in amending the Aliens Act will re-examine carefully the provision of Article 50 of the Aliens Act and the relevant provisions of the aforementioned directive, drawing up the necessary amendments that will be in line with both the European *acquis* and the national legislation.

16. GRETA urges the Slovenian authorities to ensure that victims of trafficking can fully benefit from the right to obtain a renewable residence permit, particularly when they are unable to co-operate with the authorities.

The victims of trafficking in human beings are provided with full care, which is defined both in the manual and in the aforementioned legal bases. The victims of trafficking in human beings – third-country nationals are guaranteed full care as well, whereas as regards temporary residence permit they are subject to the provision of the Directive 2004/81/EC, which has been adequately transposed into Article 50 of the Aliens Act.

Pursuant to Article 50 of the Aliens Act, a temporary residence permit is issued to a victim of trafficking in human beings or a victim of illegal employment for the foreseen duration of the criminal proceedings, but for not less than six months and not more than one year. The temporary residence permit may be extended upon the victim's request, each time for a period of up to one year, until the criminal proceedings are concluded and provided that the conditions defined in this article are fulfilled.

Compensation and legal redress

17. GRETA urges the Slovenian authorities to adopt measures to facilitate and guarantee access to compensation for victims of trafficking, and in particular to:

- *ensure that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed;*
- *enable victims of trafficking to exercise their right to compensation by ensuring their effective access to legal aid;*
- *include all victims of trafficking in the scope of the Crime Victim Compensation Act, irrespective of their nationality and of whether force or violation of the sexual integrity has been used.*

Pursuant to the provisions of the manual, the authorities and organisations and NGOs that in the course of their work identify a victim of trafficking in human beings or are in some other way involved in the procedures of identifying victims of trafficking in human beings, must inform the victims also about the following:

- to what extent and under what conditions they have access to legal advice, legal aid or any other kind of advice;
- the requirements they have to fulfil to be entitled to compensation;
- all special arrangements available to them to protect their interests if they permanently reside in another member state;
- how they can receive reimbursement of the costs incurred by their participation in criminal proceedings. The Republic of Slovenia is aware of the deficiencies of the Compensation to Crime Victims Act and will give due consideration to the recommendation in amending the legislation.

Repatriation and return of victims

18. GRETA considers that the Slovenian authorities should enhance the protection of victims of THB returning to Slovenia and ensure their access to assistance, protection and reintegration measures regardless of whether criminal proceedings have been initiated in the country where the victims were identified.

On receiving the notification concerning the arrival of a victim of trafficking in human beings to Slovenia, the police draw up a threat assessment, collect information and establish whether there are reasons to suspect that the criminal offence of trafficking in human beings under Article 113 of the Criminal Code has been committed or whether there is reasonable suspicion that another criminal offence that is prosecuted ex officio has been committed.

On returning to Slovenia, the victims are informed by the police on their right to accommodation within the framework of the programme "Providing assistance to victims of trafficking in human beings - crisis accommodation" and are provided with accommodation on a voluntary basis.

Substantive criminal law

19. GRETA considers that the Slovenian authorities should ensure that the commission of THB by a public official in the performance of his/her duties and deliberately or by gross negligence endangering the victim's life as aggravating circumstances are effectively taken into account as aggravating circumstances of THB offence, in order to meet the requirements of Article 24 of the Convention.

If the criminal offence of trafficking in human beings is committed by a public official in the performance of his duties, it is sufficient to comply with the general provision of the second paragraph of Article 49 of the Criminal Code, according to which the court, in fixing a sentence, considers all circumstances which have an influence on the grading of the sentence (mitigating and aggravating circumstances), and with the related case law.

20. GRETA considers that the Slovenian authorities should introduce a specific criminal offence regarding the concealment, damaging or destruction of travel or identity documents in relation to THB.

With the amendment to the Criminal Code, adopted in July 2015, a new third paragraph was added to Article 113, according to which a person who retains, takes, conceals, damages or destroys a public document proving the identity of a victim of trafficking in human beings shall be punished with a prison sentence of up to three years and a fine.

21. GRETA invites the Slovenian authorities to consider establishing as a criminal offence the use of services which are the object of exploitation as defined in Article 4 of the Convention, with the knowledge that the person is a victim of trafficking in human beings.

With the amendment to the Criminal Code, adopted in July 2015, a new fourth paragraph was added to Article 113, according to which a person who knows that a person is the victim of trafficking in human beings but still uses their services shall be punished with a prison sentence of up to three years and a fine.

Non-punishment of victims of trafficking in human beings

22. GRETA urges the Slovenian authorities to ensure compliance with Article 26 of the Convention through the adoption of a provision on non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, or by developing relevant guidance for public prosecutors on this issue. While the identification procedure is on-going, potential victims of trafficking should not be punished for immigration-related offences.

Pursuant to Article 23 of the Criminal Code, "an act committed under coercion, which the perpetrator was not able to withstand, shall not constitute a criminal offence" in the Republic of Slovenia.

In the Republic of Slovenia, potential victims of trafficking in human beings are not punished for illegal crossing of the border. Pursuant to Article 50 of the Aliens Act, victims residing illegally in the Republic of Slovenia are allowed by the police, upon their request or ex officio, to remain in the country for three months in order to decide whether to participate as a witness in criminal proceedings concerning the criminal offence of trafficking in human beings.

Investigation, prosecution and procedural law

23. GRETA considers that the Slovenian authorities should step up the training provided to judges, prosecutors and other relevant professionals on the issue of THB with a view to improving their knowledge and sensitivity about THB and the rights of victims of trafficking and ensuring practical application of existing anti-trafficking provisions so that traffickers are prosecuted effectively and receive sentences commensurate with the seriousness of this offence.

The Republic of Slovenia agrees that in the recent period there has not been enough training for judges and prosecutors. To this end, increased training has been proposed for 2016 in 2017.

24. GRETA also considers that the Slovenian authorities should encourage the law enforcement and prosecution services to develop their specialisation in THB with a view to improving the collection of sufficient evidence to successfully prosecute more traffickers.

The investigation of criminal offences in the area of trafficking in human beings is dealt with by specially qualified investigators in eight regional criminal police divisions. In accordance with Article 4 of the Police Tasks and Powers Act and Article 148 of the Criminal Procedure Act, the detection and investigation of this criminal offence is also carried out by police officers at the local level with a view to recognising the indicators of trafficking in human beings and identifying both the victims and the perpetrators of the criminal offence of trafficking in human beings.

On the basis of the annual work plan, the police organise and participate in training programmes on trafficking in human beings. The Office of the State Prosecutor General, the Specialised Office of the State Prosecutor, various inspection services and NGOs participate in the training programmes as well.

In addition, police officers from the local police stations are trained annually in train-the-trainers programmes. The officers are acquainted with procedures that have to be implemented when the criminal offence of trafficking in human beings is detected and with the indicators of trafficking in human beings. Within the training, police officers are also informed about the operation of NGOs competent to assist victims of human trafficking. Twice a year, expert working meetings of the police take place in order to analyse the concluded investigations. In this way, officers learn about new forms of trafficking in human beings, other operative findings, ways to detect this criminal offence, initiating investigations, and collecting evidence.

Protection of victims and witnesses

25. GRETA urges the Slovenian authorities to make full use of the available measures to protect victims during the investigation and during and after the court proceedings. In this context, the Slovenian authorities should take additional measures to ensure that victims of trafficking are adequately informed of their rights and existing remedies and assisted during the pre-trial and court proceedings.

In the phase of the identification of victims of human trafficking the police inform the victims, in the language they understand, about their right to assistance and support and to safe accommodation in the recovery and reflection period, and about their rights regarding cooperation in criminal proceedings.

The authorities and organisations and the NGOs involved in procedures of identifying victims of trafficking in human beings are obliged to inform the victims about the following:

- types of services or organisations they can turn to for assistance;
- types of assistance they can obtain;
- where and how they can report a criminal offence;
- procedures following the report and their role in relation to such procedures;
- how and under what conditions they can gain protection;
- to what extent and under what conditions they have access to legal advice, legal aid or any other kind of advice;
- the requirements they have to fulfil to be entitled to compensation;
- all special arrangements available to them to protect their interests if they permanently reside in another member state;
- how they can receive reimbursement of the costs incurred by their participation in criminal proceedings.

The police provide the representatives of non-governmental and/or humanitarian organisations (providers of the programme "Providing assistance to victims of trafficking in human beings") with the possibility to conduct individual interviews with victims prior to implementing the procedure of interviewing the victims with a view to collecting information themselves.

In criminal proceeding conducted under Article 113 of the Criminal Code for the criminal offence of trafficking in human beings, a minor victim has a legal representative to ensure his rights present throughout the criminal proceedings, while the criminal procedural law also prohibits direct hearing of persons under the age of 15 who have been victims of this criminal offence, at the main hearing.

26. Further, GRETA considers that the Slovenian authorities should extend the special protection procedures to cover all child victims of THB up to the age of 18, taking into account the best interest of the child.

Appropriate assistance to children victims of trafficking in human beings is provided within the relevant institutions. Such assistance includes assistance to victims in their physical, psychological and social recovery, as well as assistance in regulating their status and in criminal proceedings. The provider selected in the public tender for the project entitled "Providing assistance to victims of trafficking in human beings – crisis accommodation" in 2014 and 2015 is obliged to provide assistance to all victims of trafficking in human beings. The project includes the provision of assistance to victims of trafficking in human beings – adults and children in their physical psychological and social recovery following the victim's immediate and urgent removal from the threatening circumstances. In this part, the protocol on the cooperation between social work centres and the police in providing assistance to unaccompanied minor foreigners under the Aliens Act of 16. 8. 2012 is applied. The protocol defines the implementing procedures and cooperation between social work centres and the police in the cases of foreign minors. If an unaccompanied foreign minor who illegally entered or is residing illegally in the country is processed by the police, the latter notify the territorially competent social work centre or the centre's intervention service, informing them on their findings. The social work centre sends a practitioner to the scene in order to conduct an interview with the foreign minor, offer first social aid and obtain his statement on appointing a special case guardian. If during the interview with the foreign minor the indicators that the minor is a victim of trafficking in human beings or might become such a victim with regard to the circumstances are recognised, such a case is considered a special needs case and the practitioner accompanies the foreign minor to adequate accommodation facilities.

As a rule, accommodation of children in accommodation facilities (youth crisis centres) has a time limit of three weeks with the possibility of extension. We are aware however that these accommodation facilities do not provide safe accommodation as their locations are known. Moreover, qualifications of the employees are mainly focused on working with children rather than specifically on working with persons that are victims of human trafficking. Accommodation in such facilities could be followed by placement in foster care, although foster carers lack qualifications for working with victims of human trafficking as well. The system of the accommodation of minors who are potential or identified victims of trafficking in human beings therefore leaves room for improvement.