



MINISTRY OF THE INTERIOR
OF THE CZECH REPUBLIC

2020 STATUS REPORT ON TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC

Crime Prevention Department

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INTRODUCTION

Status Report on Trafficking in Human Beings in the Czech Republic is an informative document presented by the Ministry of the Interior of the Czech Republic (hereinafter referred to as “Mol”) under Government Resolution No. 67 of 23 January 2008 on the National Strategy to Combat Trafficking in Human Beings for the Period 2008 – 2011. The presented document is **the thirteenth consecutive Status Report on Trafficking in Human Beings in the Czech Republic**.

The aim of these reports is to provide detailed information about trafficking in human beings in the Czech Republic from **1 January to 31 December of the respective year**.

The 2020 Status Report on Trafficking in Human Beings in the Czech Republic (hereinafter referred to as “Report”) focuses on trafficking in human beings as defined by **Section 168 of Act No. 40/2009 Coll., Criminal Code**, as amended. As in previous years, the Report also focuses on accompanying phenomena related to human trafficking.

The Report is drafted by the Crime Prevention Department of the Mol, mainly based on information provided by members of the Inter-Departmental Coordination Group for Combating Trafficking in Human Beings (hereinafter referred to as “IDCG”) and other national and international partners combating human trafficking. All this information helps the drafters of this Report to monitor the situation in the field of trafficking in human beings and mainly to perform their role of the National Rapporteur, or an equivalent mechanism¹, regarding the fight against trafficking in human beings.

The drafters of this report are grateful to all partners for their cooperation.

Note:

Gender balance: In this Report, the term ‘foreign national’ designates both male and female foreigners, unless otherwise indicated from the individual specific cases. The same applies to the words ‘migrant’, ‘employee’, ‘citizen’, or ‘national’, ‘worker’, etc. and terms designating nationality. The Report specifies gender strictly in cases where members of the IDCG did so when submitting documents for this Report.

Proofreading: The text has not undergone any linguistic or stylistic editing.

¹ https://ec.europa.eu/anti-trafficking/sections/national-rapporteurs_en

1. OVERVIEW OF THE CURRENT SITUATION AND TRENDS

The year 2020 was completely unique with regard to the occurrence of the COVID-19 pandemic. For the time being, however, specific effects of COVID-19 on the crime of trafficking in human beings can only be estimated. It cannot be ruled out, however, that in the future the economic consequences of the COVID-19 pandemic in particular will be felt, thereby exacerbating the vulnerability of individuals and leading to higher incidence in the cases of trafficking in human beings in the Czech Republic.

The **Czech Republic** continues to be considered a **target and transit country primarily** while also remaining a **source country**.

As regards the forms of trafficking in human beings, the prevalent form of trafficking in human beings in the Czech Republic is **trafficking in human beings for prostitution and for forced labour or other forms of exploitation or profiting from such acts (labour exploitation, forced marriages)**. Despite the fact that these are the most common forms of trafficking in human beings in the Czech Republic, there are also cases of suspected **coercion of trafficking in human beings victims into criminal activities and begging**.

An alarming trend resulting from court judgments submitted by the Ministry of Justice of the Czech Republic (hereinafter referred to as "MoJ") since 2017 is **the use of children from children's homes and children on the run from child facilities, to engage in prostitution, and the provision of sexual services for remuneration**, where part of the money earned is kept by the person who arranges contact, or who transports these children to the required place.

Conducted criminal proceedings, findings from the interest environment and international police cooperation during 2020 and in the previous years point to a trend where **men and women from socially and educationally disadvantaged backgrounds are purposefully sought out in the Czech Republic and lured abroad**, particularly to the United Kingdom (hereinafter referred to as "UK"). **Men** are forced to perform **physically demanding labour** (e.g. in car washes, fruit and vegetable sorting plants, poultry farms, restaurants, construction sites and various manufacturing businesses). The perpetrators **take all or most of these men's earnings**, often using payment cards that they arrange for the victims along with the bank accounts in local banking institutions. **In some cases, they burden the victims with loans** taken out for the respective accounts. **Women are forced into prostitution or marriages with third-country citizens (outside the European Union, hereinafter referred to as "EU")**. These marriages are referred to as "marriages with benefits". Given that the greatest "demand" for women from the Czech Republic comes from nationals of **Bangladesh, Pakistan, Afghanistan and Nigeria**, this trend in trafficking in human beings is closely linked to the movement and residence of third-country nationals in the EU Member States.

In cases with suspected trafficking in human beings for forced labour or other forms of exploitation, the model from previous years was a typical way of committing this crime in the Czech Republic. The so-called **"agency employment" was still a significant factor**. The activities of legal entities that have a permit from the Ministry of Labour and Social Affairs of the Czech Republic (hereinafter referred to as "MLSA") to mediate work were

reflected in this area. **In 2020, countries most often represented as a country of jobseekers' origin were the countries from the Balkan region, especially Romania, Bulgaria, but also from the Philippines, Mongolia and Nepal.** Besides, employees from Ukraine were very often holding visas of Poland. There has also been a trend towards employing Moldovan nationals on forged Romanian documents because of easier access to the labour market for the citizens of EU Member States.

For the year 2020, there was no recorded case where a victim of trafficking in human beings, before being identified, was **sanctioned for a possible violation of law forced by the perpetrator** – the principle of non-punishment. According to information provided by prosecutors, in registered cases of prostitution it is **always ascertained** whether **anyone else has benefited** from the act or whether it was the case of **forced prostitution**. In cases where **migrants** are identified during roadside checks, they are also **questioned by the police authorities about the circumstances preceding their arrival in the territory of the Czech Republic** from abroad.

The situation in the area of **illegal trafficking in human tissues and organs in the Czech Republic in 2020 remains very satisfactory**. According to available information, this unlawful activity does not occur in the territory of the Czech Republic. The transplant system in the Czech Republic is regulated to such extent, that the illegal handling of organs and tissues would be very difficult to keep unnoticed. The main contribution to this is the establishment of rules to ensure traceability at every stage of the process from surgical removing of the organ to its transplantation and also the traceability of both the organ donor and the organ recipient. **The relative risk is represented by altruistic, nonfamilial, organ donation, where, in theory, organs could be taken for a fee.** The relevant ethics committee gives consent to such procurement, which should be a sufficient guarantee that illegal procurement will not take place. However, there is no information that there are violations of legal regulations in this area in the Czech Republic.

In 2020, the following countries were identified as the **countries of origin of probable victims** in the Czech Republic – **the Philippines, Slovakia, Ukraine, Romania, Bulgaria, Mongolia, Honduras, Kyrgyzstan, Russian Federation and Uzbekistan**. However, we cannot overlook that **citizens of the Czech Republic are also trafficked in the territory of the Czech Republic**. **The Czech Republic also remains a source country, especially for the UK and Ireland**. A case of exploitation of a citizen of the Czech Republic in **Lithuania** is also reported.

A total of thirteen probable victims were included in the MoI Program for the Support and Protection of Victims of Trafficking in Human Beings (hereinafter referred to as “Program“). Probable victims were included in the Program by both the cooperating NGOs and the Police of the Czech Republic.

According to statistics of the MoJ, in 2020 **a total of 8 persons were sentenced**, of which 3 conditionally and 5 unconditionally.

The non-profit organization La Strada Czech Republic reported the **abuse of employee cardholders** as a continuing trend. Persons from outside the EU are kept in exploitative conditions (trafficking situations) due to their inability to change employment within 6 months in case of a first-time employee cardholder. Without appropriate changes, this

will continue to be one of the very important tools of companies, agencies and intermediaries generating profits from the exploitation of migrant workers in 2021. The exemptions given by the Act on the Residence of Foreigners do not cover situations of additional changes to the employment contract, deterioration of working conditions, etc. And the risk of losing their only source of livelihood as well as the legality of their residence is too high for most migrant workers with debt bondage for employment mediation in their country of origin. The very limited range of legal options for terminating employment without losing the residence permit for this group of persons is also abused by employers who require workers to **pay their way out** of the employment relationship (demanding large sums of money for a form of termination of employment allowing continued residence in the Czech Republic and issuing a written document confirming this termination). Of course, the Act on the Residence of Foreigners regulates cases where it is possible to change the employer even earlier than after 6 months (Section 56 of Act No. 262/2006 Coll., the Labour Code, as amended), but in practice there is often a problem in proving the delivery of the immediate termination of the employment relationship by the employee.

2. CRIMINAL STATISTICS

2.1. Number of registered crimes

According to statistics provided by the National Centre for Combating Organized Crime (hereinafter referred to as “NCCOC”), 18 crimes of trafficking in human beings were registered in 2020, of which 11 crimes were solved directly, and 2 crimes were solved subsequently. In comparison with 2019, it is possible to identify a slight decrease in registered cases (a total of 20 cases were registered in 2019).

2.2. Perpetrators in criminal proceedings

It remains true that the number of foreigners committing this crime is lower than the number of perpetrators from the Czech Republic. **Of the 20 prosecuted and investigated persons in 2020, 18 were citizens of the Czech Republic, and 2 were foreigners.** Of the total number of 20 people, **12 were men, and 8 were women.** This number included **three repeat offenders. One person was a minor and 3 persons were juveniles.**

In cases where the perpetrators of the respective criminal offences were foreign nationals, they were often foreigners already established in the Czech Republic who committed the crime together with the citizens of the Czech Republic. It can be stated that the nationality or country of origin of the perpetrators is to a large extent identical to the nationality of the victims of trafficking in human beings.

According to the MoJ data, a total of 9 criminal offences of trafficking in human beings under the provisions of Section 168 of the Criminal Code were recorded in 2020. A total of 8 persons were convicted – of which 3 persons were sentenced to a conditional imprisonment, and 5 persons were given unconditional sentences (in the range

of 1-5 years of imprisonment – 3 persons, 5-15 years of imprisonment – 2 persons). In one case the person was acquitted.

2.3 Selected case studies

Below is presented a brief description of selected cases for a better idea of the current modus operandi.

In May 2020, the NCCOC extended the prosecution of 2 defendants for the crime of trafficking in human beings committed in the form of slavery or serfdom, when it was established that the defendants, from 2017 to 2019 in the Czech Republic, with the intention of obtaining benefits for themselves, under the promise of providing housing, work and earnings, induced the victim coming from poor social and financial conditions, to live in the defendants' household. The defendants provided the victim with accommodation and food, and kept him in a state where he was unable to make free decisions and completely dependent on the defendants. This was also caused by the victim's previous way of life, his personal, family and property conditions. In their household the accused repeatedly abused the victim physically and psychologically, taking advantage of his distress and dependence. They forced him to engage in labour exploitation in the form of forced domestic work and other forms of exploitation, as well as various other daily activities and manual labour. They required the victim to do everything for them without any remuneration or wage, keeping the victim under constant control in their household. The victim was kept in a state of slavery, unable to make his own decisions and was treated by the defendants as their property. The victim was required to carry out all their instructions without any remuneration or wage, while the money earned was taken from the victim by the defendants and subsequently consumed by them. In December 2020, the existing prosecution was again extended to include 3 more persons who were to seek out people from poor social backgrounds in the Czech Republic, enticing them to leave for work in the UK, and in some cases also transporting them there. Subsequently, other perpetrators took away the documents of some of the victims and provided them with accommodation and to a limited extent also food. The perpetrators kept the victims in a state where they could not make their own decisions freely and were completely dependent on the accused as they had no documents and no knowledge of the foreign language, no housing and no financial resources. Threatening the victims with physical violence or directly and repeatedly using psychological and physical violence, taking advantage of their distress and dependence, the perpetrators forced the victims to perform labour in the household, at car washes, restaurants, food processing and production factory, and they also forced them to illegal marriages with persons from outside the EU as a method of legalising their stay. The perpetrators abused the social benefits granted to the victims, consuming the money thus obtained. Currently, 6 people are being prosecuted in this criminal case for the crime of trafficking in human beings.

2.4 Victims of trafficking in human beings

2.4.1 Victims in criminal proceedings

Given that police statistics in the case of trafficking in human beings show **only the number of offences according to the objects of attack, the number of victims cannot be stated here. Simultaneously, if one act is reported in the statistics, it means that it is one act where the object of the attack was at least one person who has the given characteristic**, i.e., a juvenile aged 15-17. However, by reporting the number of acts, not the number of victims involved, from the statistics it is not clear whether it involved one person with a given characteristic or more.

The informative value of these statistics is at a very poor level. The creation of targeted measures is challenging, and reporting on the situation in the Czech Republic within the framework of international obligations is also complicated. Therefore, improving data collection in the area of trafficking in human beings is one of the tasks of the National Strategy for Combating Trafficking in Human Beings in the Czech Republic for the period 2020 – 2023.

2.4.2 Potential victims and the Program for the Support and Protection of Victims of Trafficking in Human Beings

As part of the Program, which is intended for 18+ victims of trafficking in human beings including both the EU citizens trafficked in the territory of the Czech Republic, third-country nationals trafficked in the territory of the Czech Republic and citizens of the Czech Republic trafficked in the territory of the Czech Republic or abroad, **a total of 13 probable victims** of trafficking in human beings were included in 2020, namely from **the Czech Republic (4), Ukraine (4), Bulgaria (2), the Philippines (1), Honduras (1) and Mongolia (1)**.

Although the Program is intended for persons over 18 years of age, **a person under 18** (15 years of age) **was exceptionally included** in 2020, as she was identified as a likely victim together with her cousin (over 18 years of age), who was also included in the Program. The inclusion was made in order to prevent **secondary victimisation** that could be caused by separating the two girls and to ensure eligibility for the same services (accommodation, legal counselling, etc.). The Crime Prevention Department in this matter also received a letter from the Authority for Social and Legal Protection of Children (hereinafter referred to as “ASLPC”) of the Municipal District Authority Prague 13 that agreed that the girl should be included in the Program and, for as long as necessary, should be in care of the Diaconia of the Evangelical Church of Czech Brethren (hereinafter referred to as “Diaconia ECCB”) – Centre of National Program and Services.

A total of 273 probable victims of trafficking in human beings have been included in the Program since 2003.

Victims included in the Program were provided with accommodation, psychosocial services, health services, retraining courses, interpreting services, legal assistance and lawyer services. Emphasis was also placed on job search assistance.

All victims included in the Program agreed to file a request to investigate their cases to the relevant department of the Police of the Czech Republic.

In 2020, only one person from the Program used the opportunity of the mediation of the voluntary return to his/her country of origin.

2.5 Care for victims of trafficking in human beings

In addition to the Program, the Czech Republic has an entire system of social services, which is regulated by Act No. 108/2006 Coll., on Social Services, as amended (hereinafter referred to as “Social Services Act”) that can be used for victims of trafficking in human beings. This Act regulates the conditions for providing assistance and support to natural persons in an unfavourable social situation through individual types of social services, as well as the requirements for entitlement to care allowance and the requirements for issuing authorisations for the provision of social services², etc.

According to the Social Services Act, it is possible to provide social services only based on registration with the locally competent regional authority. The list of registered social service providers is publicly accessible in the Register of Social Service Providers at the web address <http://iregistr.mpsv.cz/socreg/>. **A total of 66 providers of social services are currently³ registered in the Register of Social Service Providers, the predominant target group of which are victims of trafficking in human beings. Of this number, 30 providers are also focusing on persons under the age of 18.**

Within the subsidy procedure to support the provision of social services MLSA has been on the long-term basis supporting organisations that provide social services mainly to the target group of the “victims of trafficking in human beings”. **Subsidy support provided to these organisations by the MLSA for 2020 amounts to CZK 15 553 409.**

² Social services include social counselling, social care services and social prevention services. Social services are provided as residential, outpatient or as field work services.

³ As of 8 June 2021.

3. RELATED CRIME AND ACCOMPANYING PHENOMENA

3.1 Situation in the area of prostitution

Also in 2020, the **typical form of providing sexual services in the environment of night erotic clubs was providing sexual services in the so-called “private homes“, or escort service.** This situation was exacerbated by the measures taken by the Government of the Czech Republic in the context of the COVID-19 pandemic, when bars, restaurants and entertainment venues were ordered to close, including a ban on gathering in public places. **Street prostitution has been in decline for a long time** and can only be observed to a lesser extent in specific locations. This segment involves, to a large extent, the riskiest prostitutes in terms of health and hygiene, using narcotics and psychotropic substances. **The number of night erotic clubs decreased compared to 2019**, while **paid sexual services in private apartments** remained the same or **slightly increased**. Prices for services in private apartments were significantly lower than in erotic nightclubs, which is a logical result of comparing direct operational costs and the number of clients.

The **findings** confirm the information that due to the large number of persons providing sexual services, **prostitution is voluntary in almost all cases**. Many people actively offer themselves as “occasional“ prostitutes and respond to job offers in erotica, presented in the press or on the Internet. It is clear from the surveys that a wide range of people from various social, age and educational levels engage in prostitution.

Surveys show that the social status, age and level of education of prostitutes are very diverse. During inspections in the past year, women from **the Czech Republic, Slovakia, Romania, Ukraine, Belarus, Nigeria, Serbia, Hungary and Poland** were identified as the most common prostitutes.

Prostitution and its offering continues to move and take place on the Internet, mainly through Internet profiles on various "dating sites" and discussion portals.

In cases of **trafficking in human beings for the purpose of sexual exploitation**, a specific feature of almost all cases was that the perpetrators always took advantage of the **plight of the victims** or a situation where the victim was **in need of financial resources** (mostly destitute girls who had **escaped from child facilities**, etc., i.e. without any **social background**).

The data of the organization **Rozkoš bez rizika** (Pleasure Without Risk, hereinafter referred to as “R-R“) shows that in 2020 the organization **provided health, social and therapeutic services to sex workers in 12 regions of the Czech Republic**. In total, they worked with 1,749 individuals and provided 4,420 services. Almost half of its client base consisted of the so-called **first-time contacts**, i.e. persons who used the services provided by this organisation for the first time. Based on the available data, they were most often in contact with **people aged 30-39** (i.e. 29 %) and **20-29** (i.e. 22 %). Due to the specific nature of working in the sex business, the organisation met persons of different nationalities. In 2020, they provided social services to women of **Czech** (1,258), **Slovak** (91), **Ukrainian** (100), **Romanian** (48), **Nigerian** (21), **Russian** (13), **Bulgarian** (12), **Hungarian** (2), **Moldovan** (6) and **Korean** (3) nationalities. In 2020, social services were provided to men of **Czech** (50), **Slovak** (4), and **Ukrainian** (1) nationalities. Nationality

was not identified for 5 men. The **South Bohemia Region** belongs among the regions where migrant sex workers are most numerous.

Although the R-R workers **have not encountered child prostitution** in any of the regions, they consistently try to cooperate with the police and non-profit organizations, because if a person under 18 is found in a club or a similar place, s/he is prevented from contacting R-R. Media monitoring shows that child prostitution exists, for example, in the South Bohemia Region, but is kept secret for obvious reasons and takes place in private apartments where R-R does not have access.

3.2 Situation in the area of soliciting

In 2020, police statistics showed **a total of 19 registered criminal offences of soliciting** under the provisions of Section 189 of the Criminal Code. A total of **17 cases were solved, 28 persons were prosecuted** and investigated (see table part).

In the statistics for 2020, MoJ reported **49 cases and 47 persons convicted of the crime of soliciting** under the provisions of Section 189 of the Criminal Code and Section 204 of the Old Criminal Code. The trend concerning the sentences imposed remained unchanged in 2020 when **conditional sentences exceeded** (41) the unconditional ones (2). In one case, there was a waiver of punishment.

3.3 Situation in the area of illegal employment of foreigners

A significant entity in the area of combating illegal employment of foreigners is also the State Labour Inspection Office (hereinafter referred to as "SLIO"), or its regional labour inspectorates (hereinafter referred to as "LI"), which perform inspections in the field of compliance with the provisions of Act No. 435/2004 Coll., on Employment, as amended (hereinafter referred to as "Employment Act"), including those that regulate conditions of work performed by foreign citizens in the Czech Republic, compliance with provisions of Act No. 262/2006 Coll., Labour Code, as amended (hereinafter referred to as "Labour Code"), and other legal regulations governing working and wage conditions, and inspections in the area of compliance with health and safety regulations at the workplace. In practice, the most severe violations of labour regulations may have a closer connection with the criminal law, i.e. the crime of trafficking in human beings and minor offences concerning the enabling of illegal work.

In 2020, SLIO performed **15 852 inspections in all areas of its inspection scope**. Of this number, it carried out **a total of 6 218 inspections in the area of compliance with the Employment Act, of which 5 557 inspections focused directly on detecting illegal employment**. Out of the total number of 5 557 inspections, **illegal work** was detected in **767 entities** by regional labour inspectorates.

The scope of control activities was negatively affected by the situation related to the COVID-19 epidemic.

During inspections, a total of **3 110** illegally employed natural persons were detected by labour inspectorates. This included **556 citizens of the Czech Republic, 141 EU citizens**

and 2 413 foreigners, third-country nationals. From the point of view of the performance of illegal work of foreigners, in 665 cases it was **the performance of dependent work outside the employment relationship**, in 2 184 cases **the performance of work in violation of the issued work permit or without this permit, or in violation of the issued employee card, internally transferred employee card or a blue card or without any of these cards**, and 66 cases included the **performance of work by a foreigner without a valid residence permit in the Czech Republic**. It is not possible to sum up individual violations as more than one violation can be found for one person.

Furthermore, inspections of concealed employment mediation have been among the main inspection priorities of SLIO since 2017. In 2020, **a total of 195 inspections were focused on this area, i.e. on concealed mediation of employment, which took place at a total of 189 employers**. In 185 cases, they were legal persons, and in 4 cases, they were self-employed natural persons. **Deficiencies were found in 149 inspections**. A total of 760 violations of labour law regulations were found, with concealed employment mediation, as defined by Section 5, letter g) of the Employment Act, found in 98 inspected entities. The inspections also detected **370 illegally employed persons**, including 9 citizens of the Czech Republic, 7 EU citizens and 354 foreigners (mostly citizens of Ukraine and Vietnam). Concealed mediation was also found in another 106 entities as part of inspections primarily focused on another inspection area. Thus, a total of concealed employment mediation in 2020 was found in 295 entities.

In 2020, due to the COVID-19 pandemic, only one regular meeting of the Inter-Departmental Body for Combating Illegal Employment of Foreigners (hereinafter referred to as "IDBCIEF") was held. The body responsible for IDBCIEF is MLSA. At this meeting, the members of IDBCIEF were presented with the MLSA's proposal to update the concept and strategy of the Inter-Departmental Body in the field of combating illegal employment – namely the **establishment of the new Inter-Departmental Body for Combating Illegal Employment** (hereinafter referred to as "IDBCIE"). All members of the IDBCIEF accepted this proposal. The **establishment of the IDBCIE** and the **dissolution of the IDBCIEF** were approved by the Government of the Czech Republic in February 2021. IDBCIE is being established on the basis of the need to update the concept and strategy of the Inter-Departmental Body in the field of combating illegal employment. The area of illegal employment and inspection activity has changed significantly since the establishment of the Inter-Departmental Body. Until now, the activity of the Inter-Departmental Body has focused on foreigner employment issues. However, due to the latest development and current trends, it is necessary that the Body **focuses not only on foreigners**, but that it also addresses the topic of **illegal work in its broader context**. The IDBCIE will coordinate three permanent working groups: Working Group on the issue of employment of foreigners, Working Group on the issue of illegal work, and Working Group on the issue of agency employment and concealed mediation of employment. The mission of the IDBCIE is to coordinate activities of the relevant institutions, to propose legislative changes contributing to the solution of illegal employment and to develop a concept for solving this problem. The IDBCIE also recommends the direction in which control and preventive

action should be taken and obtains information from the area of migration research and the economy, with a particular focus on the “informal” economy.

4. INFORMATION ON TRAFFICKING IN PERSONS UNDER THE AGE OF 18

In addition to law enforcement agencies, it is also the ASLPC and its offices that play an essential role in resolving child victims of trafficking in human beings, especially by protecting the rights and defending the interests of endangered children.

The most intensive is the direct work with child victims of trafficking in human beings at the level of ASLPC of the municipal office of the municipality with extended powers, who have the most extensive range of competencies according to the Act on Social and Legal Protection of Children. The agenda of social and legal protection of children (hereinafter referred to as “SLPC”) is provided 24/7 at this level (on-call outside office hours).

MLSA annually monitors important statistical indicators on social and legal protection performance, which are processed in the **Annual Report on the Performance of Social and Legal Protection of Children**, with the Report reflecting the situation for the previous year (available at <https://www.mpsv.cz/statistiky-1>).

From the point of view of trafficking in children, the following areas are monitored in the Report:

- The number of children in whom abuse for the production of child pornography was registered or proven in the reference year;
- The number of children in whom abuse for prostitution was registered or proven in the reference year;
- The number of cases in which ASLPC filed a criminal complaint with the Police of the Czech Republic or the Public Prosecutor’s Office on suspicion of committing a crime against life, health, freedom, human dignity, moral development or property of the child (criminal reports of committing a criminal offence under the Criminal Code, specifically under Section 169 – entrusting a child to another person for adoption or other similar reason, Section 193 – abuse of a child for production of pornography, and Section 193a – participation in pornographic performance).

Other types of commercial abuse of children are not monitored separately within the Annual Report on the performance of social and legal protection.

Only cases that have been reported to and resolved by ASLPC are registered in the Report. The number of registered cases of **abuse of boys and girls for the production of child pornography decreased** in 2020 compared to 2019. In 2020, **21 boys and 56 girls** were abused for the **production of child pornography** (in 2019, 34 boys and 80 girls). As for **child prostitution**, the numbers of registered cases remain similar. **In 2020**, the ASLPC dealt with a total of **5 cases of child prostitution** (1 boy and 4 girls; in 2019 it was also 1 boy and 7 girls).

This topic needs further attention, including the issue of child safety in cyberspace.

In terms of age, the **most vulnerable group** are children in the age category **from 6 to 15 years**. **Girls have a higher incidence of abuse** in terms of gender.

As far as the Facilities for Children – foreigners is concerned, there was a decrease in the number of unaccompanied minors migrating illegally in the spring months, but a slight increase was again recorded in the period from summer 2020. **A total of 93 unaccompanied minors, 91 boys and 2 girls**, were admitted to the facilities in 2020. Of these, 10 were in the age group under 15 and 83 in the age group over 15. **4 children were asylum seekers**. In terms of ethnicity, boys from Afghanistan are the most prevalent. One of the girls who stayed in the facility in the past was a 15-year-old girl from Bulgaria, who was a suspected victim of **trafficking for labour exploitation**. The girl was repatriated to the Republic of Bulgaria with the cooperation of the Office for International Legal Protection of Children and the Embassy of Bulgaria.

5. SUPPORT FROM ASSISTING ORGANISATIONS

5.1 La Strada Czech Republic

In 2020, La Strada Czech Republic provided outpatient or residential social services to **a total of 62 male and female clients**. The clients used social services in the form of contact counselling or complex social services.

Among the clients of La Strada Czech Republic, the number of migrants prevailed compared to citizens of the Czech Republic. Clients from the Philippines and Ukraine had the highest representation. **Labour exploitation was the predominant form of human trafficking**, which involved the majority of all new arrivals to the organisation's services. **In two cases, forced prostitution was involved**. The vast majority of clients with citizenship of the Czech Republic admitted to the services of the organisation in 2020 were trafficked on the territory of the UK.

Out of a total of 62 persons, **50 clients** (23 women, 23 men and 4 transgender persons) **used complex social services**. Of these 50 persons, 33 continued the cooperation started in previous years. **12 male and female clients** used **contact counselling services**.

In terms of nationality, **22 persons had citizenship of the Czech Republic and 28 persons were foreigners**. Thus, foreign nationality remains more numerous among the clients of La Strada Czech Republic. As in the previous year, the most represented group of foreign nationality were citizens of the **Philippines (16)**. In addition, citizens of **Ukraine (4), Slovakia (2), Romania (1), Honduras (1), Mongolia (1), Kyrgyzstan (1), Russian Federation (1) and Uzbekistan (1)** used the complex of social services.

In case of citizens of the Czech Republic, the target countries where exploitation took place were **the UK (18), the Czech Republic (2), Lithuania (1) and Ireland (1)**.

Out of the total number of **23 women and 3 transgender persons** who identified with a female gender, **21 were trafficked for the purpose of forced labour, 4 were forced into prostitution, and one woman was trafficked for the purpose of forced marriage.** All 8 newly arrived clients were involved in forced labour and labour exploitation. One case involved a private housekeeper of a diplomat. In one case, there was a record of a combination of labour exploitation and forced marriage.

The clear trend of recent years, where forced labour significantly exceeds forced prostitution, still prevails. For clients newly admitted to the services of the organisation in 2020, **forced labour** was a form of trafficking in **6 cases and forced prostitution in 2 cases.**

Clients of foreign nationality were most often recruited by employment agencies, intermediaries, or were offered jobs through friends. In cases of clients from post-Soviet countries, it is common practice for intermediaries to **demand high fees for providing a work contract and assistance in obtaining a visa.** In almost all cases, the clients received job offers **that differed from the original agreement upon arrival in the Czech Republic.**

Rejection of work that does not correspond to the original agreement often means for the clients the loss of all the costs invested in their arrival in the Czech Republic to work, as well as the inability to financially support families and children who have remained in their countries of origin.

Among the new cases, women's work took place most often in **manufacturing factories, poultry farms and hairdressing studios.** For clients continuing to cooperate, the work was mainly in massage parlours and nail studios.

Regarding the men, **a total of 23 men and 1 transgender person** who identified with a male gender used the complex of social services provided by the organisation in 2020. In terms of nationality, **Czech nationality** (17) remains the **most numerous** among the clients, followed by citizens of Ukraine (2), Slovak Republic (2), Kyrgyzstan (1) and Romania (1).

All newly arriving new clients in 2020 were involved in **forced labour and labour exploitation.**

As in previous years, most Czech men were offered **jobs in the UK.** Perpetrators most often seek out people who are in an unfavourable social situation, either having left a children's home or institutional care, or having been released from prison. Some clients have debts or foreclosures to repay and therefore agree to work abroad in order to get a better financial income. The organisation's experience over the last few years shows that perpetrators often target people where there is some added vulnerability. Apart from the pattern described above, this may also be drug addiction or the presence of psychiatric diagnoses. In the case of men – foreigners, recruitment methods are similar to certain practices seen in the recruitment of women. There is also the demand for high brokerage fees for the provision of work contracts and visas, as well as work in places other than those agreed before arrival in the Czech Republic.

The most frequently used coercive means and forms of pressure were **restrictions on personal freedom, threats of physical violence or physical assault and denial of medical treatment**, as well as **confiscation of personal documents**. In the case of foreigners, this includes the use of threats of **revoking the residence permit** or, in the case of foreigner's illegal residence, the threat of contacting the police. In addition, the perpetrators have significantly exploited the victims' dependency resulting from the language barrier.

In the cases of newly arrived clients from the Czech Republic working in the UK, the work was in warehouses, car washes, factories and construction sites. Some of the clients were forced to work in the homes of the perpetrators or, after working one shift, they were sent to another workplace where they had to continue working without rest. Almost all the men were forbidden to leave their jobs and all the money they earned was sent directly to the perpetrators' bank accounts. In all cases, the perpetrators demanded that the clients pay for all food, living and airfare expenses.

In the case of foreigners, the jobs involved work on construction sites, in manufacturing factories and in warehouses packing fruit and vegetables. Most often they worked 10 to 14 hours a day without breaks for rest and lunch. The men were either not paid their full wages or were not reimbursed for overtime hours and were charged large sums for accommodation, food and other unspecified items.

One of the important areas of cooperation with clients is ensuring contact with law enforcement authorities both in the Czech Republic and in the country of origin or country where the trafficking took place. The organisation provides legal advice and legal representation in criminal proceedings. In 2020, an attorney in 26 cases represented the clients of the organisation, and **in 32 cases** accompaniment by a fiduciary to various acts of criminal proceedings was provided. In 2020, the clients of the organisation were also provided with **332 assistances in contacting the authorities**.

In 2020, the field team of La Strada Czech Republic carried out a total of **65 field trips**. The trips took place in the following environments (in order of frequency): construction industry, hostels, agricultural operations, warehouses, services (especially retail sales, cleaning services, housekeeping work), domestic and international trucking, light industry (especially automotive and food) and massage parlours. Occasionally, probes were also carried out into the sex business environment (nightclubs), the gambling industry (casinos), the circus environment, fairground operators and live-in domestic workers, and networking with institutions in the regions (municipal authorities).

Most of the contacts (in order of frequency) came from Ukraine, the Czech Republic, Romania, Slovakia, Bulgaria, Moldova, Vietnam, the Philippines, Uzbekistan, Belarus, Russian Federation, Hungary, India, Northern Macedonia, Kazakhstan and Mongolia. In addition, smaller groups of persons and individuals with citizenship of Poland, Georgia, China, Serbia, Kyrgyzstan, Nepal, Bangladesh, Croatia, Armenia, Thailand, Egypt, Cuba, Albania, and the UK or from unspecified Arab countries were contacted.

In the field, the issues most frequently addressed with contacts were **changes in the labour market, epidemiological measures**, residence and cross-border movements in connection with the COVID-19 pandemic; **termination of employment and change**

of employer for holders of employee cards; and **illegal deductions** from wages; non-payment of wages/remuneration for work and wage compensation; **non-payment of mandatory contributions** by the employer; changes in the type and/or conditions of work after arrival in the Czech Republic; extortion and threats and **violence** by the employer; failure by the employer to comply with the reporting and registration obligations; **non-compliance with working hours**, breaks at work and schedule of shifts in violation of the Labour Code or non-compliance with the Government Regulation on minimum wage, guaranteed wage and wage supplements.

In some cases, there have been various purposeful misinterpretations of government regulations regarding wage compensation in closed operations – for example, workers have had their wages reduced to 60 % even though the operation was not closed and everyone was working on standard hours. A specific case was that of a client who claimed wage compensation from her employer for a period of time when she was not assigned work due to the closure of the operation and was told that, according to the accountant, foreigners seeking wage compensation would cause a residency problem and could be deported, so she should not claim her wages.

5.2 Caritas of the Archdiocese of Prague

In 2020, **6 people** (5 women and 1 man) were assisted through the Magdala Project. These clients were provided with comprehensive social services including accommodation in a confidential regime. Three of these victims of trafficking had already benefited from the Project's services in previous years.

One user, a citizen of Slovakia, was trafficked for an arranged marriage to a Pakistani citizen; she was identified by a non-governmental organisation. Other users were lured abroad under the promise of good job opportunities and were sexually exploited. The users were from poor socio-economic backgrounds, predominantly of Roma origin. Most of them grew up in orphanages.

In 2020, the Magdala Project staff worked on a long-term basis with users who were treated for a psychiatric diagnosis. In addition, they worked with women who were in a situation of prostitution and domestic violence and were addressing the current situation. The Magdala Project focused mainly on the return of these people to normal life, getting them out of a difficult life situation and making them more competent. For one user, the Magdala Project provided accompaniment in court proceedings regarding compensation for being a victim of crime. The case was judged in favour of the victim. **The cooperation with the court is assessed by the Project as very positive.**

The situation in the area of trafficking in human beings, according to field experience, corresponds to the traffickers' approach to victims in the sense that the victims receive a larger share of the money and are kept in the trafficking network not by physical violence but by psychological blackmail and the hope that they can make some kind of financial contribution to their families abroad.

The year 2020 was severely affected by the constraints related to the COVID-19 pandemic. Face-to-face contact and thus fieldwork was severely limited.

5.3 Diaconia of the Evangelical Church of Czech Brethren

Since 2011, Diaconia ECCB – the Centre for National Programs and Services has been implementing a social asylum housing service for men, couples, and women trafficked on the labour market and exploited. **In 2020, the residential asylum housing service was provided to 54 persons.** Among them were 14 women and 40 men; the average age of clients was 41 years. Most people came from Bulgaria (22) and Romania (10), Mongolia (8), Ukraine (7), Iraq (2), Moldova (1), China (1), Vietnam (1), Belarus (1) and the Czech Republic (1).

The most frequently addressed issues of clients were:

- **Crisis related to labour exploitation (29);**
- Victims of crime (11);
- Unpaid wages (7);
- Fraud (5);
- Occupational injury (1);
- **Threatened by trafficking in human beings (1).**

Clients of the services provided by Diaconia are mainly citizens of Bulgaria, Romania and Ukraine who work **without an employment contract**, based on verbal agreements, or have employment contracts that **are often not in accordance with the Labour Code**. Such contracts are usually very simplified, only exceptionally translated into the employee's native language. Instead of standard employment contracts, agreements on job performance or service agreements on work activities are also usually concluded. A common issue is their chaining.

Many disputes between an employee and an employer also arise **due to the language barrier**. The Diaconia staff encounter that the employee **misunderstands the employment contract or agreement**; they know from the interview the amount of the maximum salary, which they then expect. The problem is the complete unpreparedness of employees for potential problems. They sign documents that they do not read or understand because of the language barrier, they do not get the full name or contact details of the employer or coordinator. When they contact social services to claim their rights, they are unable to provide even basic information that could be used to identify the employer and the conditions of the employment relationship. Such "fogging" is also attempted by many problematic employment agencies. It is possible to encounter cases where an employee signs a contract with a company whose representatives s/he never meets, works for another company and is paid by a completely different company.

Another repeated practice is also the application of excessive deductions from wages for services, which include accommodation, food, work equipment, administrative acts, fines for misdemeanours and alleged damages caused to the employer etc.

The Diaconia staff has encountered employers dismissing their employees on a large scale, forcing them to sign termination agreements to avoid the obligation to pay them wage compensation in the event of a suspension or reduction of operations due to the COVID-19 situation. In many cases, the employee misunderstood the documents and signed them because they were not translated into his/her native language.

Many turned to Diaconia asking whether they were entitled to wage compensation at all and in what amount.

The Diaconia staff also encountered that some people signed agreements to terminate their employment and then had to leave the hostels and had nowhere to go. They could not return to their country of origin because **international transport was suspended**, they lost their financial security in the form of wages and they had nothing to eat, which is why food banks were widely used.

Another common problem was that employers do not issue exit documents to employees after termination of employment (employment records, termination of employment, certificate of taxable income). This makes it difficult for the employees to register with the job centre and to apply for unemployment benefits.

In one specific field, the Diaconia staff also encountered workers complaining that the agency treated Bulgarian workers as inferior to other nationalities. They literally described it as **workplace bullying**, where the employer imposes higher standards upon them than on others, fails to equip them with work equipment that is necessary for the performance of the job, or the employer gives them a minimum of hours per month, even though workers are needed and overtime must be worked.

6. FINANCIAL RESOURCES

6.1 Funds provided by the Ministry of the Interior of the Czech Republic

The Mol is funding the Program for the Support and Protection of Victims of Trafficking in Human Beings. **In 2020, CZK 1 479 820 was spent on services within this Program**, including preventive activities.

6.2 Funds provided by the Ministry of Labour and Social Affairs of the Czech Republic

In 2019, the MLSA provided subsidies to organisations whose target group are mainly victims of trafficking in human beings in the total amount of CZK 15 553 409. An overview of the funds provided to these organisations in 2020 is provided in the table section.

In connection with the COVID-19 pandemic, the amount of **CZK 675 752** was paid to these organisations **in 2020 under the extraordinary subsidy titles.**

It should be noted that within the subsidy procedure for the provision of social services the MLSA also supports several other organisations that list victims of human trafficking as one of the target groups. For an overview of the number of these services, see the table section.

Child victims of trafficking can be classified as abused and neglected children, and registered service providers play an essential role in helping this target group. Every year, the MLSA annually announces a subsidy procedure to support the provision of social services for their providers, regardless of their legal form. The total allocation depends on the condition of the state budget. In recent years, it has been around CZK 8 billion. This subsidy procedure is implemented on the basis of the Section 101a and Section 104 of the Social Services Act.

7. PREVENTION AND EDUCATION

The following chapters contain information on educational activities, research, awareness-raising activities, information campaigns, and coordinated activities in the Czech Republic and at the international level.

7.1 Education

Also in 2020, educational activities focused on trafficking in human beings were organised in cooperation with state institutions and NGOs from the Czech Republic and collaboration with partners from the international environment. The aim was to inform about MoI activities in the area of trafficking in human beings, about the functioning and streamlining of the Program, possibilities of support and protection of victims and current trends in trafficking in human beings. The main topic was to inform about the options and ways

of identifying potential victims by relevant professional groups who may come into contact with these cases in the course of their profession.

Police education

On 20-21 February 2020, an expert meeting of the European Multidisciplinary Platform against Criminal Threats (hereinafter referred to as “EMPACT”) took place at **Europol** headquarters. The topic of the meeting was information on the issue of trafficking in human beings, with the main topic being the discussion of the partial steps in the implementation of the operational action plan for 2020, i.e. which activities will be developed by the Member States and the organisations involved in this calendar year following the tasks from the last year. In addition, training activities were discussed within the framework of police training provided by the European Union Agency for Law Enforcement Training (hereinafter referred to as “CEPOL”).

As every year, NCCOC specialists took part in lectures focused on trafficking in human beings as part of the police training in the specialization course of the National Drug

Headquarters organised by the Refugee Facilities Administration of the Ministry of the Interior (hereinafter referred to as “RFA Mol”).

On 26 February 2020, a training seminar for police practitioners and experts in the field of criminal police – **MEPA** (Central European Police Academy) – was held in Prague with a presentation of activities of the NCCOC, Department of Trafficking in Human Beings, Illegal Migration and Counterfeiting, and a case study.

Police officers from the NCCOC, Department of Trafficking in Human Beings, Illegal Migration and Counterfeiting, participated in CEPOL training activities that focus on law-enforcement through education and training. The officers attended e-learning courses – on-line webinars focusing on human trafficking and related issues.

Judicial education

In 2020, the Judicial Academy had planned a separate seminar entitled: "**Trafficking in Human Beings**", but due to the **COVID-19 pandemic, this could not be held in April 2020, although it had been prepared**. For this reason, it has been included in the training plan for **2021**.

On 2 December 2019, during a seminar organized by the Council of Europe and Judicial Academy, the first certified e-learning course of the HELP Program titled “**Combating Trafficking in Human Beings**“ was presented. The course is intended for judges, public prosecutors and all other legal professionals involved in combating and prosecuting trafficking in human beings. In addition to national legislation, the course also includes the analysis of the Council of Europe Convention on Action against Trafficking in Human Beings, the relevant case law of the European Court of Human Rights, other international instruments and national examples of best practice for the protection of victims of trafficking. The Czech tutor of the course was the National Correspondent for Combating Trafficking in Human Beings and Illegal Migration (Supreme State Prosecutor's Office). The course ended on 30 April 2020 and was successfully completed by 17 participants from the ranks of prosecutors (8), judges (1), assistants and future judges (8). This course is continuously available for self-study in the Czech language on the HELP (Council of Europe) website and participants are also notified of the possibility to study it through the Judicial Academy Bulletin.

The National Correspondent for Combating Trafficking in Human Beings and Illegal Migration (Supreme State Prosecutor's Office) participated in the 2020 virtual conference "**Human Trafficking in Times of Corona**" (14 and 15 October 2020, Vienna). The conference was organised by the Austrian Anti-Trafficking Working Group in cooperation with the Vienna Institute for International Dialogue and Cooperation and the International Organisation for Migration on the occasion of the EU Anti-Trafficking Day. She also participated online in the 10th Meeting of the Parties to the United Nations Convention against Transnational Organised Crime (12-16 October 2020, Vienna), with regard to transnational organised crime and the related issues of trafficking in human beings and illegal migration. A Virtual Focus Group Meeting (Eurojust) on migrant smuggling took

place in November 2020. Materials from the above events were posted on the Prosecutor's Office Extranet.

From 10 to 14 February 2020, **4 prosecutors and 4 police officers who are specialists in the field of human trafficking and crimes against children** attended a course at **International Law Enforcement Academy (hereinafter referred to as "ILEA")** in Budapest. Special agents from HSI (Homeland Security Investigations) presented them with standardised methodological procedures and recommendations for detecting and proving trafficking in human beings in the Internet environment. They demonstrated their practical application through successful case studies. They also described recommendations for working with victims and ways to support them. Participants in the training also included judges, prosecutors and police officers from Hungary, Tunisia and Georgia. **Participants highly appreciated the form of witness interrogations of sexually abused children in the Czech Republic, where the use of demonstration dolls is involved.** If the ILEA allowed the judges, public prosecutors and police officers from the Czech Republic to participate in similar trainings again, it would undoubtedly be of a benefit to other graduates of the course.

Other educational activities

As every year, La Strada Czech Republic fulfilled its goals in the area of education and prevention activities, specifically through **preventive lectures at schools, accredited courses for social workers and professionals working with the target group at risk of the undesirable phenomenon of labour exploitation** and through awareness-raising on the topic of human trafficking. In 2020, 15 lectures were held in secondary schools, colleges and universities and in one facility for children-foreigners.

La Strada Czech Republic has also created new **information material for officers of Municipal Police Prague**, who are often among the first ones to correctly identify trafficked persons and help them get appropriate assistance. The original intention was to provide training for this target group, combined with the preparation of information material for use in the performance of their duties. However, due to restrictions related to the pandemic caused by COVID-19, the training could not be implemented. Therefore, only a brochure was prepared which explains the issue of trafficking in human beings in a concise and clear manner, introduces the different forms of trafficking and, in addition to relevant contacts, includes identification questions for communication with the potentially trafficked person. This brochure has been supplemented with additional information materials for the communication of municipal police officers with potentially trafficked foreigners in several languages.

In 2020, **two two-day accredited seminars were conducted for the staff of RFA Mol and Centres for Support of Integration of Foreigners (hereinafter referred to as "CSIF")**. The training focused mainly on legislation related to human trafficking, identification of trafficked persons and a detailed description of the services and activities of La Strada Czech Republic. In the practical part, **methods of communication with trafficked and exploited persons** were trained as well as procedures in specific situations while exercising their rights and interests.

The issue of human trafficking is always an integral part of **consular education**. As in previous years, in addition to MoI representatives, representatives of the International Organisation for Migration (hereinafter referred to as "IOM") also took part in the lectures on trafficking in human beings in 2020. The lectures were aimed at familiarizing the participants with the forms and manifestations of trafficking in human beings, the possibilities of assistance to victims of trafficking, and the support systems for such victims. The consular staff was also informed about the possibilities of cooperation between the embassies and the relevant organisations that deal with trafficking in human beings and can provide follow-up assistance to victims if necessary.

7.2 Prevention

With the financial support of the MoI, extensive preventive and information activities on trafficking in human beings are carried out every year. The preventive activities of the Program also include professional social counselling for potential victims of trafficking in human beings and crisis assistance.

La Strada Czech Republic fulfilled its objectives in the area of prevention activities through **preventive lectures at schools, accredited courses for social workers and professional working with the target group** at risk of labour exploitation and through awareness-raising on the topic of human trafficking. **A total of 254 students attended the lectures.** Young people had the opportunity to learn about the risks of entering the labour market. As most school facilities were closed for a large part of the year and lessons moved to distance learning, the primarily preventive lectures were thus adapted to the needs of the online environment. Eight regular employees of La Strada Czech Republic who were trained for this purpose delivered the workshops last year. At the end of 2019, La Strada Czech Republic, in collaboration with SB Films, produced a short video spot showing that human trafficking may not be obvious at first glance. **During 2020, this video spot, titled "At Second Sight," was used as part of primary prevention training.**

In 2020, La Strada Czech Republic celebrated its 25th birthday. To mark the occasion, the organisation launched an **awareness campaign** on its Facebook page, posting daily reminders and information about its mission, statistics and reports from landmark cases over the past years. The articles were published both in Czech and in other languages of the minorities that predominate among the organization's clients. In the same year, La Strada International, which was co-founded by La Strada Czech Republic, also celebrated its 25th anniversary.

In August 2020, **an article on the current situation of human trafficking in the Czech Republic** was published with the support of Oko Magazine. In an interview for the Magazine, La Strada Czech Republic provided information on the tactics used by perpetrators, how they make contact with people and what forms of trafficking the organisation has most frequently encountered in its practice recently.

La Strada Czech Republic has again revised its information and prevention materials for trafficked persons. The materials are distributed during the organisation's field trips and across other services and include self-identification questions, the offer of services and

contacts to La Strada Czech Republic. **In 2020, 12,000 information leaflets for the target group were reprinted in 6 languages.**

In 2020, La Strada Czech Republic together with IOM Slovakia worked on a project to update and upgrade the **SAFE** mobile application. The app offers tips on how to prepare for travel as well as useful contacts in one place. The interactive game simulates real-life stories of people who have found themselves in trafficking situations and gives users the opportunity to influence their fate. In certain situations during the game, there is an emphasis on preventative information that the user needs to remember and pay more attention to. The application is mainly aimed at young people who are thinking of travelling or working abroad and professionals who can use it in prevention activities. The application is free and has 5 language versions: Slovak, Czech, Polish, Hungarian and English. The web version is available at www.safe.iom.sk, the downloadable application itself will be available in 2021.

The cooperation between La Strada Czech Republic and the Embassy of the Czech Republic in Manila also continued. Each applicant for a long-stay visa is given a leaflet from the non-governmental organisation La Strada Czech Republic at the time of application so that potential victims know whom they can contact in the Czech Republic in case of an emergency.

During 2020, **11,479 pieces of La Strada Czech Republic's prevention and information materials** containing the organisation's services with contacts and self-identification questions aimed at identifying a trafficking situation were distributed in the field. Of these, 7,687 pieces were given directly to persons from the target group and persons close to the target group. Other materials were disseminated at selected locations in the field, in organisations and institutions. Materials from other relevant organisations and institutions were distributed more occasionally during the fieldwork during this period. In addition, 2,263 stickers with the offer of services and contact details of La Strada Czech Republic were posted in appropriate places.

The Magdala Project also provided field services in 2020, namely in Olomouc, Brno and Zlín regions. Closer cooperation took place with the Diocese of Brno, specifically with the Regional Charity Blansko. In 2020, the Archdiocesan Charity of Prague covered the funds spent on prevention of trafficking in human beings provided in this region. In 2020, the field service worked with a total of 98 users, with 1 of the users being classified as a potential victim of human trafficking.

Diaconia ECCB also carried out regular field trips to all locations within the Czech Republic in 2020. Their fieldwork is primarily focused on **mapping high-risk locations and places where there is a high incidence of foreign workers** and various forms of exploitation may occur. These include hostels or other accommodation facilities, logistics sites, and they also approach former clients who have valuable information on places with potential risks of exploitation. However, due to the situation with COVID-19 and the declaration of a State of Emergency in the Czech Republic, field trips have been reduced and became more focused on locations in Prague and Central Bohemia Region. Despite this, in 2020, staff carried out a total of 43 field trips in the following regions: the Capital City of Prague (19), the Central Bohemia Region (6), the Ústí nad Labem Region (1), the Vysočina

Region (1), the South Moravia Region (12), the Olomouc Region (2) and the Zlín Region (2). Approximately 260 people were contacted in the field and more than 2,500 information leaflets were distributed to hostels and institutions throughout the Czech Republic. In 2020, the Field Crisis Intervention Service provided assistance to 206 clients nationwide. This included 49 clients in Prague, 28 clients in Brno and 129 clients in Pilsen. These were 93 women and 113 men. Most people came from Bulgaria (185), followed by Ukraine (6), the Czech Republic (6), Romania (5) and Moldova (4). Most often, the staff dealt with cases of non-payment of wages and provided support to the people in crisis in relation to their adverse social and workplace situations.

8. LEGISLATIVE AMENDMENTS AND JUDGMENTS OF COURTS RELATED TO TRAFFICKING IN HUMAN BEINGS

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

In the course of 2020, changes were also prepared that are now at various stages of the legislative process. These include the obligation **to register all employment relationships** – the establishment of a register that would record all employment relationships, including agreements for a job performance and agreements for the provision of services, and the related extension of the relevant offences to include non-compliance with the new registration obligation. The employer would be obliged to report these relationships as well as the beginning of employment of staff who are employed on the basis of an agreement for the provision of services or an employment agreement, which are small-scale employment relationships under the Sickness Insurance Act, or who are employed on the basis of an agreement for the performance of a job and therefore are not covered by sickness insurance. This means that all employees working on the basis of either an employment agreement, an agreement for the provision of services or an agreement for the performance of a job must be kept in the register designated for this purpose. The main purpose of the legislation is to make inspections on illegal employment more effective and to **protect employees against the non-compliance with labour law regulations by employers.** It is a part of the proposed amendment of the Employment Act (Official Gazette No. 1025). Another change is the introduction of user liability for facilitating concealed employment mediation into the Employment Act; the proposal is a part of the law amending Act No. 325/1999 Coll., on Asylum, as amended (hereinafter referred to as the “Asylum Act”) and other related laws (Official Gazette No. 1033). Amendments to the Employment Act on the issuance of employment permits are also planned; the proposal is a part of the amendment to the Asylum Act and other related laws (Official Gazette No. 1033).

As far as criminal law is concerned, no legislative change has been adopted in 2020 specifically for the crime of trafficking in human beings.

However, within the context of punishment for crimes in the area of trafficking in human beings, the law published under No. 333/2020 Coll., should be noted, which entered into force on 1 October 2020. One of the main changes introduced by this act in the area of substantive criminal law is the **doubling of the individual damage limits** as regulated in the Criminal Code. This applies not only to the marginal, not insignificant, limit of damage, as a result of which certain minor acts were considered a crime, although in terms of their gravity they should be treated more like a misdemeanour and thus dealt with by administrative law rather than criminal law, but it also applies to other damage limits, including the large-scale damages.

Another change relates to the legal regulation of the **institute of plea-bargaining**, the use of which has been made **possible for all particularly serious crimes**, including the crime of trafficking in human beings and related offences.

Victims of crimes, including victims of the crime of trafficking in human beings, are affected by the Government's draft law amending Act No.104/2013 Coll., on International Judicial Cooperation in Criminal Matters, as amended, and some other laws, which, among other things, addresses practical problems arising in the application of Act No., 59/2017 Coll. on the Use of Funds from Property Penalties Imposed in Criminal Proceedings, which are intended to contribute to greater use of the possibilities offered by this Act (e.g. to grant the Supreme Court the power to suspend the disposal of property forfeited or confiscated in criminal proceedings as part of the extraordinary appeal proceedings; it is explicitly stipulated that the decision imposing a property criminal sanction shall include an instruction to the injured party on the possibility of requesting satisfaction of their property claim under Act No. 59/2017 Coll., the time limit after which the property is deemed to be unmarketable under Act No. 59/2017 Coll. is extended and the reasons for this time limit are also regulated; victims are now allowed to submit a copy of the final decision imposing the property criminal sanction to the MoJ even after the expiry of the time limit for filing a claim under Act No. 59/2017 Coll., etc.). This proposal is currently under consideration as Official Gazette No. 699.

8.1 Court judgments

Statistics of the MoJ show a total of 9 **cases of trafficking in human beings** in 2020. Under the provisions of Section 168 of the Criminal Code, **a total of 8 persons were convicted**.

The judgments under Section 168 of the Criminal Code in 2020 concerned trafficking in human beings **for the purpose of sexual exploitation and other forms of exploitation (labour exploitation)**.

Below are two illustrative cases, including selected parts justifying the type and length of the sentence imposed.

8.1.1 Case Study No. 1: 49T16/2018 (Municipal Court in Prague)

Victim: Minor, citizen of the Czech Republic:

Perpetrator: Woman – minor's mother, citizen of the Czech Republic

Means of coercion: Since the victim is a child, there is no need to prove means of coercion.

Modus operandi: The perpetrator, the victim's mother, who knew about the convict's paedophilic orientation, initially once a week and over time several times a week, entrusted her six-year-old daughter to the convicted person, with the understanding that he would teach her piano and dance. The perpetrator allowed the convicted person to pick up the victim from school, spend free time with her, and repeatedly allowed her to stay overnight with him at his apartment. She allowed him to continue such contacts even after she had found out that the convicted person had been fondling her daughter, bathing with her in the bathtub and walking around the apartment naked. The perpetrator contented herself with the convicted person's assuring that he loved her daughter, that she was the love of his life, that he would stay with her for life, and that he would wait until the victim, a minor, turned 15 to have sexual intercourse with her. The perpetrator accepted that her daughter had a life partner since the age of six, that she was in love with him and was planning a future together. She agreed not to hinder their relationship on the condition that she could decide the extent of their physical interaction. However, she continued to entrust her daughter to the convict even after she learned that the convict had not respected their agreement and had engaged in various sexual practices with the victim, except for traditional coitus. The convict took video recordings and photographs. As a result of such conduct by the perpetrator and the convict, the victim developed an adjustment disorder and a syndrome of a battered and abused child with learned helplessness and pathological deviant attachment. Moral, sexual, social and emotional development has been disturbed and the victim's personality is developing disharmoniously. This traumatisation may in the future take the form of severe post-traumatic disorder.

Duration of exploitation: At least for a period of 1,5 years.

Sanction: The Municipal Court in Prague imposed a sentence of 3 years' imprisonment, with the execution of the sentence being suspended for a probationary period of 5 years, with the defendant being supervised. The perpetrator was also ordered to compensate the victim for non-pecuniary damage in the amount of CZK 100 000.

Selected parts of the justification: The perpetrator, despite all the warning signs and their escalation, allowed her daughter to have prolonged and regular contact with the convicted person and must therefore have at least been aware that consequences to the mental health and normal harmonious development appropriate to the age of the child might occur, and if she relied on the fact that such disruption would not occur, then she did so without adequate, reasonable and acceptable grounds.

The name of the offence may be somewhat misleading here, as it may not be trafficking in the sense of the child being sold; the offence is completed by the perpetrator committing any of the specified acts on the child, knowing that the child will be used by others for

sexual intercourse, other forms of sexual abuse or molestation, or for the production of pornographic material, regardless of the perpetrator's motive. The defendant was the mother of the victim, whom she cared for as a parent, and therefore had the ability to decide whether and to whom the child would be entrusted, and if she entrusted the child to the temporary care of the convicted person, this is one of the possible forms of this offence. In terms of culpability, the court found indirect intent, where the perpetrator did not hand over her daughter to the convicted person primarily for the purpose of having sexual intercourse with her, but was aware of the possibility that this would occur.

As for mitigating circumstances, the perpetrator has not been punished before; she had lived a proper life before committing the offence. She sincerely regrets her act and she has cooperated with the law enforcement authorities.

As an aggravating circumstance, the court considered the perpetrator to be the mother of the victim, a person who has a special duty to care for and protect the child. It also cannot be overlooked that she had admitted her daughter's relationship with the defendant over a long period of time.

Taking into account the seriousness of the offence, the court would not have seen any further grounds for imposing a sentence below the lower limit of the statutory penal rate, but the decisive issue here was the assessment of the defendant's family circumstances, where, according to the conclusions of experts and therapists, it is desirable, at this stage of her development and processing of the trauma, that the minor should have a complete family background (after the deviant attachment to the convicted person has been broken, she needs to be able to have an adequate, natural attachment to her mother, who was previously the closest person to her).

In the light of the expert reports, the court considers that the maintenance of a complete family in which both paternal and maternal roles are preserved is a necessary and irreplaceable prerequisite for improving the victim's chances of recovery to an extent that will enable her to lead a quality life in the future.

Court of Appeal Judgment: On the appeal of the prosecutor, the High Court in Prague reversed the judgment in the sentence and the manner of its execution and decided to sentence the defendant to 4 years and 6 months' imprisonment without parole. The court justified its judgement on the ground that the sentence imposed by the court of first instance might appear to be understandable from a human point of view or in the light of the recommendations of the psychologists who had the victim in their care. However, the Court of Appeal must find that this sentence is manifestly disproportionate and must therefore be rescinded. The sentence imposed by the High Court is a lawful and proportionate sentence which emphasises not only the educational component but also the punitive component, in that the perpetrator of a criminal offence must be aware of his criminal liability and that she will be punished for such conduct in a proportionate, lawful and, in terms of the predictability of judicial decisions, appropriate manner.

We attach the Court of Appeal's decision on this case below, in Chapter 8.2, The Crime of Trafficking in Human Beings in Extraordinary Appeal Procedure.

8.1.2 Case Study No. 2: 1 T 1/2012 (Regional Court in Ústí nad Labem)

Victim: 3 men

Perpetrator: Man, citizen of the Czech Republic.

Means of coercion: Exploiting the hardship of the victims' difficult financial situation, who were unable to repay their debts or pay child maintenance, the perpetrators promised them high legal earnings in the UK to reverse their described situation.

Modus operandi: Together with other offenders already convicted at the time, the perpetrators took advantage of the difficult financial situation of the victims, who were promised high legal earnings in the UK, transported them to the UK with the intention of getting them jobs and then taking a significant part of their earnings for their own use. They also physically assaulted the victims for no reason, threatened them with violence where appropriate, and removed their personal documents. The victims lived in undignified and cramped conditions with insufficient food provided.

Duration of exploitation: At least from October 2008 to August 2009.

Sanction: A sentence of imprisonment of 3 years suspended by a probationary period of 5 years.

Selected parts of the justification: The court took the position that the victims' statements can be considered valid, because in their totality they constitute a coherent group of evidence and, above all, they do not stand alone, as they are supported by other evidence, e.g. witness statements. The credibility of the victims' statements is not diminished by their criminal history or present status, since neither of them has been prosecuted for the offence of perjury or a similar offence.

The defendant can only be blamed for taking advantage of the victims' confusion and distress by participating in forcing them to work, physically beating them, housing them in undignified conditions, and depriving them of the money they earned. This makes the defendant's involvement in the criminal activity substantially different from that of the other convicts who were involved in providing false information to the victims and luring them to England. None of the victims were given truthful information about the conditions that awaited them in the UK and how much money they would have to hand over, instead they were assured that they could make big money abroad.

At the time of the offer, the victims were not free to make their own decisions, as their social and financial situation did not allow them to do so. The convicted persons did not tell the victims how much of their wages they would require for the accommodation, food, work placement or transport to work, even though they were determined from the outset to take a significant proportion of the money the victims would earn in the UK. There is no doubt that the victims would have reasoned differently had they known these details from the outset. The convicts exposed them to the fallacy of the possibility of high earnings and left them in that fallacy throughout their stay in the UK.

However, this applies only to the convicted persons. The court found that the defendant did not participate in the misrepresentation. He did not, therefore, take advantage of the distress in luring them to England, but only of their distress that occurred in Birmingham.

The hardship caused by their mistake was that the victims, without any means with which they could obtain decent accommodation and without the language skills to enable them to deal with the local authorities in their difficult situation, were dependent on the 'help' of the defendant and the convict, who, instead of helping them, exploited their difficult situation for his own enrichment, forcing the victims to work and then withdrawing funds from them. In this sense, therefore, the defendant fulfilled the statutory elements of the offence under consideration of 'inducing other persons by taking advantage of their error and distress' in relation to all the victims.

Court of Appeal Judgment: On the basis of an appeal by the public prosecutor, the High Court in Prague revoked the contested judgment in the sentence on conditional suspension of the execution of the imprisonment and decided again that the defendant shall be placed in a prison with security for the execution of the imposed sentence. It gave the following reasons for its decision. In view of the high degree of social harmfulness of the defendant's conduct, which was characterised by a heightened form of disrespect for human freedom and dignity, abuse of the distress of fellow citizens, and the creation of such distress with the intention of forcing those fellow citizens into slave labour and taking their earned money, not to provide them with decent housing and to keep them under constant threat of violence or other forms of coercion, taking into account the length of time for which such an unlawful state of affairs was maintained, the defendant was not found to be in a conditional suspension of his imprisonment. The sentence in the present case must not only have an educational effect on the defendant and be sufficiently severe to prevent the threat of individual recidivism by that person, but it must also, in this case, serve as a warning to society to other persons who might intend to commit similar criminal acts that such acts are considered to be socially unacceptable, harmful and reprehensible.

8.2 The crime of trafficking in human beings in extraordinary appeal procedure

In 2020, the Department of Extraordinary Appeals of the Supreme State Prosecutor's Office registered **three criminal cases** in which the accused filed **appeals** aimed at challenging final court decisions finding them guilty of the offence of trafficking in human beings under Section 168 of the Criminal Code.

In the first case, the accused filed an extraordinary appeal against the resolution of the High Court in Olomouc, by which the High Court, pursuant to Section 256 of the Criminal Procedure Code, dismissed, inter alia, the appeal of the accused against the judgment of the Regional Court in Brno, by which he was found guilty of the crime of trafficking in human beings pursuant to Section 168(1), second indent, (3) letter d) of the Criminal Code and, pursuant to paragraph 2), of the offence of soliciting pursuant to Section 189(1), second indent, of the Criminal Code.

In terms of the merits of the case, this was a crime from 2016, when the stepmother (already convicted) of the accused person arranged for the victim, a minor under the age of eighteen, who was on the run from a child facility, to engage in prostitution, where the stepmother handed over a substantial part of the funds thus obtained to the accused, who used the money for his own use to pay for his living expenses and for the purchase of methamphetamine. The accused was convicted of two offences, the legal qualification of

which was determined by the age of the victim, the stricter legal qualification respecting the fact that she was under 18 years of age at the time of the offence. The accused was sentenced to a total term of imprisonment of seven years. On appeal, the accused argued that he should not have been found guilty of the crime of trafficking in human beings under Section 168(1), second indent, (3) letter (d) of the Criminal Code, as this serious crime could not have been committed for the short period of time (11 days) before the victim reached the age of majority. In its decision, the Supreme Court argued that the decisive fact for the fulfilment of the offence of trafficking in human beings under Section 168(1), second indent, (3) letter (d) of the Criminal Code is the active conduct of the perpetrator as such, not the number, i.e. the frequency, of violations of the protected interest (subject). According to the Supreme Court, it is irrelevant whether the accused, by the conduct described in the operative sentence, profited for only 11 days from the fact that another person arranged for the minor victim (a child) to be used for sexual intercourse and committed such an act with the intention that the victim would be used for prostitution, since the merits of the crime of trafficking in human beings would be fulfilled even in the context of one single case, i.e. one sexual intercourse. Therefore, the duration of the commission of the crime has no bearing on the fulfilment of the merits under Section 168 of the Criminal Code, since the subject of protection is a child. The duration of the crime committed by the accused can only be taken into account in the context of the sentence imposed. Therefore, the Supreme Court also found this objection to be completely unfounded and dismissed the extraordinary appeal of the accused person.

In the second case, the accused person, through her attorney, filed an extraordinary appeal in a case pending before the Regional Court in Hradec Králové. In that case, she was found guilty by the judgment of that court of committing the crime of trafficking in human beings under Section 168(1) letter (a), (3) letter (d) of the Criminal Code and the offence of pimping under Section 189(1) of the Criminal Code. The accused was sentenced under Section 168(3) of the Criminal Code to a total term of imprisonment of six years. In terms of the case merits, the case concerned the mediation of prostitution of women and girls via the Internet from 2017 to 2019, from which the accused received a benefit of CZK 300,000. The stricter legal qualification of the crime of trafficking in human beings under Section 168(1) letter (a), (3) letter (d) of the Criminal Code was due to the fact that three of the nine women providing prostitution were under the age of 18. The accused subsequently appealed against the said conviction. By order of the High Court in Prague, the appeal was dismissed pursuant to Section 256 of the Criminal Procedure Code. The accused filed an appeal on the grounds of Section 265b (1) letter (g) of the Criminal Procedure Code, but in view of the fact that her objections sought only to challenge the already stabilised factual situation, the Supreme Court dismissed her appeal by order pursuant to Section 265i (1) letter (b) of the Criminal Procedure Code.

In the third case, the extraordinary appeal of the accused person was successful. In the judgment of the Municipal Court in Prague, she was found guilty of the crime of trafficking in human beings under Section 168(1) letter (a), (4) letter (a) of the Criminal Code and the offence of endangering the child's upbringing under Section 201(1) letter (b), (3) letter (b) of the Criminal Code. She was sentenced to a total term of imprisonment of three years, in application of Section 58(1) of the Criminal Code, taking into account Section 58(3) letter

(b) of the Criminal Code, the execution of the sentence imposed being suspended for a probationary period of five years, subject to supervision. The accused person was further ordered to undergo appropriate psychological counselling programmes during the period of probation. The decision of the court of first instance was challenged on appeal by the public prosecutor. The High Court in Prague decided on this appeal by a judgment which annulled the judgment in the sentence and the manner of its execution, while the Court of Appeal decided again by sentencing the accused person to a total term of imprisonment of four years and six months, in application of Section 58(1) of the Criminal Code, for the execution of which it placed her in a guarded prison. In terms of the case merits, the conduct of the accused person consisted in the fact that, as a mother, she left her minor daughter for almost two years, from the age of six, in the temporary custody of a man, an educator, although she knew of his paedophilic orientation, and thus allowed her daughter to be sexually abused by this man, which caused her to develop an adjustment disorder and the syndrome of an abused and exploited child. On appeal, the Supreme Court held that the sentence was defective on the grounds that the High Court in Prague had failed to comply with its requirements and had not carried out a proportionality test in the spirit of the principle of proportionality of criminal sanctions. The court of first instance, out of two competing interests, i.e. the interest of society in punishing the perpetrator on the one hand and the interest of society in creating conditions to minimize the effects that long-term abuse would have on the victim, prioritised the interest of the victim over the interest of society in severe punishment. The court therefore imposed on the defendant a sentence of three years' imprisonment, suspended for a maximum probationary period of five years, with supervision of the defendant and a reasonable obligation to undergo appropriate psychological counselling programmes during the probationary period. The Court of Appeals considered the aggregate sentence of four years and six months to be adequate, for the execution of which it placed the convicted person in a guarded prison. However, the Supreme Court held that the considerations taken into account by the Court of Appeal in determining the type of sentence and its level could not be described as complete and that the Court of Appeal's conclusions could therefore not be regarded as conclusive. It criticises the Court of Appeal for failing to address even marginally the question of the best interests of the child, as also emphasised in Article 3, paragraph (1) of the Convention on the Rights of the Child. In this context, the court referred to the conclusions on the issue of taking into account the best interests of the child when imposing a custodial sentence on a perpetrator contained in a ruling of the Constitutional Court, in which it stated that there is still no consensus at international or national level on the approach to the influence of the best interests of the child on the imposition of a sentence on the child's parents in criminal proceedings, and the issue itself is considerably complicated, since, in order to be satisfactorily resolved, it requires answers to a number of questions of principle concerning the limits of criminal repression, the balancing of the interests of the individual and the whole, and the permissibility of interference by the interests of third parties in the process of choosing and imposing criminal sanctions. The Supreme Court primarily criticised the Court of Appeal for failing to deal explicitly with the issue of the best interests of the child in the reasons for its judgment and for failing to respond in a relevant manner to the reasoning contained in the judgment of the court of first instance. It was therefore unable to explain convincingly why, in a specific, rather than an ordinary, case, the competing

public interest in the appropriate punishment of the perpetrator outweighed the best interests of the child. The Supreme Court held that in further proceedings it would be up to the Court of Appeal to remedy this deficiency and to address the issue of the best interests of the minor victim in the reasons for its decision. Therefore, the Supreme Court, by its order, revoked the judgment of the High Court in Prague in the verdict by which, upon the public prosecutor's appeal, it revoked the judgment of the court of first instance on the sentence and the manner of its execution and by which, pursuant to Article 259(3) of the Criminal Procedure Code, it decided again on the sentence of the convicted person and ordered the High Court in Prague to rehear and decide the case to the extent necessary.

9. PARTNERSHIP

9.1 Partnership within the Czech Republic

This chapter provides examples of cooperation at both the strategic and operational levels.

The cooperation of individual organizations has been affected by the COVID-19 pandemic. In connection with the government measures taken to prevent the spread of the virus, the police carried out no large-scale cooperative inspections in 2020, but smaller inspections were carried out according to specific needs arising from criminal proceedings.

Cooperation continued between the Police of the Czech Republic, the Body for Social and Legal Protection of Children, the Customs Administration of the Czech Republic, Regional Labour Inspectorates, NGOs, local authorities and job centres, financial authorities, trade licensing authorities and other public administration bodies.

In 2020, the **Inter-Departmental Coordination Group for Combating Trafficking in Human Beings (IDCG)** was summoned only once, via online meeting. This meeting traditionally dealt with the current situation in the field, findings from the international environment, such as the outcomes of the Third Report on the Progress Made in the Fight against Trafficking in Human Beings issued by the European Commission or planned projects of the European Crime Prevention Network. The subject of the meeting was also the implementation of the new Strategy to Combat Trafficking in Human Beings in the Czech Republic for the period 2020-2023.

9.2 International Cooperation

In 2020, international cooperation continued to operate in both the state and non-profit sectors.

On 17 December 2020, **the Embassy of the Czech Republic in Manila** (hereinafter referred to as "Manila Embassy") **joined the signatories of the "Manila Declaration to Enhance International Cooperation in Combating Human Trafficking" (Manila Declaration)** as part of the 6th Manila International Dialogue. To date, 19 diplomatic missions in the Philippines and other international and local institutions and organizations have signed the Manila Declaration. The Declaration is legally non-binding and **declares the readiness of the Manila Embassy to support the fight against human trafficking.**

Signing up to the principles of the Declaration has demonstrated the importance that Czech institutions attach to the need to combat trafficking in human beings and **allows for participation in working groups in Manila** dealing with trafficking in human beings and sharing information on the development in the Philippines. The accession of the Czech Republic to the Manila Declaration is important in the context of the Philippine authorities' superior care for its citizens working abroad.

The Czech Republic is involved in structures dealing with trafficking in human beings. In 2020, a representative of MoI participated in a meeting of the informal group of national rapporteurs and equivalent mechanisms on trafficking in human beings, which meets twice a year in Brussels under the auspices of the European Commission (due to the COVID-19 pandemic, the meeting was held online). The representative of the Supreme State Prosecutor's Office participated as the national correspondent for the fight against trafficking in human beings in a virtual conference entitled "Human Trafficking in Times of Corona" (14 and 15 October 2020). The conference was organised by the Austrian Working Group on Trafficking in Human Beings in cooperation with the Vienna Institute for International Dialogue and Cooperation (VIDC) and the IOM on the occasion of the European Anti-Trafficking Day. In 2020, she also became a member of the Focus Group (Eurojust) on the topic of migrant smuggling (with an overlap to the issue of trafficking in human beings) on behalf of the prosecution system. **NCCOC experts have participated in several expert and strategic meetings of the Europol EMPACT project on trafficking in human beings.**

There are also an increasing number of joint investigation teams between the authorities of the Czech Republic and the UK.

The NGOs have worked internationally, particularly with the British organisations Caritas, Bakhita House and the Medaille Trust. However, in addition to the organisations mentioned above, the NGOs were also in close contact with the police and lawyers in the UK who helped them to deal with compensation for some clients. Furthermore, in 2020 there was also cooperation on specific cases and at the lobby level with Ban Ying (Germany), MEN VIA (Austria), ICMPD (Austria) and Lefö (Austria).

10. PRIORITIES

The priorities in 2021 will be based on the tasks of the National Strategy to Combat Trafficking in Human Beings in the Czech Republic for the period 2020-2023, which was approved by Government Resolution No. 502 of 4 May 2020.

TABLES

1. STATISTICAL OUTPUTS OF THE POLICE OF THE CZECH REPUBLIC

1a: CRIME OF TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC IN 2011-2020 (UNDER SECTION 168 OF THE CRIMINAL CODE)											
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Registered acts	24	19	24	18	20	18	22	16	13	20	18
Of which solved	13	11	18	11	14	7	15	11	9	12	11
Solved subsequently	4	6	4	5	5	2	2	5	4	1	2
Prosecuted persons	35	29	22	25	16	12	23	24	15	26	20
Of which men	27	20	15	20	8	6	17	21	11	13	12
Of which women	8	9	7	5	8	6	6	3	4	13	8
Of which foreigners	14	7	3	2	3	4	1	6	2	6	2
Of which Czech nationals	21	22	19	23	13	8	22	18	13	20	18

1b: REGISTERED CRIMES OF TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC ACCORDING TO THE SUBJECT ASSAULTED IN 2020 (UNDER SECTION 168 OF THE CRIMINAL CODE)	
Male	6
Female	12

1c: CRIME OF SOLICITING (UNDER SECTION 204 OF THE FORMER CRIMINAL CODE, SECTION 189 OF THE CRIMINAL CODE)										
Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Registered	44	42	52	57	50	36	60	34	37	19
Solved	32	30	38	49	44	27	52	24	30	17
Prosecuted persons	61	46	44	72	63	35	42	33	27	28

2. STATISTICAL OUTPUTS OF THE MINISTRY OF JUSTICE

2a: NUMBERS OF PERSONS SENTENCED AND PENALTIES IMPOSED FOR TRAFFICKING IN HUMAN BEINGS UNDER SECTION 168 OF THE CRIMINAL CODE AND SECTION 232A OF THE FORMER CRIMINAL CODE)										
Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Convicted persons	19	11	19	6	19	8	9	16	12	8
Unconditional sentences	18	10	17	4	12	6	6	13	11	5
Conditional sentences	1	1	2	1	7	2	3	3	1	3

2b: PERSONS SENTENCED FOR SELECTED CRIMES IN 2020									
Year 2020		Sec 164	Sec 165	Sec 166	Sec 167	Sec 168	Sec 189	Sec 190	Sec 342
Total criminal offences		0	0	0	0	9	48	0	6
Total convicted persons		0	0	0	0	8	47	0	6
Victim	Child	0	0	0	0	4	4	0	0
	Female	0	0	0	0	2	5	0	0
Sentence	Conditional	0	0	0	0	3	41	0	5
	Unconditional	0	0	0	0	5	2	0	0
	Up to 1 year	0	0	0	0	0	0	0	0
	From 1 to 5	0	0	0	0	3	0	0	0
	From 5 to 15	0	0	0	0	2	2	0	0
Deferred cases		0	0	0	0	0	1	0	0
Acquittals		0	0	0	0	1	0	0	0

3. TRAFFICKING IN HUMAN BEINGS UNDER THE AGE OF 18 (MLSA, FCF)

3a: NUMBER OF REGISTERED CASES OF CHILDREN ABUSED FOR THE PRODUCTION OF CHILD PORNOGRAPHY AND FOR CHILD PROSTITUTION 2019-2020								
Age of the child	2019				2020			
	Child pornography		Child prostitution		Child pornography		Child prostitution	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Up to 1 year	0	0	0	0	0	0	0	0
From 1 to 3	0	0	0	0	1	0	0	0
From 3 to 6	0	1	0	0	0	2	0	0
From 6 to 15	30	65	1	3	13	39	1	2
From 15 to 18	4	14	0	4	7	15	0	2
Total	34	80	1	7	21	56	1	4
Of which children with disabilities	0	0	0	0	0	0	0	0
One-time abuse	20	56	1	0	15	39	0	2
Repeated abuse	14	22	0	7	5	16	1	1
Not found	0	2	0	0	1	1	0	1

3b: NUMBER OF IDENTIFIED CASES OF CHILDREN IN THE YEARS 2013 – 2020 (MLSA)		
Year	Child pornography	Child prostitution
2020	77	5
2019	114	8
2018	151	2
2017	119	9
2016	66	23
2015	57	15
2014	87	17
2013	33	17

3c: STATISTICAL DATA ON UNACCOMPANIED FOREIGN MINORS 2020 (FCF)

	FCF	Child Care Facility KLÍČOV	Child Facility VIŠNOVÉ	Child Facility PŠOV	TOTAL
Total unaccompanied minors	69	15	7	2	93
Boys	67	15	7	2	91
Girls	2	0	0	0	2
Up to the age of 15	10	0	0	0	10
Over the age of 15	59	15	7	2	83
Asylum seekers	4	0	0	0	4
Country of origin					
Afghanistan	36	13	0	2	51
Angola	0	1	0	0	1
Bangladesh	3	0	0	0	3
Bulgaria	2	0	0	0	2
Czech Republic	1	0	0	0	1
Egypt	1	0	0	0	1
Guinea	1	0	0	0	1
Iraq	1	0	0	0	1
Libya	3	0	2	0	5
Morocco	1	0	0	0	1
Pakistan	3	0	0	0	3
Somalia	1	0	0	0	1
Syria	4	0	2	0	6
Turkey	0	0	3	0	3
Ukraine	8	1	0	0	9
Venezuela	1	0	0	0	1
Vietnam	3	0	0	0	3
Termination of stay					
Escape	42	6	6	0	54
To family care	7	0	0	0	7
Other facilities	0	0	0	2	2
RFA Mol	5	0	0	0	5
Still in facility	9	6	1	2	18
Majority	7	0	0	0	7
Average duration of stay	57 days				

4. STATISTICAL OUTPUTS OF THE MOI

4a: STATISTICS OF THE PROGRAM FOR THE SUPPORT AND PROTECTION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS FOR MOI						
	Total	Males	Females	Sexual exploitation	Labour exploitation	Other forms
Number of victims	13	6	7			
Sexual exploitation	2*	1*	1			
Labour exploitation	12*	6*	6			
Nationality						
Czech Republic	4	4		1*	4*	
Ukraine	4	2	2		4	
Mongolia	1		1		1	
Philippines	1		1		1	
Honduras	1		1	1		
Bulgaria	2		2		2	

*1 man registered by the police under Section 168, paragraph 2, letters a) and e)

5. STATISTICAL OUTPUTS IN RELATION TO ILLEGAL EMPLOYMENT (MLSA)

5a: NUMBER OF INSPECTIONS CARRIED OUT IN THE AREA OF COMPLIANCE WITH THE EMPLOYMENT ACT AND NUMBER OF DETECTED ILLEGALLY EMPLOYED PERSONS					
Year	Number of inspections	Number of persons detected during illegal work			
		Czech nationals	EU nationals	Foreigners	Total
2016	9 308	760	193	1 337	2 290
2017	9 707	767	234	1 917	2 918
2018	8 840	763	225	3 595	4 583
2019	9 457	622	207	3 513	4 342

6. MLSA SUBSIDIES PROVIDED TO NGOs

6a: MLSA SUBSIDIES PROVIDED IN 2020 TO NGOs PROVIDING SERVICES MAINLY TO THE TARGET GROUP “VICTIMS OF TRAFFICKING IN HUMAN BEINGS“	
Diaconia ECCB – Centre for National Programs and Services	2 933 539
Asylum houses	2 933 539
Diaconia ECCB – West Bohemia Centre	2 220 581
Field programs	2 220 581
La Strada Czech Republic	10 399 289
Asylum houses	2 525 651
Crisis intervention	2 569 487
Expert social counselling	2 223 580
Telephone crisis intervention	1 511 620
Field programs	1 568 951
Total sum	15 553 409

6b: NUMBER OF SOCIAL SERVICES THAT HAVE A REGISTERED TARGET GROUP OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS AND FURTHER PROVIDE SERVICES ALSO FOR PERSONS UNDER THE AGE OF 18 (2020)⁴		
TYPE OF SOCIAL SERVICES	NUMBER OF SERVICES	OF WHICH NUMBER OF SERVICES ALSO FOCUSED ON PERSONS UNDER 18
Asylum houses	13	10
Crisis intervention	3	2
Low threshold facilities for children and youth	0	0
Expert social counselling	33	4
Social activation services for families with children	0	0
Social rehabilitation	2	2
Telephone crisis intervention	8	8
Field programs	7	4
Total sum	66	30

⁴ The Ministry of Labour and Social Affairs maintains a register of social service providers. From it, it is possible to find out the number of social services as of the current date, but not an overview of all the services provided over a certain period. Information on the numbers as of 24 June 2021 is therefore provided.

LIST OF ABBREVIATIONS

ASLPC	Authority for Social and Legal Protection of Children
BCPIS	Bureau of the Criminal Police and Investigation Service of the Police of the Czech Republic
CEPOL	The European Union Agency for Law Enforcement Training
COVID-19	Corona Virus Disease 2019
CR	Czech Republic
CSIF	Centre for Support of Integration of Foreigners
Diaconia ECCB	Diaconia of the Evangelical Church of Czech Brethren
EMPACT	European Multidisciplinary Platform against Criminal Threats
EU	European Union
EUROJUST	The European Union's Judicial Cooperation Unit
FCF	Facility for Children of Foreign Nationals – foreigners
IDBCIE	Inter-Departmental Body for Combating Illegal Employment
IDBCIEF	Inter-Departmental Body for Combating Illegal Employment of Foreigners
IDCG	Inter-Departmental Coordination Group for Combating Trafficking in Human Beings
ILEA	International Law Enforcement Academy
IOM	International Organisation for Migration
LI	Labour inspectorates
Manila Embassy	Embassy of the Czech Republic in Manila
MEPA	Mitteleuropäische Polizeiakademie – Central European Police Academy
MLSA	Ministry of Labour and Social Affairs of the Czech Republic
Moi	Ministry of the Interior of the Czech Republic
MoJ	Ministry of Justice of the Czech Republic

NGO, NGOs	Non-government organisations
NCCOC	National Centre for Combating Organized Crime
PCR	Police of the Czech Republic
Program	Program for the Support and Protection of Victims of Trafficking in Human Beings of the Ministry of the Interior
Report	Status Report on Trafficking in Human Beings in the Czech Republic
RFA Mol	Refugee Facilities Administration of the Ministry of the Interior of the Czech Republic
RLI	Regional Labour Inspectorate
R-R	ROZKOŠ bez RIZIKA, o. s. (Pleasure Without Risk)
SLIO	State Labour Inspection Office
SLPC	Social and legal protection of children
Status Report	Status Report on Trafficking in Human Beings in the Czech Republic (in 2020)
UK	United Kingdom
VIDC	Vienna Institute for International Dialogue and Cooperation

LEGISLATION

Aliens Act	Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Czech Republic and on the amendment of certain laws, as amended
Old Criminal Code	Act No. 140/1961 Coll., Criminal Code, as amended
Criminal Code	Act No. 40/2009 Coll., Criminal Code, as amended
Criminal Procedure Code	Act No. 141/1961 Coll., on Criminal Procedure (Criminal Procedure Code), as amended
Social Services Act	Act No. 108/2006 Coll., on Social Services, as amended
Employment Act	Act No. 435/2004 Coll., on Employment, as amended
Labour Code	Act No. 262/2006 Coll., Labour Code, as amended
SLPC Act	Act No.359/1999 Coll., on the Social and Legal Protection of Children, as amended

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Ministry of the Interior of the Czech Republic

Crime Prevention Department

Nad Štolou 3, 170 34 Prague 7

Prague 2021