



MINISTERSTVO VNITRA
ČESKÉ REPUBLIKY

2014 STATUS REPORT ON TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC

Security Policy and Crime Prevention Department

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INTRODUCTION

Based on the Czech Government Resolution No. 67 of 23 January 2007 in relation to the National Strategy to Combat Trafficking in Human Beings (2008-2011), Ministry of the Interior of the Czech Republic issues eight consecutive Status Report on Trafficking in Human Beings in the Czech Republic (hereinafter referred to as "Status Report").

The objective of the Report is to provide detailed information on the situation in the area of trafficking in human beings in the Czech Republic from 1 January to 31 December 2014, albeit attention is also paid to describing the situation abroad if there are links between a foreign country and the Czech Republic. Most attention will be paid, as is customary, to trafficking in human beings (hereinafter referred to as "THB"), particularly within the meaning of the definition provided for in Section 168 (2) of Act No. 40/2009 Coll., the Criminal Code, as amended (hereinafter referred to as the "Criminal Code") – trafficking in persons older than 18 years of age - and Section 168 (1) of the Criminal Code - trafficking in persons under 18 years of age. The Report, as in previous years, also pays attention to phenomena closely related to THB.

Furthermore, the Status report intends to evaluate how the priorities related to the area of combating THB for the year 2014 have been met, as well as to lay down new priorities and tasks for the year 2015 - in compliance with the updated strategic document known as the National Strategy to Combat Trafficking in Human Beings (2012-2015) adopted by the Czech Government Resolution No. 282 of 18 April 2012 (hereinafter referred to as the "National Strategy").

The Status Report is a document of an informative nature produced by the Ministry of the Interior of the Czech Republic (hereinafter referred to as "Moi") that is the national coordination body for combatting THB. The Ministry of Interior was provided with the supporting documents, data and information for drawing up the Report, especially by members of the Inter-Ministerial Coordination Group for Combating Trafficking in Human Beings (hereinafter referred to as the "IMCG") along with partners from abroad. We would like to express our gratitude to all of the above mentioned.

Note:

The term "a foreign national" is understood in the text of the Report as either a male or female foreigner, unless the concrete case indicates otherwise. The same applies to the use of terms such as migrant, employee, citizen/national, worker and other and of course the same applies to members of different nationalities (for example Vietnamese means both male and female Vietnamese). Moreover, the text strictly distinguishes males and females if the same was done by permanent members of the IMCG in their supportive documents for drawing up this Report.

1. SITUATION DESCRIPTION

- The Czech Republic can be considered mainly a **target** and **transit** country; however, at the same time it can be deemed as a **source** country as well. As far as the countries of origin of victims identified in the Czech Republic are concerned, the following countries have been identified as source countries in 2014: Moldova, Ukraine, Nigeria, Slovakia, Bulgaria and Romania and from new EU countries Croatia was registered. In the year 2014 the Czech Republic was a source country for the United Kingdom, Denmark, the Netherlands, and Slovenia. However, the fact that Czech nationals are trafficked also within the country cannot be overlooked.
- In total, **67 victims** of the crime of THB were identified. Most victims were registered in Hradec Králové and Plzeň regions. In total **43 alleged victims** from Romania, Bulgaria, Slovakia and the Czech Republic entered the Programme on Support and Protection of Victims of Trafficking in Human Beings (hereinafter referred to as the “Programme”). All of the cases concerned THB for the purpose of forced labour/ labour exploitation.
- THB for the purposes of sexual¹ exploitation and labour² exploitation have remained the most prevalent **forms of THB**. Other forms of THB³ have not been recorded in statistical records. However, alleged cases of THB where children were forced to commit a crime of theft and where children were forced to beg have been recorded by the Facility for Children of Foreign Nationals.
- THB ranks among the most prevalent forms of organised crime committed in the Czech Republic. This type of crime typically displays a high level of latency. The trend of **departure from physical violence**, which used to serve as a means of achieving the demands of offenders or as a means of ensuring obedience of victims, was repeatedly confirmed by the evaluation of cases detected in 2014. In order to achieve their aims, the offenders predominantly used ruse, dependency of victims, or they misled victims.
- **Offenders** of the crime of THB in 2014 were registered primarily in Ústí nad Labem,

¹ Under the term “trafficking in human beings for the purpose of sexual exploitation” we understand a criminal offence of THB pursuant to Sec. 168 (1) (a) or (2) (a) of Act No. 40/2009 Coll., the Criminal Code, as amended where a trafficked person is forced into sexual intercourse or other forms of sexual abuse or harassment or the person is used for the production of pornography” including qualified elements of crimes. However, the term does not include conduct under previous legal regulations such as Sec. 232a (1) (a) or (2) (a) of Act No. 140/1961 Coll., the Criminal Code, as amended (hereinafter referred to as the “old Criminal Code”), pursuant to Sec. 246 – trafficking in women – which defined the purpose of trafficking only for forced sexual intercourse with other persons and was effective until 2004. This term is used in the text only for simplification purposes.

² Under the term “trafficking in human beings for the purposes of labour exploitation” we understand a criminal offence of THB under Sec. 168 (1) (e) or (2) (e) of the Criminal Code or Sec. 232a (1) (c) or (2) (c) of the old Criminal Code where a trafficked person is used for “forced labour or other forms of exploitation” or for “slavery or servitude” (pursuant to Sec. 168 (1) (d) or (2) (d) of the Criminal Code including corresponding definition of the old Criminal Code.).

³ “Other forms of exploitation” mean the forms of exploitation referred to in Sec. 168 of the Criminal Code (1) or 2 (b) “removal of tissue, cells or an organ from a human body”, (c) service in armed forces and (d) slavery or servitude or the definition of Sec. 232a of the old Criminal Code (1) or 2 (b) concerning slavery and servitude can apply.

Zlín and Hradec Králové regions. **The share of foreign nationals** committing such crimes has not changed in 2014. Most often they were of Slovak or Ukrainian origin. As regards the cases where offenders were foreign nationals - they were predominantly foreigners living in the Czech Republic that committed the crimes together with Czech nationals. Such foreigners typically make use of close links to their countries of origin, from which they are supported. They also use the knowledge of the given language, the cultural environment, traditions, and customs-based values in the source countries. It can be stated that the country of origin of offenders corresponds with countries of origin of the victims.

- **Amendment of Criminal Code** came into force in 2014. As far as Sec. 168 of the Criminal Code is concerned, the proposed amendment changes the Criminal Code in two respects: it changed the perception of the crime of THB (for the purposes of labour exploitation) and extended the list of prohibited acts. Thus it has further enhanced conformity with international and EU documents on THB and the obligation to prove the so called three sided relation in the cases of THB ceased to exist as the word "other" was deleted from Sub-Sec. 1 and 2. For more information on the impacts of this amendment see the section *Changes in legislation*.
- Updated issue of **EUROSTAT report** was published in 2014 covering the issue of THB in the EU member states in the years of 2010 - 2012. In this period 30 146 alleged victims of the crime of THB were identified in the EU. 8551 offenders were prosecuted and there were 3786 convictions. The report also states that women remain the most numerous group of victims (80%). The percentage of trafficked children approached the level of 16% (with girls being more often victims of THB than boys). As far as forms of exploitation are concerned, sexual exploitation prevails (69%) over labour exploitation (19%). Other forms of exploitation were also indicated occurring in 14% of recorded cases.

2. TRENDS IN TRAFFICKING IN HUMAN BEINGS

- Low socio-economic status and high unemployment levels were **the main causes** for committing the crime of THB in the detected cases. People who decide to leave their families often do so with a view of making money that they could later send back home. Lack of knowledge of local language may result in signing a contract they do not understand or employment under no contract at all. Consequently, they are provided with inadequate housing, where they do not receive pay as previously agreed, they often work 16 hours a day or more, and end up in such a state of mind that they do not leave their „employer“ even if their free movement is not physically limited. It is also often that they are made to pay fictional and growing debts.
- **The most prevalent forms** of THB in the Czech Republic, and the only identified, are THB for the purpose of sexual and - from statistical point of view less frequent - labour exploitation. Regardless the statistical disproportion, drawn from the data provided by Inter-ministerial coordination group, partners abroad and Czech embassies and consulates, we can state that the issue of THB for the purpose of labour exploitation is equivalently relevant.

- **Modus operandi** of the offenders of THB for the purpose of sexual exploitation remained without significant changes compared to the previous year. Alongside subtle forms of coercion the offenders used threatening and physical assault as a means to coerce the victim. Moreover, the victims were forced by the offenders to take drugs in order to ensure their obedience as a means of coercion. It can be also stated that this kind of criminality often involves persons from socially excluded areas, this being true both for the offenders and the victims.
- From the perspective of long-time supply and demand, regional incidence of **sexual exploitation** is very similar to incidence of voluntary prostitution. From the point of view of THB for the purpose of sexual exploitation, the most important regions are those bordering Germany and Austria, as well as the capital city of Prague. In the bordering areas of South Bohemian region, where street prostitution used to be prevalent, predominantly the area of Dolní Dvořiště, Kaplice, České Velenice, Strážný, there is a significant year-on-year decrease in the number of women engaged in street prostitution. However, it still poses the highest security, health and social risk. From the criminal perspective, those were predominantly actions of organised criminal groups from socially excluded areas, that were at the same time involved in trafficking in narcotic drugs and psychotropic substances that in number of cases were used as a means to induce state dependence on the offenders.
- As far as the way in which the THB for the purpose of **forced labour** or other forms of labour exploitation was committed, the model typical for the previous years persisted. Under the pretext of work that will reap good earnings, people were lured to work in the Czech Republic through organised groups that pretended to be work agencies or legal entities with a permit to work as job brokers issued by the Ministry of Labour and Social Affairs (hereinafter referred to as the "MLSA") and that pretended to arrange jobs for foreign nationals in the Czech Republic. People were offered assistance with arranging all the requirements for legal entry into and residence in the Czech Republic. Moreover, they were also offered transport. Investigations confirmed that after arrival into the Czech Republic they were forced to carry out second-rate work, mostly very hard work, for minimal or no pay. Their total dependency on employers or work agencies was created through lack of pay (known as "debt bondage"), fear that they would lose their jobs, making use of the absolutely disadvantageous position of the workers, consisting of the language barrier, bad orientation in the new environment, and insufficient finances. The people suspected of committing the above mentioned criminal offences sometimes used unclear legal regulations concerning the employment of foreign nationals and insufficient checks carried out by the responsible offices (the MLSA, the Ministry of Finance of the Czech Republic, hereinafter referred to as the "MF").
- According to the data registered in the Czech Republic and in the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "UK") by the National Crime Agency (hereinafter "NCA")⁴ there has been an increase in the number of **Czech citizens trafficked to the UK**, this being predominantly the case of trafficking for forced labour/labour exploitation. Victims of THB frequently came from socially

⁴ The National Crime Agency leads UK law enforcement's fight to cut serious and organised crime. It has national and international reach and the mandate and powers to work in partnership with other law enforcement organisations to bring the full weight of the law to bear on serious and organised criminals. For more see: <http://www.nationalcrimeagency.gov.uk/>.

excluded areas and the offenders made use of their lack of knowledge, local language and environment. There were cases of recruited homeless people and other socially disadvantaged individuals for work in the UK, however it was common that in the actions of the suspects there were not found the indicators of the facts of the case of THB, especially the criminal acts like the use of violence, threats of violence or of other serious harm, deceit or abusing a fallacy, distress or dependency, as the potential victims did not seek the information on the conditions of work or accommodation in the country of destination neither from the suspects nor anywhere else and their local living conditions in the Czech Republic were very bad in long-term, therefore they did not address any instantly arisen distress. It is a continuing trend that social benefits are abused and credit frauds are committed in the United Kingdom. It has been confirmed that perpetrators of this type of criminal activity were mainly citizens of the Czech Republic and Slovakia also coming from socially excluded areas.

- Embassy of Czech Republic in **the United Kingdom** is further reporting that victims were personally approached and recruited in the Czech Republic, standing in front of charity houses, lodging-houses, gambling clubs, etc. Consequently, the recruited persons were transported (either by car, bus or plane) to the United Kingdom where they were accommodated with the organizers of THB, or in apartments rented by them. In number of cases they worked illegally, i.e. without being properly registered for health and social insurance or for paying taxes. The victims received only a fraction of their pay, leaving the rest to the organizers. In the end the victims left them due to the unacceptable working conditions or when the employers wanted to get rid of them after their contracts terminated.
- From the **regional perspective** of THB cases, respectively the perspective of Regional Directorates of the Police of the Czech Republic (hereinafter referred to as "RDP"), THB is a crime that is not distributed in same intensity throughout the different regions of the Czech Republic; this being the same for the number of identified offenders, from the long-term point of view, the most dominant regions being Ústí nad Labem and South Bohemian regions.
- Most victims were identified by the Police in Královehradecký region, 7 in region of Liberec and Plzeň, 6 in Central Bohemian Region, 3 in region of Zlín, 2 were identified in Praha and Ústí na labem regions and 1 in Moravskoslezský, Olomoucký and Vysočina region.
- Statistics issued by EUROSTAT as well as registered cases in the Czech Republic show an increasing trend of **EU citizens** being victims of THB, while at the same time a decrease in victims from the so called third countries is observed.
- Based on the Annual Reports of the Public Prosecutor's Office from the years of 2009 to 2013, it can be concluded that the crime of **THB remains one of the priorities of the law enforcement agencies**. However, it is difficult to prove the victims' awareness about the future living conditions at their place of destination. Perhaps more than in other types of criminality we can speak of persisting lack of evidence, either at the beginning of the criminal proceedings or at the very end of it. The Annual Report on the activities of the Public Prosecutor's Office further states that the

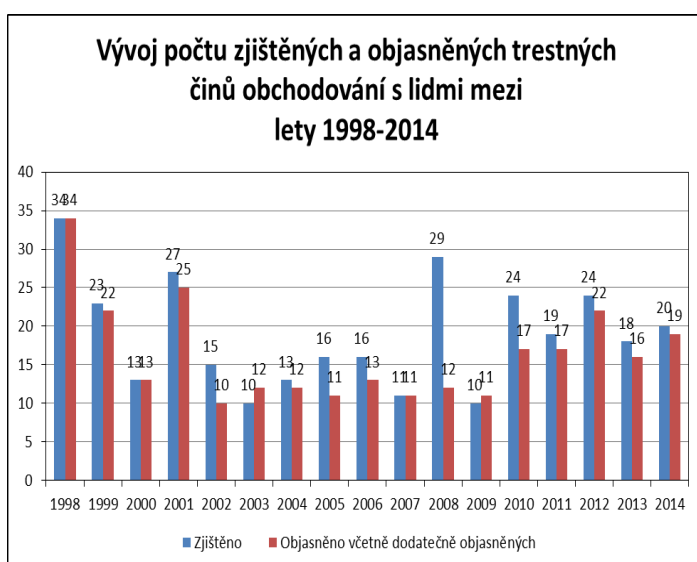
number of persons prosecuted for the crime of THB remains very low. The roots of this lie in the fact that a large proportion of crime remains latent, there are persistent problems in proving this form of criminality and it is hard to find enough credible witnesses as well as other necessary evidence.

- According to data of Ministry of Justice it is evident that the ratio of unconditionally sentenced to conditionally sentenced is changing - the courts more frequently decide to give **unconditional sentences of imprisonment**.

3. CRIMINAL STATISTICS

3.1 Number of detected crimes

Figure: Development in the numbers of detected (blue) and resolved (red) crimes of THB between 1998 and 2014.



The number of both **detected⁵** and **resolved criminal offences** of THB has oscillated around tens of cases every year. It is clear that while in 2000 this type of criminality was lower, since 2010 the number of detected as well as resolved criminal offences of THB has increased.

This growth can be partially ascribed to the new Criminal Code, which came into effect in 2010. Another factor which could affect the increase is the deterioration in socioeconomic and security situation in the countries of origin.

20 cases of the crime of THB were recorded in the Czech Republic in 2014, out of which 14 were resolved and 5 were resolved additionally. The police authorities have thus resolved 19 cases of THB.

The data on who initiated the criminal proceedings seem to be interesting as, besides police units, criminal proceedings were in 5 cases **initiated by citizens** (as compared to 4 in 2013).

3.2. Perpetrators in criminal proceedings

In total **16 persons were investigated** in 2014, of whom there were 8 women and 8 men (among them 3 foreign nationals). There were 6 repeat offenders among the investigated persons. The majority of the offenders were older than 30 years of age (8 persons), 3 persons were in the category of 15 – 18 years of age and 4 persons were in the category of 18 – 30 years of age. *For development of the number of persons investigated, see the Section of tables and graphs.*

⁵ The term “detected criminal offences” is taken from criminal statistical records: it means that facts indicating that a criminal offence was committed were ascertained, criminal law classification was specified and criminal proceedings were commenced.

According to **Supreme Prosecutor's Office 32 crimes of THB were detected, 25 persons were prosecuted and 25 persons were charged** in 2014. *For development of the number of persons charged see the Section of tables and graphs.*

Based on the data from **Ministry of Justice, 6 persons were sentenced to prison for THB**, all of them for the form of sexual exploitation. The convicted perpetrators were all Czech nationals in 2014. As regards gender of the convicts, 5 were male and 1 female. *For development of the number of persons convicted, see the Section of tables and graphs.* If we compare this figure with those of previous years, we can see the increase in the number of sentenced persons from 2006-2009, which was also confirmed by more considerable fluctuation in the year 2011, as well as in 2013, which displayed a real growth. Nevertheless, in 2014 there was a substantial decrease in the number of convicted persons.

3.2.1 Czech perpetrators abroad

The sources of information about any of the cases of Czech victims and offenders involved in THB abroad cannot be considered to be comprehensive. The information provided on the following pages represents only a selection from the data provided by the Ministry of Foreign Affairs (hereinafter referred to as the "MFA"), from Czech embassies and consulates, from the Czech Police, the Mol or from information obtained from foreign law enforcement agencies, partners within bilateral cooperation or gathered at regular meetings of national rapporteurs and equivalent mechanisms or during any other relevant meetings. It is necessary to mention that the information obtained is of a different nature, including cases which in the end did not have to be resolved by the relevant law enforcement authorities as cases of THB.

The embassies and consulates of the Czech Republic usually encounter cases of THB in the course of performing of their activities and functions. In some cases embassies and/or consulates assist a Czech national who is in distress (at his/her request). The cases uncovered are usually resolved directly by means of international police cooperation. If embassies are informed by the relevant public administration bodies of the destination country about cases demonstrating signs of THB, such information is expeditiously provided to the relevant authorities of the Czech Republic, including the Mol.

The United Kingdom, respectively NCA, does not collect information on the number of Czech citizens that were involved in criminal activities of THB. In 2014 Czech embassy in London registered 10 Czech citizens that were detained on charges of human trafficking. 8 of them were detained in the city of Plymouth, in a case that was reported also by Czech media. In all the cases Czech embassy in London registered, victims indicated that the perpetrators were originally from socially excluded areas in the Czech Republic and have been living in the UK for a long time. Typically family gangs were involved, whose members lived both in the UK and in the Czech Republic.

One case of a Czech citizen was registered in **Spain**. It was a case of a woman of 37 years of age, who was detained for alleged crime of human trafficking for the purpose of sexual exploitation.

3.3 Forms of trafficking in human beings

3.3.1 Sexual exploitation

All 16 persons investigated in 2014 were investigated for THB for the purpose of sexual exploitation. Furthermore, 15 persons were investigated for THB with victims under 18 years of age. All convicted cases in 2014 were also cases of THB for the purpose of sexual exploitation.

Regional Police Directorate in Liberec launched investigation of a case of THB in 2013 that ended in 2014. The case concerned allegation that a juvenile girl offered her classmates from secondary vocational school of furniture industry the possibility of financial gain through sexual intercourse with strangers, whom she subsequently contacted and facilitated them those girls. Afterwards, the girl collected half of the amount made by her classmates for sexual services. During the investigation, two juvenile victims were identified. The girl who facilitated the sexual services of juvenile classmates was charged for THB according to Section 168(1)(a), and Section 168(3)(d) of the Criminal Code. The indictment was filed by the regional prosecutor on 04/05/2014 for the above mentioned offense. The outcome of legal proceedings, it is not currently known.

3.3.2 Labour exploitation

There was no identified case of THB in the form of labour exploitation in 2014.

Inspections and Further Activities Carried out by the Ministry of Labour and Social Affairs

Labour exploitation may be closely linked to poor working conditions in general or to illegal employment. Consequently it is crucial to monitor the situation through labour inspections, given that labour inspectors from their position of first line professionals may indicate cases of THB, among other sources this implies from 2011/36/EU Directive.

From 1 January 2012 it is the **State Labour Inspection Office** (hereinafter referred to as "SLIO") instead of the Labour Office of the Czech Republic that is responsible for inspections in compliance with Act No. 435/2004 Coll. on Employment, as amended (hereinafter referred to as the "Act on Employment"). In addition to their powers in the area of inspections focusing on how the legal provisions of the Labour Code and other legal provisions regulating labour and remuneration conditions and how legal provisions pertaining to the area of occupational health and safety are respected, since 2012 the SLIO has performed inspections of the area which regulates conditions for work carried out by foreign nationals in the Czech Republic.

Similarly as in 2012, 2013 the SLIO inspections in 2014 concentrated on uncovering and combating illegal work within a project entitled "**The Effective System Development of Employment, Performance of Comprehensive Inspections and Combating Illegal Employment in the Czech Republic**". This project is co-financed from the European Social Fund within the "Human Resources and Employment" Operational Programme. After two years of intensive blanket control activities (more than 35,000 inspections in 2012 and 2013) it now aims - in accordance with the specifications of the project - on targeted, efficient and effective inspection activities; emphasis is put on the selection of subjects for the monitoring before the controls.

As a part of the major task "**control of illegal employment of Czech nationals and foreigners**" three extraordinary nationwide inspections were carried out, aiming at employers at scrapyards, employers operating in large halls and those having a big amount of employees and at Christmas markets. Furthermore, each regional labour inspectorate realised at least one regional extra control action once in every three months.

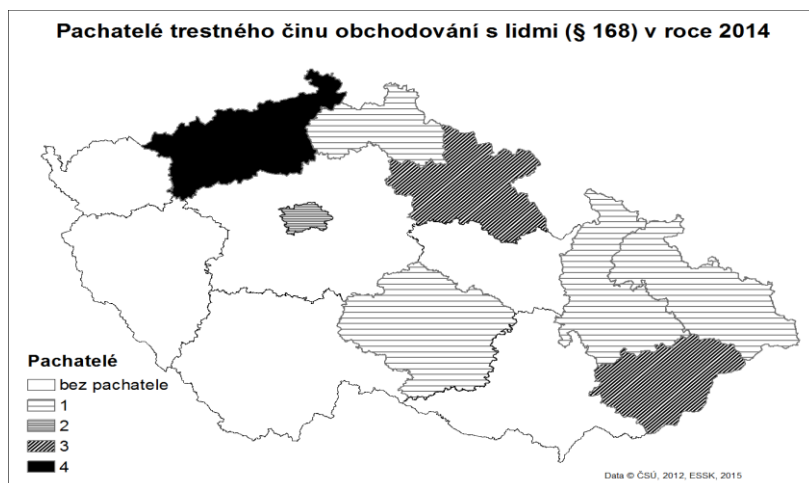
The controls were carried out in a **multidisciplinary cooperation** - the Immigration Police Service (hereinafter referred to as the "IPS"), the Police of the Czech Republic, Labour office and the Czech Social Security Administration, or in chosen cases also with other authorities such as Trade Licensing Offices and the Tax Authorities.

In 2014, SLIO carried out **15,081 inspections in total that concerned compliance with the provisions of the act on employment aimed at illegal employment**. Inspections concerning illegal employment detected illegal employment in 636 cases and in case of 1.847 illegally employed persons. 558 of the detected persons were citizens of third countries, 1.116 detected persons were Czech citizens.

The number of **third country nationals** detected to be illegally employed decreased compared to the number in 2013, this being the truth in case of all nationalities. Most often these were nationals of Ukraine (305 persons) and Vietnam (95 persons), foreigners from third countries in 2014 worked illegally mostly in the hospitality industry and catering sector (106 persons) and Specialised construction activities (59 persons).

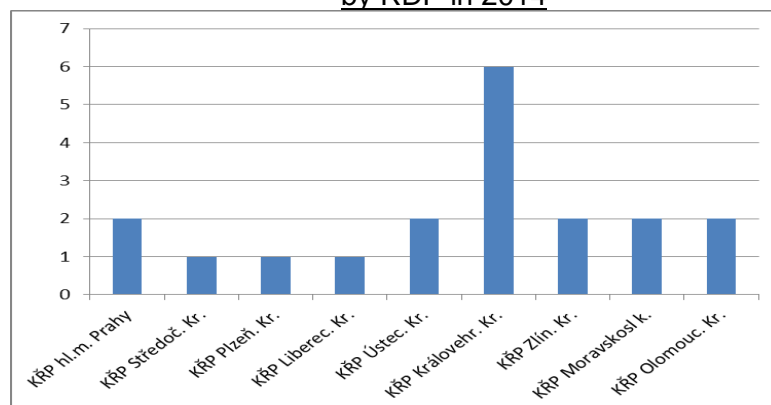
In 2014, SLIO **imposed 178 fines** for allowing illegal work in connection with the illegal employment of foreigners from third countries amounting to **60,221,000 CZK**.

3.4 The regional aspect of trafficking in human beings



Perpetrators of THB in 2014 (white = no perpetrator)

The number of investigated cases of human trafficking by RDP in 2014



3.5 Victims of Trafficking in human beings

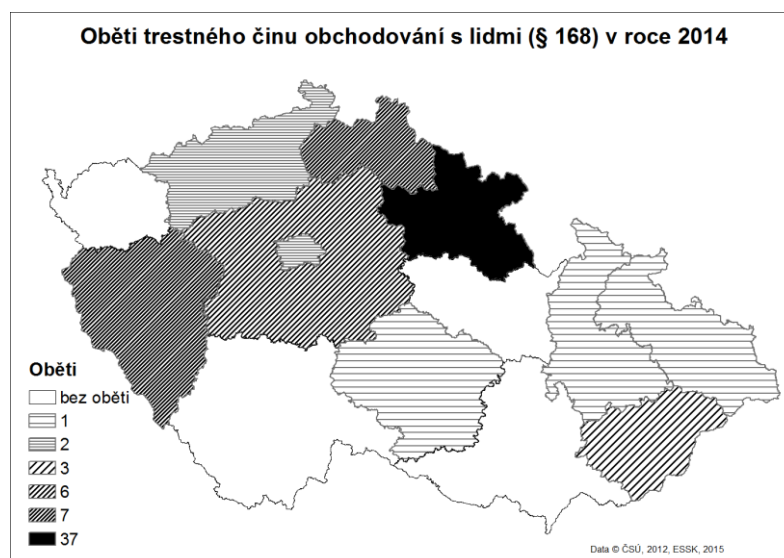
- **The Czech Republic as a target country**

3.5.1 Victims identified in criminal proceedings

The information on victims of criminal activities published in this sub-chapter is collected predominantly in the Police Statistical Crime Recording System. It has to be noted that the word “victim” in this context does not mean the injured party as stipulated by criminal law but refers to a category created for the purposes of police statistical records⁶.

In 2014, **67 victims** of THB were recorded in the police statistics, out of which **12 were identified alone** and **55 in groups**. 3 victims were identified as victims of forced labour/labour exploitation and the rest of the cases represented the form of sexual exploitation.

For **regional aspect** of identified victims of THB see the table below. The biggest number of victims was identified in Hradec Králové region, 7 in Liberec region and Plzeň region, 6 victims in Středočeský region, 3 in Zlín region, 2 in Prague and Ústí nad Labem region and 1 victim was identified in Moravskoslezský, Olomouc and Vysočina regions.



3.5.2 Probable victims of THB

In the framework of **Programme on Support and Protection of Victims of Trafficking in Human Beings** of Mol that is designed for probable adult victims of THB, i.e. EU citizens trafficked within the Czech Republic, for third country nationals trafficked within the Czech Republic and for Czech citizens trafficked within the Czech Republic or abroad, emergency assistance was provided by a specialised NGO⁷ for 5 groups of victims that in total amounted to 43 victims. The largest group consisted of 14 victims.

In total **43 victims entered the Programme in 2014**. 39 victims were from Romania, 2 victims from Bulgaria, 1 victim from Slovakia and 1 from the Czech Republic.

⁶ The term victim embodies victims of violent and immoral offences and selected cases of property related crimes (e.g. pickpockets).

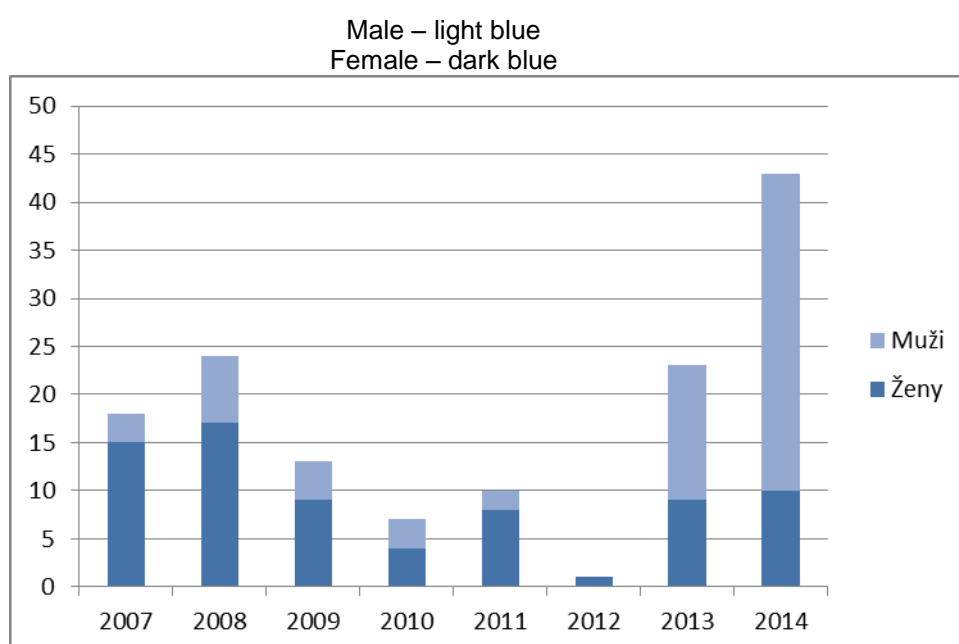
⁷ The specialised NGOs are part of National referral mechanism and cooperate with the Mol in long term. We do not mention their names due to security reasons.

Since 2003 a total of 186 probable victims of THB entered the Programme. For a complete table of identified nationalities and their numbers see the *Section of tables and graphs*.

The statistics of the Programme show that the most prevalent forms of THB in the Czech Republic are THB for sexual exploitation and THB for forced labour/labour exploitation. Other forms of exploitation were not reported.

In 2014, all the victims in the Programme agreed to **forward information to investigate their cases** to the relevant department of the Czech Police. The victims were provided especially with the subsequent services within the Programme like accommodation, psychosocial services, legal assistance and the Programme of voluntary returns. Taken from **gender** perspective, the majority of victims were men in the category of 24 – 40 years of age. The majority of them came to the Czech Republic seeking seasonal work in agriculture.

Victims of THB in the Programme - sorted out by gender 2007 – 2014



In total, 30 voluntary returns were carried out through the Programme of voluntary returns (which is an integral part of the Programme) in 2014 (28 back to the countries of origin and 2 for Czech citizens back to the Czech Republic). In total, **93 voluntary returns** were realised (out of this 21 back to the Czech Republic) since the beginning of the existence of the programme of voluntary returns.

In 2014 one application for permanent residence was submitted to the MoI from a victim in the Programme. The application was accepted and the victim received a decision issuing a permanent residence permit.

Organisation **La Strada** provided outpatient and residential care to **115 clients in 2014**. Out of this number, 76 persons used the complex of social services. Contact social counselling was provided to 39 clients that encountered predominantly labour exploitation or got into a situation close to trafficking. Compared to the year 2013 there is an increase in the number of clients by app. 29 %. (89 persons cooperated with the organisation in 2013).

Diaconia of the Evangelical Church of Czech Brethren started to provide residential care also to couples and single women - **57 persons** used this service in 2014 – 11 women and 46 men (average age of 34,6 years). The most of them were Romanians (39)

and Bulgarians (10), 2 persons came from Moldova, 1 from Armenia, Mongolia and Slovakia. 3 persons were Czech citizens. 2 Czech men were further identified as victims of THB in the UK. From the total number of 57, 51 cases concerned exploitative unpaid work in the Czech Republic, 2 persons were trafficked to the UK for this purpose and 4 persons were registered as endangered by trafficking – they came to the CR on the basis of oral agreement on job mediation but after their arrival to the CR no one contacted them, so they stayed in the CR without any money and immediately after their arrival they asked for the services of the organisation. *For statistics on long term development see the Section of tables and graphs.*

Caritas of the Archdiocese of Prague, Magdala project, reports one potential victim of THB. It was a case of 1 male Czech citizen who was trafficked for labour exploitation and was later referred to the services of Diaconia.

- **Czech Republic as the country of origin**

As regards the countries of origin of the victims identified in the Czech Republic - United Kingdom, Germany, Netherlands and Slovenia were reported.

Labour exploitation

As far as target countries for Czech citizens are concerned there has been an increase in numbers of trafficked victims to **the United Kingdom**. According to information provided by a newly established institution for combatting serious and organised crime National Crime Agency (hereinafter referred to as “NCA”), the Czech Republic primarily plays the role of a source country. In 2014, NCA registered 42 persons (23 persons in 2013) from the Czech Republic that were reported into the services of British National Referral Mechanism (NRM)⁸. Compared to the previous year, there has been a 31% increase in the number of Czech victims.

There is a continuing trend of recruiting homeless people and other socially excluded persons for jobs in the United Kingdom. According to data provided by NCA, 31 persons were victims to labour exploitation, some of them in household. The most prevalent group is 21 – 30 years old men. For more information see the *Section of tables and graphs*. Although the official numbers of Czech victims are not really high, again, it is highly possible that the real numbers are many times higher this being confirmed by both the NCA and Czech Organised Crime Unit. The British police may not be aware of every case of THB, not every case of THB is detected.

Sexual exploitation

8 cases reported by **British** NCA concerned sexual exploitation of Czech women, out of which 1 case involved a child - less than 18 years of age. The most represented group was 30-40 years old women. The employees of Embassy of the Czech Republic in London encountered cases of 38 persons that they perceived as victims of THB. In 2 cases it concerned sham marriages with subsequent sexual exploitation.

In **Slovenia**, according to data provided by Chief Police Directorate of Slovenia to the Embassy of the Czech Republic in Ljubljana, Slovenian authorities reported a case of 4 Czech women that were forced to prostitution in 2014. According to Slovenian police the age

^{8 8} NRM is a procedure in which it is evaluated whether the person concerned has truly become a victim of THB in UK. In the case the victim is recognised, they are entitled to a reflection period of 45 days, during which the person is provided with accommodation and necessary health and psychological assistance. Subsequent steps depend primarily on the decision of the victim. They may include a return to the country of origin, or cooperation with law enforcement agencies.

of the victims was 21, 22, 26 and 32 years. Neither of the victims, nor the authorities contacted the Embassy for help or assistance.

According to Embassy of the Czech Republic in Haag and NGO Comensha (Coordinatiecentrum Mensenhandel – Coordination centre for THB) 4 women were identified being Czech citizens in **the Netherlands**. It concerned adult women engaged in prostitution.

3.6 Trafficking in persons and social services

The system of social services is regulated in the Czech Republic by Act No. 108/2006 Coll. on Social Services, as amended (hereinafter referred to as the 'Social Services Act'). This Act regulates the conditions for the provision of assistance and support to natural persons in adverse social situations by means of social services and the conditions for contributions for care, for the issuing of licences to provide social services, the execution of state administration in the area of social services, inspection of how social services are provided, the form and method of funding, prerequisites for performing social services⁹ and so forth.

In accordance with the Social Services Act it is possible to provide services only after the particular organisation intending to provide social services has been registered by the relevant Regional Court. The list of registered providers of social services is publicly accessible in the Register of Social Service Providers (hereinafter referred to as the "Register"), online at <http://iregistr.mpsv.cz/socreg/> (available only in Czech).

Since the MLSA's software does not allow for evidence of the real percentage of victims of THB among clients of its social services, it is not possible to estimate their overall number. The fact, that the above mentioned number of organisations reports victims of THB as the prevailing target group has no illustrative value for estimation of their real share in provided services. In none of the MLSA's systems is the real number of clients in target groups recorded. In this context it must be stated that in most of the services listed, victim of THB represent only **marginal group**.

However, it may be stated that **121 services were ready to accept clients-victims of THB in 2014**.

Type of Service with a Target Group of „Victims of THB“ in 2014	
Type of service	Number
Professional social consultancy	54
Telephone assistance (emergency) lines	25
Social rehabilitation	2
Street-work programmes	20
Houses of asylum	10
Low-threshold facilities for children and youth	3
Crisis aid	6
Socially activating services for families with children	1
Total	121

⁹ Social services include social consultancy, social service care and social prevention. These services are provided as residential services, non-resident services or street-work services.

3.7 Long-Term Residence Permit for the Purpose of Protection in the Czech

Republic

As in the previous year it is important to say that the Department of Asylum and Migration of the MoI as an administrative authority does not record in its statistics whether the person is a victim of THB specifically, since this information is irrelevant for the needs of administrative proceedings. Furthermore, it is necessary to emphasise again that the overview below is not authoritative for the unambiguous determination of the number of witnesses – “trafficked persons” and the number of witnesses – “persons who were assisted in illegal immigration” because these issues could, depending on the circumstances, be interconnected. The same applies to the next category of authorised persons, which was included in Sec. 42e on the 1 January 2011. These are foreign nationals whose cooperation with the law enforcement authorities is important for the prevention, detection or investigation of a crime or any other intentional offence the prosecution of which is mandatory under the international agreement.

Administrative Proceedings in 2014 - total of 23			
Granting Residence Permit	2	Granted	2
		Discontinued	0
Extending Residence Permit	19	Extended	18
		Refused	1
Cancelling Residence Permit	2	Cancelled	0
		Halted	2

Of the total number of applicants 9 were nationals of Vietnam, 6 nationals of Nigeria, 3 national of Ukraine, 2 national of Honduras, 2 nationals of Algeria and 1 national of Serbia. Of the total number of 23 proceeding 12 related to women and 11 to men.

3.8 Cases of THB and Financial Investigations

According to information from the UCOC, financial investigation pertaining to the area of THB is comparable with the previous period. It is difficult to find proceeds arising from criminal activities due to the conduct and behaviour of offenders. The vast majority of offenders operate through cash transactions and do not use bank wire transfers and/or other banking services. They do not legalise illegally obtained funds through business activities or by means of classical money-laundering, but instead use such money to increase their own living standards. Larger than usual amounts of cash are therefore usually detected during house searches rather than through the use of specific instruments provided for in the relevant provisions of the Code of Criminal Procedure (most often money is frozen in bank accounts).

According to informational system Evidence of criminal proceeding a total amount of **6 883 591 CZK** was seized by the police in respective regions. The biggest amount was seized in **Moravskoslezský region**, reaching 6 073 588. It concerns value of confiscated assets from crimes of solicitation and THB, whose investigation started in the period of 1. 1. 2014 - 31. 12. 2014. In total, 17 financial investigations were launched and 9 were completed.

4. RELATED CRIMES AND PHENOMENA

4.1 Prostitution Scene

As THB for the purpose of sexual exploitation may be closely linked to prevalence of prostitution, we monitor the prostitution scene in a long-term. In this context the crime of solicitation is monitored as well.

Information on the situation regarding **prostitution** in the Czech Republic can be obtained from the findings of the Police of the Czech Republic (hereinafter referred to as the "Czech Police") and municipal police and it is necessary to mention the importance of specialised non-profit organisations operating in this area. Bliss without risk (hereinafter referred to as the "R-R organisation") organisation plays an irreplaceable role in this area by providing social and medical services, especially to women who provide paid sexual services and to persons who are sexually exploited.

According to information from the **Police**, the area of voluntary prostitution, which means the consensual provision of sexual services for pecuniary consideration, has not seen any substantial changes. As regards the forms of prostitution in the Czech Republic, we can see mainly prostitution in night (erotic) clubs, the provision of sexual services in private flats or as an escort service, but street prostitution can also be included, although it is on decrease in long-term perspective.

Information from the **Police** confirms that in the context of a big amount of persons offering sexual services, in majority of cases it involves voluntary prostitution. From the investigations carried out, it is clear that a wide variety of people in terms of social, age and educational groups is involved in prostitution. In the year 2014 the controls identified as prostitutes predominantly women of Czech and Slovak nationality.

In the area of voluntary prostitution, **Bliss without risk** organisation notices within its street programme a greater variety of nationalities compared to the Police data. The street work programme dealt the most frequently with Czech citizens (366 persons). The second most frequent nationality was Nigerian (36), then Romanian (25), Slovakian (23) and Bulgarian (14). However, the street workers of Bliss without risk encountered also persons from Belorussia, Kazakhstan, Hungary, Italy or Korea. In the advisory centre the organisation dealt with Czech citizens most frequently as well (328 persons). The second most frequent nationality was Slovak (16), then Nigerian (10), Ukrainian (9), and Russian (5). Then workers of advisory centre were in contact also with Belorussian, Hungarian, Estonian and Croatian nationalities. The organisation Bliss without risk has not encountered any case of child prostitution, meaning of persons under 18 years of age.

According to the estimates of the R-R organisation, **10,000 - 13,000 women** offer themselves for prostitution. The vast majority of them "work" as occasional prostitutes and react to the demand in the "erotic industry" presented in the press or on the internet.

4.1.1 Forms of sexual services according to regions

Street prostitution

As it has been stated above, street prostitution is on a decline in the long-term perspective. It appears only in specific localities. A list of the localities identified by NGO Bliss without risk can be found below.

Prague: Charles Square and neighbouring Myslíkova Street and Wenceslas Square

Středočeský region: parking lot in Rudná u Prahy.

Teplice region: Dubí, Teplice, Bílina.
Liberec region: area of Šluknovský výběžek.
Ústí, Děčín regions: Ústí nad Labem – Předlice.
Jihočeský region: Dolní Dvořiště, Č. Velenice.
Moravskoslezský region: Těšínsko.
Region Vysočina: Pávov.
Jihomoravský region, Olomouc region a Zlín region: Brno.

According to information provided by the Police, the following regulations issued by the City of Prague seem to have little effect or to be even counterproductive: Generally binding regulation of the City of Prague no. 20/2007 on the protection of public order in connection to offering of sexual services; Generally binding ordinance of the City of Prague no. 11/2005, which prohibits offering erotic performances or erotic services; Regulation of the City of Prague no. 26/2005 (see. Decree no. 66/1971 Coll., on conservation area in Prague), prohibits advertising disseminated in public places outside the establishment in the historical reservation. The regulation was amended by Regulation no. 9/2007 Coll., And Regulation no. 10/2010 of the City of Prague.

Prostitution in Clubs

“Club prostitution” is understood, for the purposes of this Report, to be prostitution carried out in different clubs which are assumed to offer erotic performances or erotic services and which are in general accessible to the general public or can be rented. These are various bars, night clubs, boarding houses, massage clubs, or sauna clubs.

Based on its monitoring, the organisation Bliss without risk reports clubs in the following regions: **Prague, Středočeský region, Jihočeský region, Ústí region, Hradec Králové region, Pardubice region, Liberec region, Jihomoravský region, Olomouc region, Zlín region, Vysočina and Moravskoslezský region.**

Private prostitution

It shall be noted that monitoring of private prostitution is significantly more complicated and problematic. Bliss without risk has observed an increasing number of provisions of sexual services in such establishments. For more information see the last section of the Report, the section of priorities for the year 2014.

As far as the crime of **prostitution endangering the moral development of children** (Sec. 190 of the Criminal Code), 1 crime was detected and it has not been resolved by the end of the year. In 2012 a total of seven cases were detected, of which six were resolved, while in 2010 and 2011 only one case of this type was detected. Therefore it seems that the year of 2012 was an exception in an otherwise regular trend. Taking a closer look at this exception, we see that the persons in question were prosecuted by the police unit in Horní Vltavice in the South Bohemian Region, not too far from the German border (except 1 person who was prosecuted in Chomutov).

Prostitution endangering the moral development of children (Sec. 190 of the Criminal Code)					
Year	2010	2011	2012	2013	2014
Detected	1	0	7	1	1

According to Ministry of justice data, no one was convicted for the crime of Prostitution endangering the moral development of children Sec. 190 of the Criminal Code, what means a decrease compared to years 2013 and 2012.

4.1.2 Situation in Attempted Regulation of Prostitution

The legislation concerning regulation of prostitution has not undergone any significant changes in 2014. It is important to note that prostitution is not regulated nor prosecuted in the Czech Republic. Criminal law regulation is aimed at prosecution of certain criminal activities that are related to prostitution. Nevertheless, attempts to regulate prostitution have been intensified during the previous years – resulting in two draft laws that were proposed in 2013. A revised version of a draft law proposed by the Prague City Hall was approved by the Prague City Assembly in June 2013, but was refused by the government in August 2013. The second draft law was inspired by German regulations; however, it faced the same destiny.

January 30, 2014 the Prague City Assembly has submitted **a bill on regulation of prostitution** to the Chamber of Deputies, that is currently in its 2nd reading (2nd quarter of 2015) after negative statement of the petition committee. Non-profit organizations are very critical to this bill and draw attention to the negative impact on security and the overall situation of people working in the sex business.

Based on the ongoing discussions within the **EU member states**, it is possible to identify 3 distinctive approaches towards prostitution: states regulating prostitution (e.g. Germany, Austria), states not regulating prostitution, and so called „Swedish model“, where the states criminalizing clients of prostitutes. The support of the EU to the last approach is visible among others on the example of accepting the report of British Member of Parliament Mrs. Honeyball by the European parliament¹⁰.

4.2 Situation in the crime of procuring

Police statistics indicate 57 detected crimes of procuring. In 2014, 49 cases were resolved, 72 persons were investigated and prosecuted.

Numbers of crimes of procuring detected and resolved by the Czech Police (under Sec. 189 of the Criminal Code, i.e. under Sec. 204 of the old Criminal Code)											
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Detected	83	123	85	46	52	37	33	44	42	52	57
Resolved	83	119	79	39	43	28	26	32	36	46	49
Investigated and prosecuted persons	105	119	98	66	88	35	28	61	46	44	72

From the Annual Report of the **Supreme Public Prosecutor's Office** it is apparent that there has been an increase in the number of cases of procuring as well as in the number of charged persons. According to preliminary data of Supreme Public Prosecutor's Office 88 cases, 81 prosecuted persons and 77 persons charged were detected in 2014, this being the highest numbers in the last 5 years.

¹⁰ The report deals with the issue of prostitution in the EU and proposes to solve the situation by the means of the „Swedish model“ that criminalises the customers of sex workers. See: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2014-0071+0+DOC+XML+V0//EN>.

Numbers of Persons Charged with the Crime of Procuring (under Sec. 189, Sec. 204 of the old Criminal Code)											
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Persons charged	118	205	136	72	119	89	33	49	65	49	77

Ministry of justice registers 58 convicted persons. Only in one case the sentence to prison exceeded 5 years of imprisonment, in all other cases the sentences were lower. The trends in relation to penalties imposed remained unchanged - conditional sentences exceed the number of unconditional sentences.

Numbers of Persons Convicted by a Final and Conclusive Judgment and Sanctions Imposed for Procuring (under Sec. 204 of the old Criminal Code, Sec. 189 of the Criminal Code)										
Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Number of convictions	68	74	60	82	64	50	76	40	58	
Unconditional Sentences	12	20	14	19	21	17	13	5	6	
Conditional Sentences	49	48	44	60	39	41	49	33	46	

On the basis of criminal proceedings for the crime of procuring in 2014 the Unit for Combating Organized Crime **seized an amount of CZK 1,635,013** in cash, together with CZK 334,332 seized from the accounts of the defendants and realty of the value of CZK 4,000,000.

4.3 Situation in the crime of unauthorised employment of foreign nationals

The Criminal Code which came into effect on 1 January 2010 introduced a new criminal offence – **unauthorised employment of foreign nationals** (Sec. 342 of the Criminal Code). In 2014 a total of 3 criminal offences of the unauthorised employment were detected and lead to the prosecution of 12 persons. This means an increase in comparison with 2012 (2 persons were prosecuted) and in particular in the light of previous years, when in 2010 and 2011 no crime of this type was resolved and no person was investigated or prosecuted in relation to it. In 2013 in total 3 cases of unauthorised employment of foreign nationals were resolved.

Detected and resolved cases of unauthorised employment of foreign nationals (Sec. 342 of the Criminal Code)					
Year	2010	2011	2012	2013	2014
Detected	3	4	3	2	3
Resolved - total	0	0	2	3	2
Prosecuted and investigated persons	0	0	2	12	3

5. INFORMATION ON TRAFFICKING IN PERSONS UNDER 18 YEARS OF AGE

When criminal statistical records are taken into account, out of 20 recorded cases of THB, **6 identified victims of sexual exploitation were under 18 years of age**. However, those numbers reflect only victims identified individually. In cases of victims identified as groups, that information is not reported to the statistical system. To better illustrate the situation, data can be driven from the data on perpetrators that show that in 2014 **15 out of 16 perpetrators were prosecuted for THB for sexual exploitation of minors**.

The MLSA gathered the data on children who were **abused for child prostitution or for the production of child pornography**. In 2014, statistical data concerning the year 2013 were collected by the authorities in charge of the social and legal protection of children. In the MLSA statistics cases of child abuse for prostitution or for the production of child pornography, including cases in which prosecution was not terminated yet, or where prosecution was not even initiated, are recorded. Therefore, MLSA statistics are not identical to the police statistics on the numbers of crimes committed. According to the MLSA statistics, 33 children were abused for the production of child pornography (2012: 33), 17 children were abused for prostitution (2012: 22).

Diagnostic facility of Ministry of education – **Facility for children of foreign nationals** reports 39 unaccompanied minors in their services in 2014 – 29 boys and 10 girls, 6 of them being asylum seekers. Facility for children of foreign nationals recorded the following countries of origin: Afghanistan, Albania, Algeria, Bulgaria, Burkina Faso, Ghana, Guinea, Croatia, Kosovo, Romania, Slovakia, Somalia, Syria, Tunisia and Vietnam. The average length of stay being 53 days, where 6 children were returned to their families residing outside the Czech Republic, 19 ran away, 11 children stayed in the facility and 2 were placed in other establishments abroad. In **5 cases** there was presumed trafficking in human beings. For more details see the *Section of tables and graphs*.

The Czech Republic as a country of destination – Kenya: Specific cases that sometimes show the features of THB are international adoptions in the region of Eastern Africa. Due to the big interest from the side of Europe especially, this phenomenon is almost industrial in its character; it involves “buying children” by their adoptive parents. The government of Kenya therefore acceded to a complete ban on international adoptions. In this context, the Embassy in Nairobi deals with a case of illegal adoption of 2 children from Uganda to the Czech Republic.

6. SUPPORT FROM THE SIDE OF ASSISTING ORGANISATIONS

6.1 La Strada Česká republika, o.p.s.

6.1.1 Basic Information about the Organisation

La Strada Czech Republic, o.p.s. (hereinafter referred to as “La Strada”) has been active in the field of THB in the Czech Republic since 1995. It is a founding organisation of the International Alliance of La Strada¹¹ together with eight member organisations in another eight European countries¹². In the Czech Republic La Strada is part of the association of legal entities – Consortium of Migrants Assisting Organisations in the Czech Republic and the Association of Sheltered Houses (SAD). The aim of the organisation is to contribute to the elimination of trafficking in human beings and human exploitation and to provide support

¹¹ <http://lastradainternational.org/>.

¹² Other member states are Belarus, Bulgaria, FYROM, Moldova, Netherlands, Poland and Ukraine.

and protection to exploited and trafficked persons as well as to persons who are endangered by exploitation and trafficking.

La Strada provides social services to the target group, pays attention to prevention and training, and through legal activities this organisation strives to achieve systemic changes or legislative amendments with a view to preventing trafficking in human beings and preventing the exploitation of such persons, and to protecting the rights and interests of the target group.

La Strada provides the following **4 types of social services** for trafficked and exploited persons:

- Professional social consultancy services¹³ – Sec. 37 of the Social Services Act,
- Crisis aid - Sec. 60 of the Social Services Act,
- Asylum/sheltered houses - Sec. 57 of the Social Services Act,
- Telephone crisis aid.

As regards **prevention**, the dissemination of information leaflets and the mapping-out of trends, the organisation is continually developing a specific work method to be used in the field. This activity has been financially supported by the Mol for several years. For more information about the organisation see <http://www.strada.cz/en>.

6.1.2 Services provided

When practice is taken into account, the people who used the services of La Strada can be divided into the following 3 groups: Comprehensive social services, Contact consultancy – the so called low threshold advisory and newly from 2014 also provision of legal information to victims of crime.

La Strada also continues to provide info and SOS help line. In total 676 operations were performed in benefit of 328 persons that contacted La Strada this way. Compared to the year 2013 the number of performances has decreased by 186 as well as the number of contacts has decreased by 154 persons. The service is provided to everybody regardless their country of origin or their residence status. The service can also be provided anonymously.

As regards the **citizenship** of the clients, as in the year 2013 majority of the callers were EU citizens (152), second biggest number were Czech citizens (97). There were 62 third country nationals what is 50% less than in the previous year. In case of 18 persons the citizenship was not known. This trend is influenced by internal factors such as the focus of the field work, but also, for example, by the fact that according to information Mol and CSU in the previous year it was for the first time that the number of foreigners with permanent residence outnumbered those with long-term residence, which may result in fewer newly arriving migrants who would need information.

As regards the **sex** of the callers, the trend was the same as in 2013 – more men (196) than women (132) were calling. In 2014 La Strada started to collect information on the age of the callers. According to this data there were 334 calls with 18 – 35 years old persons, 191 calls with persons 36 – 60 years old. There was no call from a person under 18 years old. The most frequent forms of exploitation identified through the help line were unpaid

¹³ Consultancy is also provided to persons who have undergone or who find themselves in a situation close to trafficking in human beings or exploitation and persons who are closely related to trafficked or exploited persons, people who are seeking jobs or travel abroad, as well as to other people who might be interested in information on how to avoid or subvert the risk of trafficking in human beings or exploitation.

wage (162 calls), forced labour (75 calls), forced prostitution (35 calls) and one case of domestic servitude.

Since January 2014 La Strada is **accredited by Ministry of Justice to provide legal information** according to Law no. 45/2014 Coll., on victims of criminal offenses. Consequently, La Strada provides the following legal information:

- to victims of **trafficking** (§168 CC)
- victims of **THB related crimes** – procuring (§189 CC), deprivation or restriction of personal freedom (§170 and 171 CC), extortion (§175 CC), oppression (§177 CC) and sexual coercion (§186 CC)
- **persons endangered** by the above-listed

In total, La Strada provided support to **405 persons** in 2014. The biggest amount of clients was contacted through field work (186 persons)

Similarly as in 2013, in 2014 the street work focused on the three defined fields, so called female environment, seasonal work and repeated visits to preselected locations where, based on previous experience, the presence of potentially exploited or trafficked persons might be presumed. **522 persons were approached** in the field in 2014, out of which 153 were women (29,3 %), and 50 were related persons (persons from the background of persons from the target group and persons in personal or employment relationships to the persons from the target group).

Most of the approached persons were **EU citizens**. The following countries were represented in highest numbers: Bulgaria, Ukraine, Slovakia, Romania, and the Czech Republic. Other contacted persons came from Mongolia, Moldova, Poland, Hungary, Vietnam, Uzbekistan, Lithuania and Latvia. An increase in numbers of persons coming from SE Europe was registered.

In 2014, **6,600 information leaflets** on the services provided by La Strada were printed. Out of those leaflets, 2,943 were distributed through street work, 40 % of them were given to persons from the target group, and the rest was handed to persons potentially endangered by THB.

Strategic representation of victims of human trafficking:

In 2014 there was a conviction of a case of THB for the purpose of sexual exploitation pursuant to § 168 Sec. 2 point. a) of the Criminal Code and procuring according to § 189 paragraph. 1, par. 2 point. b) in the case of an organized group of five offenders.

The perpetrators were sentenced to unconditional sentences up to 8 years of imprisonment. The case concerned long-term sexual exploitation of women at a motorway rest area. The perpetrators made use of the situation of the women that came from socioeconomically excluded areas. Physical violence, as well as building dependency and addiction on drugs were used as means of coercion. The judgment is significant in terms of non-pecuniary damage awarded in this case already during the adhesion procedure. The court noted that the victim has suffered serious encroachment in her personal rights, especially the right to human dignity and honour. Thanks to the program of strategic representation developed by La Strada, they managed to convey the victim legal representation and with this help to achieve compensation for non-pecuniary damage amounting to nearly 300 000, - CZK.

6.2 The Caritas of the Archdiocese of Prague, Magdala Project

6.2.1 Basic Information on the Magdala Project

Magdala network performs its duties throughout the Czech Republic. Moreover the Migration centre of the Archdiocese of Prague also deals with the issue of THB, this centre focuses on foreigners placed in facilities for refugees and foreigners resided in Prague and in Středočeský region.

The Magdala Project is primarily focused on support and professional assistance to people endangered by THB and domestic violence. It is comprehensive assistance based on a holistic approach and human rights fundamentals. It is a networking project which connects consultancy services, asylum houses and help lines within an organisation known under the name of the Caritas of the Czech Republic, which deals with support and assistance to be provided to the groups of people mentioned above. For more information see <http://praha.charita.cz/en/>.

6.2.2 Provided Services

Magdala project provides the victims with complex services – social and legal counselling, psychosocial counselling, assistance in contact with authorities, direct help and asylum houses on hidden addresses.

The clients in 2014 were citizens of the Czech Republic, Slovakia, Ukraine, Algeria and Nigeria. 1 man, a probable victim of THB and a Czech citizenship (THB for labour exploitation), was referred to the organization Diaconia. Average age of the clients was 30 years. 1 woman, Czech citizen, who was a victim of labour exploitation in the United Kingdom, received complex assistance. As part of assistance provided to vulnerable people among the illegal migrants - two persons received assistance. In 2014 a hot line registered approximately 600 calls.

Magdala project provided the victims of THB with legal information and offered also an option of services of an attorney. None of the victims entered the criminal proceedings.

Field workers were delivering leaflets to potential victims - contacting people working mainly in prostitution. Magdala project has developed an informational short movie on the issue of THB and spreads it online. Counselling Centre is also preparing educational activities in form of “self-experience” for clients of children's homes and diagnostic centres aimed at preventing human trafficking.

6.3 Diaconia of the Evangelical Church of Czech Brethren

6.3.1 Basic Information on the Organisation

The Diaconia of the Evangelical Church of Czech Brethren (hereinafter referred to as the “Diaconia”) is the second largest non-profit organisation providing social services in the Czech Republic. The Diaconia is a member of the Eurodiaconia (the European federation of organisations, institutions and churches) and cooperates with partners from all around the world. The Diaconia was established by the Evangelical Church of Czech Brethren.

Since 2008 the Diaconia has been involved, thanks to its central project, in activities relating to the provision of services to trafficked and exploited persons and persons who are endangered by trafficking and exploitation. First, the project was mainly focused at monitoring of the state of THB in the Czech Republic and creation of a programme of primary prevention aimed at education of children in the field of THB related risks and commercial exploitation. The outcomes of this project subsequently lead to extension of the services proved by the Diaconia to cover also victims of THB. In 2009 a project “No to Violence” was created under the auspices of the headquarters of this organisation, in order to provide

assistance to trafficked persons and persons endangered by THB in other ways. Since 2012 the Centre of Western Bohemia (hereinafter referred to as the “Diaconia West”) provides social services to trafficked persons, too. For more information see <http://www.diakonie.cz/en/>.

6.3.2 Provided Services

“No to Violence” Programme

Diaconia – No violence programme, merged in 2014 its activities within the registered residential services - the asylum home, that has the capacity of 10 persons and it remains to be provided on hidden address. Moreover, the residential service is now being provided to couples and single women as well. In total it was provided to 57 clients (11 women and 46 men). The average age of the clients was 34,6 years. Most clients came from Romania (39), Bulgaria (10), Moldova (2), Armenia (1), Mongolia (1), Slovakia (1) and the services were used also by Czech citizens (3). 2 Czech men were identified in United Kingdom.

Out of the total number of 57 victims – 51 cases involved exploitation at work connected to unpaid salaries. 4 persons were identified as in risk of THB. Since the second half of the year Diaconia registered an increase in larger groups, mainly from Romania and Bulgaria to enter the services together.

The social service of asylum houses was provided to 46 men and 11 women. Most people were Romanian (39). The workers of the asylum house have realised 18 field excursions in the following regions: Středočeský (4), Jihočeský (2), Karlovarský (1), Ústecký (2), Plzeňský (6), Prague (1), Jihomoravský (1), Vysočina (1). In total 423 persons were contacted through the field work and 1081 information leaflets were distributed.

Field Programmes of Diaconia West

Since 2010, Diaconia West provides registered social service „field work“ (it is presented to the public as Field work for persons at risk). The service was realised in Plzeňský region according on the needs of the service users. Majority of the clients are people residing or working in the city of Pilsen and its surroundings. In total, the service was used by 115 users from the following cities: Pilsen, Rokycany, Nýřany, Klatovy and Tachov.

Labour exploitation: Bulgarian workers

A group of Bulgarian workers from a small village was convinced and recruited by one relative of the workers to come to work in the Czech Republic. Each of them paid 70 EUR for transport and was promised employment contract, including free of charge accommodation for three months, during which they were about to perform seasonal work – production of Christmas decorations. The group came to the Czech Republic and was accommodated by the organisers as promised. Signing the contracts was announced to take place in the next few days after their arrival. They started working 12 hours shifts seven days a week. 14 days passed and they still did not have any contracts. The work was exhausting and the workers were under constant surveillance. Each employee got weakly deposits for food in the amount of CZK 1,700. After four weeks they were asked to sign agreements to complete a job which is not a classical employment contract that would include insurance. Contents of the contract were not translated and no one received their payments at the end of the month. Moreover, they got to know about norms that were included in the agreements that conditioned payment of the full amount of money. When the workers did not manage to produce as many decorations as requested, their payment was lowered. Furthermore, the workers were told they will get paid after they finish their work in 3 months.

After this period, when the work was completed, the group demanded the payment of their salaries. They were told that they will get their payment one week after the completion of the work, and that in the meantime they have to stay at the hostel – the organisers said they were waiting for payment from the company for whom the work was done. This was repeated in the next two weeks and tension within the group was rising.

Diaconia facilitated filing of complaints to the Regional Labour Inspectorate. However, the control could not take place as the workers were no longer at work and they could claim their salaries for two months only due to statutory periods for the last month. The workers were getting very nervous as they were getting out of money, they wanted to get home even without the promised salary but they did not have enough money for that. Four weeks after they ended the job, they received their salaries, however, the amount of money was lower than promised and expected. They received CZK 700 for each month as all the deposits and accommodation prices were subtracted. Those who did not meet the norms did not get any money and they were threatened by debts that they had at the employer.

Due to circumstances and tensions, the workers used this money to buy their tickets home; after three months of intensive work - they got back practically without any money. From legal point of view, the agency was not punishable as they had the signed agreements where the payment for accommodation and norms were stated. The only offense was the hours worked, which greatly exceeded the length allowed for agreement to complete a job.

6.4 International Organisation for Migration

6.4.1 Basic Information on the Organisation

The International Organisation for Migration (IOM) is an inter-governmental organisation established in 1951 with its principal registered seat in Geneva. In 2012 IOM had 130 member states and today it has 445 field locations all over the world. IOM is a leading international organisation in the field of migration – it helps migrants and governments through supporting human migration. It closely cooperates with a wide range of international and local NGOs. The IOM mission in Prague was established in 1998. For more information see: <http://www.iom.cz/aktivita/prevention-and-combating-of-trafficking-in-human-beings>.

6.4.2 Provided services

IOM participated in the Programme of Voluntary Returns also in 2014; there was a slight increase in the numbers of returnees compared to the year 2013. The number of staff of the office was also increased. Nevertheless, it is necessary to target foreigners with strong information campaigns on the possibilities of voluntary assisted return. Such campaign is being prepared with the use of funds AMIF for the year 2015. The number of foreign-returnees from the Czech Republic in 2014 was 175 migrants.

Number of returned persons	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Czech Republic	635	617	297	315	312	399	214	-	2224	214	202	223	146	175

As far as nationalities are concerned, IOM mostly assisted in returns of citizens of Vietnam, Central Asian states and Ukraine.

The good practice that IOM has confirmed on multiple occasions is the work of its community councillors that IOM uses to approach Vietnamese and Mongolians residing in

the Czech Republic and who are able to explain to them all the details of voluntary returns. The desired trend that would be convenient to follow is related to high awareness of all foreigners that reside within the Czech Republic on the possibilities offered by the Programme. Especially those foreigners who deal with their rather harsh views of their life in the Czech Republic should be targeted.

As far as the **operative level** is concerned, IOM Prague assisted 28 victims of THB in their returns. 2 women were returned back to Bulgaria, 19 men and 7 women to Romania. The Programme is unique within the EU and is highly valued by directors of IOM country offices, especially due to the possibility to help Czech citizens abroad.

7. FINANCIAL RESOURCES

7.1 Funds Provided by the Ministry of the Interior of the Czech Republic

The funding method installed in 2012 upon the approval by the 1st Deputy of the Minister of the Interior, allows the awarding authority to maintain precise records of the services provided, to make immediate checks on respective irregularities and to request their removal and it also made it possible to react flexibly to the needs of clients within the services provided. An important component of this method is the support of preventive activities, especially fieldwork, awareness raising activities and social counselling. In total **CZK 1 152 448** was provided in order to secure funding of those activities in 2014 (2013: 826 449 CZK).

7.2 Funds Provided by the Ministry of Labour and Social Affairs of the Czech Republic

The MLSA, namely the Department of Social Services and Social Security, offers **grants** every year to provide subsidies from the state budget to legal and natural persons who provide social services (social services providers). Tenders to receive subsidies from the MLSA are published in compliance with Sec. 101 and Sec. 104 of the Social Services Act and Act No. 218/2000 Coll. on Budgetary Rules and on the amendment to some other acts, as amended, a subsidy from the state budget can be provided to finance current expenses relating to the provision of social services – mainly to secure so-called fundamental activities. A subsidy can be provided only to a registered provider of social services to fund basic types and forms of social services. Subsidies granted to providers of social services from the state budget are provided with respect to regional and social needs (i.e. in compliance with the medium term plan for the development of social services).

In 2014 the MLSA provided subsidies amounting to CZK 47,073,000 in support of 121 services that mentioned as one of their target groups the group of “victims of THB.” Out of the 121 supported services 6 mentioned this target group as their priority, were provided with subsidies amounting to **CZK 4,848,000**. For more information on the amounts provided see *the Section of Graphs and Tables*.

Another source of funding for social services providers that help victims of THB is European Social Fund. It is important to note, that also organisations that do not specialise on help to victims of THB but provide help to this target group as one of their spectrum, receive funding from MSLA, in 2014 it reached the total amount **CZK 72,045,910**.

7.3 Other Financial Resources

It is also important to mention that the grants provided by the MLSA and Mol represent only one of many other sources through which the services described are financed, as the providers of social services are obliged to use funding from multiple sources. Other sources used to finance the listed providers include the budgets of regions/municipalities or individual projects of regions, the European Social Fund, independent foundations, partner organisations, international organisations (for example OSCE), other international funds, embassies and so on. Last but not least, some NGOs, especially church based NGOs, mentioned individual donations from natural and legal persons as a source of funding.

8. PREVENTION

The following chapters offer insight into educational activities, changes of legislation, research, awareness raising activities, campaigns and coordination activities both at the national and international level.

8.1 Training

In order to prevent THB, training seminars and lectures concerning the issue of human trafficking continued also in 2014. Seminars and lectures were held not only in cooperation with state institutions and NGOs working in the Czech Republic but also in cooperation with international partners. The aim was to provide information on the activities of the Mol pertaining to the area of THB and on the functioning of the Programme in order to make it more effective. Training also focused on the possibilities of how to support and protect victims of THB. Among the crucial topics there were also methods of identifying potential victims to be used by the relevant professional groups which, when performing their jobs, might encounter potential victims of THB.

- As regards **police training** it can be said that the issue of combating THB is based on the required competencies which are developed within the syllabus of the educational programmes of qualification courses as well as in specific professional training held within the system of life-long learning for police officers.
- **Specialists from the Unit for Combating Organised Crime** assigned to work on the cases of THB (both in general crimes departments of regional police directorates and in relevant departments of UCOC, including its regional offices) are trained through special instructive and methodical seminars. Besides the methodical and coordinative guidance of the general crimes department, UCOC plays major role in this field – it has organised several training sessions or at least participated in their organisation (for example lectures on the issue of THB were given in a specialised course for police officers from the National Drug Unit, a lecture on THB was held within a specialised course for Alien Police officers (also within pre-departure preparation of police officers who are being trained for immigration officers).
- Since 2013 the Police President has been implementing a training project aimed at sharing experience and knowledge on THB to **Alien Police officers** who work on the first and second control line within the outside borders of the EU. The scope of targeted officers was subsequently widened to include also other groups of Alien Police officers. A pilot training programme was realised in September 2014
- As regards the Alien Police Service, officers from individual groups of documentation working within Regional Police Directorates and the Department of Criminal Offences and Documentation of the Directorate of the Alien Police Service located in Prague

Ruzyne – the Group of Documentation/ the Group of Criminal Prosecution are provided with priority information about new trends in THB within instruction lessons related to the methodology of their work and organised by the Directorate of the Alien Police Service and during methodological training for police officers working from the Department of Criminal Offences and Documentation of the Directorate of the Alien Police Service.

- Before a measure was taken or security operation of the Alien Police began, the basics of THB were recalled and it was emphasized that investigation of this type of crime was crucial. Most of the “bigger” security operations and controls were prepared by or in cooperation with the officers from the groups of documentation of the departments of Alien Police of the Regional Police Directorates. These officers are very well aware about THB and are therefore considered focal points in such cases where THB is identified. These officers are provided with all necessary contact details of officers working at the aforementioned police units. Similar activities took place all around the Czech Republic during the entire year.
- Concrete findings related to THB are subject to elaboration at **training sessions for judges and prosecutors**. At least one of such training session (usually lasting several days) organized by the Judicial Academy is dedicated to THB every year. In 2014, the topic of THB was also included in seminars dedicated organised crime and related procedural regulation, violent crimes, sexually motivated crimes, health care, compensation and non-pecuniary damage and the issue of extradition and asylum procedures in the light of a ruling of Constitutional court (I. ÚS 2211/13).
- The **Department of Consular Strategies and Guidelines of the MFA** is responsible within the MFA for the training of the diplomatic corps. The seminar is divided into several levels. Consular officials who are sent by the MFA to perform work in consulates abroad are obliged, before they leave the Czech Republic, to participate in pre-departure training, which takes three weeks and has a consistent timetable. Other ministries are actively involved in preparing the contents of this training. If necessary, consular officials can be prepared individually. The issue of THB represents an indispensable part of the consular training. Within the framework of pre-departure training the MFA cooperates with the Security Policy Department of the MoI, which is responsible for the lecture “Trafficking in Human Beings” and prepares this seminar alongside IOM Prague. Attention of consular workers is drawn to problems relating to THB, its forms and manifestations. The lecture also includes information about the system of support for and assistance to victims of THB and the possibilities embassies and consulates have when they work with the information gathered and provided to them. Consular officials were also informed that the relevant embassy and consulate can cooperate with organisations dealing with THB and can, if required, provide necessary assistance to the respective victims. This pre-departure training is an obligatory condition for any consular official who is scheduled to work abroad. In 2014 three regular pre-departure training sessions were held, attended by 58 future consular officials, whilst 14 officials were trained individually.

8.2 Other activities

As part of the project financed through the Operational Programme Human Resources and Employment called “Effective Development of Employment, Complex Controlling Activities, and Abatement of Illegal Employment” a new key activity no. 08 was implemented by MLSA – **“Working Group of Advisors on Prevention of Illegal Employment of Labour Offices in the Czech Republic”**. This activity was implemented between January 1 and December 31, 2014 under supervision of the LO. This activity aims

at prevention of illegal employment of long-term unemployed applicants for work, mainly through prevention of abuse of the social system that consists of simultaneous performance of illegal work and registration with the LO (linked to abuse of social benefits provided when unemployed, while illegally working in another EU member state). Emphasis is placed on efficient work with applicants for employment consisting of intensive, individual as well as group counselling. Such counselling shall raise awareness of the applicants on negative effects of illegal employment, labour law, etc.

Labour Inspectorates continue their efforts to prevent THB through their activities by raising public awareness on THB and public counselling provided to both Czech and foreign nationals. Informative leaflets can be found on its web page www.suip.cz. The leaflets provide information on a wide range of labour law topics and can be downloaded in Czech, as well as in 8 more language versions. The Labour Inspectorate worked close cooperation with the Romanian Embassy in Prague in their preventive activities in Romania before they leave to seek job in the Czech Republic.

One of the tools for prevention of illegal conduct of foreigners in the Czech Republic is the **awareness of all stakeholders. A complete migration of the MLSA internet web site www.cizinci.cz took place in 2013 in cooperation with Mol.** A new version of the web site is in operation since March 2014. This web site provides a wide range of useful information, for example information on funding options for projects aimed at integration of foreign nationals, information on already implemented projects, online accessible publications, etc. The MLSA internet web site www.portal.mpsv.cz has been updated.

The Mol is the authority responsible for **security research, development and innovation** (hereinafter referred to as “security research”). It fulfils all the tasks of provider of state support for research and innovation according to Act no. 130/2002 Coll., on public support of research, experimental development and innovation. Security research is implemented on the basis of the “Government Strategy of Security Research and Development of the Czech Republic until 2015”, which was adopted by the government by its resolution no. 743/2008. The strategy sets up 3 basic priorities of security research in the Czech Republic – Security of Citizens, Security of Critical Infrastructure, and Crisis Management – and 5 additional sub-priorities. Projects related to THB are supported under priority no. 1 that also includes thematic options “Protection of Citizens against Crime, Anti-Social Behaviour and Socio-pathological Phenomena” and “Terrorism, Organized Crime and Other Forms of Serious Crime Endangering National Security” and under sub-priority no. 4 – Predictions and Scenarios – and sub-priority no. 6 – Identification of Persons and Objects. THB related projects that were supported in previous years are for example “Reduction of Security Risks of Corruption and Organized Crime in the Czech Republic” and “Violent Sex-Related Crime in the Czech Republic Focusing on its Actual Forms, Improvement of Efficiency of its Investigation and Prosecution of its Perpetrators and Options for Protection of Society against Sexually Motivated Violence.”

The Facility for children of foreign nationals emphasizes in its activities related to THB linguistic abilities of its clients through special courses of Czech language. THB is also emphasized within other related taught subjects. A socializing course for long-term clients aimed at risk prevention within their integration process was organized between May and August in 2013. The Facility also provides therapeutic services, a preparation programme for those who are about to leave the Facility, and other services based on individual needs of its clients. As a part of the risk prevention course, 3 workshops on sociocultural abilities were held; they concentrated on professional qualifications of clients and on providing them with high quality legal and social counselling.

Regional Police Directorate of Jihomoravský region realised preventive activities in 2014, those incorporated controls on spots of street prostitution, facilities providing

accommodation to foreign nationals, while being focused on the risk groups – prostitutes, construction workers, etc. Furthermore, lectures were held at schools on the topic of sexual exploitation. There were also monitoring activities taking place.

R-R: Brochure „Not with you!“ (Guide to safer work in sex industry)

The brochure was prepared with the help of clients' of R-R testimonies (as a part of a project supported from Foundation Partnership of the Swiss-Czech cooperation). It includes the experience of clients with violence in sex business, prevention of violence, tips and tricks on how to protect their lives and health, how to be careful, how to recognize potential dangers and how to prevent it, or how escape once they are in danger. Clients appreciate this brochure as it is a good way to speak openly about violence even though the clients usually do not like to talk about it; it is also an important monitoring tool. The brochure is available in Czech on the web of the R-R organisation: <http://www.rozkosbezrizika.cz/ke-stazeni/soubory/s-tebou-ne/stahnout>.

Every year, extensive preventive and informative activities on human trafficking are regularly carried out with the financial **support of Mol**. As a part of the prevention activities of the Programme, it offers counselling for potential victims of trafficking provided through low-threshold services of specialized NGOs. Specialised counselling was provided to 44 persons – 33 men and 11 women. Most of the persons came from Bulgaria (25), Romania (10) and Ukraine (3). Furthermore people from Moldova, Slovakia, Russia and Uzbekistan got in contact with the specialised NGOs. Throughout the last years, and especially in 2014, awareness of the Program was raised through field work that consequently allowed access to specialized services in the Programme for more victims. In total 37 field trips were subsidised for the purpose of information spreading among potential victims of THB, mostly from Bulgaria, Romania and Ukraine.

9. LEGISLATIVE CHANGES AND DECISIONAL PRACTICE OF COURTS IN THE CASES OF THB

From the findings of the Public Prosecutor's Offices (for the year 2014) it can be stated that there has been a **shift in judicature**. It concerned criminal case at municipal court in Prague (46 T 6/2012), where the Supreme Court in appeal proceedings (3 Tdo 1296/2013) fixed the terms „**defencelessness**“ in relation to crime of rape (Sec. 185 CC) and „**dependence**“ in relation to crime of sexual duress (Sec. 186 CC). In this decision the Supreme Court admits ideal concurrence of crimes to the offense of trafficking under Sec 168 of the Penal Code.

In the criminal case known as case "**Špargl**"(Asparagus) the definition of "forced", respectively compulsory labour under the crime of human trafficking was defined by the Supreme Court during the appellate proceedings (Supreme Court resolution dated April 12, 2014 sp. Ref. 7 Tdo 1261/2013).

I. The feature of THB as defined in the Criminal Code „**used for forced labour**“ Sec. 168 para. 1 point. e) and Sec. 168 para. 2 point. E) needs to be interpreted in compliance with "forced labour" in the sense of Art. 2. 1 of the Convention on forced or compulsory labour no. 29 of the International Labour Organisation, adopted on 28 June 1930, published under no. 506/1990 Coll., under which it is any work or service which is exacted from any person under the menace of any penalty and for which the person concerned has not offered himself voluntarily.

II. The above mentioned feature is therefore fulfilled by the **acts of the offender** like transporting foreign nationals to the Czech Republic, taking their personal documents, restricting their freedom of movement, does not pay adequate salary for the work done, threatens them or uses physical violence against them, while those persons are in vulnerable

position also due to the fact that they do not know the language etc., and their personal freedom and dignity is seriously restricted.

Respective decision - Resolution of the Supreme Court dated 12. 3. 2014 sp. Ref. 7 Tdo 1261/2013 was published in the Collection of Judgments and statements of the Supreme Court no. 3/2015.

Ruling of Regional Court in Usti nad Labem Ref. 51 T 5/2013 dated February 21, 2014 shows that the Czech Republic perceived crime of human trafficking as a tripartite relationship – the trafficker, the victim and the exploiter. If a person exploited a victim for the purpose of labour exploitation, without the involvement of third parties, it was not possible to legally fulfil the offense of trafficking. This did not exclude the fulfilment of statutory features of other criminal offenses such as extortion. This was the case, which was judged by the Regional Court in Usti nad Labem.

Through implementation of the EU Directive 2011/98/EU in 2014, a new type of long-term residence authorisation, the so called **Employee Card**, was introduced. The Employee Card is to be offered in two options, one that is to serve both as a long-term residence permit and a work permit, and one that is to be used as a long-term residence permit only. The Green Card that provides both a long-term residence permit and a work permit shall be cancelled Employee Card is to be issued for an employment registered by the MLSA that has not been filled up within the previous 30 days¹⁴.

Work permits shall still be issued by local offices of the LO, e.g. to foreign nationals delegated to the Czech Republic, seasonal workers of foreign origins, and some other categories of foreigners. Work permits will no longer be required from persons with long-term residence permits for the purposes of family reunification.

The amendment of the Act on Employment introduced a new sanction for employers consisting of the impossibility to use the central register of employment for announcing vacancies that could be suitable for Employee Card holders, if this employer was sanctioned within the previous 12 months for enabling the performance of illegal work. The amendment shall also address the option of the employer to send foreign nationals from third countries on a business trip.

MLSA drafts an **amendment of Act No. 108/2006 on social services**; the amendment should enter into force by January 1, 2017. The changes will concern various spheres of social services provision, mainly:

- Modification of social service providers' obligations and criteria of quality standards
- Change in types of social services, revision of activities in different types of services (the aim of the amendment is to make the system more transparent and reduction of administrative burdens)
- Revision of the provisions relating to contracts for the provision of social services, payments for the provision of social services, confidentiality, administrative offenses
- Revision of conditions for registration (i.e. setting minimal standards in in personnel and material-technical areas)

Concerning the crime of THB (Sec. 168 CC), **amendment of the Criminal Code** (amending also the Code of Criminal Procedure and Act no. 418/2011 Coll., on Criminal Responsibility of Legal Persons) **through Act no. 141/2014 Coll.** entered into force on August 1, 2014. Among other things, the amendment changes the wording of the crime in the Criminal Code (Sec. 168 CC). Following the directive of the European Parliament and Council Directive 2011/36 / EU of 5 April 2011 on preventing and combating trafficking in

¹⁴ For more on the employee cards, see https://portal.mpsv.cz/sz/zahr_zam/zamka.

human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, the provision is amended so that it is possible to prosecute offenders, who take the victims of THB to their disposition.

Concerning the wording of the crime of THB, the amendment changes the Criminal Code in two respects:

- a) change of perception of the crime of THB (for the purposes of labour exploitation)
- b) extension of the list of prohibited acts

a) change of perception of the crime of THB (for the purposes of labour exploitation)

The word "other" shall be deleted from Sub-Sec. 1 and 2. This word was included in the elements of crime when the new Criminal Code entered into force in order to emphasize the element of trade (the trafficker "sells" the victim to the exploiter - three-sided relationship). However, this word gave bases for unjustified differences in legal qualification of the criminal acts of the trafficker and the exploiter, especially in cases of labour exploitation - as defined in Sub-Sec. d) and e). According the wording in force, the trafficker can be held responsible for the crime of THB (punishable by 2 to 10 years in prison), while the exploiter can be held responsible (depending on seriousness of his acts) for other crimes that are usually punishable by milder sentences (Sec. 175 or 177 of the Criminal Code). Such wording is also in breach of the aforementioned Directive, although it is not the only reason behind the amendment.

A comparative analysis of European judgments concerning labour exploitation showed several more reasons. The Czech courts usually ask who is the "other" person that exploits the victims, what requirements must be fulfilled, is it necessary that this person gives orders to the victims or is it enough if that person as owner of the field in question holds control over quality of their work? Therefore, unjustified differences could arise in individual cases, even though the acts of exploiter are of the same criminal seriousness.

The comparative analysis also showed that in such countries as Belgium, Bulgaria, Germany or the Netherlands, it is not necessary to fulfil all elements of the crime of THB to prove the element of trafficking (see above). These countries have adopted such a notion of the crime of THB that includes exploitation of the victim without necessary presence or activity of other persons (two-sided relationship).

The last reason behind the amendment is the case law of the European Court of Human Rights (see *Siliadin v. France*, *C.N. v. United Kingdom*). Based on the doctrine of the basic rights shining through the entire legal system and the doctrine of positive state obligations, the ECHR ruled that the ban on slavery and forced labour (as defined in Art. 4 of the European Convention on Human Rights and Fundamental Freedoms) concerns not only the state but also other legal and natural persons. Art. 4 is therefore infringed also in such cases when the law does not provide for effective prosecution of persons who subject other persons to inhuman living and working conditions. A legal system that provides for criminalization of abduction and extortion is therefore in breach with the Convention, because it does not address all the conditions that the victim had to face.

Since a simple deletion the word "other" from the wording of Sec. 168 of the Criminal Code would lead to overlapping with elements of other crimes (e.g. Sec. 166, 185 or 202 of the Criminal Code), it was necessary to insert the word "other" to Sub-Sec. 168(1)(a, b) and Sub-Sec. 168(2)(a, b). In those cases no problems with interpretation and application were encountered, because the response for the question of who is the other person that exploits the victim is not problematic, thus it provides for no unjustified difference in the legal qualification.

b) extension of the list of prohibited acts

The proposed amendment extends the list of prohibited acts by adding the act of "acceptance".

Another amendment to the Criminal Code was passed in order to introduce two new criminal offences, 1) **participation in a pornographic performance** (new Sec. 193a of the Criminal Code) that provides legal basis for prosecution of participation in a pornographic performance involving a child, 2) **illicit approaching of a child** (new Sec. 193b of the Criminal Code) that provides for the criminalization of an intentional act that consists of an adult person proposing a meeting to a child. The elements of the crime of production/disposition of child pornography (Sec. 192 of the Criminal Code) are also extended by a specific provision on prosecution of intentional acquisition of access to child pornography through ICT. In order to fulfil all the requirements in the field of the fight against child abuse, sexual exploitation, and child pornography, the Act on Criminal Responsibility of Legal Persons was also amended by introduction of a set of new crimes for which legal persons might be prosecuted (rape, participation in a pornographic performance, the illicit approaching of a child).

Another proposed legislative change that is closely connected to the crimes described, is the bill that changes Act No. 418/2011 Coll. on **Criminal liability of legal persons** and proceedings against them. The aim of this proposal is to reassess the range of crimes for which the legal person may be criminally liable. The proposal suggests a change in the current approach to the regulation of this issue, specifically that the legal person shall not be criminally responsible only for the crimes listed, but should be responsible for all crimes except those for which it is expressly excluded by law (i.e. instead of a positive list of offenses for which the legal person may be prosecuted, the law will have a negative list of offenses that a legal person cannot be prosecuted for). If the bill is to be passed it will be newly possible to prosecute legal persons for crimes of unauthorized removal of tissues and organs according to Sec. 164 of the Criminal Code and illegal use of tissues and organs in accordance with Sec.165 of the Criminal Code. The bill has been presented to the Chamber of Deputies of the Czech Parliament on September 3, 2014 and it is currently being discussed under the identification No. 304.

A draft **amendment to Act no. 279/2003 Coll., on the securing property and items in criminal proceedings** (Act amending Act no. 279/2003 Coll., on the securing property and items in criminal proceedings and amending certain laws, as amended, and other related laws) its partial aim is to improve the position of victims of crime while securing their property claims in criminal proceedings and to expand the possibilities of securing efficient usage of confiscated assets of a person against whom a criminal trial is held. The proposal was presented to the House of Representatives of the Parliament of the Czech Republic on September 3, 2014 and is currently being discussed under the No. 305.

10. PARTNERSHIP

10.1 Partnership within the Czech Republic

This chapter contains examples of cooperation at both strategic and operative levels.

- The Minister of the Interior, as the person responsible for the coordination of activities in the fight against THB at the national level, is the chair of the **Inter-ministerial Coordination Group for Combating Trafficking in Human Beings (IMCG)** that met twice in 2014. The IMCG discussed such topics as evaluation of tasks from previous meetings, the introduction of activities of participating organizations, the introduction of most important outputs of the Status report on THB in 2014, EUROSTAT reports, the report of the International Labour Organization, the issue of trafficking with children, reducing the demand of services of trafficked people, preventive activities

directed to Bulgarian and Romanian nationals. In December the issue of the need of increased cooperation with the United Kingdom based on the recent cases was discussed. IMCG provides the only platform for meeting of representatives of relevant ministries with representatives of NGOs and international organizations.

- On the level of the **ANACEN platform** (Analytical Centre for Border Protection and Migration), sectional questions regarding illegal migration and THB were discussed in 2014. They mainly concerned information provided by Czech embassies abroad, which was forwarded to law enforcement agencies. This information was promptly forwarded to the relevant bodies of law enforcement.
- In 2014, experts also met within the platform known as the **Inter-ministerial Group for Combating Illegal Employment** (hereinafter referred to as "IMGCIE"). Two meetings of IMGCIE took place in 2014, where the following issues were discussed: information on proposed amendments in the field of residence and employment of foreign nationals, especially in relation to the implementation of the Directive 2011/98/EU and draft law amending the Act on Employment. Experiences of NGOs were also presented and discussed, identifying a need to increase cooperation between NGOs and controlling bodies. In the field of controlling activities regarding illegal employment, outputs of the controls of Labour Inspectorates were discussed, as well as outputs of activities of other relevant authorities. Members of IMGCIE were also notified about numbers of administrative expatriations of foreign nationals who were employed without residence permits or work permits in the Czech Republic. Changes in legislation were also discussed mainly the establishment of the institute of employee cards, extending the categories of persons who do not need a permission to enter the Czech labour market, explicit declaration of the possibility of deploying foreigners on business trips, and in particular the reduction of the fine for the administrative offense of allowing illegal work. The reason for the reduction in the amount of the fine was the effort to ensure that the level of penalties for illegal employment do not reach the level of factual liquidation of the employer. Other topics included the issue of undeclared work, fight against labour exploitation and information on the project "Through innovation to prevention of labour exploitation of EU citizens"¹⁵. Due to the need to improve the effectiveness of the platform a Statute and Rules of Procedure were updated. Both the documents were passed by Government resolution No. 787 from October 1, 2014.
- Cooperation between relevant offices of the **Czech Police, NGOs and IOM Prague** continued in 2014. It mainly concerned cases where an identified victim of THB took part in the Programme. In such cases cooperation concerned securing smooth progress of the criminal procedure. When needed, ad hoc meetings were organised in order to further enhance mutual cooperation and to agree on future proceedings, this being true for the departments of Mol as well.

10.2 International cooperation

The list of activities included in this chapter cannot in any case be taken as exhaustive and complete. Representatives of the Mol (including representatives of the Czech Police) participate in a range of platforms within the EU as well as in meetings of international organisations where the Czech Republic is a member, or other bilateral or multilateral or regional meetings with partner organisations. Furthermore, Czech representatives attended conferences where information was exchanged and cooperation at both the strategic and operative levels was discussed, moreover international cooperation in 2014 included hosting international delegations in order to discuss the topics in question.

¹⁵ For more information see https://portal.mpsv.cz/sz/zahr_zam/projekt_prevence_vykoristovani.

- In 2014 two meetings of **National rapporteurs and equivalent mechanisms** of the EU were held in Brussels. The Security Policy Department of the MoI, plays the role of the national rapporteur in the Czech Republic. A fundamental topic is always the exchange of information on the situation in individual EU Member States – new trends as well as new strategic and operative measures to be adopted. Furthermore, a mid-term report has been issued by the European commission on the opportunity of half of the length of the current EU strategy towards eradication of THB 2012 – 2016. Attention was paid also to reporting to the European Commission as required by Art. 19 and 20 of the Directive 2011/36/EU. A study “Guardianship systems for children deprived of parental care” by FRA was presented. The meetings were attended also by members of the civil society platform.
- **Frontex Agency** organised training in Helsinki aimed at teaching methods and practical aspects of training in the fight against human trafficking. Trainers from Frontex introduced practical steps to prepare training concerning the identification of victims and perpetrators of the crime and their interrogation.
- Within the project “**Through innovations to prevention of labour exploitation of EU citizens**” a study visit took place. Representatives of Czech state institutions and NGOs went to Vienna to learn good practice in combatting THB. The project realised by MLSA is financed through European Social Fund. The main aim of the project is to introduce innovative measures in the area of prevention of labour exploitation and trafficking of people from new EU countries. The partial goals are the identification of functional tools and mechanisms for prevention of labour exploitation in Austria that is part of the “original EU 15” and application of Austrian experience, mechanisms and best practices with the situation of working EU citizens, esp. Bulgarians, to the Czech Republic; this being done in cooperation with the Bulgarian partner. In 2015 a study visit to Bulgaria will follow.
- In October 2014 a conference “**Joining forces against human trafficking**” took place in Vienna. The conference was organised by Austrian Task force against THB on the occasion of 10 years anniversary of its establishment. At the same time, the conference took place in honour of the 8th European day against THB. Austrian Task force was established in November 2004 and it is led by Federal Ministry for Europe, Integration and Foreign Affairs (FMEIA). The institution is responsible for coordination and intensification of measures taken in the fight against THB in Austria. Representatives of all the relevant ministries as well as outsourced agencies, federal states as well as NGOs closely cooperate within this platform. Among the major tasks of the body is implementation of the National Action Plan to combat THB.
- The **European Employment Service – EURES** operates in EU/EEA Member States and in Switzerland. It is an information advisory system supporting cross-border jobseekers’ mobility in the Single European Labour Market and promotes the right of any person to free movement of the labour force. The main activities include international and regional labour exchanges, cross-border information and advisory days, assistance in recruitment for employers, updates of information and verification of job vacancies on the national and European EURES portals. EURES organizes regional job fairs within the cross-border cooperation of individual EU member states. These job fairs specialize in diverse issues such as gastronomy, health care services or technical professions. The EURES network also organizes seminaries called Café EURES for regional partners that support worker mobility and international selection procedures for employers from abroad. Several such seminaries took place in 2013 in cooperation with employers from Italy, the Netherlands, Norway and Croatia. The abovementioned services provided by EURES are complemented by regular updates on living and working conditions in EU/EEA members states and Switzerland on

EURES website (www.eures.cz, www.eures.europa.eu), open days in regions or through its informative leaflets designed for all target groups, mainly young people and university graduates.

- In June 2013 were within the **EU policy cycle for organised and serious international crime** for the period of 2014-2017 identified nine priorities to combat:
 - Facilitation of Illegal Immigration
 - **Trafficking in Human Beings** – aiming to: disrupt OCGs involved in intra-EU human trafficking and human trafficking from the most prevalent external source countries for the purposes of labour exploitation and sexual exploitation; including those groups using Legal Business Structures to facilitate or disguise their criminal activities.
 - Counterfeit goods
 - Excise and MTIC Fraud
 - Synthetic Drugs
 - Cocaine and Heroin
 - Illicit Firearms Trafficking
 - Organised Property Crime
 - Cybercrime

- As stated below on practical examples, Czech Police take active part in EMPACT as well as in its sub-project ETUTU.

In connection to participation in the project **EMPACT THB**, another Action day took place in September 2014 under the code name "Archimedes" as a European control action. Controls took place in Prague, Jihočeský, Plzeň, Ústí nad Labem, Jihomoravský, Moravskoslezský and Hradec Králové regions. In the course 38 nightclubs, total of 474 people (of this number, there were 190 foreigners) were controlled. Consequently exchange of information on the persons connected to criminal networks is taking place. The action was realised under Europol.

In connection to participation in the subproject **ETUTU THB** that focuses on exchange of operative information on THB with special attention to Nigerian organised crime groups, an Action day was realised in June 2014. Targeted control took place in Prague, Plzeň and Jihomoravský region. At one moment 275 persons were controlled in night clubs – 21 being Nigerian nationals. In the member countries total of 673 persons (mainly women from countries of Western Africa) were controlled. In cases of 111 persons (predominantly women from Nigeria) information collected suggested that they may be victims of THB. Through the exchange of information was found out that 30 controlled persons were connected to criminal networks. The action was realised under Europol.

11.PRIORITIES

11.1 Evaluation of the activities in the fight against human trafficking in the light of the priorities set for 2014

I. Intensive controls

In 2014 an increased attention was paid to identification of situations that might be connected to THB. Programme of round tables for regional labour inspectorates and Regional Police Directorates was prepared and it will take place at all 8 the regional labour inspectorates throughout the Czech Republic. The main purpose of this activity is to intensify communication of labour inspectors with law enforcement agencies and to support exchange of information on cases if there is are links to criminal activities.

Moreover, in 2014 the attention of labour inspectorates focused on controls of agency employment and their users. Up to December 31, 2014 there were 1,589 employment agencies registered. Labour inspectorates controlled also agencies where the employment relationship was hidden, meaning those agencies lacked the proper authorisation. The relation between employment agencies and hidden user are typically based on business agreements. In reality the employees of the hidden employment agency are directly distributed to hidden users to perform temporary work with all the features of agency employment according to Sec. 308 and Sec 309 of the Labour act. The purpose of such conduct is to avoid the regulations connected to labour agencies – following the equal payment and conditions of agency and regular employees in particular. Furthermore, based on a business agreement it is possible to employ people on the basis of an Agreement to Complete a Job or foreigners that would not be allowed otherwise.

In total, 317 controls with focus on employment agencies were performed in 2014. For detected deficiencies 31 fines were imposed totalling CZK 1,256,000. Among the most prevalent deficiencies were detected violations of Sec. 308 and Sec 309 of the Labour Act.

In 2014 the major task focused on the field of agency employment in traffic monitoring, where the installation and finishing works were ongoing, in the automotive industry, in construction, in meat processing, and on the internet and mail-order businesses, as well as on security and guarding services.

II. Monitoring of private prostitution scene

Based on the intensive monitoring of the scene done by NGOs, the Police etc., it has been confirmed that voluntary prostitution is shifting more and more to private flats at the expense of clubs and streets. Sexual services in private properties are more latent and the risk of violent crimes is increased. Despite the fact that the monitoring of this scene is rather complicated, the NGO Bliss without risk is successful in getting into the properties, offer their services to sex workers and monitor the situation. The organisation intends to continue with its activities aimed at this scene in 2015.

Based on the field work of Bliss without risk there are estimated hundreds of private prostitution spots in Prague, in Jihomoravský, Olomouc and Zlín regions, the organisation identified 40 flats in Středočeský region. Moreover in Moravskoslezský, Pardubice, and Hradec Králové regions the majority of sexual services are provided in private properties. In the region of Liberec, the majority of sex workers are Czech nationals, to a lesser extent also Slovaks and Ukrainians.

III. THB on the internet

The issue of trafficking in persons in the context of the internet is perceived as a phenomenon that needs to be closely monitored in the Czech Republic. According to the experience of Czech Police the internet provides a huge space for perpetrators, especially in the context of recruitment of potential victims or offering services of trafficked people. As a result of these findings, there was an increased attention paid to this means especially during the phase of investigation. The cases were then presented at trainings for policemen as well as at interdepartmental meetings.

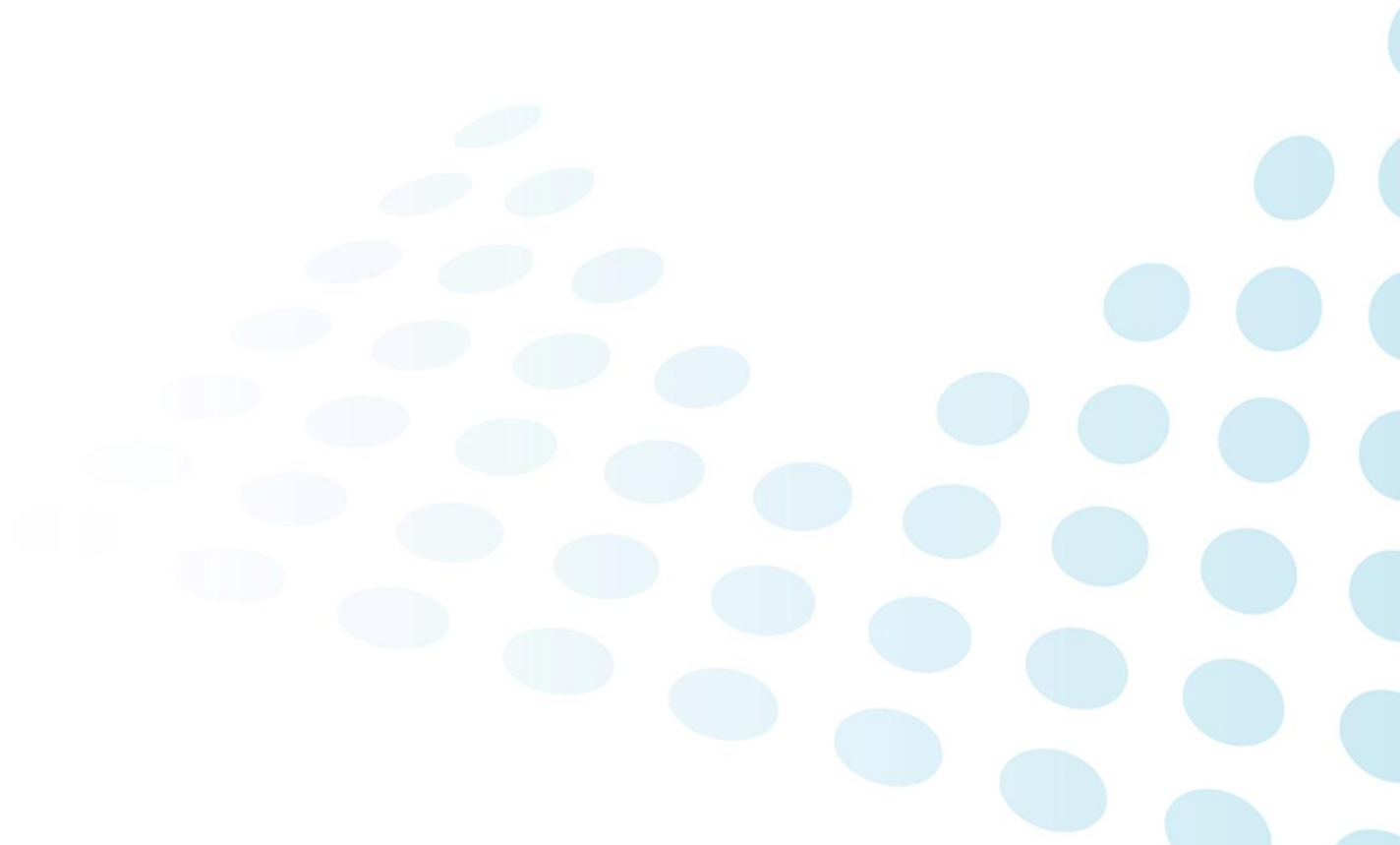
Moreover, Diaconia focused its preventive activities on combatting THB in the context of internet and prepared an e-learning that will be realised as a part of the project Prevention of THB and exploitation in the EU. The module will provide basic information on labour law in the Czech Republic and it will also provide information on potential risks connected to THB. The e-learning will be available in Romanian and Bulgarian and its target group is potential labour migrants in the countries of origin.

11.2 Priorities for the year 2015

Priorities for the year 2015 are set in concordance with tasks in the National strategy to combat trafficking in human beings in the Czech Republic for the years 2012 – 2015. Furthermore, the priorities are driven from recommendations of the Inter-ministerial coordination group.

- I. Enhancement of cooperation with the United Kingdom as a major target country of Czech victims.**
- II. Evaluation of Programme for support and protection of victims of THB of Mol.**

SECTION OF GRAPHS AND TABLES



1. NUMBERS OF DETECTED AND RESOLVED CRIMES OF THB (the POLICE)

Numbers of detected and resolved crimes of THB (formerly Sec. 246 or 232a of the old Criminal Code ¹⁶ ; from January 1, 2010 Sec. 168 of the Criminal Code)											
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Detected	13	16	16	11	29	10	24	19	24	18	20
Resolved	12	11	13	11	11	3	13	11	18	11	14
Total number of resolved crimes including crimes committed in previous years but resolved in 2014	12	11	13	11	13	11	17	17	22	16	19
Investigated and prosecuted persons	30	18	11	20	22	32	35	29	22	25	16

2. EDUCATION OF PERPETRATORS OF THB (the POLICE)



¹⁶ Old criminal code stands for Act No. 140/1961 Coll., Criminal Code, as amended.

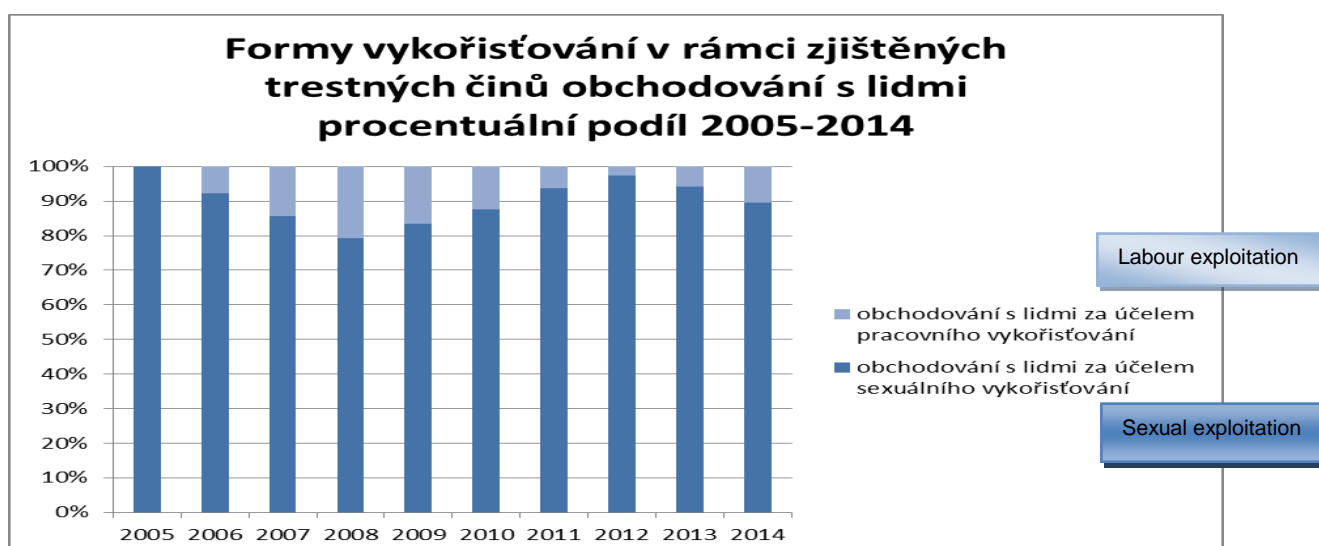
3. NUMBER OF PERSONS CHARGED FOR THB IN THE YEARS 2002 – 2014 (Supreme Prosecutor's Office)

Number of persons charged for THB (formerly Sec. 246 or 232a of the old Criminal Code; from January 1, 2010 Sec. 168 of the Criminal Code)											
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Persons charged	0	0	14	20	17	26	26	31	31	30	25

4. NUMBER OF CONVICTED PERSONS AND SENTENCES FOR THB (Ministry of justice)

Number Of Convicted Persons And Sentences For THB formerly Sec. 246 or 232a of the old Criminal Code; from January 1, 2010 Sec. 168 of the Criminal Code)											
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Convicted persons	12	20	2	4	3	1	10	19	11	19	6
The unsuspended sentence	3	8	0	3	3	0	9	18	10	17	4
The suspended sentence	9	12	2	1	0	1	1	1	1	2	1

5. FORMS OF EXPLOITATION IN THE YEARS 2005 – 2014 (the Police)



6. FINANCIAL INVESTIGATION IN CASES OF THB – ACCORDING TO REGIONS (the POLICE)

Obtained value for the offenses of human trafficking and procuring - instigated criminal proceedings in the period from 1 January 2014 to 31 December 2014

Region	Seized – taken – number of cases – FI sopened – FI closed				
ETŘ	zajištěno	odčerpáno	počet spisů	zahájeno FŠ	ukončeno FŠ
0000 - KŘP hl. m. Prahy	0	7.700	10	3	0
0100 - KŘP Středočeského kraje	0	0	0	0	0
0200 - KŘP Jihočeského kraje	26.110	0	4	0	0
0300 - KŘP Plzeňského kraje	0	0	3	0	0
0400 - KŘP Ústeckého kraje	0	0	7	0	0
0500 - KŘP Královéhradeckého kraje	0	0	1	0	1
0600 - KŘP Jihomoravského kraje	178.090	0	2	1	0
0700 - KŘP Moravskoslezského kraje	6.073.588	426.476	19	11	6
1400 - KŘP Olomouckého kraje	0	0	1	1	1
1500 - KŘP Zlínského kraje	605.803	0	5	1	1
1600 - KŘP kraje Vysočina	0	0	0	0	0
1700 - KŘP Pardubického kraje	0	0	0	0	0
1800 - KŘP Libereckého kraje	0	0	0	0	0
1900 - KŘP Karlovarského kraje	0	0	0	0	0
Celkem	6.883.591	434.176	52	17	9

7. NUMBER OF SUBMITTED NUMBER OF COMPLAINTS LODGED BY CITIZENSHIP 2013-2014. (MLSA)

Number of Complaints Lodged by Citizenship 2013-2014		
Citizenship	Number of suggestions	
	2013	2014
Slovakian	78	18
Ukrainian	26	6
Bulgarian	15	10
Russian	9	0
Polish	3	1
Belorussian	3	0
Romanian	2	0
Moldovan	1	1
Mongolian	1	0
Other	15	4
Czech	2 557	347
Not specified	6 495	1820
Total	9 205	2207

8. POČET PROVEDENÝCH KONTROL PŘI DODRŽOVÁNÍ ZÁKONA O ZAMĚSTNANOSTI V ROCE 2014 (MPSV)

Number of Inspections Concerning Compliance with the Act on Employment in 2014			
Inspections in the scope of application of the act on employment	1 st six months of 2013	2 nd six months of 2013	Total
Number of inspections according	8 052	8 033	16 085

to the act on employment			
Number of inspections – detected inconsistencies as regards the act on employment	1 856	1 566	3 422
Number of illegally employed Czech citizens	527	589	1 116
Number of illegally employed citizens of EU member states	109	64	173
Number of illegally employed citizens of third countries	316	242	558
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 87 of the act on employment	591	462	1 053
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 88 of the act on employment	3	2	5

9. Number and Amount of Fines Imposed for Non-Compliance with the Act on Employment in 2014 (MLSA)

Number and Amount of Fines Imposed for Non-Compliance with the Act on Employment in 2014		
Legal Bases	Number of Imposed Fines	Total Amount of Imposed Fines
Sec. 139(1)(c), administrative offence (natural persons), illegal work	7	31 000
Sec. 139(1)(d), administrative offence (natural persons), enabling illegal work as provided for in Sec. 5(e)(1) or (2)	0	0
Sec. 140(1)(b), administrative offence (legal persons), procuring employment without due permit or other infringement in procuring employment	5	130 000
Sec. 140(1)(c), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(1) or (2)	78	19 172 000
Sec. 140(1)(d), administrative offence (legal persons), employer's non-compliance with his legal obligation to inform or obligation to have a database as provided for in the act on employment	201	1 975 500
Sec. 140(1)(e), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(3) (foreigner without residence permit)	4	550 000

10. PROGRAMME ON SUPPORT AND PROTECTION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS (MoI)

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Celkem
Czech Republic		2	3	4	5	4	3	3	2		2	1	29
Slovakia		3		1	1	1	1				6	1	14
Moldavia	3								1				4
Ukraine		1	6	3	3	7	8		1				29
Bulgaria		2	4		1				1			2	10
Vietnam	1		3	3	2			1	1		1		12
Romania				3		6					14	39	62
FYROM					2								2
Russia	1	1			3	1							6
Kyrgyzstan		1			1	1							3
Lithuania		1	1										2
Uzbekistan						1							1
Brazil						3							3
Thailand							1						1
Honduras								2					2
Nigeria								1	2				3
Sri Lanka									1				1
Philippines										1			1
N/A									1				1
Total	5	11	17	14	18	24	13	7	10	1	23	43	186

10.1 TABLE: FORMS OF EXPLOITATION IN 2014 (PROGRAMME MoI)

Forced Labour/Labour Exploitation	Sexual exploitation
43	0

10.2 TABLE: NUMBER OF VICTIMS DIVIDED BY THEIR SEX (PROGRAM MV)

Total	Men	Women
43	33	10

11. NUMBER OF VICTIMS IDENTIFIED BY DIAKONIA IN THE YEARS 2010 – 2014 (DIACONIA)

Number of presumed victims identified by Diaconia in the years 2010 – 2014					
Sex, age	2010	2011	2012	2013	2014
men	4	6	9	34	19
18 – 24 years of age	1	1	2	3	6
25 and more	3	5	7	31	13
women	2	0	3	16	6
18 – 24 years of age	0	0	0	3	3
25 and more	2	0	3	13	3
total	6	6	12	50	25

12. CZECH VICTIMS OF THB FOR THE PURPOSE OF LABOUR EXPLOITATION IDENTIFIED IN THE UNITED KINGDOM (NCA)

CZECH VICTIMS OF THB FOR THE PURPOSE OF LABOUR EXPLOITATION IDENTIFIED IN THE UNITED KINGDOM				
Age	Men		Women	
	Labour exploitation	Domestic servitude	Labour exploitation	Domestic servitude
Up to 18	1	-	-	-
18-20	2	-	1	-
21-30	11	-	1	-
31-40	4	-	2	-
41-50	3	-	-	1
51-60	4	1	-	-

13. POTENTIALLY TRAFFICKED CHILDREN IDENTIFIED IN THE CZECH REPUBLIC IN 2014 (FACILITY FOR CHILDREN OF FOREIGN NATIONALS)

SUSPECTED CASES OF THB RELATED TO CHILDREN IN 2014	
Total	5
<i>boys</i>	<i>0</i>
<i>girls</i>	<i>5</i>
<i>Under 15 years of age</i>	<i>3</i>
<i>Over 15 years of age</i>	<i>2</i>
Country of origin	
<i>Bulgaria</i>	<i>1</i>
<i>Croatia</i>	<i>1</i>
<i>Romania</i>	<i>3</i>

Form of exploitation	
<i>Forced begging</i>	2
<i>Theft</i>	3
Termination of Their Stay	
Return to their family	3
<i>Running away</i>	2
Average length of stay	18 days

14. FINANCES PROVIDED BY MLSA TO SPECIALISED NGOs (MSLA)

Provider	Type of service	Name	Region	Subsidies in 2014 (CZK)
La Strada Czech Republic, o.p.s.	professional social counselling	Counselling to trafficked and exploited persons	Czech Republic	808.000
La Strada Czech Republic, o.p.s.	Crisis aid	Crisis aid to trafficked and exploited persons	Czech Republic	1.492.000
La Strada Czech Republic, o.p.s.	crisis aid via telephone	Info and SOS line of La Strada	Czech Republic	110.000
La Strada Czech Republic, o.p.s.	Asylum houses	Accommodation for trafficked and exploited persons	Czech Republic	1.241.000
Diakonie ČCE – centre of West Bohemia	field programmes	Field programme	Region of Pilsen	830.000
Diakonie ČCE - Centre of national programs and services	Asylum houses	Apartment of asylum	Czech Republic	1.071.000
Total:				5.552.000

LIST OF ACRONYMS AND ABBREVIATIONS

ADCH	Caritas' Centre for Migration in Prague
Anacen	Analytical Centre for National Border Protection and Migration of the Ministry of the Interior
CC	Act. Number 40/2009 Coll., the Criminal Code
Caritas	Caritas of the Archdiocese of Prague
COMP.ACT	European Action for Compensation for Trafficked Persons
CNPS	the Centre of Nationwide Programmes and Services of the Diaconia
(the) Czech Police	Police of the Czech Republic
DAMP	Department of Asylum and Migration Policy of the Ministry of the Interior of the Czech Republic
Diaconia	Diaconia of the Evangelical Church of Czech Brethren
EEA	European Economic Area
EU	European Union
EURES	European Employment Service
(the) Facility	Facility for Children of Foreign Nationals
ICMPD	International Centre for Migration Policy Development
IOM	International Organisation for Migration
IMCG	Inter-ministerial Coordination Group for Combating Trafficking in Human Beings
IMGCIE	Inter-ministerial Group for Combating Illegal
Employment	
IPS	Immigration Police Service
La Strada	La Strada Česká republika, o.p.s.
LO	Labour Office
MEYS	Ministry of Education, Youth and Sports of the Czech Republic
MF	Ministry of Finance of the Czech Republic
MFA	Ministry of the Foreign Affairs of the Czech Republic
MJ	Ministry of Justice of the Czech Republic
MLSA	Ministry of Labour and Social Affairs of the Czech Republic
MoH	Ministry of Health of the Czech Republic
Mol	Ministry of the Interior of the Czech Republic
National Strategy	National Strategy to Combat Trafficking in Human Beings (2012-2015)
NGO	non-governmental organisation
OCSE	Organisation for Cooperation and Security in Europe
OHS	Occupational Health and Safety
Programme	Programme on Support and Protection of Victims of Trafficking in Human Beings
RLI	Regional Labour Inspectorate(s)
R-R organisation	Rozkoš bez rizika (Bliss without Risk)
RPD	Regional Directorate of the Police of the Czech Republic
(the) Register	Register of Social Service Providers
SCRS	Statistical Crime Recording System of the Police of the Czech Republic
SLIO	State Labour Inspection Office
SPD Mol	Security Policy Department of the Ministry of the Interior of the Czech Republic
THB	Trafficking in Human Beings
UCOC	Unit for Combating Organized Crime of the Office of Criminal Police and Investigation

LEGAL REGULATIONS

Act on the Residence of Foreign Nationals	Act No. 326/1999 Coll. on the Residence of Foreign Nationals and on the Amendment to Some Other Acts, as amended
EU Directive on THB	Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
old Criminal Code	Act No. 140/1961 Coll. the Criminal Code, as amended
Code of Criminal Procedure	Act No. 141/1961 S Coll. the Code of Criminal Procedure, as amended
Criminal Code	Act No. 40/2009 Coll. the Criminal Code. as amended
Social Services Act	Act No. 108/2006 Coll. on Social Services, as amended
Act on Employment	Act No. 435/2004 S Coll. on Employment, as amended

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