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ACTION PLAN OF THE INTERDEPARTMENTAL WORKING GROUP ON COMBATING TRAFFICKING IN HUMAN BEINGS FOR THE YEAR 2007

Introduction

Based on various similar definitions, trafficking in persons is, in the Republic of Slovenia, defined as any form of recruitment, sale or transfer of vulnerable individuals or groups of persons, be it within or outside the country, for the purpose of exploitation in the form of prostitution, forced labour, slavery or similar practices or the removal of organs for profit. It is based on payment or other compensation and on the use of physical or other forms of coercion, deception, or fraud in order to achieve the consent of or control over the victim.

While trafficking in persons within the national borders has been recently observed, the specific circumstances of each individual country need to be taken into consideration. Depending on the flow of the traffic in persons, these are divided into the country of origin, the transit country and final destination. In Slovenia, the human trafficking phenomenon is known, mostly as trafficking in women for the purposes of sexual exploitation and abuse. In this area, Slovenia is a country of origin, of transit and destination. Official data on trafficking in persons is scarce since such crimes are rarely reported, while the complexity and secrecy of the activity additionally hinder the detection and prosecution of these criminal offences. In addition to analyses and the introduction of a system of internationally comparable indicators, the key areas of prevention of trafficking in persons include the systematic treatment of the victims of human trafficking involving the coordinated cooperation of all competent institutions as well as preventive activity and raising people's awareness about the dangers of trafficking in persons.

In 2003, the Government of the Republic of Slovenia approved the creation of the Interdepartmental Working Group on the Fight Against Trafficking in Human Beings, which continues to operate within the framework of the Ministry of Foreign Affairs and the Stability Pact for South Eastern Europe. In collaboration with comparable mechanisms within the European Union, the Interdepartmental Working Group prepares the strategy and coordinates the implementation of activities for combating trafficking in human beings. The Interdepartmental Working Group is comprised of representatives of ministries and governmental bodies as well as representatives of non-governmental organisations. Concrete activities for combating trafficking in persons are laid down in periodical action plans. In view of previous activities in the development and implementation of various projects for combating trafficking in persons and taking into account the planned activities outlined in the European Union Plan on Best Practices, Standards and Procedures for Combating and Preventing and Trafficking in Human Beings (C311, 09/12/2005) and the Resolution on the National Programme for Equal Opportunities for Women and Men, 2005-2013 which was adopted by the National Assembly of the Republic of Slovenia on 28 October 2005, there will be a need to

continue with activities also in this area. It will therefore be necessary, upon the conclusion of the Action Plan of the Interdepartmental Working Group for Combating Trafficking in Persons for the period 2004-2006 (Government Decisions No. 240-05/2003-1 of 18 December 2003, 240-05/2003-3 of 22 July 2004 and 23100-2/2005/9 of 24 November 2005), to ensure the further implementation of some of the current projects and to set new tasks in accordance with the needs and obligations for solving the problem of trafficking in human beings in the Republic of Slovenia.

I. Legislative framework

1. Draft Law on the ratification of the Council of Europe Convention on Action Against Trafficking in Human Beings

On the initiative of the Ministry of the Interior and on the basis of the Decision of the Government of the Republic of Slovenia No. 51002-9/2006/3 of 23 February 2006, the permanent representative of the Republic of Slovenia at the Council of Europe signed the Council of Europe Convention on Action Against Trafficking in Human Beings on 3 April 2006. Upon completing the expert editorial work on the Slovenian translation of the Convention and its interdepartmental harmonisation, the Ministry of Foreign Affairs will prepare a Draft Law on the Ratification of the Convention, which the Government will then submit for parliamentary procedure in the National Assembly of the Republic of Slovenia.

The signing and ratification of the Council of Europe Convention on Action Against Trafficking in Human Beings have been identified, as some of the activities to be performed by the end of 2007, also in the EU Plan on Best Practices, Standards and Procedures for Combating and Preventing and Trafficking in Human Beings (C311, 09/12/2005)

Body responsible:	Ministry of the Interior
Participating parties:	Ministry of the Interior, Ministry of Labour, Family and Social Affairs, Government Office for Equal Opportunities, Government Office for Legislation
Deadline:	March 2007

II. Prevention

1. Information campaign targeting specific population groups and the broader public

One of the basic activities of preventive operation is informing and thus raising awareness of the broader public as well as that of specific target groups about the

problems of trafficking in human beings. On the basis of the observations setting the background to the EU Plan on Best Practices, Standards and Procedures for Combating and Preventing and Trafficking in Human Beings (C311, 09/12/2005, chapter 3 point 2), and recognising the lack of such preventive action in the Republic of Slovenia, there is a need to adopt a coordinated and comprehensive approach to public information with the aim to minimise the demand for services that encourage human trafficking.

The Interdepartmental Working group shall appoint, among its members, a core working group. On the basis of the substantial guidelines and priorities and in collaboration with the Government Public Relations and Media Office, the core working group will prepare a communication plan in support of the prevention and minimisation of all human trafficking activities. The execution plan shall determine the purposes of communication, the priority target public, the key messages, the timetable, specific performers of tasks and the financial resources necessary for the implementation of the project. The working group for communication will prepare the proposal for the communication plan in 2007 with a plan to implement it during the period of the 2008-2009 Action Plan. The working group for communication has been charged with the responsibility for preparing and implementing the communication plan.

Informing and raising the awareness of the broader public is performed continually with the help of regular reporting to the public on the work of the Interdepartmental Working Group for the prevention of trafficking in human beings (press conferences at the time of adoption of annual reports, seminars, conferences, successfully concluded cases, etc.). Informing of the general public about the work of the Interdepartmental Working group is the responsibility of the national coordinator and institutions participating in the Interdepartmental Working Group, assisted by the public relations services and participating institutions. The Government Public Relations and Media Office is responsible for presenting the work of the Interdepartmental Working Group on the Government web site.

Body responsible:	Government Public Relations and Media Office
Participating parties:	Ministerial institutions and non-governmental organisations
Deadline:	First half of 2007

2. Introducing and monitoring internationally comparable indicators on trafficking in human beings

The concept of the study that would analyse the existing practices and policies for preventing trafficking in human beings and sexual exploitation for prostitution and pornography was elaborated in the Resolution on the National Programme for Equal Opportunities for Women and Men, 2005-2013. The Interdepartmental Working Group believes that this study would provide a suitable basis for determining internationally comparable indicators also in the area of human trafficking. The achievements of countries in the area of prevention of trafficking in human beings are also assessed, once every year in the United States of America in accordance with internal legislation.

This area is also constantly present in the various reports of international organisations dealing with human rights.

The Ministry of Foreign Affairs shall encourage the conducting of the international comparative study whose value is estimated at EURO 20,800 (about SIT 5 million).

Funding provided by: Ministry of Foreign Affairs
Body responsible: Ministry of Foreign Affairs
Participated parties: Interested research institutions
Deadline: December 2007

3. Tightening control mechanisms regarding the issue of work permits

With the aim to reduce potential abuses of work permits in the case of employment of aliens whereby circumstances point to the possibility of trafficking in human beings, the following mechanisms need to be tightened:

- the definition of criteria for specific categories of employment or work and, inter alia, the re-examination of the criteria for granting work permits for the employment of night club dancers and, where necessary, the determination of quotas for specific categories;
- ensuring closer active cooperation between the Police, the National Employment Directorate and other public administration bodies with a view to step up mutual exchange of information and increase cooperation, especially in cases of trafficking in human beings;
- the control (regular and irregular) by the labour inspectorate of work permits granted for the dancing profession and ensuring the efficient and swift punishment of offenders (Labour Inspectorate, Misdemeanour Judge).

Body responsible: Ministry of Labour, Family and Social Affairs
Participated parties: Ministry of the Interior – General Police Directorate
Deadline: Continuous process

3. Enabling the early detection of trafficking in human beings during visa procedures at consular representations abroad

The activities conducted recently for raising the awareness of and training consular staff on the potential possibilities of trafficking in human beings during the procedures for issuing visas to aliens, have proven to be an efficient preventive measure. There is, certainly, a need to encourage the prompt forwarding of information about suspicious circumstances detected by the consular staff during procedures with aliens, and their training needs to be suitably advanced. There is also a need to continue with the activities of the border police in direct procedures with aliens (risk groups) and in the detection of criminal offences, which indicate potential trafficking in human beings (falsified identification documents and permits on entering the country, multiple state

border crossings by suspicious individuals, etc.). The civil servants who conduct administrative procedures on the issuing of residence permits should also be included in the additional educational and training activity on the early detection and prevention of trafficking in human beings. Within this context, there is a need to enhance cooperation and communication between the Police, the Internal Administrative Affairs Directorate and the Consular Section of the Ministry of Foreign Affairs and, in this way, indirectly also with the most exposed embassies of the Republic of Slovenia abroad.

Body responsible: Ministry of Foreign Affairs
Participated parties: Ministry of the Interior – General Police Directorate
Deadline: Continuous process

III. Investigation and criminal prosecution

1. Following up individual cases of the prosecution of criminal offences related to trafficking in human beings

In the investigation and prosecution of criminal offences in the area of trafficking in human beings, especially of the crimes of “Trafficking in human beings” and “Subjection to a slavery relationship”, the Police and State Prosecution considered up to ten cases, on the average, during the last three years. Due to lengthy procedures, there is, however a lack of information regarding the following up of cases until the conclusion of the judicial process.

Given the relatively small number of criminal prosecutions of crimes in the area of trafficking in human beings, the Interdepartmental Working Group advocates for the constant following up of cases until the final verdict since this may guarantee additional transparency and justification of the decisions reached in specific cases.

Body responsible: Supreme State Prosecution
Participated parties: Ministry of Justice, Ministry of the Interior – General Police Directorate
Deadline: Continuous process

I. Help and protection of victims

1. Assistance to and protection of victims of trafficking in human beings

One of the Interdepartmental Working Group's priority tasks is to ensure that all forms of assistance are rendered to the victims of trafficking in human beings in Slovenia,

especially to those persons that are willing to testify in court. From this viewpoint, the victims of trafficking in human beings must be offered appropriate help and assistance as in accordance with the provisions of international documents to which the Republic of Slovenia is also committed.

These forms of help concern the offer of assistance to victims in their physical, psychological and social rehabilitation as well as assistance in regulating their status and during the criminal proceedings and include the following:

- appropriate housing, food and care,

- psychological assistance,

- urgent medical assistance,

- translation and interpretation services if necessary,

- counselling and information as regards their legal rights,

- appropriate help for child victims of trafficking in human beings including their social reintegration and their comprehensive physical and mental rehabilitation, except in the case of procedures stipulated in the Marriage and Family Relations Act. When considering cases of child victims of trafficking in human beings, the child's interest shall be the principle guide,

- assistance in regulating the victim's status in the Republic of Slovenia,

- assistance in informing child victims about their rights, their role as well as about the substance and timetable, the manner of conducting procedures and the resolution of their case,

- assistance to ensure that the rights and interests of the victims of trafficking in human beings are represented and considered by the appropriate criminal prosecution instances,

- provision of appropriate support to child victims throughout the entire criminal procedure,

- the organisation of expert training courses for the providers of care services together with the other participating subjects (the Police, staff from centres for social work, etc.) during the process of offering assistance to victims and the prosecution of offenders.

International experiences show that activities for this form of care for the victims of trafficking in human beings are performed especially by non-governmental organisations. Their capacity to establish mutual linkages and exchange good practices enables them greater efficiency in the performance of these activities. Here, it is important to ensure constant training and education for the project contractor together with all the other organisations participating in the direct provision of assistance to victims and during prosecution and trial procedures.

The project includes the provision of crisis accommodation and the basic forms of care listed above in indents 1 to 6, thus enabling the victims of trafficking in human beings to

leave the undesirable environment. The period of crisis accommodation normally lasts up to 5 days after which the victim may express the wish to return home or take advantage of the legally provided period of reflection (three months), during which they may decide whether to cooperate or not with the investigating and prosecuting authorities.

In the event of a victim of trafficking in human beings deciding to cooperate with the investigating and prosecuting authorities, the subject of the project is linked to the second set of activities which, in the case of alien victims, includes the regulation of their residential status (under the Aliens Act), as well as the provision of assistance in realising the right to representation and consideration during the criminal proceedings against the offenders. On this basis, the victims must be offered, within the framework of a secure place, all the necessary protection during the witness procedures in court. Where necessary, activities include also the continuation of the provision of the basic elements of care listed above in the first six indents, albeit this normally applies to a small number of users. Work with these persons requires specific knowledge and skills, in order to guarantee the provision of the forms of care listed above in indents 7 to 10.

The Ministry of Labour, Family and Social Affairs and the Ministry of the Interior will guarantee the implementation of the project entitled "Care for the victims of trafficking in human beings". The funds required for the implementation of the project in 2007 shall be allocated on the basis of a simultaneous and harmonised public competition, which will be announced by the ministries, depending on the content. In this, the project contractor shall be required to ensure the continuity and linkage of all procedures whose final aim is to provide assistance to victims of trafficking in human beings.

For these purposes, there will be a need to allocate a total of EURO 68,000 (about SIT 16.3 million) in the 2007 budget of the Republic of Slovenia, of which EURO 33,000 (about SIT 7.8 million) shall go to the Ministry of Labour, Family and Social Affairs and EURO 35,000 (about SIT 8.4 million) to the Ministry of the Interior.

Funding provided by:	Ministry of Labour, Family and Social Affairs, Ministry of the Interior
Body responsible:	Organisations qualified for providing assistance to victims of trafficking in human beings
Participated parties:	Ministry of Labour, Family and Social Affairs, Ministry of the Interior
Deadline:	January 2007

2. Continuation of the project for introducing mechanism for the identification of, provision of assistance to and protection of victims of trafficking in human beings and/or sexual abuse in asylum procedures in Slovenia (PATS)

It is a well-known fact that asylum procedures in some countries are used as migration channels by traffickers and traders to transport persons to target countries. Given the fact that Slovenia, for a variety of reasons, remains a transit country for the majority of

asylum seekers, there is a real possibility of abuse of the national asylum system. There have also been cases, during asylum procedures, whereby it has been very difficult to establish the identity of the victims of trafficking in human beings. In order to regulate this issue appropriately, it would be sensible for the Ministry of Foreign Affairs, the Asylum Section of the Ministry of the Interior, and selected non-governmental organisations to team up and continue with the implementation of the PATS Project whose concept was laid down for the period 2004-2006.

The overriding objective of the Project is to introduce clear mechanisms for identification, provision of assistance to and protection of victims of trafficking in human beings and sexual violence in asylum procedures in Slovenia.

The view of the Interdepartmental Working Group is to provide support to the project by promoting mutual cooperation between the partners involved. The Interdepartmental Working Group endeavours for the further implementation of the PATS model region-wide by promoting it in some selected West Balkan countries. The Ministry of Foreign Affairs will provide political support by encouraging the transfer of knowledge developed by Slovenian non-governmental organisations within the framework of PATS and will also provide part of the funding for the project.

The value of the project is estimated at EURO 20,800 (about SIT 5 million).

Finance provided by:	Ministry of Foreign Affairs
Responsible body:	Non-governmental organisations qualified for providing such assistance
Participating parties:	Ministry of the Interior
Deadline:	2007

II. Training

1. Police training programmes in the area of combating trafficking in human beings

The Ministry of the Interior – the Police, will continue to organise training programmes for police officers for intervention and investigation in the area of the prevention of trafficking in human beings, especially trafficking in women for purposes of sexual exploitation and abuse for prostitution and pornography. Experts from competent institutions and non-governmental organisations will participate in the training within the framework of regular annual training programmes. The project concept was laid out in the Resolution on the National Programme for Equal Opportunities for Women and Men, 2005-2013 while the guidance for these forms of training was also given in the EU Plan on Best Practices, Standards and Procedures for the Preventing and Combating Trafficking in Human Beings.

In order to facilitate improvements and uniformity of training processes in this field, it was found sensible to prepare a common legal-practical handbook on preventing and combating trafficking in human beings. The handbook is currently being prepared by the Ministry of the Interior – the Police, and the Supreme State Prosecution.

Responsible body: Ministry of the Interior - Police
Participating parties: Organisations and experts in combating trafficking in human beings
Deadline: Continuous process

2. Inclusion of the subject of trafficking in human beings in the school curriculum

The regular annual education and training programmes for the teaching and counselling staff, organised by the Directorate of the Republic of Slovenia for Education, will also include the subject of trafficking in human beings, prostitution and pornography. Emphasis will be put on the preventive raising of the awareness of children and young persons regarding the dangers of trafficking in human beings. Similar forms of education – awareness raising, have been organised in the past by the non-governmental sector and have proven to be successful. For this reason, the Interdepartmental Working Group is of the view that the training of teachers must be conducted in the form of seminars and within the framework of the annual working plans of the Directorate of the Republic of Slovenia for Education.

The project concept was laid out in the Resolution on the National Programme for Equal Opportunities for Women and Men, 2005-2013.

Responsible body: Ministry of Education and Sport - Directorate of the Republic of Slovenia for Education.
Participating parties: Organisations and experts in combating trafficking in human beings
Deadline: Continuous process

3. Expert training for prosecution and judicial authorities

In view of the fact that prosecution and judicial authorities also need to have appropriate qualifications and specific knowledge in the area of combating trafficking in human beings, various forms of education and training need to be continued in the future. The current lack of such knowledge, especially in the judiciary, may be one of the explanations for the small number of sentences passed in this area.

The subject of trafficking in human beings will therefore constitute part of the training activity within the framework of the judicial and prosecution schools of the Judiciary Education Centre.

Responsible body: Ministry of Justice

Participating parties: Organisations and experts in combating trafficking in human beings
Deadline: December 2007

III. International cooperation

1. Cooperation within the framework of regional and international organisations for preventing and combating trafficking in human beings

The prevention of and fight against trafficking in human beings is not restricted to the boundaries of a single country. With the aim of achieving greater efficiency, activities are joined at interstate, regional and international levels. The role of the expert staff of governmental and non-governmental organisations is to actively contribute knowledge and exchange experiences in the formulation of joint guidance and measures in this field. These activities will be performed through the participation of Slovenian representatives in international and regional workshops and conferences as well as through the active role of Slovenian representatives within the framework of EU institutions.

The second aspect of international cooperation is of an operative nature, manifested primarily in the cooperation of specific authorities (the Police, Prosecution) in concrete cases of the detection and prosecution of criminal offences in the area of trafficking in human beings. These tasks have been identified also in the EU Plan on Best Practices, Standards and Procedures for the Preventing and Combating Trafficking in Human Beings. On this basis, there will be a need to continue in 2007 with some of the well-established forms of cooperation within the EUROPOL, INTERPOL, SECI Centre and EUROJUST, as well as with the enhancement of bilateral cooperation in this area.

Responsible body: Ministries and governmental services and other interested organisations
Participating parties: Organisations and experts in combating trafficking in human beings
Deadline: 2007

Table 1: Costs review by individual project

- II. 2. Introducing and monitoring internationally comparable indicators on trafficking in human beings; EURO 20,800 (about SIT 5 million).
- IV. 1. Care for victims of trafficking in human beings; EURO 33,000 EUR (about SIT 7.8 million) + EURO 35,000 EUR (about SIT 8.4 million).
- IV. 2. Continuation of the project for introducing mechanism for the identification of, provision of assistance to and protection of victims of trafficking in human beings and/or sexual abuse in asylum procedures in Slovenia - PATS; EURO 20,800 (about SIT 5 million).

Table 2: Review of project financing by individual ministries for 2007

Budget user	Budget item	Total (Euro)
MLFSA	4070 Non-governmental organisations operating in the area of the child and family	33,000
MI	6094 Care for migrants	35,000
MFA	2023 OSCE Material costs	41,600
Grand Total		109.600 (about SIT 26.300.000)

Key:

MLFSA – Ministry of Labour, Family and Social Affairs

MI - Ministry of the Interior

MFA -Ministry of Foreign Affairs

