



MINISTRY OF THE INTERIOR
OF THE CZECH REPUBLIC

2015 STATUS REPORT ON TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC

**Security Policy and Crime Prevention Department
Prague 2015**



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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 eighth 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 (2016-2019) adopted by the Czech Government Resolution No. 360 of 27 April 2016 (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 2015: Ukraine, Nigeria, Slovakia, Bulgaria and Romania and Hungary. In the year 2015 the Czech Republic was a **source country** for the United Kingdom, Ireland, Germany, Cyprus, Belgium, Netherlands and Slovenia. However, the fact that Czech nationals are trafficked also **within the country** cannot be overlooked.
- 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 reported 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.
- In total, **50 victims** of the crime of THB were identified. In total **4 alleged victims** from Ukraine, 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”) in 2015. Three cases concerned THB for the purpose of sexual exploitation and one case concerned THB for the purpose of forced labour/ labour exploitation⁴.
- THB ranks among the most prevalent forms of organised crime committed in the Czech Republic. This type of crime typically displays 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 2015. In order to achieve their aims, the offenders predominantly used ruse, dependency of victims, or they misled victims.

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.

⁴ For more information on the Programme see Section 3.5.2.

- **Offenders** of the crime of THB in 2015 were registered primarily in Prague, Zlín, Plzeň and Hradec Králové regions. **The share of foreign nationals** committing such crimes has not changed in 2015. Most often they were of Slovak 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 made use of close links to their countries of origin, from which they were supported. It can be stated that the country of origin of offenders typically corresponds with countries of origin of the victims.
- In April 2015 Ministry of the Interior in cooperation with Embassy of the United Kingdom in Prague and Organised Crime Unit organised a **Czech – British conference on the issue of THB in Prague**. The aim of the conference was to strengthen cooperation between Czech and British policemen and other actors involved in combating THB, including NGOs helping victims of this crime. The conference was organised in reaction to increasing number of Czech victims trafficked to the United Kingdom and to newly arising trends that needed to be tackled appropriately.
- In accordance with task IX of the National Strategy for Combating Trafficking in Human Beings in the Czech Republic for the period 2012 – 2015: Provide training to labour inspectors on the issue of human trafficking and methods of identifying probable victims, Security policy and Crime Prevention Department (SPCPD) realised a project of 8 round tables at regional labour inspectorates on the topic of: **"Possibilities of more effective cooperation of regional labour inspectorates (RLI) with the police in the fight against labour exploitation"**.
- In November 2015 **OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings** ambassador Madina Jarbussynova visited the state institutions as well as NGOs combating THB in Czech Republic. The aim of the study visits in the member states of OSCE is to support implementation of the commitments in fight against THB, that are among other things listed in the OSCE Action plan to combat trafficking in human beings (2013) and its Addendums (2005, 2013). Based on the study visit, a report containing recommendations for the system of fight against THB in the Czech Republic will be issued in 2016.

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 restricted. 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 difficult proving of delicts committed.
- According to Supreme Prosecutor's Office, certain problems with **the distinction of the terms „forced labour“ and „other forms of exploitation“** occur in practice. In this context, the decision of the Supreme Court dated 12. 3. 2014, sign sp. zn. 7 Tdo

1261/2013⁵, could be brought to attention, as it concerned practical aspects of interpretation of „labour exploitation“.

- 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”)⁶ there are still occurring numerous cases 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 excluded areas and the offenders make use of their lack of knowledge of local language and environment. There were for instance cases of recruited homeless people and other socially disadvantaged individuals for work in the UK. It has been confirmed in the long-term that perpetrators of this type of criminal activity were mainly citizens of the Czech Republic and Slovakia from socially excluded areas. Stricter approach of the of the British authorities is in line with the newly approved law on modern slavery (Modern Slavery Act 2015), which gives the police greater powers in this respect introduces to criminal law in the UK institute of life sentence, and among other things it also allows compensation for individual victims of trafficking in human beings in the UK.
- Embassy of Czech Republic in **the United Kingdom** (hereinafter referred to as the UK) is further reporting that majority of the cases of trafficking in human beings that involved Czech victims in the UK and that came to contact with the Embassy, shared common features. Predominantly they were cases of trafficking for forced labour/labour exploitation. The organisers were in most of the cases Czech or Slovak citizens coming from socially excluded areas that lived in the UK. They recruited people from the Czech Republic either themselves or through intermediaries. They typically offered work, including accommodation and food. The victims were usually recruited among homeless persons, unemployed, persons with criminal records, searched for by the Police or people from socially excluded areas. Practically none of the victims that came into contact with the Embassy spoke English. Number of them had to hand their documents to the offenders that used them in some of the cases for further criminal activity (loans, hire purchases, etc.). Some of the Czech criminal groups that operated in the UK are moving back to the Czech Republic in response to stricter legislation regarding benefit payments.

As far as Police reports are taken into consideration, new forms of exploitation were observed in 2015. The cases are typical for a problematic proof of the term “other forms of exploitation”. In 2015, during its operational investigative activities, the police observed that there has been an increase of cases of women coming from socially and educationally disadvantaged regions are targeted, contacted and used for “fraudulent – sham marriages” in the Czech Republic, which has later been confirmed through international police cooperation⁷. These cases were predominantly appearing

⁵ The decision is published under number 10/2015 of the Collection of court decisions and opinions of the Supreme Court of the Czech Republic.

⁶ 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/>.

⁷ For the issue of exploitative sham marriages see a brochure issued by the EU: <http://ec.europa.eu/transparency/regdoc/rep/1/2014/CS/1-2014-604-CS-F1-1.Pdf>.

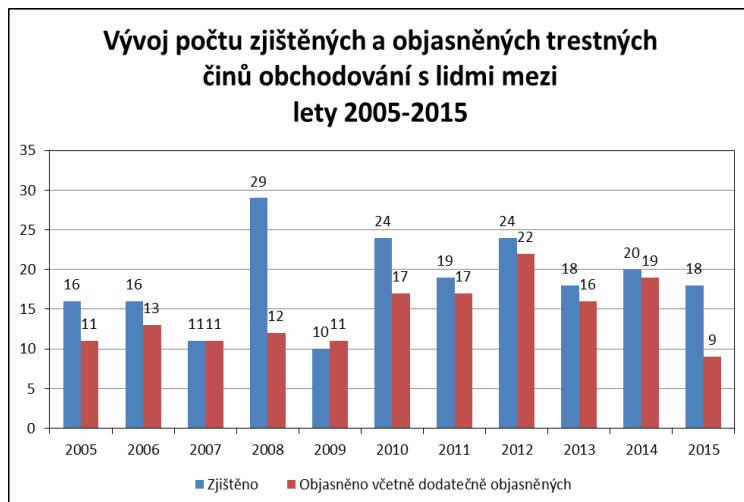
in the UK and Ireland, where the demand for such was detected mainly from the side of third country nationals, who were seeking to legalise their stay in the UK as an EU country through such illegal activities. People from the Czech Republic were involved mainly in search of such women in the Czech Republic, providing them with information on the demand. The women had to fit specific requirements, such as age, family background, etc. Among the communities that asked for Czech women Bangladeshi and Pakistani were identified. In most of the cases the offenders do not pay for the marriage and they force the women to stay in the local communities, possibly requiring them giving birth of their children. Other cases where the women were subsequently forced to prostitution were also reported.

- 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 Prague, Ústí nad Labem, and South Bohemian regions.
- In 2015, most **victims** were **identified by the Police** in Prague (24), 11 in region of Zlín, 7 in Plzeň region, 3 in Usti nad Labem region, 2 in Karlovy Vary region and 1 victim was identified in Moravskoslezský, Pardubický and Liberec regions.
- 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. It is also typical for this criminal activity that the victims tend to be distrustful to law enforcement agencies (hereinafter referred to as “LEA”) and they are very cautious with their testimonies. 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 2015.



The number of both **detected**⁸ 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.

18 cases of the crime of THB were recorded in the Czech Republic in 2015, out of which 7 were resolved and 2 were resolved additionally from the previous years. The police authorities have thus resolved 9 cases of THB in 2015.

The data on who initiated the criminal proceedings seem to be interesting as, besides police units, criminal proceedings were in 9 cases **initiated by citizens** (as compared to 5 in 2014).

3.2. Perpetrators in criminal proceedings

In total **12 persons were investigated** in 2015, of whom there were 6 women and 6 men (among them 4 foreign nationals). There were 2 repeat offenders among the investigated persons. The majority of the offenders were older than 30 years of age (9 persons), 1 person was in the category of 15 – 18 years of age and 1 person was in the category of 18 – 30 years of age. One case involved a person under 15 years of age. *For development of the number of persons investigated, see the Section of tables and graphs.*

According to **data registered in CSLAV**⁹ **24 crimes of THB were detected. 18 persons were prosecuted and 17 persons were charged**¹⁰ in 2015. *For development of the number of persons charged see the Section of tables and graphs.*

Based on the data from **Ministry of Justice, 19 persons were sentenced to prison for THB** (2014:6 persons). 15 persons were convicted for THB for the purpose of sexual

⁸ 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.

⁹ CSLAV is a statistical system of the Ministry of Justice, that takes into account also the cases from the previous years, whereas the Police statistics record only the cases whose investigation started in the given year.

¹⁰ The data of the Ministry of Justice and those from the Police may differ. They are not interconnected.

exploitation and 4 persons for THB for the purpose of labour exploitation. The convicted perpetrators were all Czech nationals in 2014. As regards gender of the convicts, 13 were male and 6 were 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 years 2011, 2013, and 2015.

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 their activities and regular functions. In some cases, the 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 2015 Czech embassy in London registered 4 Czech citizens that were detained on charges of human trafficking. Typically, family gangs were involved, whose members lived both in the UK and in the Czech Republic. Usually, the perpetrators know, where the victims come from, they also know their families which is then used against them.

3.3 Forms of trafficking in human beings

3.3.1 Sexual exploitation

15 investigated cases and **8 prosecuted persons** concerned THB for the purpose of sexual exploitation in 2015. 4 persons were prosecuted by the Police for THB for the purpose of sexual exploitation with victims under 18 years of age. **15 cases of convicted perpetrators** involved THB for the purpose of sexual exploitation.

Policemen of the 3rd Department of the Regional directorate of Police, Prague, documented a case of two suspects that were charged of THB (§168 CC) and of unauthorized acquisition, alteration and falsification of a payment instrument (§175 CC) and theft (§234 CC). They are suspected to use the victim, who has been released from a reformatory and moved to the suspects' flat with his mother in April 2013. The suspects were taking him to gay clubs where he was forced to prostitution and he could not leave the place unless he earned at least CZK 10,000, he was forced to hand the money to the suspects, that waited for him in front of the clubs. The victim was afraid of the suspects, so he obeyed their orders. As a result of such acts, he was caused grievous bodily harm. Moreover, the perpetrators forced him to set a bank account, took him the PIN code and the card and they regularly withdrew his disability pension.

3.3.2 Labour exploitation

In total, 3 investigated cases, 4 prosecuted persons and 4 convicted perpetrators were reported as cases of THB for the purpose of labour exploitation.

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. As indicated in 2011/36/EU Directive.

From January 1, 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.

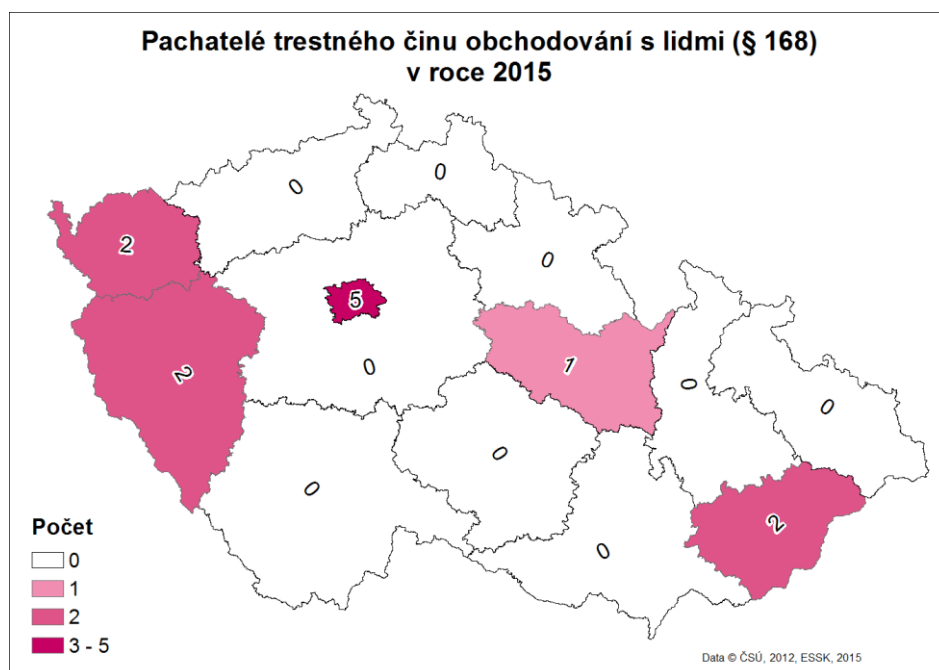
As in the years 2012 - 2014, also in 2015 SLIO conducted control activities aimed at detecting and combating illegal work under the project funded by the European Social Fund "Effective system of employment development, the performance of complex controls, and combating illegal employment in the Czech Republic. Implementation of this project ended on 31 December 2015, the controls will continue to be exercised within the framework of the standard public administration according to law no. 234/2014 Coll., On civil service.

Inspection activities in 2015 (partly also in 2014) tested the new approaches in the organization of controls, and showed new trends in the conduct controlled persons, the inspection registers more cases of hidden agency employment and long-term work based on agreements to complete a job. The infringements are thus very complicated to be proven due to sophisticated argumentation of the employers and general lack of evidence.

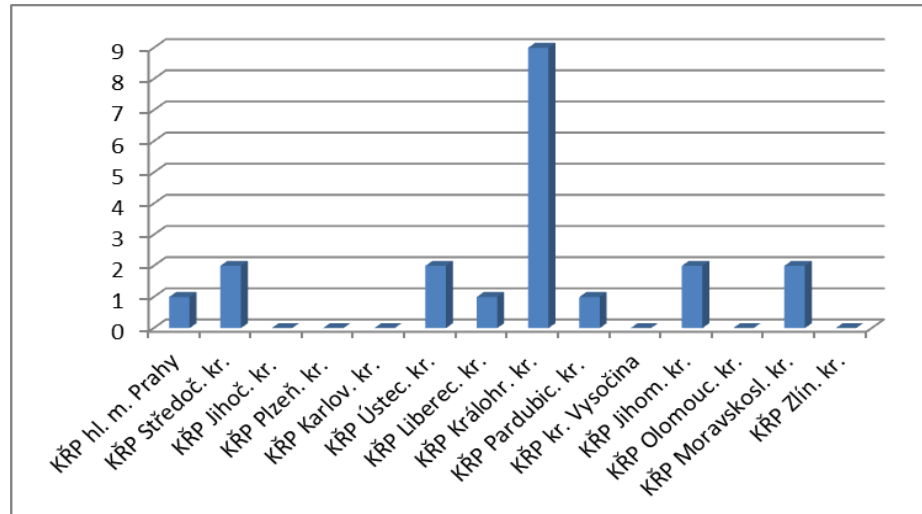
Within the main task "Control of illegal employment of Czech citizens and foreigners" were during the 2015 realized three state-wide exceptional control actions aimed at: employers operating in warehouses and logistics centres, bakeries and plants that produce food during their night operation and on restaurants and bars in the evening and night hours.

in 2015, SLIA undertook a total of 9743 (2014: 15,081) controls on compliance with the provisions of the Employment Act aimed at illegal employment. Such conduct was detected in 1655 cases (2014: 636). 1759 out of total 3093 illegally employed persons were Czech nationals 1037 were third country nationals and 297 were EU citizens. An increase in the number of detected illegally employed persons coming from third countries as well as from other EU countries has been reported.

3.4 The regional aspect of trafficking in human beings



The number of investigated cases of human trafficking
by RDP in 2015



3.5 Victims of Trafficking in human beings

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

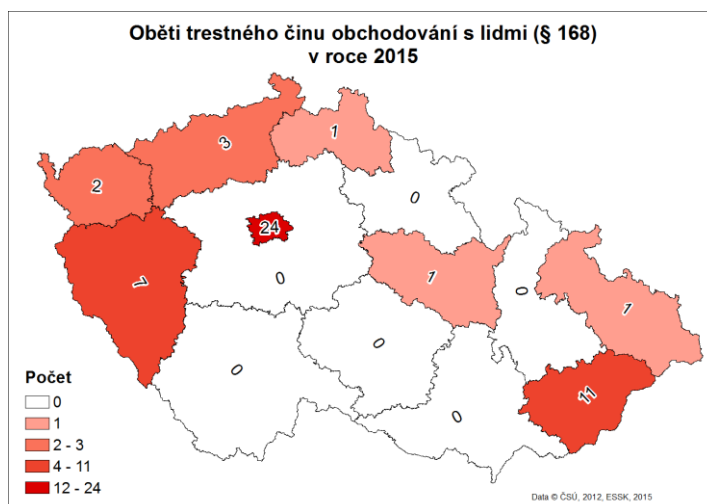
3.5.1 Victims identified in criminal proceedings

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 records¹¹.

In 2015, **50 victims** of THB were recorded in the police statistics, out of which **11 were identified alone** and **39 in groups**. 17 victims were identified as victims of **forced labour/labour exploitation** and the rest of the cases (33) 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 Prague region (24), 11 in Zlín region, 7 in Plzeň region, 3 victims in Ústí nad Labem region, 2 in Karlovy Vary and Liberec region, 1 in Pardubice and Moravskoslezský region.



3.5.2 Probable victims of THB

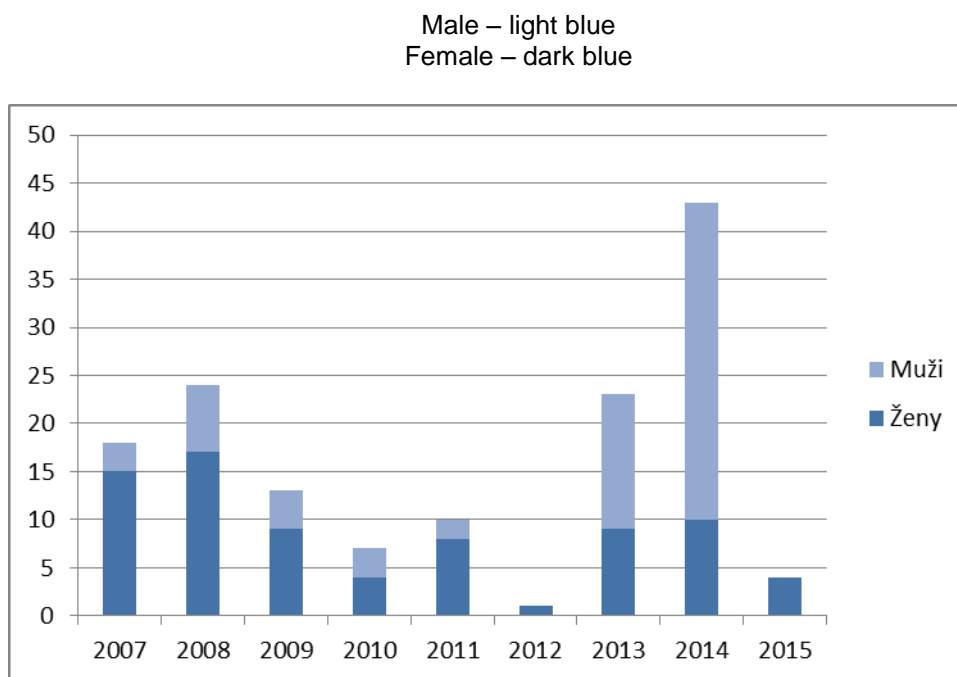
In the framework of **Programme on Support and Protection of Victims of Trafficking in Human Beings** of Mol that is designed for probable adult victims of THB, i.e. EU citizens trafficked within the Czech Republic, for third country nationals trafficked within the Czech Republic and for Czech citizens trafficked within the Czech Republic or abroad, in total **4 probable victims entered the Programme in 2015**. Those were women from the Czech Republic, Slovakia and Ukraine, that were probably victims of sexual exploitation in 3 cases and in 1 case it concerned labour exploitation. Since 2003 a total of 190 probable victims of THB entered the Programme. For a complete table of identified nationalities and their numbers see the *Section of tables and graphs*.

Also 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 2015, all the victims in the Programme agreed to **forward information to investigate their cases** to the relevant department of the Czech Police. Taken from **gender** perspective, the majority of victims were women in the category of 18 - 42 years of age. The victims were provided especially with the subsequent services within the Programme like accommodation, psychosocial services, legal assistance and the Programme of voluntary returns.

¹¹ The term victim embodies victims of violent and immoral offences and selected cases of property related crimes (e.g. pickpockets).

Victims of THB in the Programme - sorted out by gender 2007 – 2015



1 voluntary return was carried out through the Programme of voluntary returns (which is an integral part of the Programme) in 2015 (Czech citizen from the UK). In total, **94 voluntary returns** were realised (out of this 22 back to the Czech Republic) since the beginning of the existence of the programme of voluntary returns.

Non-governmental organisation **La Strada** provided outpatient and residential care to **75 clients in 2015**. Out of this number, 35 persons used the complex of social services. Contact social counselling was provided to 40 clients that encountered predominantly labour exploitation or got into a situation close to trafficking. Compared to the year 2014 there is a **decrease in the number of clients** (115 persons cooperated with the organisation in 2014).

Diaconia of the Evangelical Church of Czech Brethren provided residential care to **57 persons** (average age 35,6 years). Most of them were Romanians (37) and Bulgarians (16), 2 persons came from Latvia, 1 from Serbia, and 3 persons were Czech citizens. Since 2015 Diaconia has had registered service of field crisis help that has been provided already to 31 clients. It concerned 8 women and 23 men (average age 24 years). Most of the persons came from Romania (16), then there were present people from Bulgaria (4), Slovakia (3), Egypt (1), Moldova (1). Czech victims were registered too (6).

Caritas of the Archdiocese of Prague, Magdala project, provided complex services (including accommodation and consultancy) to 3 victims from the Czech Republic and 1 victim from Nigeria. The victims were provided with accommodation on hidden address, specialise social consultancy, legal consultancy, psychotherapeutic consultancy and material help.

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

As regards the countries of origin of the victims identified in the Czech Republic - **United Kingdom, Germany, Slovenia, the Netherlands, France, Belgium** and **Cyprus** 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 2015, NCA registered 43 persons (42 persons in 2014) from the Czech Republic that were reported into the services of British National Referral Mechanism (NRM)¹².

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, 24 persons were victims to labour exploitation, some of them in household. The most prevalent group is persons of 41 – 50 and 51 - 60 years of age. 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

The UK, namely the NCA, reports that in 19 identified cases on its territory, women from the Czech Republic were exploited sexually, 12 such cases involved minors. Most of the victims were women up to 18 years of age.

The consular section of Czech Embassy in London informed the Czech Organised crime unit of two cases, where sham marriages were taking place, one of the victims was further sexually exploited.

19 cases reported by **British** NCA concerned sexual exploitation of Czech women, out of which **12 cases involved a child** - less than 18 years of age, which was consequently the most represented group. The employees of Embassy of the Czech Republic in London contacted Organised Crime Unit about 2 cases of women were lured into sham marriages with subsequent sexual exploitation in one of the cases.

According to information provided by **Irish** police, the country registered **1 case** of THB that involved a Czech citizen (woman).

Slovenian authorities report **9 cases** of Czech women (age ranging between 24 – 34 years) that were forced into prostitution in 2015. The victims were lured to Slovenia for a different purpose, and then forced into prostitution in private flats.

According to Dutch NGO Comensha (Coördinatiecentrum Mensenhandel – Coordination centre for THB) 2 victims (women) were identified being Czech citizens in **the Netherlands**.

Consular office in Nicosia reported cases of exploited Czech women in **Cyprus**. All the cases involved young women and girls that moved to the island to search short-term jobs in restaurants, bars/clubs and claimed that they were forced to prostitution by their employers. In half of the cases, the deceit was proven, in the other half women came to Cyprus to work as prostitutes but were forced to practices they did not want to do or were

¹² 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.

exploited economically. Recruitment took place predominantly on the internet. The clubs were owned majorly by locals, who cooperated with foreigners in the recruitment phases. The suspects are usually involved in other crime activities, such as drug smuggling / dealing.

Consular office of Czech Embassy in Paris dealt with a case of a young woman from **France**, where there existed a suspicion of exploitation, the consular office contacted MoI, Czech Police and French police. The suspicion was not confirmed, however the Embassy assisted with quick and safe return of the woman back to the Czech Republic.

As stated in the Annual Report of the Police Criminal Unit in Wiesbaden on the issue of THB 2014 (year 2015 has not been reported yet), 9 victims from the Czech Republic have been identified in **Germany**, that were trafficked for the purpose of sexual exploitation (1,6 % of the total number of victims identified in Germany).

Victims of THB coming from the Czech Republic have been identified also in **Belgium**. Belgian office for foreigners (Office des étrangers) did not offer more detailed information as there were only few victims and bigger detail might increase risk of their identification.

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, victims of THB represent only marginal group.

However, it may be stated in total **101 services** were ready to accept clients-victims of THB in 2015.

Types of Services with a Target Group of „Victims of THB“ in 2015	
Type of service	Number
Professional social consultancy	44
Telephone assistance (emergency) lines	9
Social rehabilitation	4
Street-work programmes	20
Houses of asylum	16
Low-threshold facilities for children and youth	2

Crisis aid	4
Socially activating services for families with children	1
Intervention centres	1
TOTAL	101

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

As in the previous years, it is important to say that the Department of Asylum and Migration of the Mol 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 2015 - total of 14			
Granting Residence Permit	1	Granted	1
		Discontinued	0
Extending Residence Permit	13	Extended	13
		Refused	0
Cancelling Residence Permit	0	Cancelled	0
		Halted	0

Of the total number of applicants 6 were nationals of Vietnam, 4 nationals of Ukraine, 2 national of Algeria, 2 national of Honduras. Of the **total number of 14 proceeding** 6 related to women and 8 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). During confiscation, the unit faces problems like that the properties no longer belong to the perpetrators but to companies that are operated through the so called white horses and they are lending them to the perpetrators. In those cases, it is not possible to confiscate the properties. Moreover, it is impossible to calculate precisely the proceeds of the

crime of THB and soliciting as the victims either do not cooperate with the police or they simply do not remember how much the perpetrators were earning.

In March 2015, the Supreme Court in Prague ruled in a case under the code name "RELAX" about claim of one of the victims enacting the perpetrator to pay for **non-pecuniary damage in the amount of CZK 288 000 and to pay damage caused to the health of totalling € 360 000 CZK referring to proceedings in matters of civil law.**

According to informational system Evidence of criminal proceeding a total amount of **351 945 CZK** was seized by the police in respective regions. The biggest amount was seized in **Prague**. It concerns value of confiscated assets from crimes of solicitation and THB, whose investigation started in the period of 1. 1. 2015 - 31. 12. 2015. In total, 1 financial investigation was launched and 1 was 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 number 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, but the services were being provided to Slovakian, Ukrainian, Romanian, Bulgarian, Nigerian, Russian, Belorussian, Hungarian, Filipino, South African, Croatian and Korean women. The organisation Bliss without risk has not encountered any case of child prostitution, meaning of persons under 18 years of age. In Vysočina region, the organisation has come across an offer of sexual services by a girl under 18 years of age during the online monitoring, however, the information could not be proven.

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, Stážený

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**. The organisation Bliss without risk reports changes on the club scene in terms of a slight decrease of the numbers of clubs as a result of police raids, however, most of the reopened.

Private prostitution

It shall be noted that monitoring of private prostitution is significantly more complicated and problematic than its other types. Bliss without risk has observed an increasing number of provisions of sexual services in such establishments. Based on intensive monitoring of NGOs it has been confirmed that voluntary prostitution is more and more concentrated in private houses/flats often at the expense of the club or street prostitution. Sexual services offered in private establishments are being offered more covertly and the risks of violent crimes increase.

Even though the monitoring in this area is complicated given its hidden nature, the NGO Bliss without risk manages to enter this environment successfully. Based on the field work of the organisation, it estimates hundreds of private prostitution spots in Prague and

tens in the other Czech regions. In the region of Usti nad Labem, the scene seems to be the most hidden.

Prostitution endangering moral development of children

In terms of prostitution endangering the moral development of children (Sec. 190 of the Criminal Code), 3 crimes were detected and 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 moral development of children (Sec. 190 of the Criminal Code)						
Year	2010	2011	2012	2013	2014	2015
Detected	1	0	7	1	1	3

According to Ministry of justice data, 2 persons were convicted for the crime of Prostitution endangering the moral development of children Sec. 190 of the Criminal Code.

4.1.2 Situation in Attempted Regulation of Prostitution

The legislation concerning regulation of prostitution has **not undergone any significant changes in 2015**. 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 50 detected crimes of procuring. In 2015, 50 cases were resolved, 63 persons were investigated and prosecuted.

Number 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	2015
Detected	83	123	85	46	52	37	33	44	42	52	57	50
Resolved	83	119	79	39	43	28	26	32	36	46	49	50
Investigated and prosecuted persons	105	119	98	66	88	35	28	61	46	44	72	63

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 and a slight decrease in the number of charged persons. According to preliminary data of Supreme Public Prosecutor's Office 82 cases, 77 prosecuted persons and 73 persons charged were detected in 2015.

Number 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	2015
Persons charged	118	205	136	72	119	89	33	49	65	49	77	73

Ministry of justice registers 67 convicted persons. 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	2015	
Number of convictions	68	74	60	82	64	50	76	40	58	67	
Unconditional sentence	12	20	14	19	21	17	13	5	6	22	
Conditional sentence	49	48	44	60	39	41	49	33	46	44	

On the basis of criminal proceedings for the crime of procuring in 2015 the Unit for Combating Organized Crime **seized an amount of CZK 36.550.912** – CZK 849.000 and EUR 8.135 in cash, CZK 360.000 from the accounts of the perpetrators, a property used for the criminal activity worth CZK 35.000.000 and a car worth 250.000 as a substitute value.

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 2015 a total of 3 criminal offences of the unauthorised employment were detected and lead to the prosecution of 2 persons. Concerning this crime, it is important to mention that its application in practice is very limited. The reason for the limited applicability is the fact that it is bound to illegal stay of the person on the Czech territory, thus it can be applied only on cases of third country nationals residing in the Czech Republic without proper residence permit.

Detected and resolved cases of unauthorised employment of foreign nationals (Sec. 342 of the Criminal Code)						
Year	2010	2011	2012	2013	2014	2015
Detected	3	4	3	2	3	3
Resolved - total	0	0	2	3	2	2
Prosecuted and investigated persons	0	0	2	12	3	2

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

When criminal statistical records are taken into account, out of 50 recorded cases of THB, **14 identified victims of sexual exploitation were under 18 years of age** (in 9 cases the age of the victims is unknown). Moreover, **4 out of 12 perpetrators were prosecuted for THB for sexual exploitation of minors** decrease compared to year 2014: 15). In the years 2012 – 2015 121 victims out of 226 detected victims by the police were children. In the cases of minors, it was predominantly THB for the purpose of sexual exploitation. There are few specifics to be mentioned in connection to victims of THB under 18 years of age. Firstly, children fall into two categories of vulnerable victims as defined in the Law on victims of crime and secondly, the definition of THB is set so that it guarantees higher level of protection. Consequently, the means used by the perpetrator do not have to be proven in the criminal proceedings. Moreover, the system of help to minors is specific and specialised so that it is adequate for the special needs of children.

Since August 2014 there are two new crimes defined in the Criminal Code §193a participation at pornographic performance and §193b establishment of unlawful contact with a child.

Establishment of unlawful contact with a child (§ 193b of the Criminal Code)		
Year	2014 (since 1.8. 2014)	2015
Detected	2	7
Resolved – total	1	6
Investigated and prosecuted persons	1	4

Participation at pornographic performance (§ 193a of the Criminal Code)		
Year	2014 (since 1.8. 2014)	2015
Detected	0	0
Resolved – total	0	0
Investigated and prosecuted persons	0	0

The MLSA gathered the data on children who were **abused for child prostitution or for the production of child pornography**. In 2015, statistical data concerning the year 2014 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, 87 children were abused for the production of child pornography (2013: 33), which is a significant rise compared to previous years. There has been an increase in cases of girls of 6 – 15 years of age (50). There were registered 17 cases of children abused for prostitution (2013: 17) – 15 girls and 2 boys.

Diagnostic facility of Ministry of education – **Facility for children of foreign nationals** reports **132 unaccompanied minors** in their services in 2015 (increase compared to the year 2014: 39) – 125 boys and 7 girls, 52 of them being asylum seekers¹³. Facility for children of foreign nationals recorded the following countries of origin: Afghanistan, Algeria, Bangladesh, Bosnia and Hercegovina, Croatia, Iraq, Kazakhstan, Pakistan, Palestine, Myanmar, Nigeria, Romania, Somalia and Syria. The average length of stay being 55 days, where 4 children were returned to their families residing outside the Czech Republic, 106 ran away, 13 children stayed in the facility and 3 were placed in other establishments abroad. In **2 cases**, there was presumed trafficking in human beings. For more details see the *Section of tables and graphs*.

Information about presumed cases of trafficking in human beings of foreigners under 18 years of age are gathered by the specialists during the receiving procedure, from the Police, social workers, courts etc. The information is gathered also during the provision of services and consultancies. The information is further processed in cooperation with the Police and social workers.

In cases when the children are placed outside the Facility for children of foreign nationals, it is complicated to follow their situation and gather further information about them. Facility for children of foreign nationals is operational throughout the whole country. The obligation to

¹³ The Czech Republic: 11, Austria: 15, Hungary: 10.

monitor their situation is then passed to the facility they are placed and local organs. Facility for children of foreign nationals sometimes contact those institutions and ask for the information about the children and at the same time inform the institution about the information gathered during their stay in the facility. Facility for children of foreign nationals may upon request of the institution further provide with methodological support on the questions THB and other issues. From time to time, the clients themselves contact the Facility. Often, the children – former clients of the facility – come back from their own initiative and either ask for further help or just want to stay in touch. In cases in which the child is returned to the family, the possibility to get information about their place of stay is almost zero. Usually, the clients return to their countries of origin and at that point the facility loses possibility to get information on their situation.

In 2015 the facility set up a new model of work with unaccompanied minors, it became a methodological institution for other facilities providing further social services. This system should enhance cooperation and information sharing among the actors involved in care of the children and it should also make monitoring of the situation of the children easier, which is important also from the point of view of victim detection.

6. SUPPORT FROM THE SIDE OF ASSISTING ORGANISATIONS

6.1 *La Strada Czech Republic, 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 Strada¹⁴ together with eight member organisations in another eight European countries¹⁵. 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 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 services¹⁶ – 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.¹⁷

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

¹⁴ <http://lastradainternational.org/>.

¹⁵ Other member states are Belarus, Bulgaria, FYROM, Moldova, Netherlands, Poland and Ukraine.

¹⁶ 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.

¹⁷ According to Act on Social Services.

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 2 groups:

1. Trafficked and exploited persons that use one or more social service within the assistance. This means that they are interested to engage with the organisation in a complex manner and they regularly attend sessions. They can use the service of specialised social consultations, crisis help – with/without accommodation and the services of asylum houses. These services are called as „complex of social services “. In 2015 **75** persons used these services of La Strada, out of which **35** clients used the complex of social services.

2. Persons that use consultancy of their situation within the specialised social consultancy without solving their situation as a whole and without the use of accommodation. The reason may be lack of interest to solve their situation in a complex manner, need of one-off consultancy to orientate in their life situation or they need social or legal consultancy as a result of their exploitation but they cannot be provided with accommodation due to objective reasons. This group is called as „contact consultancy“. This service was provided to 40 clients that were predominantly exploited for the purpose of labour or they were in situation close to trafficking or exploitation.

Characteristics of clientele, that started cooperation with La Strada in 2015

In total 26 clients started the cooperation in 2015, it concerned 10 women and 16 men (for their citizenship see Table 1)

Characteristics of women

In 2015 the majority of women were from the Czech Republic (4), the organisation cooperated also with women from Slovakia (2), Ukraine (1), Lithuania (1), Latvia (1) and Kameron.

In cases that concerned suspicion of trafficking for the purpose of forced prostitution and forced marriages, the recruitment was majorly done through their partners, friends, family members or an advertisement in the newspaper and the means of coercion were reported as psychological pressure, threatening, withdrawal of financial resources.

In cases that concerned suspicion of trafficking for the purpose of labour exploitation or work in exploitative conditions, the recruitment was done mostly through advertisement, a friend and the means of coercion were majorly identified as psychological pressure, threatening and infringements of personal freedom.

Characteristics of men

As in the previous year the trend of increase of men clientele of Czech origin has continued. Generally, they can be characterised as persons whose situation prior to their exploitation has been influenced by loss of a close person. They were unemployed and lacked social background. They went through various trauma, lived among homeless people and in some of the cases they had problems with alcohol. La Strada also encountered cases, where the perpetrators used persons with mental illnesses. In these cases, the persons were Czech citizens that were exploited in the UK for labour. The recruitment took place either in the Czech Republic or in the UK. In the Czech Republic, it mostly took place in front of organisations dealing people without home, through a friend, under promise of work with

accommodation and payment of travel costs. Subsequent exploitation took place within individual families. In some of the cases the recruitment took place in the UK, where the clients went to seek job. Means of coercion were identified as withdrawal of documents, psychological as well as physical pressure, infringement of personal freedom, denial of food and drink.

Characteristics of men from EU countries

In this group, there were men from Romania, Bulgaria, Lithuania and Latvia, that were potential victims of labour exploitation. Recruitment took place predominantly in the countries of origin or through intermediaries in the Czech Republic, in most of the cases at the bus station Praha Florenc, in Pilsen or through formal job offers on the internet. They concerned physically demanding job (10-12 hours), consequently the victims were in bad physical and psychological condition, they received no payment, the accommodation and work conditions were poor, the victims were forced to work without any contract. It was most often work in the warehouse, planting trees, and pipe manufacturing.

La Strada also continues to provide info and SOS help line. In total 718 operations were performed in benefit of 396 persons that contacted La Strada this way. Compared to the year 2014 the number of performances has increased by 42. The service is provided to everybody regardless their country of origin or their residence status. The service can also be provided anonymously. In 2015 the service started to be provided also in Bulgarian.

As regards the **citizenship** of the clients, as in the year 2014 majority of the callers were EU citizens (174), second biggest number were Czech citizens (96). There were 62 third country nationals what is 50% less than in the previous year. In case of 17 persons the citizenship was not known. As regards sex of the clients, La Strada registers a long-term trend of an increasing number of men, their number was bigger than the number of women in 2015 (225 men and 171 women).

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

As an accredited organisation, La Strada provided support to 374 persons. The highest number of clients were given the information within field work (202 persons).

Field work focused primarily on seasonal work in agriculture, repeated visits of tipped locations (hostels), workers in services, construction and newly also smaller cities that were tipped by La Strada as well as LEA that exploitation of homeless people might take place there. Especially the latter environment is highly specific and lacks further mapping.

As well as in the previous year, the most of the **contacted persons** were from EU countries. The contacted persons came predominantly from Bulgaria, Ukraine, Romania and the Czech Republic (in order of occurrence). Moreover, people from Moldova, Slovakia, Hungary, Uzbekistan, Lithuania, Latvia, Vietnam, Poland as well as people from Pakistan, India and Philippines were contacted. At some of the hostels an increase of persons from Asian countries has been observed.

Compared to the previous year, more cases where the workers had signed an agreement to complete a job or even a work contract but they were only in Czech, thus the

contents of it were not comprehensible to the victims, occurred. Many times, the agreements to complete a job were breaking the lawful limit when they set 250 hours a month for more than half a year etc. A lot of the contracts were unlawful and/or not valid as they contained unacceptable conditions. Even in the cases of apparently unchallengeable contracts, the employers relied on the fact that if they delay payment of wages, workers will not have the means to an effective defence, and for further stay in the Czech Republic and they will prefer to return to their country of origin without money.

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.

In 2015 Charity provided complex services including accommodation and consultancy to 4 victims. Charity reported in total 813 contacts, out of which 705 were through telephone. The clients consisted of 735 women and 48 men coming from the Czech Republic, Algeria and Nigeria. These people were endangered by violence. Their age varied between 30 – 35 years of age.

Case study

Mrs. A. was lured by an organised group from socially excluded areas in the Czech Republic to the UK with a promise that she can start a new independent life there, life without influence of her mother, with whom she had long-term disagreements. Moreover, they promised to find her a boyfriend as she was single at that time. In the end Mrs. A. flew to the UK and the perpetrators paid for her flight ticket. Relatives of the gang member awaited her at the airport and Mrs. A. then lived at one of them (Mrs. M.), she arranged a marriage with a Pakistani living in the UK, whom Mrs. A. married. The ceremony took place in a mosque and Mrs. A. received payment of 40 pounds. Mrs. A. does not have any document about the marriage and it is probably invalid. She lived with her husband for 3 days, during which he forced her to have sex with his friend. Mrs. A. then returned back to the previous house, where she helped Mrs. M. at second-hand shop. During this time, she learned that the gang is trying to lure other vulnerable persons to the UK for sham marriages and forced prostitution. After disagreements with Mrs. M. (during one of them she stabbed her hand) Mrs. A. ended up without home, she was then taken to a medical facility, where she stayed for 7 months, then she moved to Unseen organisation, where she stayed for 3 months. In the

end, she got back to the Czech Republic through La Strada NGO and ended up in services of Charity within the programme Magdala. The client came without any money and did not receive her pension. The social workers helped her to start receiving the pension again and they assisted her at the doctors. Her psychological condition was very unstable during the stay in Magdala's asylum house. She suffered from hallucinations and she tended to be aggressive. After a visit of a psychiatrist she was hospitalised. The social workers stayed in touch with her and continued with the assistance. Due to her worsened psychological condition, she refused to cooperate with the police as speaking about her stay in the UK worsened her condition.

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

In May 2015, a new social service – crisis outreach help - has been registered by the organisation, it reacts to the needs of the clients in the field without need of being placed to asylum houses. The service is meant for adult persons that are exploited at work or which are endangered by it.

In total, the service of asylum accommodation was provided to 58 clients (14 women and 44 men). The average age of the clients was 35,6 years. Most clients came from Romania (37), Bulgaria (16), Serbia (2), and the Czech Republic (2). 450 persons were contacted during outreach work and 1800 leaflets were distributed.

Within crisis outreach help the organisation provided assistance to 31 clients since May – December 2015. It concerned 8 women and 23 men, average age of 24,2 years. Most clients were from Romania (16), Bulgaria (4), Slovakia (3), Egypt (1), Moldova (1), the services were used also by Czech citizens (6).

Outreach 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 **154 clients** from the following cities: Pilsen, Přeštice, Horšovský Týn, Rokycany, Nýřany, Klatovy and Tachov. Compared to the previous year, an increase by 1/3 can be observed, however it was accompanied by a decrease of time spent with individual clients.

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 2015; there was a slight increase in the numbers of returnees compared to the year 2014. IOM plans to aim at foreigners by a strong informational campaign on the possibilities of voluntary assisted return, by using the funds of AMIF.

Number of returned persons	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Czech Republic	635	617	297	315	312	399	214	-	224	214	202	223	146	175	200

As far as nationalities are concerned, IOM mostly assisted in returns of citizens of Kosovo, countries of Middle Asia, Ukraine and Vietnam. At the end of 2015 IOM also provided its services to people from Iraq.

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. Due to end of Solidarity funds for IOM Prague, the number of the councillors had to be decreased.

7. FINANCIAL RESOURCES

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

The funding method of the MoI 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 1 126 108** was provided in order to secure funding of those activities in 2015 (2014: 1 152 448 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 2015 the MLSA provided subsidies amounting to CZK **60 390 343** in support of 101 services that mentioned as one of their target groups the group of “victims of THB.” Out of the 101 supported services 6 mentioned this target group as their priority, were provided with subsidies amounting to **CZK 6 072 000**. For more information on the amounts provided see *the Section of Graphs and Tables*.

7.3 Other Financial Resources

It is also important to mention that the grants provided by the MLSA and MoI 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.
- After finalisation of a pilot phase a qualification course „**APS – Combatting trafficking in persons**“ is taking place at police school in Holešov as a regular training activity aimed at THB.
- In April 2015, a seminar focused on THB within the **MEPA** framework was realised, members of OCG represented case studies from the Czech Republic
- 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 Ruzyně – 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 September 2015, the Judicial Academy organised a seminar “Trafficking in persons”, attended also by a German public prosecutor of Weiden, that spoke about people smuggling within the migration wave and criminal aspects of THB in Germany.
- 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 Mol, 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 2015 three regular pre-departure training sessions were held, attended by 60 future consular officials, whilst 4 officials were trained individually.
- Moreover, several **consular offices** (i.e. in London, Yerevan, Islamabad, Tbilisi, Moscow) participated at training activities aimed at prevention of THB organised in the countries of their residence, some of them even participated at the organisation of such events (i.e. London, Kuala Lumpur).

8.2 Other preventive activities

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. During the last years attempts to raise awareness about the Programme have been successful mainly through outreach work and thus access to specialised services of the Programme was enhanced. In total 58 field trips were subsidised for the purpose of information spreading among potential victims of THB and their detection throughout the Czech Republic.

In accordance with task. IX of the National Strategy for Combating Trafficking in Human Beings in the Czech Republic for the period 2012 – 2015: Provide training to labour inspectors on the issue of human trafficking and methods of identifying probable victims, Security policy and Crime Prevention Department (SPCPD) realised a project of 8 round tables at regional labour inspectorates on the topic of: "Possibilities of more effective

cooperation of regional labour inspectorates (RLI) with the police in the fight against labour exploitation". From April to October 2015 representatives of Security policy and crime prevention department visited all 8 Regional labour inspectorates and trained 140 labour inspectors.

MSLA realised within a project financed by the European Union **“Effective development of employment rate, realisation of complex controls and fight against illegal employment in the Czech Republic** key activity 08 –

Aim of this activity is prevention of illegal employment among long-term unemployed persons registered at the employment office, mainly

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.

Project **“Through innovations to prevention of labour exploitation of EU citizens”** realised in the years 2014 – 2015, organised by MSLA continued its activities in 2015. NGOs and state institution cooperated in order to inform migrants and other organisations within the state structures on the risks of labour exploitation and ways to detect it. The project brought interesting findings, among others Analysis of the level of awareness and needs of Bulgarians at the Czech labour market about THB, round table of experts took place and a draft concept of prevention of labour exploitation of EU citizens in the Czech Republic was presented in order to serve as basis for further discussion.

Institutions of MSLA participated at distribution of **informative leaflets**, i.e. leaflet for potential employers of refugees, leaflets of the Employment office on employing foreigners and leaflet “Informed migration = safe migration”.

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 also in 2015, 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.

Organisation La Strada CZ in cooperation with IOM Slovakia and La Strada Poland realised a **campaign to raise awareness** about THB among persons endangered by exploitation working at constructions. The project was financed by Visegrad fund within its project “Counter-trafficking hotlines campaign in SK/CZ/PL vulnerable regions.”

In October 2015, La Strada CZ launched a campaign on the occasion of 20 years of its existence in the area of countering THB. Campaign aimed at broad public and at raising their awareness about THB in the Czech Republic, it was financially supported by the Mol, Leo Burnett, Railreklam and Boogie films.

Diaconia was preparing an e-learning module throughout 2015. It is a part of a project “Prevention of THB and exploitation in the EU”. The e-learning will provide basic information from labour-law area and draw attention to potential risks in Bulgarian and Romanian. Target group is potential labour migrants in their home countries. In November 2015 Diaconia organised a workshop on this topic in Czech centre in Bucharest. Together with its partners from several NGOs and government institutions combating THB for the purpose of labour exploitation from Romania and Bulgaria discussed ways to inform workers of these countries about labour market conditions in the Czech Republic. The main tool of prevention will be the newly created e-learning module.

Project Magdala realised a new preventive programme “Faces of love”, aimed at children and adolescents in orphanages and reformatories. This target group is being acquainted with the issues and risks associated with human trafficking, prostitution and violence. Minors without stable family background are target groups at risk of pathological phenomena, they repeatedly come forward as candidates for counselling services to Magdala project as well as to consequent services of state institutions. During 2015 Magdala counselling service got into contact and started cooperation with 120 persons from the target group and cooperated with Department of social and legal protection of children in Říčany that applied the project to the identified risk groups of children from the catchment area of the school.

Organisation Bliss without risk realised a research about forms and structure of violence against women working in sex-business and about strategies they use to protect themselves (qualitative form of interviews and quantitative form of questionnaires). **The results are elaborated in a publication “Not this! Analysis of violence in sex business and its solutions”**, published in April 2016¹⁸. Among other things, the results showed that sex

¹⁸ See: <http://www.rozkosbezrizika.cz/ke-stazeni/soubory/publikace-r-r-tak-tohle-ne/stahnout>.

workers encountered violence but they tended to downplay it. In most of the cases it concerned psychological violence. The most problematic group were the customers but frequently also partners and colleagues were involved. Research and publication are part of a project “Not with you – prevention of violence against women in the sex industry financially supported by Norwegian funds.

Organisation Bliss without risk started a project “**Let’s get together against violence against women from sex business**” supported by Norwegian funds, the purpose of the project is to map forms of structural violence against sex workers, mainly from the side of police and to work on the solutions to end it. The organisation also finished a movie focusing on violence in sex industry “Magda – not with you!”. Stories of clients of the organisation were used during the production of the movie. It was supported by Brno City Hall and it is being used for preventive campaigns aimed at youth/public in general.

Organisation Bliss without risk started a new service of **internet counselling and counselling through chat** mainly for women from sex business but also for women who are considering such career¹⁹. Main purpose of this service is to make counselling more accessible for women that want to remain anonymous or cannot travel to any of the organisation’s centres.

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

In the area of corporate criminal liability amendment to Act No. 418/2011 Coll. was prepared; it is currently being discussed as Parliamentary Print No. 304. According to current legislation, legal persons are not liable for crimes related to unauthorized handling of human tissues and organs, the human embryo and human genome (§ 164-167 of the Criminal Code.); and for the offense of prostitution endangering the moral development of children in accordance with § 190 of the Criminal Code. Act., the above-mentioned amendment changes it and makes legal persons liable even for these crimes.

Ministry of justice drafted the Act No. 77/2015 Coll., Amending Act No. 104/2013 Coll., On international judicial cooperation in criminal matters, and other related laws, as a transposition of the Directive of the European Parliament and Council Directive 2011/99 / EU dated 13. 12. 2011 on the European protection order to increase cross-border protection of victims of crime and their close persons from the offender or alleged offender, who may in any way endanger their life or physical, mental or sexual integrity. In practice, it means that if there is a ruling on protection of the victim in the Czech Republic in criminal proceedings, the decision that should prevent any form of harassment, abduction, dangerous pursuits (i.e. Stalking) and other forms of indirect coercion by (alleged) offender, whose aim is to prevent the continuation or repetition of crime perpetrator and victim moves from Czech Republic to another EU Member State or resides there, or that he/she intends to do so, the victim may apply for a European protection order in order ensure similar protection in that other EU Member State. Likewise, on the contrary, if the victim moves from another EU member state into the Czech Republic, it can be based on the recognition of a European protection order issued by another Member EU state provided similar protection to the Czech Republic and its protection may be issued by appropriate interim measures.²⁰

In 2015 Ministry of Justice drafted Act No. 86/2015 Coll., Amending Act No. 279/2003 Coll., On the confiscation of property and belongings in criminal proceedings and amending certain laws, as amended, and other related laws. It expands the conditions under which the

¹⁹ For the service see: www.poradna-rr.cz.

²⁰ This Act came into force on 1. 5. 2015.

the property may be taken. Under previous legislation, it was possible to take property claims in the prosecution only if there "was given a reasonable concern that satisfying such claims would be obstructed or impeded." In practice, to meet such reasonable concerns often required that the accused has already committed acts aimed at thwarting security, which again reduced the percentage of recovery of the claims of the victim. The aforementioned amendment cancels the condition, which should contribute to improving the position of the victim in criminal proceedings²¹.

Parliamentary Print no. 658 - a government bill amending Act No. 45/2013 Coll., On victims of crime and amending certain acts, as amended by Act No. 77/2015 Coll. and other related laws. This proposal enhances the existing level of implementation of the European Parliament and Council Directive 2012/29 / EU of 25. 10. 2012, establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220 / JHA while responding to practical experience. Among the major changes, we may refer to:

a) extending the categories of particularly vulnerable victims by of elderly people, victim of a terrorist attack, victims of hate crimes and the victims of crime committed for the benefit of an organized criminal group,

b) widening the range of information that are shared with victims, provided that the new regulation explicitly allows to provide the information to the extent that corresponds to the specific needs of victims, with regard to the nature and gravity of the offense, in order to avoid counterproductive flooding victims with information that can be irrelevant in a given situation,

c) changes in administration of register of providers of assistance to victims of crime.

The present Parliamentary Print no. 650 - Government bill on the use of funds from property criminal sanctions imposed in criminal proceedings and on amending certain laws. . The main objective of this bill is to remove the current undesirable situation, where victims of crime who have been granted a claim for damages or non-pecuniary damage do not receive it, because of the lack of property offender even though such property and belongings have already been confiscated during the criminal proceeding. The proposed legislation empowers the position of victims in satisfying their property claims, as it allows the use of the confiscated property for such purpose. Consequently, the funds obtained from the penalties imposed on property in the criminal proceedings will not constitute state budget revenue, but they will be collected on the special account of the Ministry of Justice and used for the above-mentioned purposes.

On the EU level MLSA was involved in drafting a a fundamental legal act - the decision of the European Parliament and of the Council **establishing a European platform for strengthening cooperation in tackling undeclared work.**²²

Works on the **amendment of the Employment Act** aimed at a strict separation of employment mediation under § 14 par. 1 point. a) and c) of the Employment Act and agency employment in accordance with § 14 para. 1 point. b) of the Employment Act, which lead to stricter conditions for granting permit to broker employment are still in progress. Emphasis is also placed on improving the implementation of agency employment and stricter penalties for unserious approach to this form of employment.

The **Constitutional Court**, referring to the liquidating level of **minimum sanction** for allowing illegal work ruled by finding published under no. 219/2014 Coll. with effect from 20 October 2014 that annulled the provisions of § 140 paragraph. 4 point. f) of the Employment

²¹ The law was published on 17. 4. 2015 in the Collection of Laws in part 37 under No. 86/2015 Coll.

²² Vice viz <http://www.consilium.europa.eu/en/policies/labour-mobility/platform-against-undeclared-work/>.

Act, "at least not in the higher 250 000 CZK." Subsequently, the lower limit of the fine for the administrative offense of allowing illegal work was determined as CZK 50 000.

Since December 18, 2015 law no. 314/2015 Coll. is in force. It shortens the time, after which the **asylum seekers may be granted a work permit** - from 12 months to 6 months.

In December 2015 ruling of **Constitutional Court II ÚS 3626/13** was issued, it reflects the progress of police investigation and work of Public Prosecutor's Office in **the case "Tree workers"** (Stromkaři) from the years 2009-2010, namely, the extensive exploitation of foreign workers in the Czech woods. The Constitutional Court annulled the decision of the police authority (Praha I) and the Public Prosecutor's Office to defer the case and described the procedure of LEA as incomplete and inconsistent. The case was therefore returned back for investigation.

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 2015. The IMCG discussed such topics as evaluation of priorities and tasks arising from the meetings of IMCG, main points of the Status report 2014, actualised report of EUROSTAT, the issue of trafficking of children and labour exploitation. Moreover, the meeting in December focused on evaluation of the tasks of National strategy to combat THB in the CR for the years 2012 – 2015. The group also paid attention to monitoring of trends and formulation of appropriate measures to combat them. IMCG is the only platform in the area of combating THB in the Czech Republic that gathers together relevant actors across the state institutions, LEA, NGOs and an international organisation.
- In 2015 regular meetings of different platforms within **ANACEN platform** (Analytical Centre for Border Protection and Migration) took place.

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: results of controls presented by the member institutions and new legislative changes. Among other topics, Strategy of migration policy and the development in refugee crisis in relation to employment of foreigners were discussed. MSLA further presented the results of Innovation to prevention of labour exploitation of EU citizens. Study The issue of illegal employment and undeclared work and their influence over public budgets was presented by [VUPSV](#). The membership base was extended by the General Financial Directorate, the Confederation of Industry and Transport of the Czech Republic and the Government Office. In November, first meeting of a new working group "Revision of information obligations of employers and the possibility of government agencies to share this information and used them with regard to fight against human trafficking and illegal work" took place.

- Cooperation between relevant offices of the **Czech Police, NGOs and IOM Prague** continued in 2015. 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.

- **State Labour Inspectorate** cooperates with other government agencies within its agendas, in 2015 it continued its efforts to improve departmental and interdepartmental cooperation. Better access to the database of Czech Social Security Administration has been established and changes to system for the exchange of information on penalties imposed by the labour inspectorate to other institutions within the MLSA have been made.

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 2015 included hosting international delegations in order to discuss the topics in question.

- In 2015 two meetings of **National rapporteurs and equivalent mechanisms** of the EU were held in Brussels. The Security Policy and Crime Prevention Department of the Mol, plays the role of the national rapporteur in the Czech Republic. First part of both the meetings was dedicated to „tour de table“, where the member states share their updates and important developments in their countries. Representatives of states of Eastern partnership and Network of states of South Eastern Europe participated at the meeting in June. During the sessions topics like migration, forced marriages and ways to fight trafficking in children were discussed. In October, two key topics were presented – possibilities of statistics harmonisation and reaction of member states to migration crisis.
- 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 Sofia. The project is financed by European social fund and it is organised by MLSA. The main aim is to introduce innovative measures in the area of prevention of THB for the purpose of labour exploitation mainly in cases of persons from the “new” EU countries. The project has ended by the end of 2015.
- Also in 2015 **Eurojust** continued implementation of the Action Plan on Trafficking in Human Beings for the years 2012-2016, which was adopted following the conclusion of the strategic project of Eurojust in the field of human trafficking. The aim of this project was primarily the analysis of the problems faced by criminal justice in the investigation of this crime, the consequences of which may lead to relatively low number of investigated cases. In December 2015, Eurojust issued another report on the investigation and prosecution of trafficking for the purpose of labour exploitation²³. The report is based on an analysis of 32 judgments in 11 states and 17 cases registered by Eurojust as trafficking for labour exploitation.

²³ For the report see: http://www.eurojust.europa.eu/doclibrary/Eurojust-framework/Casework/Report%20on%20prosecuting%20THB%20for%20the%20purpose%20of%20labour%20exploitation/Report%20on%20prosecuting%20THB%20for%20the%20purpose%20of%20labour%20exploitation_EN.pdf.

- 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 seminars called Café EURES for regional partners that support worker mobility and international selection procedures for employers from abroad. Several such seminars 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 within the **EU policy cycle for organised and serious international crime** for the period of 2014-2017 were 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 the context of the project **EMPACT THB** another "Action Day" under the code name "Blue Amber" was held in November 2015. In the Czech Republic, it was carried out in Prague, in the South Bohemia Region, Usti Region, the Hradec Kralove Region, South Moravian and Silesian Region. The action involved 194 police officers. In course of the control action, 46 nightclubs and total of 450 people were checked, of this number, 148 were foreigners.

In the context of the subproject **ETUTU THB**, exchange of information and its sharing were taking place. The cases concerned THB organised by Nigerian OCG that operated on Czech territory. Based on requests sent via international police cooperation vetting, screening and investigation of persons and things of interest were conducted.

- In June 2015, a workshop took place in London aimed at strengthening Czech - British police cooperation and improving international police and judicial cooperation in cases of THB. It was held at the Czech Embassy and attended by about 50 representatives of UK police forces. Czech representatives were from Organised crime unit and from Department of international police cooperation of the Police presidium.

- In April 2015, meeting of the representatives of the **Visegrad Group and Ukraine** took place in Slovakia on the issue of crime of trafficking in persons with the participation of representatives of the Organised crime unit.

11.PRIORITIES

11.1 Evaluation of the activities in the fight against human trafficking in the light of the priorities set for 2015

I. Enhancement of cooperation with the United Kingdom as a major target country of Czech victims.

In 2014 a reorganisation of the British police took place, SOCA (Serious Organised Crime Agency), being the major partner of the Czech police, was disbanded. Moreover, high number of Czech citizens being exploited in the UK is being reported and during the last years two new trends were identified. Overall, it can be stated that the need for coordinated action was in place. Ministry of the Interior had an informal meeting with the Czech stakeholders in the area of combatting THB and both the police and the NGOs identified communication with their British partners as problematic. In reaction to this, taken into consideration the how different the two judicial systems are, MoI organised in cooperation with British embassy in Prague and Czech Organised crime unit a Czech – British conference on the issue of trafficking in persons that took place in April 2015 in Prague.

The conference aimed at enhancing cooperation among all the actors involved in the fight against THB in the Czech Republic and the UK, most importantly between the Police and the NGOs. The conference also reacted to the high number of Czech victims trafficked to the UK and the new emerging trends, that needed adequate reaction.

Among the participants, there were members of British units dealing with THB, representatives of the NGO sector, procurator specialising on the issue of THB, a judge that was in charge of a case where Joint investigation team was used. From the Czech participants, members of Organised crime unit and its regional branches, Office of the public prosecutor and regional office of the public prosecutor, representative of Consular section of Czech Embassy in London and specialised NGOs can be named.

At the beginning the conference dealt with different structures of the police units, involved actors and legal as well as strategic materials in both the countries. It is the structure of the British police after disbanding SOCA that is unclear and thus problematic for the Czech Organised Crime Unit that identified the need to have concrete strategic partners for the cross-border cases. Furthermore, the National referral mechanisms and systems of help to victims of THB were presented. Second part of the conference focused on specific cases prosecuted on both the territories. The differences in judicial systems and its practical consequence for prosecuting the offenders were also discussed. The Police members then discussed the emerging trends and ways how to prevent them and make the cooperation even more effective.

Main outputs of the conference:

- Establishment of personal contacts between participants and identifying points of contact for the transfer of cases at the British side,
- Initiation of concrete steps in the investigated cases where the Organised Crime Unit representatives did not meet with a response from the British police,

- Ensuring contacts to British police for representatives of the consular section of the Czech Embassy in London, as they regularly encounter suspected cases of human trafficking during their activities
- Both the sides indicated a need of having a Czech liaison-officer in London
- Presentation and outcomes of the conference will continue to be used by the OCU within its educational activities.

Cooperation with the UK after the conference:

- Situation is monitored on a regular basis in cooperation with the participants of the conference, mainly with the NCA and Czech Embassy in London
- In the form of informal contacts, the OCU confirmed the functionality of the set communication mechanisms, although the complexity of the structure of the British police still complicates cooperation
- Cooperation of the police units as well as of the NGOs improved and a decrease of cases has been reported (however this cannot be taken as a result of the conference, rather a general deflection in trends), however, the establishment of cooperation at such level should ensure that even in case of a repeated increase in the number of cases the criminal proceedings will take place more intensively and efficiently.

I. Evaluation of Programme for support and protection of victims of THB of Mol.

Evaluation of Programme for support and protection of victims of THB of Mol took place within the project "Optimisation of interdepartmental cooperation in the area of victims! Protection and prevention"²⁴. The project was realised by La Strada and supported by Open Society Fund Prague within programme (give women a chance) financed by the Norwegian funds. Two analysis focusing on interdisciplinary cooperation and prevention and on the system of social services in the Czech Republic were published.

Main outcomes of the project

Institutions and experts: 1. Actors communicate with each other 2. Barriers for even more effective cooperation are on a informational level 3. Quality of the cooperation is highly influenced by the level of awareness of the given actor, by the level of personal – professional contacts and also geographically 4. The procedures are not comparable in different regions.

NGOs: 1. Specialised NGOs cooperate among each other as well with other actors. 2. Barriers are formed by lower decisional level of the NGOs. 3. NGOs in direct work with the victims wish to have their roles strengthened and to enhance cooperation with external actors and institutions. 4. NGOs are still not well-known within the target group so that they are hardly accessible in the cases of their 1st contact.

Persons who experienced THB (PE): 1. PE cooperate within the interdisciplinary system of help and prevention and get regularly into contact with different actors. 2. Barriers for a more effective cooperation are mainly habitual – PE are not perceived as equal partners. 3. There are big difference in the needs of PE based on the countries of origin, gender and form of exploitation.. 4. PE search information mainly from close persons and the internet. 5. PE lack guides for whom to contact when in need. 6. PE are not involved in the decision making

²⁴ For the analysis see: http://www.strada.cz/images/Publikace/Analyza_mezioborove_spoluprace.pdf.

within the interventions within social services. 7. PE with to have a stronger role and to be informed on their case.

11.2 Priorities for year 2016

I. Monitor development in the so called “new forms” of THB in the Czech Republic and provide adequate support to LEA in criminal proceeding.

II. Monitor development in the “Tree workers case”.

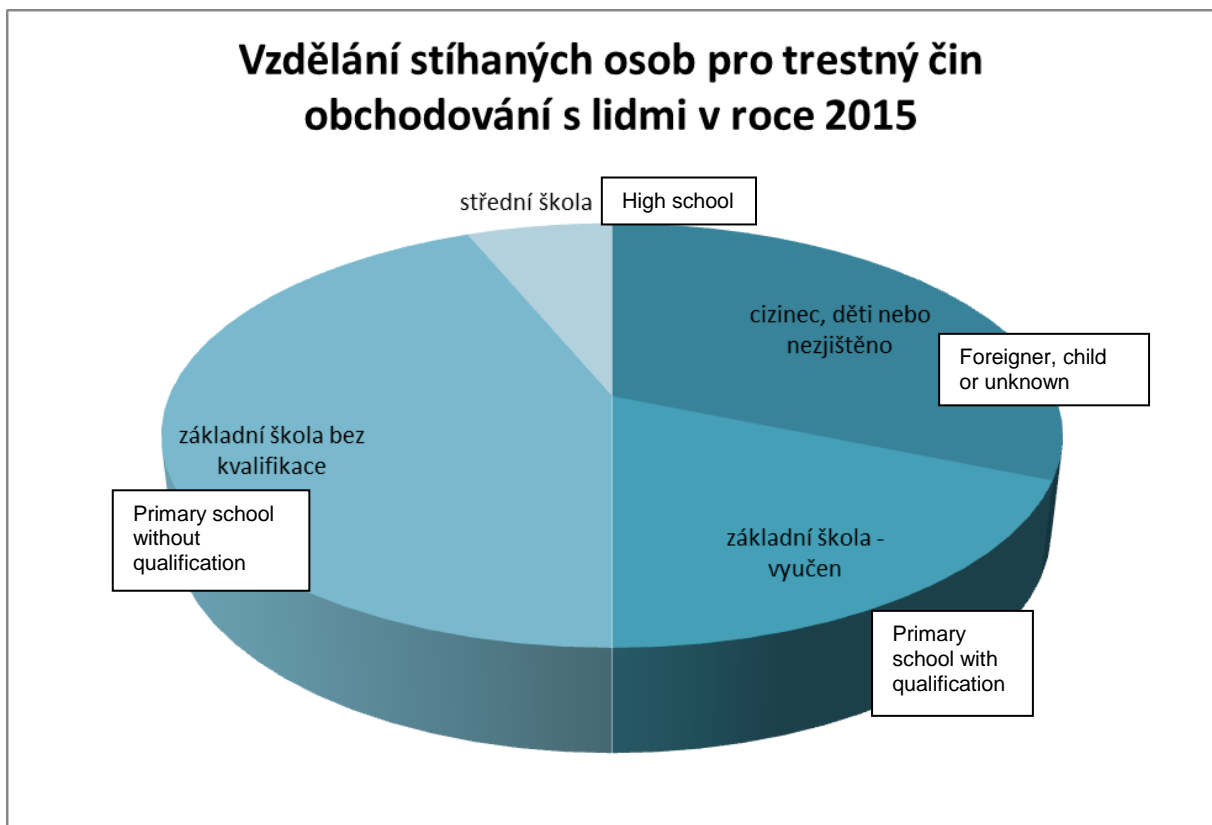
SECTION OF GRAPHS AND TABLES



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 ²⁵ ; from January 1, 2010 Sec. 168 of the Criminal Code)												
Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Detected	13	16	16	11	29	10	24	19	24	18	20	18
Resolved	12	11	13	11	11	3	13	11	18	11	14	7
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	9
Investigated and prosecuted persons	30	18	11	20	22	32	35	29	22	25	16	12

2. EDUCATION OF PERPETRATORS OF THB (the POLICE)



²⁵ Old criminal code stands for Act No. 140/1961 Coll., Criminal Code, as amended.

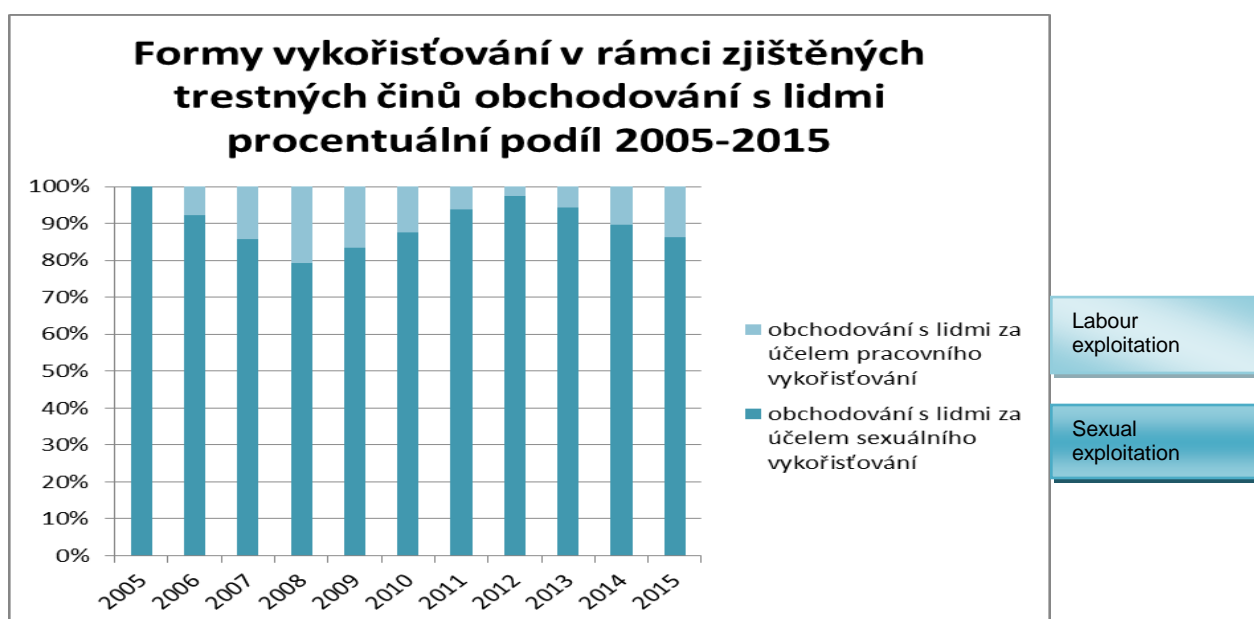
3. NUMBER OF PERSONS CHARGED FOR THB IN THE YEARS 2002 – 2014 (Supreme Prosecutor's Office)

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	2015
Persons charged	0	0	14	20	17	26	26	31	31	30	25	18

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	2015
Convicted persons	12	20	2	4	3	1	10	19	11	19	6	19
The unsuspended sentence	3	8	0	3	3	0	9	18	10	17	4	12
The suspended sentence	9	12	2	1	0	1	1	1	1	2	1	7

5. FORMS OF EXPLOITATION IN THE YEARS 2005 – 2015 (the Police)



6. Financial investigation according to Regional police directorates (the Police)

Cases of THB and procuring – investigation started in the period: 1. 1. 2015 - 31. 12. 2015.

ETŘ	zajištěno	odčerpáno	počet spisů	zahájeno FŠ	ukončeno FŠ
0000 - KŘP hl. m. Prahy	350.945	0	2	0	0
0100 - KŘP Středočeského kraje	0	0	0	0	0
0200 - KŘP Jihočeského kraje	0	0	0	0	0
0300 - KŘP Plzeňského kraje	0	0	0	0	0
0400 - KŘP Ústeckého kraje	0	0	0	0	0
0500 - KŘP Královéhradeckého kraje	0	0	0	0	0
0600 - KŘP Jihomoravského kraje	0	0	0	0	0
0700 - KŘP Moravskoslezského kraje	0	0	0	0	0
1400 - KŘP Olomouckého kraje	0	0	0	0	0
1500 - KŘP Zlínského kraje	0	0	0	0	0
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	1.000	0	1	1	1
Celkem	351.945	0	3	1	1

Cases of THB and procuring in total: 1. 1. 2015 - 31. 12. 2015.

ETŘ	zajištěno	odčerpáno	počet spisů	zahájeno FŠ	ukončeno FŠ
0000 - KŘP hl. m. Prahy	2.746.251	3.400	4	2	2
0100 - KŘP Středočeského kraje	0	0	0	0	0
0200 - KŘP Jihočeského kraje	0	0	0	0	0
0300 - KŘP Plzeňského kraje	360.000	0	1	1	1
0400 - KŘP Ústeckého kraje	0	0	0	0	0
0500 - KŘP Královéhradeckého kraje	0	0	0	0	0
0600 - KŘP Jihomoravského kraje	0	0	0	0	0
0700 - KŘP Moravskoslezského kraje	30.000	0	1	1	1
1400 - KŘP Olomouckého kraje	0	0	0	0	0
1500 - KŘP Zlínského kraje	523.600	0	1	0	0
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	1.000	0	1	1	1
Celkem	3.660.851	3.400	8	5	5

7. STATISTICS OF THE NUMBER OF PERMITS ISSUED TO EMPLOYMENT AGENCIES (MLSA)

Year	2012	2013	2014	2015	Total (2012 - 2015)
Received applications for authorization	923	711	759	995	3388
Granted permits	737	543	636	618	2534
Refused of permissions, because of the negative opinion of MoI	140	48	87	166	441
Revoked permits	78	33	330	120	561

8. NUMBER OF INSPECTIONS ON COMPLIANCE WITH LEGISLATION ON EMPLOYMENT IN 2015 (MLSA)

Number of inspections concerning compliance with Act on employment in 2015 <i>Preliminary figures provided by the SLIO January 2016</i>			
Control activities in the area of Employment Act	1 st half of 2015	2 nd half of 2015	Total
Number of inspections according to the act on employment	6 112	6230	12 342
Number of inspections – detected inconsistencies as regards the act on employment	805	1 125	1 930
Number of illegally employed Czech citizens	865	894	1 759
Number of illegally employed citizens of EU member states/Switzerland	108	189	297
Number of illegally employed citizens out of EU member states/Switzerland	461	576	1 037
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 87 of the act on employment	681	892	1 537
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 88 of the	6	0	6

act on employment			
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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 2015 <i>Preliminary data available in January 2016</i>		
Legal Bases	Number of Imposed Fines	Total Amount of Imposed Fines
Sec. 139(1)(c), administrative offence (natural persons), illegal work	55	380 500
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	52	6 882 000
Sec. 140(1)(c), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(1) or (2)	655	79 124 500
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	643	7 324 500
Sec. 140(1)(e), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(3) (foreigner without residence permit)	23	4 092 000

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	2015	Total
Country of origin														
Czech Republic		2	3	4	5	4	3	3	2		2	1	2	31
Slovakia		3		1	1	1	1				6	1	1	12
Moldavia	3								1					4
Ukraine		1	6	3	3	7	8		1				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	4	190

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

Forced Labour/Labour Exploitation	Sexual exploitation
1	3

10.2 TABLE: NUMBER OF VICTIMS DIVIDED BY THEIR SEX (PROGRAMME Moi)

Total	Men	Women
4	0	4

11. NUMBER OF PRESUMED VICTIMS IDENTIFIED BY LA STRADA, O.P.S. IN 2015 (LA STRADA)

Citizenship of the clients	New clients	Sex		Forced prostitution		Sham marriages		Forced labour	
		F	M	F	M	F	M	F	M
Czech	10	4	6	2	-	2	-	3	6
Foreign	16	6	10	3	-	-	-	-	10
Bulgarian	3	-	3	-	-	-	-	-	3
Cameroonian	1	1	-	1	-	-	-	-	-
Ukrainian	1	1	-	-	-	-	-	1	-
Slovakian	2	2	-	2	-	-	-	-	-
Romanian	5	-	5	-	-	-	-	-	5
Lithuanian	2	1	1	-	-	-	-	1	1
Latvian	2	1	1	-	-	-	-	1	1
Total	26	10	16	5		2		19	

Recruitment	In the Czech Republic	In countries of origin /Romania, Lithuania, Slovakia	In the UK	Total
Internet/advertisement		2		2
Relatives/family	2	1		3
Friend	5		1	6
Recruiter	2	8		10
Partner	2			2
Friend	2			2
Total	13	12	1	26

12. CZECH VICTIMS OF THB FOR THE PURPOSE OF LABOUR EXPLOITATION IDENTIFIED IN THE UNITED KINGDOM IN 2015 (NCA)

Age	Men			
	Sexual exploitation	Labour exploitation	Domestic servitude	Not specified
do 18	1	-	-	-
18-20	-	1	-	-
21-30	-	2	-	-
31-40	-	2	-	-
41-50	-	6	-	-
51-60	-	5	-	-
Age	Women			
	Sexual exploitation	Labour exploitation	Domestic servitude	Not specified
do 18	11	1	-	1
18-20	1	-	-	-
21-30	3	1	-	1
31-40	2	1	-	-
41-50	1	2	1	-
51-60	-	-	-	-

13. POTENTIALLY TRAFFICKED CHILDREN IDENTIFIED IN THE CZECH REPUBLIC IN 2015 (FACILITY FOR CHILDREN OF FOREIGN NATIONALS)

POTENTIALLY TRAFFICKED CHILDREN IDENTIFIED IN THE CZECH REPUBLIC IN 2015	
Total	
<i>boys</i>	0
<i>girls</i>	2
<i>Up to 15 years of age</i>	1
<i>Over 15 years of age</i>	1
Countries of origin	
<i>Nigeria</i>	1
<i>Romania</i>	1
Form of exploitation	
<i>Theft, forced begging</i>	1
<i>Prostitution</i>	1
End of stay	
<i>Other facility in their country of origin</i>	1
<i>Still in care</i>	1
Average length of stay	16 days

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

Provider	Type of service	Name	Region	Subsidies in 2015 (CZK)
La Strada Czech Republic, o.p.s.	professional social counselling	Counselling to trafficked and exploited persons	Czech Republic	professional social counselling
La Strada Czech Republic, o.p.s.	Crisis aid	Crisis aid to trafficked and exploited persons	Czech Republic	Crisis aid
La Strada Czech Republic, o.p.s.	crisis aid via telephone	Info and SOS line of La Strada	Czech Republic	crisis aid via telephone
La Strada Czech Republic, o.p.s.	Asylum houses	Accommodation for trafficked and exploited persons	Czech Republic	Asylum houses
Diakonie ČCE – centre of West Bohemia	field programmes	Field programme	Region of Pilsen	field programmes
Diakonie ČCE - Centre of national programs and services	Asylum houses	Apartment of asylum	Czech Republic	Asylum houses
TOTAL:				6 072 000

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 002/629/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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