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ČESKÉ REPUBLIKY

2013 STATUS REPORT ON TRAFFICKING IN HUMAN BEINGS IN THE CZECH REPUBLIC

Security Policy Department

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INTRODUCTION

The tradition of regularly drawing up Status Reports on Trafficking in Human Beings was established by the Czech Government Resolution No. 67 of 23 January 2007 in relation to the National Strategy to Combat Trafficking in Human Beings (2008-2011). The present document is the sixth consecutive Status Report on Trafficking in Human Beings in the Czech Republic.

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 2013, although 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.

The Status Report on Trafficking in Human Beings should not only provide information on this issue but its ambition is also, inter alia, to formulate policy pertaining to the area of THB. The final part contains evaluation of how the priorities related to the area of combating THB for the year 2013 have been met, and an assessment of the new priorities and tasks laid down for the year 2013 in compliance with the updated strategic document known as the National Strategy to Combat Trafficking in Human Beings (2012-2015) adopted by the Czech Government Resolution No. 282 of 18 April 2012 (hereinafter referred to as the "National Strategy"). The established objectives fully comply with Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA (hereinafter referred to as the "EU Directive on THB").

Also for 2013 we have chosen to divide the Report on the basis of four pillars, the so called 4Ps, and the data on THB are divided into four basic chapters: PREVENTION, PROSECUTION, PROTECTION, and PARTNERSHIP. The structure of the Report also meets the requirements of a model report as required by Art. 20 of the EU Anti-Trafficking Directive. The national coordination body for the fight against THB, the Ministry of the Interior (hereinafter referred to as the "MoI"), was provided with the supporting documents, data and information for drawing up the present 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 thank them all.

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: Slovakia, Nigeria, Ukraine, Vietnam, Mongolia, Moldova, and the Russian Federation, and among new EU countries Romania and Bulgaria can be named. However, the fact that Czech nationals are also trafficked cannot be overlooked. Thus in 2013 the Czech Republic was a source country for the United Kingdom, Ireland, Denmark, Germany, and Cyprus.
- In total, **57 victims** of the crime of THB were identified. Most victims were registered in Prague, Liberec and Hradec Králové regions. The first time assistance was provided within the **Programme on Support and Protection of Victims of Trafficking in Human Beings** (hereinafter referred to as the “Programme”) to 23 alleged victims from Romania, Slovakia, Czech Republic and Vietnam. Most of these cases concerned THB for the purpose of labour exploitation.
- THB for the purposes of sexual¹ exploitation and labour² exploitation have remained the most frequent **forms of THB**. Other forms of THB³ have not been recorded in statistical records. However, cases of THB where the victims were forced to commit a crime of theft have been recorded by the Prague Regional Police Directorate (hereinafter referred to as „PRPD“) and by the Facility for Children of Foreign Nationals.
- THB ranks among the most frequent forms of organised crime committed in the Czech Republic. This type of crime typically displays a high level of latency. **Departure from physical violence**, which used to serve as a means of achieving the demands of offenders or of ensuring obedience of victims, was confirmed by the evaluation of cases detected in 2013. In order to achieve their aims, as in the previous year, offenders predominantly used ruse, dependency of victims, or they misled victims.
- Low socio-economic status and high unemployment levels were the main causes for committing the crime of THB in most 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, and end up in such a state

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.

of mind that they do not leave their „employer“ even if their free movement is not physically limited. It is also often that they are made to pay fictional and always growing debts.

- **Offenders** of the crime of THB in 2013 were registered primarily in Prague, Central Bohemian and South Bohemian regions. Information on the education of offenders of the crime of THB unambiguously shows that the vast majority of such offenders were manual (often unemployed) labourers. Two businessmen were prosecuted.
- **The share of foreign nationals** committing such crimes has not changed. Most often they were of Slovak or Ukrainian origin, one case of Bulgarian national was recorded. Offenders that were convicted in 2013 were also nationals of Nigeria, Liberia and Ivory Coast. As regards the cases where offenders were foreign nationals they were in particular foreigners living in the Czech Republic. Such foreigners make use of close links to their countries of origin, from which they are supported. They also use the knowledge of the given language, the cultural environment, traditions, and customs-based values in the source countries.
- After the historically **first persons were given final and conclusive sentences** for the crime of THB **for the purpose of labour exploitation** in 2012, two more convicting sentences were recorded in 2013. Offenders used not only violent forms of coercion, but also ruse, distress and lack of proper information of the victims. Out of nineteen convicted offenders six were convicted for the crime of THB for the purpose of labour exploitation.
- The **Act No. 45/2013 Coll., on victims of crime** came into force in 2013. An amendment of Sec. 168 of the Criminal Code was drafted with the aim to widen the concept of the crime of THB so it corresponds with international as well as EU documents on THB.
- **EUROSTAT** published a report on the issue of THB in the EU member states covering a period of the years of 2008 to 2010 in 2013. In this period, 23 632 alleged victims of the crime of THB were identified or assumed in the EU. The number of trafficked persons into/out of the EU increased by 18%, however, the number of convicting sentences decreased by 13%. The report also states that women remain the most numerous group of victims (68%). The percentage of trafficked children approached the level of 15% (with girls being more often victims of THB than boys). As far as forms of exploitation are concerned, sexual exploitation prevails (62%) over labour exploitation (25%). Other forms of exploitation (removal of human organs, trafficking for the purpose of further criminal activity) was present in 14% of recorded cases.

1.1. Trafficking in Human beings for the Purpose of Sexual Exploitation

When comparing the year 2013 to the previous year it can be said that the number of committed crimes related to THB in the area of sexual exploitation, or forcing people into prostitution, did not change considerably in the course of the year. Although use of threat and violence as a means of coercion have been recorded, more subtle ways of coercion dominated. Victims were also forced to use narcotics and psychopharmaceuticals to ensure their obedience. This type of activity remains closely related to low socio-economic status of both victims and offenders.

From the perspective of long-time supply and demand, regional incidence of sexual exploitation is very similar to incidence of voluntary prostitution (see below). 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.

Although the level of street prostitution decreased by 50% in the South Bohemian Region in 2013 as a result of criminal prosecution, street prostitution remains apparent in this region. From the point of view of criminal investigation, organized groups were identified, which gradually took control over abandoned territories, and were reported to commit crime of THB and offences related to drug trade.

In February 2013, the regional office of the Unit for Combating Organised Crime of the Office of Criminal Police and Investigation (hereinafter referred to as the „UCOC“) in České Budějovice initiated criminal proceedings for crimes of THB, pandering, and illicit manufacture of narcotic drugs and psychotropic substances in the case of „KILI“. Their criminal activities consisted of recruitment and transportation of young women to night clubs in the district of Český Krumlov or in Germany for illicit gains. The women were promised employment as dancers in the night clubs, but were later sold to the club owners and forced into prostitution under threat of violence, giving the panders at least half of their earnings. 15 victims were identified, mostly young girls from socially disadvantaged backgrounds that were forced into drug addiction (using mainly methamphetamine). 4 offenders were detained and subsequently prosecuted for the abovementioned crimes.

Based on the outcomes of investigations of Nigerian organized crime groups it is possible to say that the presumed attenuation of their criminal activities came to be. However, attention is still paid to organized crime groups from Nigeria (see the ETUTU project in the chapter on Partnership).

The case known under its code name „RELAX“ was opened in February 2013. The organized crime group consisted of 8 offenders – men, between 22 to 47 years of age, Czech citizens, solicited prostitution from girls from Czech Republic and Slovakia at a parking lot near Drahelčice (highway D5 from Prague to Pilsen). The group, under coordination of its leading member, cooperated in order to minimize the risk of detection and shared information on ongoing police controls and potential clients or helped each other with collection of money from the prostitutes. The offenders used violence in some cases, threats or other forms of duress or compulsion, evoking drug addiction (methamphetamine) in some of the prostitutes. The entire group consisted of offenders from socially disadvantaged backgrounds, family ties among the group members were identified.

During interrogations of the witnesses (victims of THB), experts in the field of psychology were present in view of the victims' personal characteristics and circumstances in which the criminal activities were conducted. Women and girls that worked as prostitutes were also from socially disadvantaged backgrounds, often with only a basic level of literacy, some were homeless and were thus entirely dependent on the offenders. The criminal proceedings were conducted in close cooperation with Slovak law enforcement agencies, in order to find out the place of origin of some of the victims. The prostitutes earned CZK 5,000 to 7,000 a day on average and worked in a group of 12-15 women.

The offenders were prosecuted for committing crime of THB (Sec. 168(1)(a), Sec. 168(2)(a), Sec. 168(3)(d) of the Criminal Code), pandering (Sec. 189(1) and (2)(b) of the Criminal Code) and illicit manufacture of narcotic drugs and psychotropic substances (Sec. 283(1) of the Criminal Code).

1.1.2. Czech Victims and Offenders of Sexual Exploitation Abroad

The sources of information about any of the cases of Czech victims and offenders involved in THB abroad cannot be considered to be comprehensive. The information provided on the following pages

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

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

France: According to the information provided by the Czech embassy in Paris, 10 cases of THB were detected by the Central Office for the Suppression of THB ("*Office central pour la répression de la traite des êtres humains*" in French) in 2013 as Czech victims of pandering/ THB.

One 24 year-old woman established in Prague organized prostitution of 10 other Czech women in France. Prostitution was conducted in hotels as so called „sex-tours“. The „coordinator“ provided advertising on the link „allureczechmodels.com“ (registered in the USA) and subsequent logistics of those „sex-tours“ for her victims (such adverts are called „*escortannonces*“ in French). The share of the coordinator (allegedly also a prostitute herself) in earnings of the victims was up to 40%. Investigations were conducted by the police of Toulouse and Bordeaux and in cooperation with Czech Police on the bases of international exchange on request.

Additionally, 2 more cases of street prostitution of 2 women of Czech origin were detected (so called „*racolage*“ in French) – in Lyon and in Strasbourg. The 2 women were 33 and 38 years of age. There is no information indicating similar activities organized from France in the Czech Republic or concerning French nationals. However, it is necessary to bear in mind that the available data on THB/ prostitution, do not have to reflect the real situation.

French authorities are well aware of the fact that Czech citizens conduct prostitution mainly via e-addresses of „escorts“ and work in hotels – similarly to prostitutes from other Slavic countries (on the other hand, prostitutes of Asian origin use mainly private apartments and massage parlours).

Internet addresses are often registered abroad (mainly in Switzerland, USA, and Russia), other services are also provided for from abroad and „safe“ distance (from Spain for the south of France, from Germany and Switzerland for the eastern part of the country). Criminal networks detected in France and in Western Europe allegedly originate in countries of the former „Eastern Block“ (from the total number of resolved cases 66% operate from „Eastern Europe“ and the Balkans – 40 such networks were detected annually in recent years). French media have also noticed child prostitution in 2013 – it is unflattering that the Czech Republic is mentioned as one of the countries of origin (in

cases of girls, the following states are mentioned: Albania, Kosovo, Ukraine, Bulgaria, Russia, Sierra Leone, Nigeria, Ghana, and Cameroon; in cases of boys: Romania, Morocco, and Algeria).

Finland: According to the information provided by the Czech embassy in Helsinki, 2 Czech citizens were detained as suspects in 2013. They were both convicted of pandering and sentenced to a suspended sentence of 1 year. The victim of the crime (a Czech citizen) was placed in an asylum facility in Finland pending the prosecution. Finish authorities later provided for her return to the Czech Republic. The Czech Embassy closely cooperated with the Finish police, the attorney of the victim, the Czech Ombudsman and the security policy department of the Mol (hereinafter referred to as „SPD Mol“).

Germany: According to the Federal Office of Criminal Investigations in Wiesbaden, within whose competence the topic of THB falls, 491 cases in the field of THB for the purpose of sexual exploitation were detected in Germany in 2012⁴ (a 2% increase when compared to the previous year). Most of the victims came from Eastern Europe, mainly from Bulgaria and Romania. Only 7 persons were of Czech origin. The high number of exploited persons from the Balkans is related to the opening of the labour market and the reduction of administrative procedures as far as entrance into the country and residence within is concerned.

Netherlands: According to the information provided by the Czech embassy in The Hague, 6 women of Czech origin were identified as victims of THB, for the purpose of sexual exploitation in 4 of those cases. In the other 2 cases the purpose is unclear⁵. 4 of the victims were 20 to 30 years of age, one was 36 and the remaining one was only 18 years old. No information indicates that the offenders of this criminal activity in the Netherlands were of Czech origin.

Poland: According to the information provided by the Czech embassy in Warsaw, one case of THB was identified in Poland in 2013. NGO La Strada provided the victim with necessary assistance in her repatriation.

United Kingdom: According to the information provided by the Serious Organized Crime Agency (hereinafter referred to as „SOCA“), which is equivalent to the Czech UCOC, the Czech Republic is still a source country for the United Kingdom as far as THB is concerned. SOCA identified 32 persons as victims of THB of Czech origin in 2013 (as compared to 18 in 2012). This means an increase by 80% in comparison with the previous year. Out of the 32 cases, 11 were women (plus 1 underage girl) and 20 were men. 11 of the 32 persons were victims of THB for the purpose of sexual exploitation (2 of them were men). The case of the underage person is not described in detail. Most of the victims were under the age of 30.

1.1.2. Prostitution Scene

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

4 Statistical data from the year of 2013 are not available, yet.

5 Dutch NGO Comensha (Coördinatiecentrum Mensenhandel) is about to finish registration of THB victims for the year of 2013, therefore the data provided above might not be final.

operating in this area. Rozkoš bez rizika (hereinafter referred to as the “R-R organisation”) organisation (Passion without any Risks) 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 available information 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.

According to the estimates of the R-R organisation, almost 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. Sociological surveys demonstrate that a wide range of people (in terms of social, age and educational groups) are involved in prostitution. Available data confirm that due to the high number of prostitutes, it is consensual prostitution in most of the cases. R-R organisation did not detect any child prostitution in 2013.

1.1.2.1. Street Prostitution

Street prostitution has displayed a downward trend in recent years, it might be detected on a small scale in specific locations. Social and educational background of street prostitutes is on the lowest level. Street prostitutes are at high risk of STDs and are often addicted to drugs.

As far as street prostitution is concerned, the mostly affected regions are regions bordering with Germany and Austria and Prague.

Prague: the local prostitution scene is concentrated in the districts of Prague 1 (Václavské náměstí) and Prague 2 (Karlovo náměstí and surrounding areas), where R-R organisation detected new women (young and old, even migrants – Slovaks) facing harsh social conditions that they try to improve by prostitution.

Central Bohemia Region: street prostitution is mostly limited to a parking lot in Rudná u Prahy. In February 2013, an extensive police operation took place there (see above). Since then, panders appear there only rarely. R-R organisation detected information on street prostitution that takes place on a parking lot near Beroun, Nymburk and around Kladno. However, prostitution is limited to individuals in those cases, which makes it hard to speak about the prostitution scene.

Teplice and surrounding areas: as far as the prostitution scene is concerned, R-R organisation reports that in Teplice and surrounding areas there is a comparatively higher number of drug (methamphetamine) addicted prostitutes than in other regions. Most of the prostitutes are women of Czech or Slovak origin, often of Romany ethnicity. Street prostitution can be found in largest numbers near Bílina, Duchcov, Dubí, Teplice and Chomutov.

Liberec Region: women who provide paid sexual services are mostly Czechs, most of them are from socially disadvantaged backgrounds, they lack adequate education, lack proper legal awareness, and

are often misinformed as far as health risks of prostitution are concerned. R-R organisation reports new reasons for entering sex business, mainly linked with the economic crisis, the growing unemployment rate and deepening indebtedness of families (local women of Czech nationality prevail).

Ústí nad Labem, Děčín and surrounding areas: almost no street prostitution was detected here.

South Bohemian Region: street prostitution in this region is concentrated around the main roads – notably E55, the road connecting Dolní Dvořiště and Vyšší Brod (district of Český Krumlov), and the road connecting Vimperk and Strážný (district of Prachatice). In the district of Jindřichův Hradec street prostitution can be found mainly in České Velenice.

Pilsen Region: street prostitution in this region was mainly reported near the D-5 highway, in Domažlická St., and in the direction of Rozvadov. Small-scale street prostitution can also be found in Domažlice and Klatovy. The number of reported prostitutes is estimated at about 50 women. Almost no street prostitution in the districts of Rokycany, Pilsen-North, Pilsen-South and Tachov was detected.

1.1.2.2. 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.

The number of erotic clubs has remained almost the same and their number has been constantly falling, predominantly in border areas. As far as nationality of the prostitutes is concerned, there are clubs with only Czech prostitutes, as well as clubs that offer e.g. Ukrainian prostitutes only.

In 2013, policemen of the 3rd unit of the Office of Criminal Police and Investigation of the Police Regional Directorate in Prague conducted 5 activities in night clubs in Prague. All those activities were carried out in close cooperation with the Trade Licence Department of the City of Prague and Trade Licence Offices of the Districts of Prague, Fire Rescue Service of the City of Prague, Alien Police, and Prague Municipal Police. The aim of those activities was not only the appropriation of detailed knowledge of this area or the detection of potential criminal activities, but also security and preventive measures (e.g. abidance to fire related norms) and control of observance of the Trade Licensing Act No. 455/1991 Coll.

Prague: Prague is specific for its high rate of fluctuation of sex workers. R-R organisation reported a higher number of young sex workers in financial distress, with only elementary education or with no other working experience. In comparison with previous years, the number of sex workers from Romania and Nigeria increased. R-R organisation clients often mentioned work related trips to Switzerland, Austria or Germany to increase their earnings.

Teplice: the night club scene in Teplice mainly constitutes of Czechs, Slovaks, Ukrainians and many women of Romani origin, few Nigerians were reported. The highest concentration of night clubs can be found in Hora sv. Štěpána in the district of Chomutov, other clubs might be found in surrounding

areas of Louny, Litvínov and Dubí. Prostitutes in clubs rarely resort to other types of drugs besides alcohol.

Ostrava: the club scene in Ostrava is rather stable. Most of the so-called large clubs are still open. Some smaller clubs were closed during the year. R-R organisation reported a higher mobility of girls in clubs describing them as „rotating“.

South Bohemian Region: Mostly clubs employing Romanian and Hungarian prostitutes in the border regions (Dolní Dvořiště, Houžná) were closed in 2013. Since 2006, the number of clubs in this region constantly decreased (the currently estimated number of clubs in the region is 41).

Ústí nad Labem Region: Several clubs in Hřensko and Litoměřice were closed in 2013.

Hradec Králové and Pardubice Regions: 1 night club was closed in those regions in 2013. There are currently only 5 clubs (3 in Pardubice Region and 2 in Hradec Králové).

Pilsen Region: In the Pilsen Region prostitution can be found in night clubs and small hotels. Those establishments are mostly located in border regions and in the city of Pilsen. There were 48 night clubs in 2012 and 44 night clubs in 2013. 4 night clubs were closed in the district of Domažlice for lack of customers.

1.1.2.3. Private Prostitution

The provision of sexual services in private flats has displayed a moderate upward trend. Prices for services provided in private flats were considerably lower than in erotic nightclubs, which was the logical consequence of factors such as direct operating costs and the actual number of clients. Internet advertising is widely used in this sphere of prostitution.

R-R organisation plans to intensify monitoring of prostitution in private flats. Starting in 2014, it also plans to monitor the situation in other regions than Prague. In 2013, R-R organisation reported 400 establishments in Prague and 56 in Central Bohemian Region. As a part of its field work, 36 private flats were visited by the organisation in Brno and 13 in Ostrava. The organisation also reports higher number of prostitutes in private flats in Liberec Region, where most prostitutes are Czechs, some Slovaks and Ukrainians were also reported, often single parents.

There are regions where private prostitution is rather hidden – e.g. in Ústí nad Labem. On the other hand, it is the most common form of prostitution in Hradec Králové and in Pardubice.

It shall be noted that police monitoring of such establishments is significantly more complicated and problematic because almost no control of those establishments can be carried out.

1.1.2.4. Attempted Regulation

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.

Publication „From sex-business to the labour market?“

A booklet called „[From sex-business to the labour market?](#)“ was published by the R-R organisation as an output of a project of the same name in 2013. The publication summarizes experiences with legalisation of prostitution abroad and elaborates on the topic of leaving sex-business. The scope of this publication makes it unique within the Czech Republic. It summarizes current research in this field, experiences gained during internships in Germany and Netherlands and contains information on setting up exit programmes for sex workers. It also specifies the position of R-R organisation towards the proposed draft laws on regulation of prostitution. Last but not least, it contains contributions from female sex workers that took active part in the conferences and workshops R-R organisation held in 2012 and 2013.

This publication also elaborates on the newly emerging profession of sex/intimate assistants – institutionalisation of a new profession that is primarily used by handicapped persons abroad could become one of the ways of the transition from sex business to a labour market.

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 Flow“ or states criminalizing clients of prostitutes.

It has been noted that in several countries the topic of regulation of prostitution is being reassessed with a view of introducing legislation criminalizing clients of prostitutes. E.g. in Germany, as mentioned above, Germany has been regulating prostitution since the beginning of the new millennium, discussion is thriving and its approach towards prostitution is being questioned.

France: On December 12, 2013, the National Assembly adopted law that provides for fines of up to EUR 1,500 (almost CZK 41,000) for customers that buy sexual services. There was a clear majority of the Parliament members that supported the new law – 268 as opposed by 138. Supporters of the new law presume that it will not only sanction the clients, but that it will also help to crush pandering gangs that „import“ prostitutes from all around the world. According to the information provided by the French Mol, up to 90% of all sex workers in France come from abroad. Opponents of the law claim that it will not eliminate prostitution, but it will hide it, making prostitution potentially more dangerous.

1.2. Trafficking in Human Beings for the Purpose of Labour Exploitation

The Czech Republic is a destination country for persons coming from Ukraine⁶, Romania, Bulgaria, Slovakia, Poland, Mongolia or Vietnam.

⁶ In 2013, it was 14 victims of THB into the Czech Republic, 1 of them being used in constructions, 13 in manufacturing. All of those victims were women from Ukraine (7 of 18 to 25 years of age, 5 of 35 to 45 years of age).

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 pretend 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 pretend 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 in 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, 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 criminal offences sometimes use unclear legal regulations concerning the employment of foreign nationals and insufficient checks carried out by the responsible offices (the MLSA, the Ministry of Finance of the Czech Republic, hereinafter referred to as the “MF”).

In 2013, no new cases of labour exploitation by families of foreign diplomatic staff were identified in the Czech Republic.

1.2.1. Czech Victims and Offenders of Labour Exploitation Abroad

As far as target countries for Czech citizens are concerned, the United Kingdom is still on top of the list. The trend of recruiting homeless people and people from socially disadvantaged background for work in England prevails. According to information provided by the Serious Organized Crime Agency (“SOCA”), 20 Czechs were subject to labour exploitation, including a case of a man who was exploited while working in a household.

Czech Victims of Labour Exploitation in the United Kingdom (according to SOCA)				
	Men		Women	
Age	Labour Exploitation	Household Slavery	Labour Exploitation	Non-specified
up to 18	-	-	-	1
18-20	1	-	-	-
21-30	3	-	-	-
31-40	1	-	-	-
41-50	8	-	1	-
51-60	4	1	1	-

Although the official numbers of Czech victims are not really high, again, it is highly possible that the real numbers are many times higher. The British police is not aware of every case of THB, not every case of THB is detected.

Exact numbers of Czech citizens that participated in this criminal activity in the United Kingdom are not recorded by SOCA. According to the Czech Embassy in London, which has its own records, at least 4 persons were detained in the United Kingdom due to prosecution for crimes related to THB.

Czech citizens of Romani ethnicity organized THB in all of the cases that the Czech Embassy in London encountered.

Basically, in all the described cases, victims were personally approached and recruited in the Czech Republic, standing in front of charity houses, lodging-houses, gambling clubs, etc. Consequently, the recruited persons were transported to the United Kingdom where they were accommodated with the organizers of THB, or in apartments rented by them. The victims received only a fraction of their pay, leaving the rest to the organizers. The victims left them after their work contract was terminated or due to the unacceptable working conditions. In most cases, the victims came from socially disadvantaged backgrounds, could not speak English, and had basically no financial reserves for their return to the Czech Republic. Advance payments for accommodation were demanded by the organizers who also confiscated their identity papers under a false pretence of administering work permits for the victims. Such identity papers were then misused for further criminal activities.

The victims of THB related crimes who apply for help to the Czech Embassy usually do not want to talk about their experiences, sometimes, for not being able to speak English, they even do not know the location where their exploitation took place (the exact address is usually known by a fraction of the victims). According to employees of the Czech Embassy in London, cooperation with the British authorities is excellent. The Metropolitan Police of London made use of some of the information gathered from the Czech victims of THB in their investigation throughout the United Kingdom. Also, local charity organisations do their best to provide assistance to victims of THB, in some cases they even provided for free return of the Czech victims to the Czech Republic. In this respect, the Czech Embassy in London cooperates mainly with the London based NGO Thames Reach, CRI Charity in Leeds and City Hearts Charity in Sheffield.

However, the suspects did not qualify for all the elements of the crime of THB, especially the elements specifying “use of force, threat of violence or of any other serious harm, or ruse, or abusing error, distress or dependency”, because the victims did not enquire about future working conditions and accommodation in the United Kingdom and because their living standard here in the Czech Republic was their long-term living standard, hence, their departure to the United Kingdom was not an attempt to resolve any pressing distress.

It is a continuing trend that social benefits are abused and credit frauds are committed in the United Kingdom. It has been confirmed that perpetrators of this type of criminal activity were mainly citizens of the Czech Republic and Slovakia.

Fraud v. THB?

One of the THB related cases also concerned the intentional misuse of the British social system. In this case, two perpetrators of Czech origin were prosecuted for benefit fraud. An organised group that operated for more than 2 years was able to fraudulently obtain up to GBP 33,000 in a scheme involving unemployed persons from the Czech Republic and Slovakia that were recruited for unqualified work in the United Kingdom.

The unemployed were transported to the United Kingdom and accommodated in one of three houses of the perpetrators. Subsequently, they were accompanied to a local Job Centre in order to obtain a

National Insurance Number. In the next step, the perpetrators created bank accounts for the unemployed persons. After that, the perpetrators accompanied the unemployed (officially as translators) to HM Revenue and Customs in Nottingham to order to claim child benefits (every person who takes care after a person under 16 years of age and is either unemployed or works less than 25 hours a week is eligible for these benefits). However, most of the claimants did not have any children. The unemployed were then told by the perpetrators that there was no work for them in the United Kingdom and sent home while their applications were not cancelled. In total, 124 bank accounts were created by the perpetrators, they received benefits based on 77 sham applications, gaining up to GBP 535,000.

The role of victims and perpetrators is hard to distinguish in similar cases, as the level of identified exploitations of persons/ potential victims in the entire scheme is hard to prove.

According to the information provided by the Czech Embassy in Brussels, cases of labour exploitation of Czech citizens were also identified in Belgium. Based on the information provided by the Belgian Office for Foreigners, 2 cases of THB involving persons from the Czech Republic were recorded in 2013. 1 man and 1 woman (both older than 30 years of age) became victims of THB motivated by economic intentions. Both persons used the help of the Belgian system for victims of THB.

1.3. Trafficking in Children

When criminal statistical records are taken into account, out of 18 recorded cases of THB, 14 cases involved persons younger than 18 years of age – children in terms of the criminal law classification under Sec. 168 (1) of the Criminal Code. Thus, the share of persons falling under this age category has increased in recent years when compared to the same crimes related to adults (Sec. 168 (2) of the Criminal Code). In 2013, only 1 case of the crime of illegally entrusting a child, for financial compensation, to another person pursuant to Sec. 169 of the Criminal Code was recorded.

The MLSA gathered the data on children who were abused for child prostitution or for the production of child pornography. In 2013, statistical data concerning the year 2012 were collected by the authorities in charge of the social and legal protection of children. In the MLSA statistics cases of child abuse for prostitution or for the production of child pornography, including cases in which prosecution was not terminated yet, or where prosecution was not even initiated, are recorded. Therefore, MLSA statistics are not identical to the police statistics on the numbers of crimes committed. According to the MLSA statistics, 33 children were abused for the production of child pornography (27 girls, 6 boys), 22 children were abused for prostitution (21 girls, 1 boy).

Ethiopia: The Czech Embassy in Addis Abeba has reported a case of Czech citizen who attempted to illegally adopt a child in Uganda and bring him to the Czech Republic. The Czech Embassy issued a passport for the child, after being provided with a forged, but duly verified by Ugandan authorities, birth certificate of the child that certified that the Czech citizen was his/her father. However, the perpetrator was detained at the airport in Entebbe before his plane took off for charges of support of THB and forgery of official documentation. He was released after paying a fine and returned to the Czech Republic. The child stayed in Uganda.

Slovenia: The Slovenian police reported one case of THB related to the Czech Republic in 2013. The victim was a minor Czech citizen of Romani origin who did not return to her Educational Care Centre and voluntarily left the Czech Republic, while being accompanied by a Romanian national. She spent

a year in Slovenia before being detected and handed over to the Educational Care Centre in the Czech Republic.

Facility for Children of Foreign Nationals

Despite recent transformation of the system of care of foreign unaccompanied minors, statistics from a diagnostic Facility for Children of Foreign Nationals (hereinafter referred to as “Facility”) in Prague 5 can be used. Obtaining further information from regional facilities is not easy, despite the reporting duty they share with the local authorities in charge of the social and legal protection of children.

The Facility in Prague 5 provides methodical guidance on request to the regional facilities, this guidance also includes the issue of THB. It is not an exception that former clients of the Facility return asking for help, assistance or just want to stay in touch. This concerns also children who left the Facility already in 2012.

Further monitoring of living conditions of the Facility’s clients after their relocation to subsequent care is based on personal contact only. If the client returns to his/her original family, further monitoring is almost impossible for the sake of repatriations. If the client stays in one of the facilities in the Czech Republic, the monitoring duty lies with the regional facility and authorities in charge of the social and legal protection of children.

The category of “unaccompanied minors” contains about 51% of clients accepted to the Facility. Other clients come from families with permanent or other types of residence permits living in the Czech Republic. The following summary therefore concerns 18 clients in total: 11 boys and 7 girls, out of which 4 applied for asylum. Recorded source countries were Afghanistan, Albania, Algeria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia (2 persons), Kosovo, Palestine (2 persons), Russia, Slovakia (4 persons), Syria, USA. The average length of stay was 52 days, 7 children were returned to the custody of their families abroad, 5 children ran away, 3 children are still in the Facility, and 3 children were relocated within the Czech Republic.

The table below shows suspected cases of THB.

SUSPECTED CASES OF THB RELATED TO CHILDREN IN 2013	
Total	7
boys	0
girls	7
under 15 years of age	3
older 15 years of age	4
Country of Origin	
Azerbaijan	1
Bosnia and Herzegovina	1
Bulgaria	1
Croatia	2
Romania	1
USA	1

Type of THB	
Theft	5
Prostitution	2
Termination of Their Stay	
Relocation within the Czech Republic	2
Return to their family (abroad)	5
Average Length of Stay	
	97 dní

The Facility 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, 2 workshops on THB were held in cooperation with the Counselling Centre for Integration and the Organisation for Aid to Refugees.

As far as THB is concerned, cooperation with the police is crucial for the Facility. The Facility regularly reports suspicions of THB, further investigation is fully within the competence of the police. Based on the seriousness of each case, the Facility provides professional care and guidance to the clients, cooperates with other facilities, including health care facilities, child crises centres, psychological ambulances, therapeutic facilities etc. Close cooperation with authorities in charge of social and legal protection of children and courts is a must.

1.4. Trafficking in Human Organs

As regards trafficking in human organs, neither the Ministry of Health of the Czech Republic (hereinafter referred to as the "MoH") nor the Czech Police have any information on illegal activities of this type in the Czech Republic. No case of THB for the purpose of trafficking in human organs was detected in the Czech Republic.

2. PROSECUTION

2.1. Criminal Statistics and Related Information

2.1.1. Data Provided by the Police of the Czech Republic⁷

The number of both **detected⁸** and **resolved criminal offences** of THB has oscillated around tens of cases every year during the last fifteen years. 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.

⁷ Data provided from the Statistical Crime Recording System operated by the police.



Figure: Development in the numbers of detected and resolved crimes of THB between 1998 and 2012.

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 the economic situation and the course of the economic crisis. Between 2011 and 2012 a moderate increase in the number of detected crimes - 24 (+5) as well as resolved crimes - 18 (+5) was reported, which corresponds with the development of recent years and no fluctuations can be seen.

Numbers of detected and resolved crimes of THB (formerly Sec. 246 or 232a of the old Criminal Code ⁹ ; from January 1, 2010 Sec. 168 of the Criminal Code)												
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Detected	15	10	13	16	16	11	29	10	24	19	24	18
Resolved	10	9	12	11	13	11	11	3	13	11	18	11
Total number of resolved crimes including crimes committed in previous years but resolved in 2013	10	12	12	11	13	11	13	11	17	17	22	16
Investigated and prosecuted persons	12	19	30	18	11	20	22	32	35	29	22	25

18 cases of the crime of THB were recorded in the Czech Republic in 2013, out of which 11 were resolved and 5 were resolved additionally. Departments of General Crime of RPD resolved 13 cases, UCOC resolved 3 cases. However, it is important to note that the UCOC deals with more serious cases of organized crime. Also, the police statistics contain data on cases where prosecution was initiated, data concerning other investigations are not included. Due to the length of the preliminary investigations the perpetrators are not usually charged within the same year as the cases were recorded. In 2013, the UCOC detected 2 cases of THB that lead to investigations under Sec. 158(3) of the Act No. 141/1961 Coll., on the Criminal Procedure (hereinafter referred to as the “Code of Criminal Procedure”).

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.

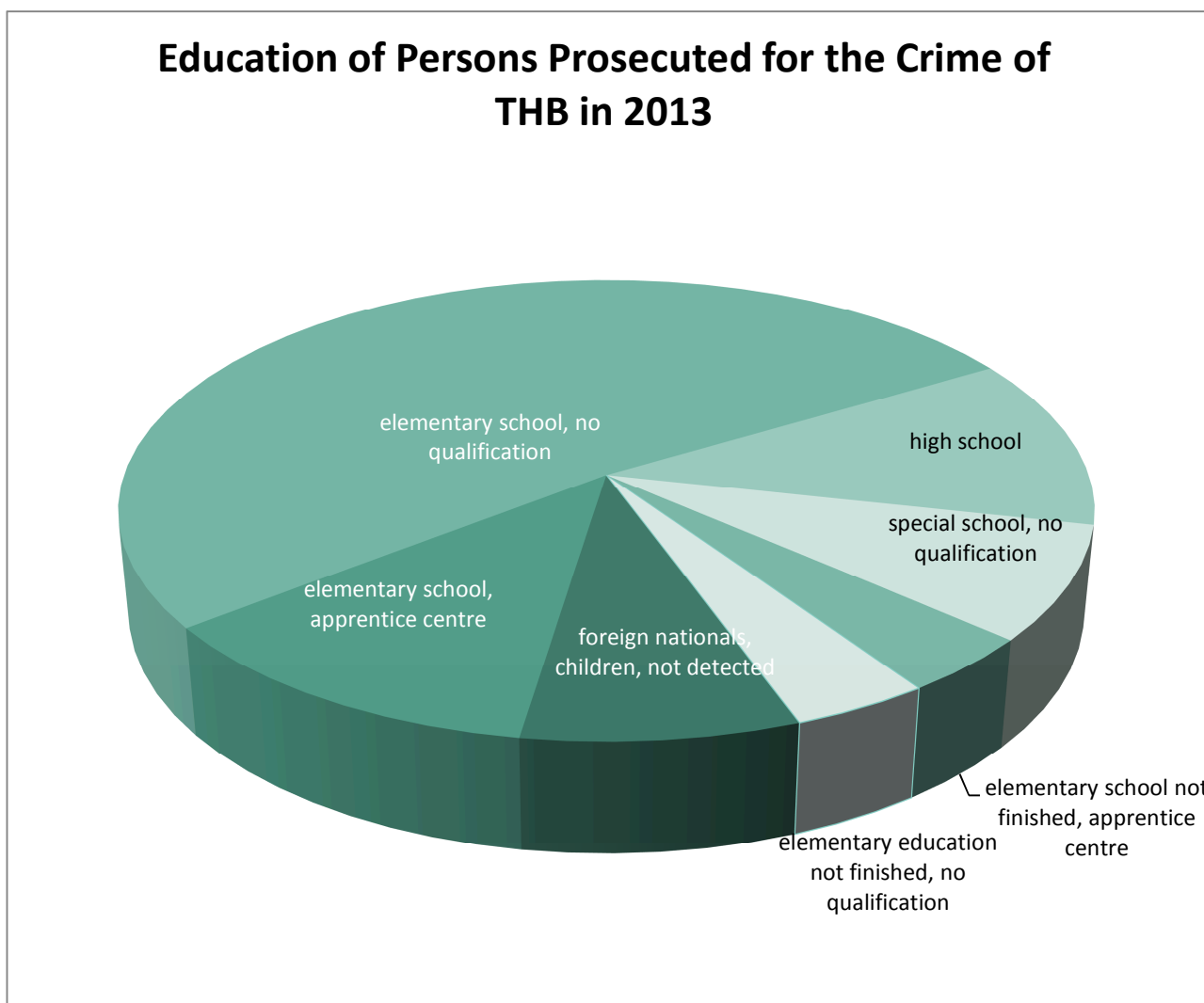
⁹ Old criminal code stands for Act No. 140/1961 Coll., Criminal Code, as amended.

The data on **who initiated the criminal proceedings** seem to be interesting as, besides police units (4 cases as compared to 8 cases in 2012), criminal proceedings were also initiated by citizens (other 3 persons in the category “Others” as compared to 3 in the previous year). In 2011 citizens initiated 11 prosecutions, one person fell under the category “Others”. Statistical records, unfortunately, do not specify the category and what the share of NGOs is.

In total **25 persons were investigated**, of whom there were 5 women and 20 men (among them one foreign national). There were 10 repeat offenders among the 25 investigated persons. The majority of the offenders were older than 30 years of age (15 persons), others were between 18 and 30 years of age.

As far as the **education** of the investigated and prosecuted persons is concerned, the group of offenders with elementary education and no qualifications prevails – 13 persons, 3 persons completed their secondary education, in 2 cases detailed information is not available (a foreign national, a child, not detected). See the diagram below.

The system also includes data on the **employment of offenders**: 13 investigated and prosecuted persons did not have any profession (1 person was unemployed or registered with the Labour Office); 2 persons were labourers (manufacture and constructions), 2 were machinists/assemblers/maintenance workers/repairmen, 2 were entrepreneurs or other.



As regards **marital status** 11 persons were single, 7 persons were married and 5 of the investigated/prosecuted persons were divorced.

The most frequent forms of THB, and basically the only identified forms, is THB for the purpose of sexual exploitation and for the purpose of labour exploitation, although the latter is less reflected in statistical data. Despite the statistical decline in the latter form of THB, which can be seen if the data is compared to previous years, it can be presumed (on the basis of monitoring, data obtained from members of Inter-ministerial Coordination Group for Combating THB, partners abroad or Czech embassies and consulates) that the issue of THB for the purpose of labour exploitation or labour exploitation itself remains a pressing problem.

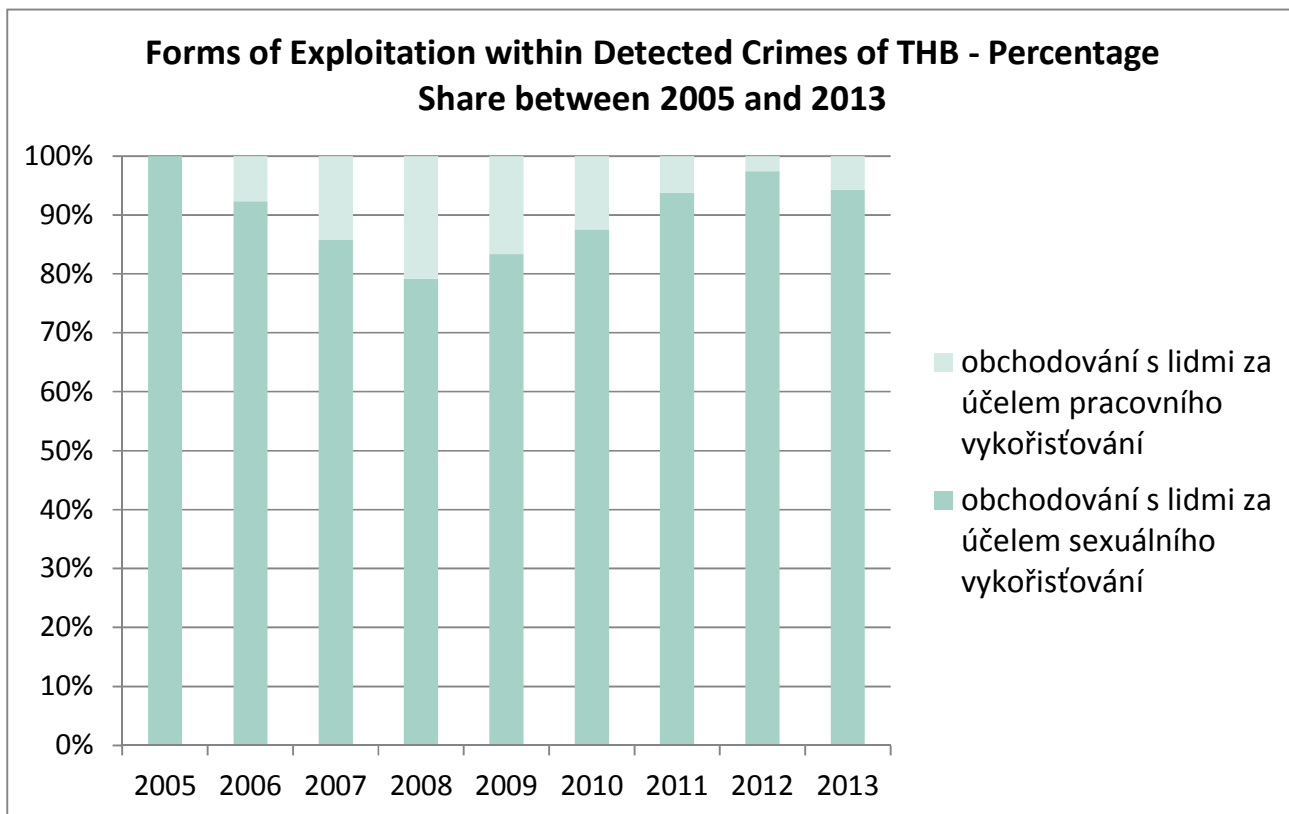


Figure: Forms of exploitation within detected crimes of THB – percentage share between 2005 and 2013

- THB for the purpose of labour exploitation
- THB for the purpose of sexual exploitation

In terms of **regional division** (or on the basis of territories of Regional Directorates of the Police of the Czech Republic; hereinafter referred to as the “RPD”) this type of crime is not committed with the same intensity in all regions, as well as the share of offenders involved in this type of criminal activity. The Usti region and the South Bohemian region strike the eye (see the map below).

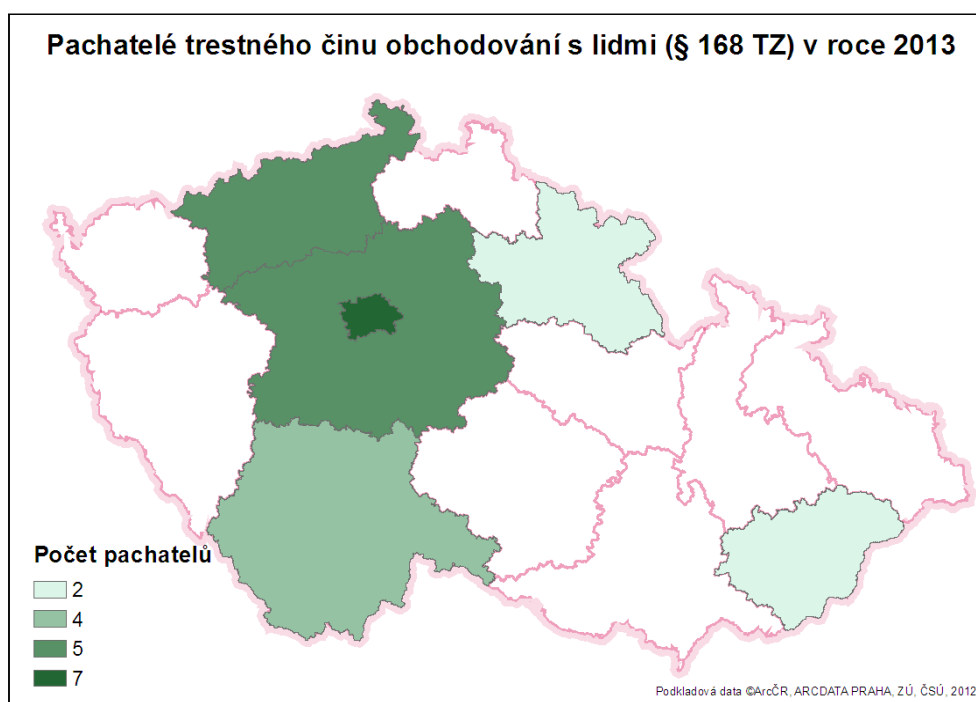


Figure: Offenders of Crimes of THB (Sec. 168 of the Criminal Code) in 2013

Brief descriptions of topical cases in some regions being investigated by specialists from the given RPDs can be found below.

- **RPD Prague:** 7 persons prosecuted, the highest number of all regions in 2013, investigated by RPD Prague (6 Czech citizens, 1 Bulgarian citizen).

Following months of investigations, RPD Prague brought charges against suspects from the Czech Republic, USA, Germany and France, in a large scale case that involved 16 minors as victims. The suspects are charged with organisation of homosexual prostitution, some of them were also the end clients.

Another case involved the abuse of distress of 2 victims, who were persuaded to sell their belongings under the pretence of paying an agency fee to start working abroad. However, after paying the fee, one of the victims was forced into prostitution in Prague, while the other was forced to take part in other criminal activities.

A large-scale case of pandering by an organized criminal group was investigated in Prague in 2013. Although the women were recruited in the Czech Republic, prostitution services were provided in Germany. 50 persons were interrogated so far.

- **RPD Central Bohemia:** 5 persons prosecuted, the Central Bohemian Region mentions in its report characteristics of the area (constructions, Levittowns, logistic centres), demand of cheap labour despite which no large-scale criminal activity has been detected.

In 2013, a case of THB was detected, in which a woman was forced into prostitution. The perpetrators were charged with the crime of THB.

- **RPD South Bohemia:** 4 persons prosecuted, Czech citizens, police experts on THB mention in their report good cooperation with the Customs Administration of the Czech Republic, the Alien Police Service and municipal halls and their departments.
- **RPD Liberec**

One case of THB was under investigation in Liberec in 2013. A minor, a girl born in 1996, offered her classmates to earn money for sexual intercourse with men that she contacted. After the sexual intercourse, she kept half of the earnings of the girls. The investigations still have not revealed the alleged 2 victims (girls born in 1996 and 1997). This case is still under investigation.

- **RPD Ústí nad Labem:** 5 persons prosecuted, 4 Czech citizens, 1 Slovak citizen, according to recently provided information, this criminal activity is mainly conducted by persons from socially disadvantaged backgrounds (both offenders and victims), to investigate and document such cases in such a closed community is, according to the authorities, very hard.
- **RPD Vysočina**

There is ongoing investigation in a case of a 16 year old victim who was allegedly forced into prostitution by two brothers (16 and 22 years of age). The minors involved were in an Education Care Centre, the adult is serving a sentence for another crime at the moment. What was originally thought to be a case of pandering was reclassified as an especially serious crime of THB under Sec. 168(1)(a) and 168(3)(d) of the Criminal Code.

- **RPD Zlín**

A victim XY has reportedly been missing since August 23, 2012. Based on the investigation of the Vsetin police it was revealed that she allegedly consecutively lived at three different locations with a suspect YZ, born in 1987. The police gained a suspicion the victim XY was a victim of crimes of sexual exploitation and THB, as her sexual services were advertised.

The suspect YZ was detained on October 16, 2013 in accordance with Sec. 76(1) of the Code of Criminal Procedure in Zlín, but was later released. The minor was handed over to the regional diagnostic facility.

The number of criminal offences of **pandering** as well as the number of offenders committing the same crime was declining from 2000 to 2010 with the exception of 2005. However, since 2011 an increase can be detected. In 2013 (when compared to 2012) 52 cases of pandering (+10) were detected. 46 (+10) were resolved and 44 persons (-2) were investigated.

Numbers of crimes of pandering 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	2006	2007	2008	2009	2010	2011	2012	2013
Detected	68	74	60	82	64	50	76	40
Resolved	12	20	14	19	21	17	13	5
Investigated and prosecuted persons	49	48	44	60	39	41	49	33

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 2013 a total of 2 criminal offences of the unauthorised employment were detected and lead to the prosecution of 12 persons. This means an increase in comparison with 2012 (2 persons were prosecuted) and in particular in the light of previous years, when in 2010 and 2011 no crime of this type was resolved and no person was investigated or prosecuted in relation to it.

As far as the crime of prostitution endangering the moral development of children (Sec. 190 of the Criminal Code), 1 crime was detected and resolved. 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).

2.1.2. Data Provided by the Supreme Public Prosecutor's Office

The following data are based on the 2012 Annual Report of the Supreme Public Prosecutor's Office and our evaluation of crime related statistics of the public prosecution service for the year 2013 (hence, the following information is of a preliminary nature as the Annual Reports are usually published in the middle of the year).

In 2008, the statistics showed an increase in the numbers of the crime of THB, as was provided for in Sec. 232a of the old Criminal Code, mainly in relation to prostitution, forced labour, or other forms of exploitation. A new form of THB emerged in this period, a form that consisted of forced labour related to exploitation of labourers brought into the Czech Republic from abroad. Victims of this crime were mainly people from socially disadvantaged backgrounds (homeless, foreign nationals without work permits) who were offered a job and accommodation, lived in inadequate housing, worked for low pay that was not high enough to even cover their basic needs.

Based on the Annual Reports of the public prosecution service from the years of 2009 to 2011, it can be concluded that the crime of THB remains one of the priorities of the law enforcement agencies. There is also general agreement that THB consists of three distinguished elements – transport to the Czech Republic, forced performance of labour, and exploitation. However, it is difficult to prove the victims' awareness about the future living conditions at their place of destination.

As regards the criminal offence of THB there are only sporadic findings concerning forms other than sexual exploitation, which probably relates to the less than totally clear interpretation of terms concerning different forms of exploitation. In particular, they mention labour exploitation, where there are difficulties in interpreting the term "forced labour" and "other forms of exploitation". They identify as a substantial obstacle the nonexistence of legal definitions and relevant precedents. And again the weak position of foreign nationals striving to get onto the Czech labour market is abused while the vast majority of them do not have any money and do not speak the Czech language, which means that they fully depend on job brokers, who are in many cases their compatriots who have resided in the Czech Republic for a long time and therefore they "know the ropes", they can easily contact relevant companies and/or different work agencies and so on.

The 2012 Annual Report on the activities of the public prosecution service states that the number of persons prosecuted for the crime of THB (including those prosecuted for THB for the purpose of

labour exploitation) remains very low (33 prosecuted persons, the same number as in the year of 2011, 7 more persons than in 2010).

The following information was gathered from the reports of lower instances of the public prosecution service in 2012:

3 cases that concerned Sec. 168 of the Criminal Code were registered by the District Public Prosecutor's Office in Prague. None of them concerned THB for the purpose of labour exploitation, but forced sexual intercourse.

Regional Public Prosecutor's Office in České Budějovice reported that problems with victims prevail, especially as far as THB for the purpose of sexual exploitation is concerned. They usually remain in the background, which is typical for this type of crime, they refuse to comment on potential offenders, they are often manipulated by the offenders through drug addiction. The victims are often with low or no education, often foreign nationals whose interrogations must be resolved using applications for international assistance.

The regional Public Prosecutor's Office in Brno reports that in 2012 they encountered 3 cases of THB as defined in Sec. 168 of the Criminal Code, none of them was THB for the purpose of labour exploitation. It is most likely, that labour exploitation of foreign nationals is more often classified as the crime of unauthorized employment of foreign nationals as provided for in Sec. 342 of the Criminal Code. The reason for such classification is probably that the foreign nationals usually work voluntarily under worse conditions as they face adverse conditions at home. They often return to the Czech Republic asking the same people that they worked for before for work. This kind of behaviour does not show such a high level of harmfulness as required by Sec. 168(2)(e) of the Criminal Code.

According to the preliminary data, 39 crimes of THB were committed, 30 persons were prosecuted and 30 persons were charged.

Numbers of Persons Charged with the Crime of THB (under Sec. 168 of the Criminal Code, Sec. 232a of the old Criminal Code, formerly Sec. 246 of the old Criminal Code)												
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Persons Charged	14	24	0	0	14	20	17	26	26	31	31	30

The following might be stated concerning the crime of pandering as provided for in Sec. 204 of the old Criminal Code and in Sec. 189 of the Criminal Code. The 2010 Annual Report of the Public Prosecutor Offices indicates that the criminal offence of procuring displayed a drop in the number of both prosecuted and charged persons by roughly one third when the figures are compared to those of 2009 (by 57 prosecuted persons and 56 charged persons). This was the ever lowest number since 1992. No reasons are given for this trend in the reports of the subordinate prosecutor's offices. We can probably talk about causal links to adoption of the new Criminal Code but this conclusion is merely speculative. The largest decline was reported from the South Bohemian region (from 22 prosecuted persons to 3 persons only) and in the North Bohemian region (from 26 prosecuted persons to 7 persons) followed by Prague (from 13 prosecuted persons to 1 person only)¹⁰.

¹⁰ This type of criminal offence saw a downward trend already in 2009 both with regard to prosecuted persons and charged persons, whose number decreased by one quarter against the numbers of previous years (year-on-year decline by 26.6% as regards prosecuted persons and by 25.2% when charged persons are taken into account); In 2010 this trend continued in terms of both prosecuted and charged persons, whose numbers fell by

On the other hand, the 2011 Annual Report of the Public Prosecutor Offices clearly shows a slight increase in the numbers of both prosecuted persons (by 20 to the total number of 54 persons) and charged persons (by 18 to the total number of 51 persons) who committed a crime of procuring (Sec. 189 of the Criminal Code or Sec. 204 of the old Criminal Code), although this increase did not reach the level of 2009 (91 prosecuted persons and 89 charged persons). And again, no reasons are given for this trend in the reports of the subordinate prosecutor's offices. The highest numbers of prosecuted and charged persons (both of them 16 persons) were reported from the South Bohemian region (the decline to 3 persons in 2010 can be interpreted as an exception), followed by Prague (13 prosecuted persons and 12 charged persons), and the year 2010 can also be seen as an exception (since only one person was prosecuted and none charged).

In 2012 a total of 80 crimes were reported; 69 persons were prosecuted and 67 persons were charged. In 2013 according to the preliminary data a total of 63 crimes were reported, 57 persons were prosecuted and 51 persons were charged.

Numbers of Persons Charged with the Crime of Pandering (under Sec. 189, Sec. 204 of the old Criminal Code)												
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Persons Charged	111	181	118	205	136	72	119	89	33	43	67	51

With respect to criminal offences concerning **unauthorised removal/treatment of human tissues and organs, human embryos and the human genome** (Sec. 164 – 167 of the Criminal Code) it can be stated that in 2009 only one person was prosecuted and charged for the crime of illegal treatment of cells, tissues and organs under Sec. 209a of the old Criminal Code, while in 2010 five persons were prosecuted and charged. In 2011 none of these criminal offences was reported. In 2012, in total 6 crimes were reported, but these were subsequently suspended. As regards crimes pursuant to Sec. 166 of the criminal Code 1 crime was recorded. In 2013 only 1 case related to the Sec. 209a of the Criminal Code was recorded.

With regard to the criminal offence of **child trafficking or newly defined as the offence of placing a child under the power of another person** (Sec. 216a of the old Criminal Code or Sec.169 of the Criminal Code) no occurrence was reported either in 2009 or in 2010. In 2011 two crimes of this type were reported and in 2012 3 criminal offences were registered. According to the preliminary data, 1 crime was recorded in 2013.

As regard the criminal offence of **prostitution endangering the moral development of children** (Sec. 190 of the Criminal Code) and **unauthorised employment of foreign nationals** (Sec. 342 of the Criminal Code) no occurrence was reported in 2011. In 2012 2 criminal offences were recorded under Sec. 342 of the Criminal Code. In 2013 1 crime under Sec. 190 of the Criminal Code and 2 crimes under Sec. 342 of the Criminal Code were recorded.

2.1.3. Data Provided by the Ministry of Justice of the Czech Republic

According to data provided by the Ministry of Justice of the Czech Republic (hereinafter referred to as the "MJ") 19 persons were convicted of crime of THB in 2013.

about two thirds (when compared with the previous year there was a decline by 62.6% of prosecuted persons and by 63% of charged persons). When a longer period of time is compared it is clear that this crime has displayed a downward trend (from 1995), with one exception when growth was observed, in 2005.

If we compare this figure with those of previous years we can see the increase in the number of sentenced persons from 2006-2009, which was also confirmed by more considerable fluctuation in the year 2011, as well as in 2013, which displayed a real growth.

Numbers of Persons Convicted by a Final and Conclusive Judgment and Sanctions Imposed for Trafficking in Human Beings (under Sec. 168 and 232a, previously Sec. 246 of the old Criminal Court)												
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Number of convictions	20	5	12	20	2	4	3	1	10	19	11	19
Unconditional Sentences	5	1	3	8	0	3	3	0	9	18	10	17
Conditional Sentences	15	4	9	12	2	1	0	1	1	1	1	2

Out of the 19 convicted persons, 6 were convicted for THB for the purpose of labour exploitation, as compared to 2 convictions in 2012 (both in 2012 and 2013¹¹ the sentences were carried out by the Regional Court in České Budějovice and Regional Court in Ústí nad Labem – see the previous status reports on THB).

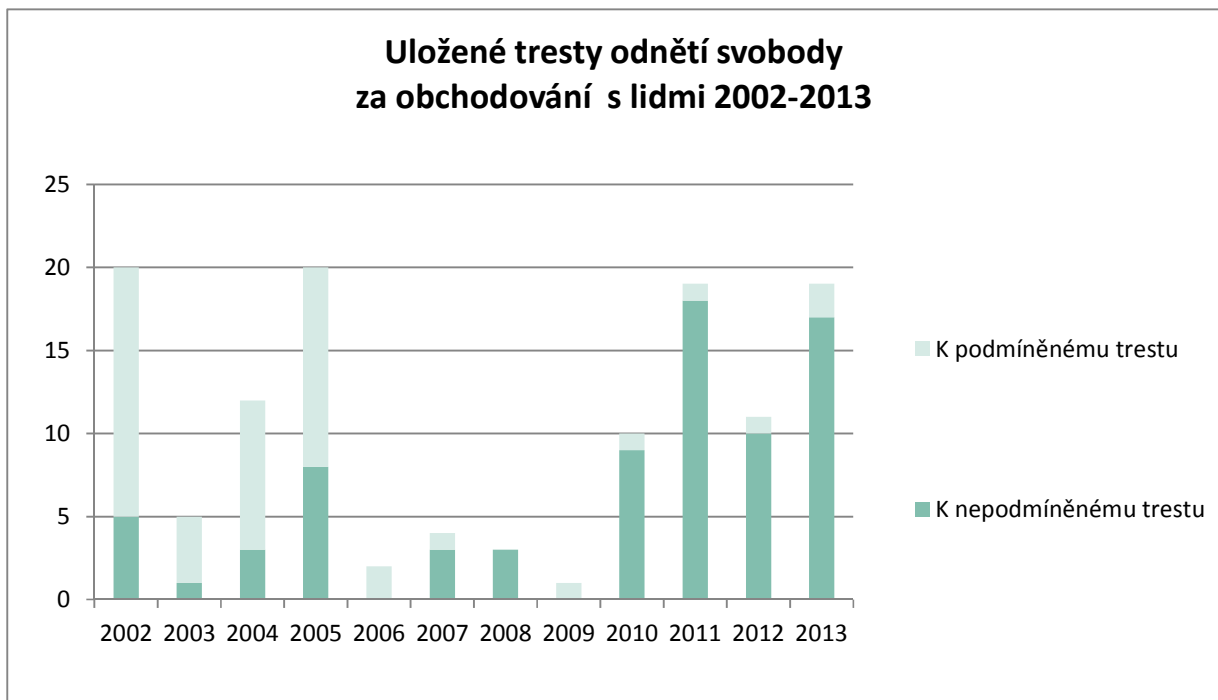


Figure: Number of persons convicted for THB between the years of 2002 and 2013

- conditional sentences
- unconditional sentences

¹¹ Judgment No. 1 T 1/2012 and Judgment No. 39 T 12/2012.

Out of the 17 unconditionally sentenced persons 11 were sentenced to imprisonment for up to 5 years and 6 persons were sentenced to imprisonment for up to 10 years. 3 persons were sentenced to deportation (citizens of Ukraine, Liberia and Nigeria).

If we compare the data with the data from 2002 we can then unambiguously point out the fact that the ratio of unconditionally sentenced persons and conditionally sentenced persons is being changed – the courts more often decide on an unconditional sentence of imprisonment.

As regards the sex of the convicts, there were 13 men and 6 women among them. As regards nationality, there were 11 citizens of the Czech Republic (9 men and 2 women), 1 citizen of Liberia (man), 3 citizens of Nigeria (1 man, 2 women), 1 citizen of Cote d'Ivoire (woman), 1 citizen of Slovenia (woman) and 2 citizens of Ukraine (2 men).

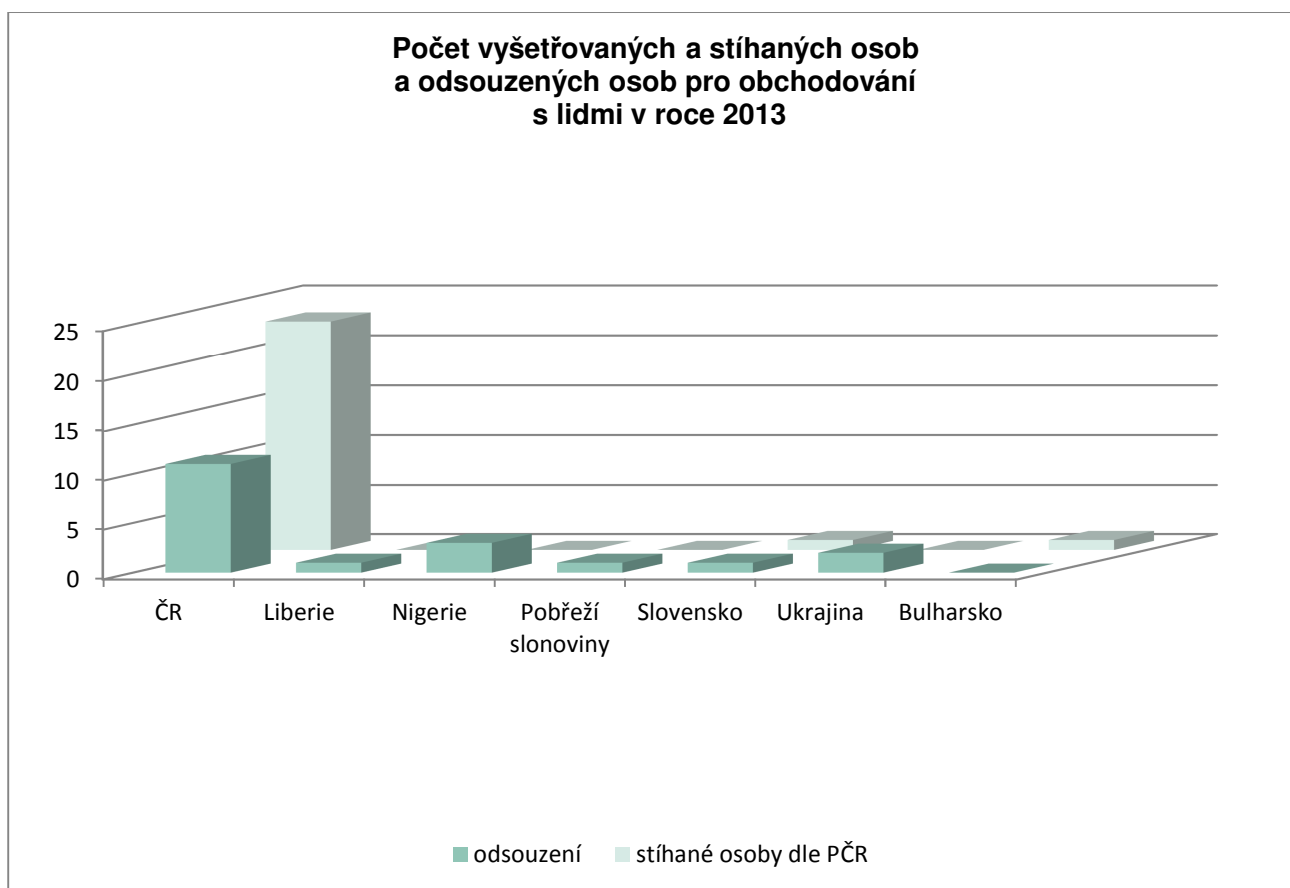


Figure: The number of persons sentenced by final and conclusive judgment for the crime of THB in 2013:

- investigated and prosecuted persons
- convicted persons

With respect to the criminal offence of **pandering**, a decrease in the number of persons sentenced for this crime was recorded in comparison with 2012. The sanction for all the sentenced persons did not exceed the limit of 5 years of imprisonment, except in 1 case. The trend of sanctions has remained unchanged – conditional sentences exceed in numbers the unconditional sentences. As regards the victims, MJ recorded 1 child and 20 women, the MJ does not record data on male victims.

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

Similarly as in 2012, there was no conviction for a crime related to THB for the purpose of **removal of tissue, cells or organs from the human body**: Sec. 164 of the Criminal Code – unauthorised manipulation with tissues and organs, Sec. 165 of the Criminal Code – unauthorised handling with tissues and organs, Sec. 166 of the Criminal Code – removal of tissue, organ and transplantation for pecuniary consideration, Sec. 167 of the Criminal Code – unauthorised manipulation with a human embryo and the human genome.

1 person was convicted for the crime of prostitution endangering the moral development of children as provided for in Sec. 190 of the Criminal Code (decrease in comparison with 2012).

2.2. 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).

On the basis of criminal proceedings for the crime of THB in 2013 the UCOC seized an amount of CZK 132,072 together with one personal motor vehicle VW SCHIROCCO of estimated value of CZK 565,000. In the case of pandering they seized CZK 1,170,079.

2.3. Inspections and Other Actions Carried out by Public Administration Authorities

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

From 1 January 2012 it is the 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. At the same time powers to impose fines for minor offences and administrative infractions were transferred from the Labour Office to the SLIO and Regional Labour Inspectorates (hereinafter referred to as the “RLI”).

Data on inspections carried out in 2012 in the area of employment of foreign nationals cannot be compared with the data collected in 2011 because the SLIO information system evaluates statistical data in a structure which differs from that of Labour Offices.

Similarly as in 2012, in 2013 SLIO inspections concentrated on uncovering and combating illegal work within a project entitled “**The Effective System Development of Employment, Performance of Comprehensive Inspections and Combating Illegal Employment in the Czech Republic**”. This project is co-financed from the European Social Fund within the “Human Resources and Employment” Operational Programme. The inspections were performed by 14 teams specialized in inspections of illegal employment. These teams are equipped with so called mobile offices that enable them to carry out their functions more swiftly and to complete their inspection on site by handing over the inspections protocols off hand. The teams also cooperate with customs offices, the Czech Police – the Immigration Police Service (hereinafter referred to as the “IPS”), the Labour Offices, the Czech Social Security Administration, or with other authorities such as Trade Licensing Offices and the Tax Authorities.

In 2013 the five main tasks of SLIO were aimed inspections of illegal employment. Those tasks concerned **inspections of illegal employment of Czech nationals and foreigners, extraordinary inspections concerning certain areas of business carried out by inspected entities, and inspections of labour-law issues**. Another task of SLIO was aimed at follow up inspections of entities that were inspected in the previous years and were not found to be in compliance with the law.

In 2013, SLIO registered 9.205 complaints that **in total contained 10.946 inducements for inspections**¹².

Out of this total, the following complaints were lodged:

6.826 inducements in the field of labour law relations and working conditions

2.247 inducements in the field of illegal employment

969 inducements in the field of health and safety at work

791 inducements concerning the act on employment

113 inducements in the field of specific technical devices

Information regarding citizenship of the claimants is of facultative nature, some complaints are even lodged anonymously. If the claimant decides not to disclose his citizenship, the SLIO has no means of recording it. Hence, the statistics regarding citizenship of the claimants are of an illustrative nature only.

¹² One complaint could have contained more inducements for inspections regarding several fields of interest, e.g. illegal employment and labour law relations and working conditions.

Number of Complaints Lodged by Citizenship 2012-2013		
Citizenship	Number of Complaints	
	2012	2013
Slovak	85	78
Ukrainian	21	26
Bulgarian	30	15
Russian	2	9
Polish	8	3
Byelorussian	0	3
Romanian	3	2
Moldavian	3	1
Mongolian	6	1
Other	23	15
Czech	2520	2 557
N/A	6974	6 495
Total:	9675	9 205

As compared to 2012 statistics, a gentle **decrease in the number of complaints** was recorded in 2013 (9.675 complaints that contained 11.575 inducements for inspections in 2012). The most significant decrease in the number of complaints was registered in the field of complaints regarding illegal employment (decrease by 695 complaints as compared to 2012).

In 2013, SLIO carried out **36.047 inspections in total that concerned compliance with the provisions of the act on employment**. In comparison with the 2012 statistics, 2.000 more inspections were carried out (34.016 inspections were carried out in 2012).

In 2013, inspections concerning illegal employment detected illegal employment in 1.368 cases. Out of a total of 3.125 detected illegally employed persons, 1.396 persons were of Czech citizenship. This shows a decrease by 50% in comparison with 2012 (2.730 illegally employed Czech citizens were detected in 2012). 1.467 of the detected persons were citizens of third countries, 289 were citizens of EU member state countries. In comparison with 2012, no significant increase was recorded, neither in numbers of illegally employed citizens of third countries, nor in numbers of citizens of EU member states.

As far as illegally employed citizens of third countries are concerned, 544 were from Ukraine, 336 from Vietnam, 36 from China, 20 from Moldova, 15 from Mongolia, 10 from Turkey, 9 from Macedonia.

In 2013, SLIO imposed 214 fines on employers who illegally employed others¹³. The fines amounted to CZK 71,577,500 in total. In comparison with 2012 (559 fines were imposed in 2012 amounting to CZK 158,810,400 in total), a significant decrease by 50% in the number of fines imposed was recorded. Concerning illegal employment of citizens of third countries, 61 fines were imposed amounting to CZK 31,300,000 in total, out of which 30 decisions entered into force (fines amounting to CZK 305,000). Another 261 fines were imposed in February 2014, out of which 12 concerned illegal employment (fines amounting to CZK 192,000).

¹³ Sec. 5(e) of the act on employment.

Number of Inspections Concerning Compliance with the Act on Employment in 2013			
Inspections in the scope of application of the act on employment	1st six months of 2013	2nd six months of 2013	Total
Number of inspections according to the act on employment	20 474	15 573	36 047
Number of inspections – detected inconsistencies as regards the act on employment	2 963	2 436	5 399
Number of illegally employed Czech citizens	726	670	1 369
Number of illegally employed citizens of EU member states	113	176	289
Number of illegally employed citizens of third countries	625	842	1 467
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 87 of the act on employment	781	699	1 480
Employer's non-compliance with his legal obligation to inform regional Labour Office as provided for under Sec. 88 of the act on employment	4	5	9

Numbers of detected and resolved cases of illegal employment, as well as total amounts of imposed and enforceable fines are not final, because part of the inspections initiated in 2013 and administrative proceedings concerning the imposition of fines for illegal employment have not been finalized by the closing date of this report (February 2014).

Number and Amount of Fines Imposed for Non-Compliance with the Act on Employment in 2013		
Legal Bases	Number of Imposed Fines	Total Amount of Imposed Fines
Sec. 139(1)(c), administrative offence (natural persons), illegal work	44	244 600
Sec. 139(1)(d), administrative offence (natural persons), enabling illegal work as provided for in Sec. 5(e)(1) or (2)	2	33 000
Sec. 140(1)(b), administrative offence (legal persons), procuring employment without due permit or other infringement in procuring employment	8	885 000
Sec. 140(1)(c), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(1) or (2)	199	67 347 500
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	320	3 085 500

Sec. 140(1)(e), administrative offence (legal persons), enabling illegal work as provided for in Sec. 5(e)(3) (foreigner without residence permit)	15	4 230 000
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Inspections in Employment Agencies

In 2013, SLIO again focused its activities on the functioning of employment agencies and their clients. Cooperation between SLIO and the Labour Office of the Czech Republic was intensified, both with the General Directorate of the Labour Office in Prague (hereinafter referred to as "LO") and with the LO Regional Directorates. Despite several years lasting pressure of the SLIO on employment agencies, no significant improvement was recorded. Findings of such inspections contain both normal infringements of labour law, as well as, infringements of the provisions of the labour law that regulate functioning of employment agencies.

In 2013, 567 inspections in employment agencies were completed in all the main tasks as mentioned above. Inspections were conducted on the bases of the main task as defined in the inspection schedule, following received complaints, extraordinary inspections, inspections of illegal employment, inspections regarding health and safety in workplace, etc. It is hard for SLIO to determine the exact number of such controls, because subjects of such controls were also employment agencies that have already been deprived of their permit to procure employment or agencies that were not even granted such permit, but their activity embodies hidden elements of employment procurement. For the detected irregularities fines amounting to a total of CZK 2,655,000 were imposed. SLIO does not review in detail the detected irregularities.

Solely in terms of separate specialized tasks defined by scope of inspections, the LO Regional Directorates conducted 147 inspections out of the above mentioned number concerning 75 of their users. Out of this number, no irregularities were found in 64 inspections of employment agencies and 42 of other users. In total, 233 irregularities were found in relation to employment agencies and 56 in relation to other users. The inspections resulted in the imposition of 14 fines to employment agencies amounting to CZK 1,423,000 and 4 fines to other users amounting to CZK 250,000.

Based on the findings of the specialized inspections in employment agencies and other users, it may be concluded that **most infringements of the act on employment were detected in relation to the legal provisions regulating employment agencies**, e.g. contracts between an employment agency and a user did not contain all legally prescribed provisions, the written directive used by the employment agency to assign employees to a user did not contain all legally prescribed provisions, the employment agency and the user did not ensure that the working conditions of an assigned employee were not worse than the working conditions of an employee on comparable position. Other examples of detected infringements of the law were found in the field of remuneration, e.g. late pay offs, non-remuneration of supplementary elements of pay, no evidence of hours of labour, etc.

SLIO will focus on the functioning of employment agencies also in 2014. In the following year, inspections will be aimed at the formal aspects of functioning of employment agencies – legal insurance, obligation to inform the LO, abidance of the permit conditions for procuring employment based on its content, notification obligation related to the start of employment of citizens of other EU members states, etc.

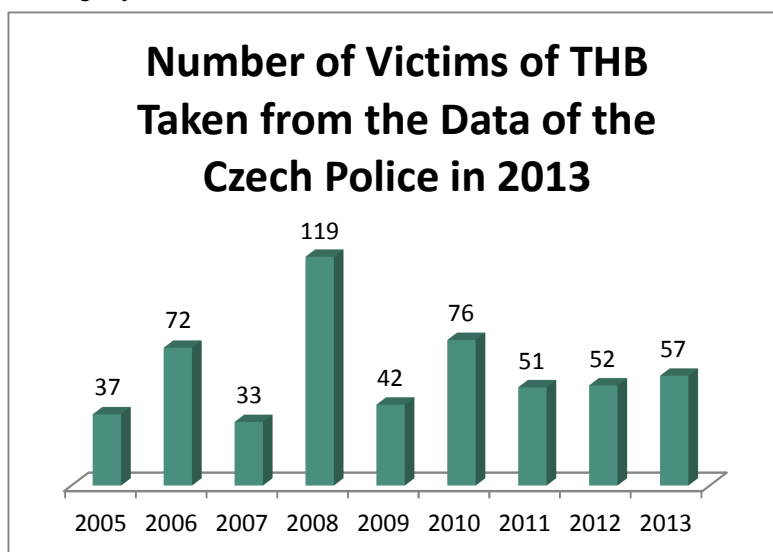
Starting from January 2014, SLIO initiated a specialized inspector's position for conducting inspections related to employment of foreign nationals (about 2 inspectors at one local inspectorate). Selected inspectors are further trained in anti-discrimination and equal treatment laws, delegation of employees and newest legal developments in this field. Intensive cooperation of the SLIO and the Alien Police, the municipal police and the Department of Asylum and Migration Policy of the MoI (hereinafter referred to as "DAMP") shall be sought in the following year, too.

3. PROTECTION OF VICTIMS

3.1. Victims in Criminal Proceedings

3.1.1. Victims in Statistical Records

The information on victims of criminal activities published in this sub-chapter is collected predominantly in the Statistical Crime Recording System. We have to note 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 records¹⁴. However, it is impossible to collect the same information on all victims. Within the item entitled “the object of assault” included on the form for a criminal offence the following categories are listed: female, male, a group of persons (for example if it is a large scale case). Only one of the above-mentioned categories can be ticked. As regards victims who are persons in groups it is impossible to find similarly extensive or comprehensive information when these cases are compared with individuals, i.e. when a victim is marked as a male or female.



In 2013, 57 victims of THB were recorded in the police statistics, out of which 6 were identified alone and 51 in groups.

As can be seen on the map bellow, most of the victims were identified in Prague, 6 were identified in Liberec Region, 4 in Hradec Králové Region, and 2 in South Bohemian, South Moravian and Zlín Regions, 1 in Ústí nad Labem Region.

¹⁴ The term victim embodies victims of violent and immoral offences and selected cases of property related crimes (e.g. pickpockets).

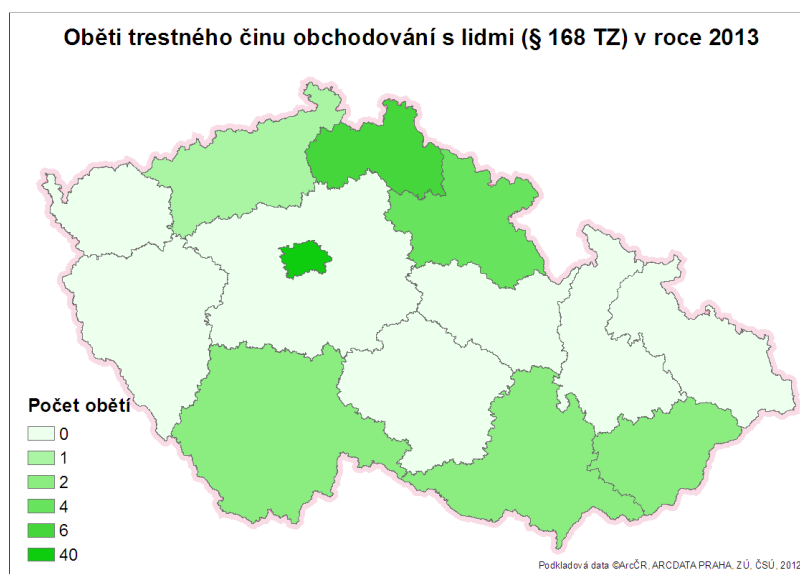


Figure: Victims of the Crime of THB (Sec. 168 of the Criminal Code) in 2013, Number of Victims

(Incomplete) statistical records about individually identified victims of THB (i.e. 6 persons as stated above) provide us with interesting information. Since 2005 the Czech Republic has seen, on the one hand, an unambiguous decrease in the proportion of victims between 18 and 30 years of age and, on the other hand, a growth in the proportion of victims younger than 15 years old and victims between 15 and 18 years of age.

3.2. Victims of Trafficking in Human Beings 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 services¹⁵ 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/> (in Czech only). The publicly accessible part of the Register offers a search facility in its extended section for services according to the target group, including a target group of victims of THB.

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

¹⁵ Social services include social consultancy, social service care and social prevention. These services are provided as residential services, non-resident services or street-work services.

systems is the real number of clients in target groups recorded. However, it may be stated that 121 services were ready to accept clients-victims of THB in 2013.

Type of Service with a Target Group of „Victims of THB“ in 2013	
Type of Service	Total
Professional social consultancy	54
Telephone assistance (emergency) lines	25
Social rehabilitation	2
Street-work programmes	20
Houses of asylum	10
Low-threshold facilities for children and youth	3
Crisis aid	6
Socially activating services for families with children	1
Total	121

In this context it is important to emphasise that the **majority of providers devote their services to victims of THB only marginally.**

Age	18-23	24-30	31-40	41-50	51+	2013
Country of Origin						
Czech Republic	1	2			1	4
Slovakia	2	2				4
Vietnam			1			1
Romania		2	7	4	1	14
Total	3	6	8	4	2	23

3.3. Programme on Support and Protection of Victims of Trafficking in Human Beings

The Crime Prevention Department, as authorised by the 1st Deputy Minister of the Interior responsible for internal security, and in accordance with the Government Resolution No. 925 of 14 December 2011 concerning the Crime Prevention Strategy of the Czech Republic from 2012 to 2015, implemented within the development of the crime prevention system at the nation-wide level, implemented a project entitled **The Programme on Support and Protection of Victims of Trafficking in Human Beings** (hereinafter referred to as the “Programme”). A new subject-relevant document related to the care of victims of THB is the EU Directive on THB that states in Article 12 that members states are to take necessary measures to ensure that persons in question are provided with help and care as soon as relevant authorities gain reasonable suspicion that the person in question could have been a victim of the crime of THB. The national reference mechanism, of which the Programme is an integral part, is in full compliance with this Directive.

The Programme is a kind of measure created with the objective of providing probable victims of THB with support and protection upon individual risk assessment and to enable access to the programme of witness protection. The Programme also duly **protects probable victims of THB who are witnesses in a trial and who cooperate with law enforcement authorities.** If a probable victim voluntarily accepts an offer to participate in the Programme he/she fills in and signs an initial statement which encompasses the rights and duties relating to his/her involvement in the Programme.

Number of Victims in 2013	Men	Women
23	14	9

The overall cooperation with partners (NGOs¹⁶, UCOC, IOM) was excellent in 2013. Thanks to this cooperation, 23 potential victims of THB were included into the Programme in 2013. The victims came from Romania, Slovakia, Czech Republic and Vietnam.

Most of the cases concerned THB for the purpose of forced labour or labour exploitation. Out of the 23 victims, 17 were reported by the NGOs, the remaining 6 were reported by representatives the UCOC.

Since 2003 a total of 143 victims of THB have been included in the Programme. Out of this overall 9 remain in the Programme (out of which 4 victims joined the Programme in 2013) and cooperate with the law enforcement authorities. These victims are provided with complex services. All of the 23 potential victims of THB that joined the Programme in 2013 agreed with UCOC's investigations of their cases.

Forced Labour/Labour Exploitation	Sexual Exploitation
18	5

Through the Programme of Voluntary Returns, which is an integral part of the Programme, 8 voluntary returns were implemented in 2013. Since 2003 a total of 63 voluntary returns, 19 of which to the Czech Republic, have been implemented.

Year Country of Origin	Year												Total
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013		
Czech Republic		2	3	4	5	4	3	3	2		4	30	
Slovakia		3		1	1	1	1				4	11	
Moldavia	3								1			4	
Ukraine		1	6	3	3	7	8		1			29	
Bulgaria		2	4		1				1			8	
Vietnam	1		3	3	2			1	1		1	12	
Romania				3		6					14	23	
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	143	

In cooperation with the DAMP 2 victims that participated in the Programme applied for and were granted asylum in 2013.

¹⁶ The names of the NGOs in questions are not published due to security concerns.

3.4. Support of Assisting Organisations

3.4.1. La Strada Czech Republic, o.p.s.

3.4.1.1. 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 Strada¹⁷ together with eight member organisations in another eight European countries¹⁸. 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 services – Sec. 37 of the Social Services Act¹⁹,
- Crisis aid - Sec. 60 of the Social Services Act,
- Asylum/sheltered houses - Sec. 57 of the Social Services Act.
- Telephone crisis aid²⁰.

As regards prevention, the dissemination of information leaflets and the mapping-out of trends, the organisation is continually developing a specific work method to be used in the field. This activity has been financially supported by the Mol for several years.

3.4.1.2. Provided Services

When practice is taken into account, the people who used the services of La Strada can be divided into the following 3 groups:

1. **“Comprehensive social services:”** Trafficked or exploited persons who, in the course of cooperation, use one or more registered services of the organisation²¹. This means that they wish to solve their situation comprehensively and have regular meetings in the organisation.
 - In 2013 the comprehensive social services provided by La Strada were used in total by 59 persons, of which number 39 were women and 20 were men, out of which 25 sought La Strada in 2012 and 34 started its cooperation with La Strada in 2013. In comparison with

¹⁷ <http://lastradainternational.org/>.

¹⁸ Other member states are Belarus, Bulgaria, FYROM, Moldova, Netherlands, Poland and Ukraine.

¹⁹ 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.

²⁰ In accordance with the Social Services Act.

²¹ La Strada has been registered as a provider of the following services: professional social services, crisis aid, both non-residential and residential, houses of asylum, and/or telephone crisis aid.

the year of 2012, an increase can be shown (as compared to 40 persons in 2012). Comprehensive social services were provided to persons that made use of houses of asylum, health care services (including psychiatric care and psycho-therapy), assistance in their contact with the authorities, financial assistance, legal representation and counselling, leisure activities and other services that La Strada has to offer.

- Out of the 34 newly acquired clients 15 (14 women and 1 man) were Czech nationals (this means an increase in comparison with 2012 – by 4 Czech nationals). Out of the 19 newly acquired clients of foreign nationality in 2013 9 were women and 10 men: Romania (7 men, 2 women), Slovakia (5 women, 1 man), Bulgaria (1 woman, 1 man), Nigeria (1 woman) and Vietnam (1 man).
 - Out of the total of 23 women, 20 cases concerned **forced prostitution** while the other 3 concerned THB for the purpose of labour exploitation. Out of the total of 11 men, all cases concerned labour exploitation in the Czech Republic, in 1 case also concerned labour exploitation in the United Kingdom.
 - **The average age** of La Strada's new clients in 2013 was 32,4 years of age with the youngest one being of 18 years of age and the oldest one being of 58 years of age.
 - As far as the **type of recruitment** is concerned, informal recruitment by people from their social environment prevailed (20 persons). Another 14 reported a formal type of recruitment (11 mentioned employment agencies, 3 internet advertisement). In most cases persons were forced into prostitution in the Czech Republic, in 4 cases in the United Kingdom and Germany and in 1 case in Finland. La Strada does not report any case of forced to work in households in 2013.
 - In most cases the recruitment took place in the country of origin and was followed by subsequent transport to the Czech Republic. 1 case concerned labour exploitation in the United Kingdom. In 2013, **2 groups** from Romania addressed La Strada in order to report forced labour in agriculture by the same perpetrator. The first group consisted of 6 persons (2 women, 4 men) and the second group consisted of 3 men. In both of these cases, their recruitment was organized by an **employment agency**.
 - Among methods of oppression for forcing people to work (both for women and men) there were, for example, seizure of travel documents, restriction of free movement, checks on the labourers' movement, insufficient food and drink, threats of physical violence, threats directed towards a labourer or his/her family members, 10 men and 1 woman were actually assaulted. Men were threatened that they would lose their accommodation if they did not continue working. There were reported cases of frozen wages, if they were paid the amounts were very low or they received some small amounts of advance payment (for example for a week). The majority of men complained about their unreasonably long working hours (10 -12 hours a day).
 - As far as the source of reference of the clients to La Strada is concerned, 1 person was referred to La Strada by the Alien Police, 1 person by an international organisation, 1 person by a night club manager, 5 persons were referred to La Strada by the Crime Prevention Department of the Mol and the Police. 13 persons cooperated with the Police in its investigations (7 women and 5 men in the Czech Republic, 1 woman in Finland).
 - 9 persons were provided with legal representation in 2013 (4 women, 5 men), out of which 6 persons terminated cooperation for their return to their countries of origin. The remaining 2 cases are in the process of pleading in front of the court, 2 claims for damages were lodged.
2. **“Contact consultancy:”** This type of consultancy is used by persons who use consulting services to consult about their situation without a comprehensive solution to their situation and without residential services. The organisation provided contact consultancy to 30 clients who had encountered predominantly labour exploitation or had got into a situation which resembled trafficking or exploitation.

A) INFO and SOS LINE

- The INFO and SOS²² line is another key component of the organisation's activities – it serves as an entrance gate to the residential or advisory service. However, in recent years the consultancy-intervention nature of the line has been widened. In 2013 the service was provided to 482 persons in whose benefit 862 activities were performed (in comparison with 2012, there is an increase by 110 activities and 31 persons). The service is provided to both Czech and foreign nationals regardless of their residency status. The service may be provided anonymously.

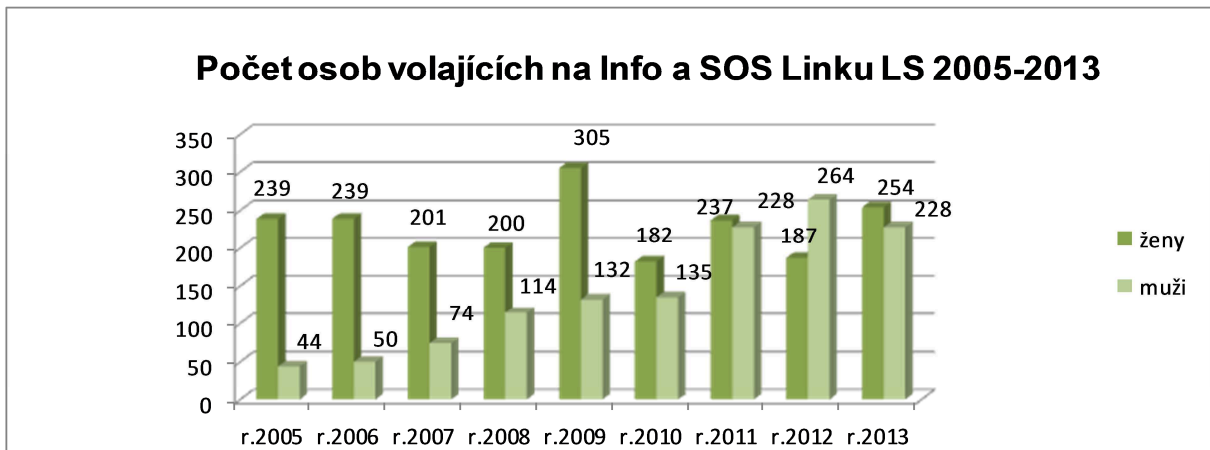


Figure: Number of Persons that Called La Strada's Info and SOS Line between 2005 to 2013

- Women
- Men

- The following people form the target group of this service: trafficked and exploited persons (i.e. people who were deceived and /or forced to perform work or provide services, including prostitution, and others benefited from their work); persons who had suffered from trafficking or got into a situation similar to trafficking; persons who are in close relation to people who were or are trafficked or exploited; and persons who are seeking a job or travel abroad and other people who are interested in information on how to avoid the risks of THB and exploitation.
- EU nationals prevailed among people calling (175 persons)²³, followed by the second largest group of citizens of the Czech Republic (167) and by third countries' nationals (107). In 33 cases the nationality of the client was not identified. In 2013, as well as in 2012, the **number of clients from EU member states exceeded the number of clients from third countries**. Also, the previous year's trend when the number of male clients exceeded the number of female clients, was not repeated in 2013. In 2013 254 female clients and 228 male clients were reported.
- A substantial number of calls related to **labour exploitation and/or the fact that employees had not received any salaries** for at least 3 months (about 400 calls). These calls were followed by calls concerning **issues of residence, labour-law issues** and so on. As far as nationality of the clients is concerned, one fourth of them were EU citizens

²² Operational hours of INFO and SOS line: (+420) 222 71 71 71, Mon: 10.00 – 16.00 (Czech and Russian languages), Tue: 10.00 – 16.00 (Czech and English languages), Thu: 10.00 – 16.00 (Czech language), 800 07 77 77 (toll free calling), Wed: 12.00 – 20.00 (Czech, Russian, Romanian/Moldovan languages). An answering machine is available out of working hours. It is possible to contact the organisation by e-mail: pomoc@strada.cz or regular mail (letters). The Line is operated with emphasis given to the needs of migrants.

²³ Due to the increase of calls of Bulgarian nationals, the services were often provided with the help of an interpreter.

(Romanians, Bulgarians, Baltic states) with short term residences in the Czech Republic. Other cases concerned work abroad or inquiries on employment agencies that offered such work, missing persons, domestic violence, homelessness etc. 12 persons who originally contacted La Strada by using this line, started to use the comprehensive services provided by La Strada and were provided with contact consultancy in 24 cases.

B) Contact social consultancy

- Altogether 30 persons used the service of contact consultancy in 2013. The majority of them obtained information on the low threshold advisory centre within the field work or when calling the INFO and SOS line of the organisation. The services were also advertised through cooperation with other organisations or through former clients. In 2013 23 new clients were registered (7 women, 16 men) and 7 clients from the previous years were also provided services (3 women – Thailand, Bulgaria – and 4 men – Bulgaria, Romania, Czech Republic).
- As in the last year, EU nationals were in the majority – in particular nationals of Bulgaria (17). Further, there were nationals of Romania, Ukraine, the Czech Republic, Thailand, Moldova, Philippines and Uzbekistan.
- Among the clients there were more men (20) than women (10). All the consulted cases dealt exclusively with **exploitation outside the sex business**, in particular **non-payment of salaries**.
- The services in contact social consultancy that La Strada offers also include legal counselling (in cooperation with the clients, necessary steps are taken to claim the outstanding amounts). Based on the situation, clients were offered to claim the outstanding amounts at court. Legal counselling also concerned legal assistance in matters related to termination of their employment and settling interrelated rights and obligations or counselling in criminal or administrative matters²⁴. Some cases were directly consulted with the SLIO, local LO or KOVO union.
- Basically in all cases an employment agent was present – so called client within the client based system or employment agency. Also this year most of the clients worked under exploiting conditions (hard work, forced flexibility, disrespect to the law as far as obligatory pauses in work are concerned, long shifts, unpaid overtime hours or unpaid hours worked at night or on holidays, unlawful financial sanctions, no holidays, payment of no or only partial salaries in the form of allowances, etc.), but no cases of confiscated documents were reported and their freedom of movement was not restricted.

C) Non-residential crisis aid

- In 2013, non-residential crisis aid²⁵ was provided to 5 persons (1 woman, 4 men), all of whom were EU citizens. In 1 serious case the legal provision for prolonging the contract for another week was applied.

²⁴ Success rate of claims for unpaid salaries remains rather low. In practice, clients face obstacles related to difficulty of bearing burden of proof and length of civil proceedings. Especially the length of civil proceedings makes it difficult for the clients in financial hardship to stay in the Czech Republic and see through the end of such proceedings. Their financial situation is also often the reason why they cannot afford paying the court fees and other expenses related to the proceedings. Therefore, most of the clients prefer to return to their country of origin or they seek another job instead to compensate for the losses. Such approach makes them even more vulnerable to further exploitation. The legal entities in question are well aware of this fact and make use of it. The clients often express distrust to the principle of legal equality at courts, or face such comments from employers as „sue me, it will do you no good anyway.“

²⁵ See Crisis aid as defined in Sec. 60 – The mission is to resolve impeding crisis situation caused by THB or exploitation and creation of such conditions that stabilise the overall situation. The provision of provisional free-of-charge accommodation (in case of non-residential crisis aid financial aid for this purpose) for up to 7 days with a view of prolongation in justified cases.

D) Street work

- Similarly as in 2012, in 2013 the street work focused on the three above defined fields, so called female environment, seasonal work and repeated visits to preselected locations where, based on previous experience, the presence of potentially exploited or trafficked persons might be presumed. 221 persons were approached in the field in 2013, out of which 98 were women (44,3%), and 48 were related persons (persons from the background of persons from the target group and persons in personal or employment relationships to the persons from the target group).
- Most of the approached persons were EU citizens. The following countries were represented: **Bulgaria, Ukraine, Slovakia, Romania, Poland, Czech Republic, China, Thailand, Vietnam, Uzbekistan, Kazakhstan, Moldova, Latvia, Russia, Belarus** and others.
- Given the more favourable legal and administrative restrictions, the trend of employing EU citizens via **employment agencies** prevailed in 2013, too. Most of the clients from third countries were from Ukraine.
- **So called ad hoc street work** was used once in 2013, based on an extraordinary situation. A visit was conducted following information regarding bad working conditions in a specified employment agency and a higher number of foreigners employed in a specified company. As a part of this visit, 4 lodging houses were visited.
- In 2013, **16,000 information leaflets** on the services provided by La Strada were printed. Out of those leaflets, **2,130 were distributed through street work and 500 were forwarded to other organisations and authorities.**
- The **issue** most often **discussed** with the clients was the problem of unpaid salaries for work performed²⁶, lack of information regarding rights and obligations resulting from employment in the Czech Republic²⁷, illegal termination of contract by employer in case of employee's illness, unlawful financial sanctions for fictional or banal "misconduct", question of homelessness, lack of money to cover basic needs as a result of unpaid salaries (entire families face this situation, mainly of Bulgarian origin, in the Czech Republic).²⁸

3.4.1.3. Other Activities

La Strada organisation is active in the field of advocacy and lobbying, too. It participated on drafting of a bill on the toleration of prostitution²⁹. It disagreed with the second version of the bill, as proposed by the Municipal Assembly of the city of Prague in the form of a bill on regulation of prostitution. It also

²⁶ This issue mostly concerned men of Bulgarian origin, working under contracts of services or with not contract at all in different fields – construction, agriculture, manufacture. The payments were mostly postponed for 1 to 3 months. Often contract for three months was concluded but was never renewed, even though the person in question still dully performs its work. Often the employees are not given their own copy of the contract. In those cases the clients were explained how they could claim their salaries in accordance with the law, where to claim them and who to ask for legal assistance.

²⁷ This concerned mainly EU citizens (Bulgaria, Romania and others). Often no contract is signed, or contract is not translated to the language the employee understands.

²⁸ In some cases employers requested their employees to sign blank payslips, in other cases employers presented signed payslips to the inspection even though the salaries were supposed to be sent to the employees' bank accounts.

²⁹ The Chamber of Deputies reference no. 1108/0, 6th electoral term.

monitored the development in the case of tree workers (for more information see the previous Status reports on THB). La Strada has also been granted authorisation to provide legal services to victims of crime as provided for in Sec. 39(1) of the Act No. 45/2013 Coll., on Victims of Crimes.

3.4.2. The Caritas of the Archdiocese of Prague, Magdala Project

3.4.2.1. Basic Information on the Magdala Project

The Magdala Project has been carried out within the Caritas of the Archdiocese of Prague (hereinafter referred to as “Caritas”) since 1998 and deals mainly with all activities relating to the issues of trafficking in human beings and domestic violence. 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. Recently, the Magdala Project has concentrated on the issue of the indemnification of clients and legal assistance provided to these groups of people.

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. The Magdala Project is actively involved in the Programme and a representative of this project is also a permanent member of the IMCG. The Caritas also runs a Centre for Migration in Prague (hereinafter referred to as “ADCH Prague”), that focuses on foreign nationals accommodated by the Refugee Facilities Administration and foreign nationals living in Prague and Central Bohemian Region.

3.4.2.2. Proved Services

Workers of the Magdala Project and the Centre for Migration provide comprehensive services to victims of THB, which means social and legal consultancy, psycho-social consultancy, assistance when clients deal with the authorities, direct assistance and safe shelter/residential facilities.

The goal of all activities is full integration of victims and their children into the society, to make the victims able to take care of themselves and their children. In 2013, Caritas focused on prevention, assistance provided to victims of THB, forced and illegal labour and victims of smugglers.

In 2013, the Magdala Project and the Centre for Migration assisted the clients in their dealings with employers, civil law proceedings, dealings with authorities, DAMP, health insurance companies, medical staff, etc. In many case services of an interpreter were provided.

- Magdala Project contacted 846 persons in total, the Centre for Migration contacted 309 persons in total. Most of the persons contacted were clients from the Czech Republic, Slovakia, Belarus, Bulgaria, Cuba, Mongolia, Syria, Ukraine, Alger, Armenia, Burundi, Egypt, Iran, Yemen, Cameroon, Congo, Palestine, Russia, Sri Lanka, Turkey, Vietnam, 2 apatrids, Afghanistan, Latvia, Macedonia, Morocco, Moldova, Nigeria, Pakistan, Serbia, Sudan, Tunisia and Uzbekistan.
- In comparison with recent years, slight changes in the composition of the clients as far as their country of origin is concerned can be shown. Avera age of the clients is between 21 and 33 years of age. The most common form of exploitation is forced labour, followed by forced prostitution, most clients were recruited through intermediaries. The clients mostly seek social counselling, accommodation services and assistance in access to medication.

- Magdala Project is a part of the national reference mechanism providing assistance to victims of THB. The Centre for Migration ADCH Prague oversaw the provision of accommodation and subsequent services for 2 clients that took part in another project of the organisation.
- In 2013, Network Magdala Help Line was in operation and registered 620 phone calls.
- Project Magdala reports 876 contacts overall in 2013, out of which 731 were by using phone. 823 contacts were made with women, 23 with men. In total, 1464 interventions were performed in 2013.

3.4.2.3. Other Activities within the Magdala Project

Workers of the Magdala network were in regular phone contact and they also had meetings where they exchanged their experiences and consulted topical issues. A meeting of all Caritas workers took place in April 2013, it was dedicated to their cooperation within the Magdala Network, exchange of experience and changes in its financing.

The Caritas of Blansko, Litoměřice and Znojmo are very active in the field of prevention. In the course of their street work, they approached 414 women and 11 men. 420 persons participated in their preventive seminars.

ADCH Prague organised seminars for persons accommodated by the Refugee Facilities Administration within their premises in order to inform them about the risk related to THB and illegal employment. The seminars were organised in several languages, mostly in Russian, Ukrainian, Vietnamese and Arabic. Several seminars were also organised by the local branches of the Caritas in schools.

Representatives of ADCH also took part in panel discussions on domestic violence (Senate of the Czech Republic, Acorus, Committee for prevention of domestic violence, ProFem, Rosa, Koordona, Prague Intervention Centre, La Strada, Diaconia, etc.).

Workers involved in the Magdala Project cooperated within the Programme with NGOs in the Czech Republic, with the Czech Police and courts. As regards cooperation with NGOs the Caritas cooperated with La Strada, Diaconia, IOM, Acorus, R-R organisation, and Organisation for Aid to Refugees. Cooperation was evaluated positively by the Archdioceses Charity Prague as all the involved parties are primarily concerned with the needs of clients.

Cooperation with the Czech Police was also evaluated very positively. Cooperation was implemented in connection with criminal proceedings concerning THB. The approach of police officers was appreciated as they were sufficiently trained to work with victims of THB.

3.4.3. Diaconia of the Evangelical Church of Czech Brethren

3.4.3.1. 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.

The Diaconia carries out its activities through their organisational units or branches. The activities of all organisational units of the Diaconia are interconnected, coordinated and strategically managed by

the headquarters and individual established organisational units form one group and work under a common name.

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.

Thanks to such activities the Diaconia became a permanent member of the IMCG in 2010. Social services are provided and other projects in this field are run by the local units of Diaconia. Since 2011 the project “No to Violence” was implemented by the Diaconia’s Centre for Nationwide Programmes and Services (hereinafter referred to as “CNPS”). Since 2012 the Centre of Western Bohemia (hereinafter referred to as the “Diaconia West”) provides social services to trafficked persons, too.

3.4.3.2. Provided Services

The CNPS implements the following activities:

“No to Violence” Programme

- The principal objective of the programme is to participate in providing aid, support and protection to trafficked and exploited persons or persons endangered by trafficking. The main activities within the programme are coordination and methodical guidance of provision of social services, short term and long-term projects, and further inter-agency and international operational cooperation in the fight against THB. What is more, the project focuses on preventive activities; in particular, they try to increase the sensitivity of the general public towards respecting human rights. They also endeavour to prevent THB and other forms of exploitation and strive to enhance the awareness of this phenomenon, especially among people endangered by social exclusion. As a part of this programme, a social service called “Houses of Asylum” is provided. A significant part of this service is fieldwork that includes proactive search for clients and preventive dissemination of information on THB for labour exploitation. By the means of the programme, methodical guidance is provided for provision of social service known as “Field Programmes” that is provided by the Diaconia West.
- In 2013, the CNPS provided its service to 72 clients (out of which 50 were identified as potential victims of THB and other forms of exploitation and 22 were identified as persons imminently endangered by THB).
- Employees of Diaconia approached 512 persons in total in 2013 out of which 390 were approached within the CNPS’ fieldwork and 122 were provided with the social service Field Programme by Diaconia West. An increase in numbers of potential victims of THB has been reported in 2013.
- The increase of number of clients does not reflect only trends in the field of THB in the Czech Republic (increase in numbers of clients from EU, mainly from Romania and Bulgaria), but also the rather short history and development of services provided by the Diaconia to trafficked persons.

Numbers of Potential Victims Reported by Diaconia between 2010 and 2013				
Gender, Age	2010	2011	2012	2013
MEN	4	6	9	34
18 – 24 years of age	1	1	2	3
25 years of age and older	3	5	7	31
WOMEN	2	0	3	16
18 – 24 years of age	0	0	0	3
25 years of age and older	2	0	3	13
TOTAL	6	6	12	50

Houses of Asylum

- The Centre of Nationwide Programmes and Services provides a registered social service known as “houses of asylum” in compliance with the Social Services Act, Sec. 57, and Decree No. 505/2006 Coll. implementing some provisions of the Social Services Act, Sec. 22. This service is designed for trafficked and exploited persons or persons endangered by trafficking or exploitation. Its **capacity is 5 persons** and the address is not disclosed. The service is designed only for male adults (older than 18 years) who for a temporary period cannot or are not able to resolve their adverse situation by themselves. The service is provided regardless of age (see above), religion, ethnicity or nationality. The service is provided non-stop for a period of half a year with an option of it being prolonged, but maximally for a period of one year. The service can be used across the whole republic and is funded mainly by state subsidies from MLSA. Other co-financed services are provided by the CNPS with the help of donors from abroad, Mol and partner board of the Evangelical Church of Czech Brethren.
- The work with clients includes accommodation at an undisclosed address, social advisory services, administrative assistance, primarily help to legalise their residence, assistance with return to their countries of origin through contacts with relevant institutions, but also financial assistance, the provision of food, crisis aid, the provision of health care and, if necessary, the provision of psychological, psychotherapeutical or socio-therapeutical services, labour consultancy and last but not least intermediation of legal advice or representation by a lawyer and assistance when the client decides to cooperate with the law enforcement authorities in criminal proceedings. Further, charity workers help their clients to spend their spare time and to generally improve the living and social standard of their clients.
- The **social service “Houses of Asylum” was provided to 25 men in 2013**, out of which 3 were provided with the service already in 2012 and 22 were newly admitted. As far as nationality is concerned, there were 15 Romanians, 5 Bulgarians, 2 Czechs, 1 Slovak, 1 Ukrainian and 1 Uzbek. Both Czech citizens were victims of THB in the United Kingdom. All of the clients were trafficked or exploited for the purpose of forced labour, most often in agriculture, construction or industry sectors.

- **The average age** of the clients was 36 years in 2013. 11 clients that were provided with the social service “Houses of Asylum” joined the Programme. The clients were provided with accommodation, food, and legal assistance in pursuance of their rights and legitimate interests. Assistance in repatriation was also provided.
- The increase in numbers of clients of the Houses of Asylum is attributed to shorter length of time for which the social service was used. Most of the clients from EU member states made use of the possibility for stabilisation of their mental and health state and subsequent repatriation.

Consulting, assistance and support

- Thanks to the projects and support provided by the partners from abroad, CNPS can provide assistance to trafficked persons and persons endangered by this phenomenon that face difficulties in their lives that can be resolved by other means than the provision of “Houses of Asylum” social services. Such persons are provided with adequate assistance in order to deal with their difficulties and are adequately informed as required by their individual needs and situation. Consulting is provided as a form of preventive activities and dissemination of information on THB and related topics. This activity is provided by the CNPS in accordance with the national anti-THB strategy across the entire Czech Republic. As a part of **crime prevention** activities, awareness of trafficked persons and persons endangered by THB is raised. Such persons are advised on how to avoid and minimize effects of risky situations, inappropriate influences and threatening ways of behaviour. CNPS supports these persons both in short-term, as well as long-term crisis situations. Such support is provided both to persons endangered by social exclusion, as well as trafficked persons still suffering from subsequent effects. The goal of consulting, assistance and support provided by CNPS is to accompany and inform the clients so that they can live their lives as normally and decently as possible. These activities are funded mainly by foreign donors and partly by the MoI.
- In 2013, 50 persons were supported through the CNPS’s crime prevention activities. Out of the 50 persons supported 27 were men and 23 women. As far as nationality of these persons is concerned, 17 were Romanians, 11 Bulgarians, 8 Czechs, 5 Uzbeks, 3 Slovaks, 3 Ukrainians, 2 Georgians and 1 Russian. All Czech citizens were imminently endangered by THB, more specifically THB for the purpose of labour exploitation, in the Czech Republic. 2 cases concerned sexual exploitation related to street prostitution, other cases concerned labour exploitation in agriculture and factories. The average age of the clients was 35 years. 4 clients that were provided with assistance and support joined the Programme of MoI. 14 persons were provided with crisis aid and support, including financial assistance and accommodation. 29 persons were provided with adequate consulting and assistance, e.g. guidance or translation. 7 persons were given basic information and contact details of other NGOs that helped to deal with their situation. The clients mostly required assistance in legal matters or in repatriation.
- The increase in numbers of clients supported within the crime prevention activities is a result of the further development of CNPS’ work and support of foreign partners that is described in bigger detail in other chapters concerning other activities of Diaconia.

Fieldwork

- Fieldwork is carried out as a preventive activity through the collection and distribution of information on THB and related topics. This activity is implemented on the basis of the National Strategy. In the framework of prevention, fieldworkers distribute leaflets and provide information mainly to persons endangered by social exclusion. Leaflets are translated into the Czech, English, Russian, Romanian, Ukrainian, Bulgarian and Vietnamese languages so that the information included is comprehensible to the target audience. Fieldworkers **visit people endangered by trafficking and exploitation in their natural environment**. They strive to provide them with enough **information** to point out (preventively) phenomena which might endanger them, and highlight dangerous situations and, if necessary, fieldworkers refer them to an appropriate service being provided in the Czech Republic. Due to the latent nature of

THB, fieldwork is carried out as a part of social service “Houses of Asylum” in a form of proactive search and identification of trafficked persons. This activity is thus partly **funded** by the MLSA and mostly **by foreign donors** and Mol.

- In 2013, there were **35 fieldtrips** out of which 10 were performed in cooperation with fieldworkers from Diaconia West in Pilsen Region, 5 focused on pre-identified socially excluded locations in Central Bohemian Region and in northern Bohemia. 5 fieldtrips were performed *ad hoc* based on information shared by other NGOs, 15 fieldtrips were aimed at THB prevention and monitoring of labour related migration. In total, **390 persons** were approached in the course of fieldtrips, out of which 208 were men and 182 were women.
- Most of the approached persons were from **EU member states, mainly from Romania and Bulgaria**. The approached persons mostly asked for information related to labour law and residence regulations. In many cases they were not previously adequately informed about the basic conditions of their work, they did not understand their contracts and were not aware about the system of billing of their work. Their contracts often did not correspond with their real working conditions, in some cases contracts were absent. Most of those cases concerned employees of **employment agencies** in the fields of construction, agriculture and industry. The most common problem they faced was that they were not paid. An increase in number of **couples and families with children was reported**, allegedly due to unfavourable economic, political and social situation in their countries of origin.
- In 2013, there was also an **increase in number of groups of workers of the same country of origin** who were mostly recruited through newspaper advertisements (job fairs) in their countries of origin. They often departed together for the Czech Republic and often paid for procurement of their employment. Conditions stipulated beforehand are often not respected. Assistance was provided by Diaconia in accordance with the needs of such persons, sometimes contact details of other NGOs were provided. Another trend that has been reported by Diaconia concerns accommodation of exploited persons in **private apartments** which complicates Diaconia’s fieldwork because it makes it harder to approach trafficked persons.

Mr. J. is a Czech national. He comes from a socially disadvantaged family. He has obtained some professional training. As a result of an unfavourable family situation, Mr. J. lost his home and subsequently his job. He spent some time homeless and unable to find new employment. He was offered a job in England, travelled to England but at the meeting point where he was supposed to meet a contact person nobody awaited him. He was accompanied by other Czech nationals on his trip the England. They helped him to find other employment in England. He worked for a Pakistani national who provided him also with accommodation. The employer withdrew 50% of his salary for procurement of the employment. Mr. J. paid for his accommodation and other costs he incurred. The work was highly physically demanding which resulted in rapid deterioration of Mr. J.’s health. For health reasons Mr. J. had to stop working, which resulted in loss of income and accommodation. Other foreigners provided Mr. J. with contact details of some NGOs, which provided him with accommodation. He kept living in England for some time. Since his health did not improve, Mr. J. decided to return to the Czech Republic. The NGOs assisted Mr. J. in his repatriation and provided him with contact details for NGOs in the Czech Republic. After his return, Mr. J. started to deal with his situation with the assistance of one of those NGOs. Mr. J. cooperated with police and other relevant authorities in their investigations. Thanks to international cooperation of NGOs, Mr. J.’s resocialisation was successful. He has a permanent income and accommodation now.

Field Programmes of Diaconia West

- The Diaconate West provides a registered social service labelled “**Field Programmes**” in compliance with the Social Services Act, Sec. 69, and Decree No. 505/2006 Coll. implementing some provisions of the Act on Social Services, Sec. 34. This service is provided as fieldwork in a municipality with an extended scope of powers – namely in **Pilsen, Rokycany, Nyrany and Klatovy**. Fieldworkers concentrate on groups of persons endangered by exploitation, commercial abuse and THB in their typical environment and provide

information on possible means of assistance and provide these people with contacts for assisting NGOs. If necessary, field workers provide or intermediate help to stabilise the psychological and physical condition of their clients as well as the appropriate conditions to do so. The objective of the Field Programme is to **strengthen the social competencies** of clients, to support and lead clients to become independent and to return them to normal life and thus to **prevent their abuse and the possibility that they will again be endangered by exploitation.**

- The work with clients of the services is individual. First it consists of the **provision of information** on different kinds of assistance, on the SOS line and the **provision of contacts** to other organisations, both public and non-profit making. In the framework of long-term cooperation with clients the process of individual planning has been launched. This process includes steps to be taken to stabilise clients' individual situation and to support their social inclusion and return to the labour market, including the offer of services concerning criminal-law issues relating to the given target group. This service is provided free and it is anonymous.
- The social service "**Field Programmes**" was provided to **122 clients in 2013**. Out of the 122 clients 55 were in Pilsen, 44 in Rokycany, 20 in Nyrany and 3 in Klatovy. The fieldworkers most often dealt with issues related to **unpaid salaries, infringements of labour law by employers, rising awareness** of the clients on real state of the labour market in the Czech Republic and legal regulation of residence for foreigners. The fieldworkers often addressed these cases to local labour offices, the ombudsperson, health insurance companies, Czech Social Security Administration, organizations providing accommodation to trafficked persons or organizations working with migrants. The fieldworkers also assisted the persons in question with mediation and communication between the person that had suffered certain damages and his employer that somehow infringed labour law and related regulations.
- The fieldwork is mostly complicated by **inflexibility of the local inspection offices**. There are often long time lapses between the time when a report on infringements is lodged and subsequent inspection. Fieldworkers often face reluctance of employers to resolve identified infringements of labour law. Exploited workers often have no other choice than to address their claims to the court.

3.4.3.3. Other Activities of Diaconia

The CNPS also implements the following activities:

- **Project in cooperation with international partner HEKS:** In 2013, CNPS started cooperation with organisation Hilfswerk der evangelischen Kirchen Schweiz. Thanks to funding provided by this organisation, CNPS provides short-term assistance and support to trafficked persons and persons endangered by THB in crisis situations. As a part of this service, food, clothing a safe accommodation is provided. The goal of this service is to assist the client in overcoming crises he or she faces and inform the client about risks related to THB, human rights and possible ways of resolving his or her situation, including provisions of contact details for social services he or she may make use of.
- **Project in cooperation with international partner KHK:** CNPS implemented this project between the years of 2011 and 2013 in cooperation with organisation Kirchen helfen Kirchen, the core of this project lies in preventive activities in the field that included monitoring of working conditions of Ukrainian workers in the Czech Republic and cooperation with Ukrainian NGOs. The clients were informed about their basic rights and were provided with contact details for relevant organisations.
- **Project in cooperation with the U.S. Embassy in Prague:** CNPS was funded by the U.S. Embassy in Prague in the years of 2012 and 2013. The aim of the project was to inform the wide public about THB. New promotional materials were created and the manual for journalists

was updated. The manual for journalists is accessible at CNPS website: <http://scps.diakonie.cz/>.

- **Project in cooperation with the British Embassy in Prague:** Another fieldwork project that CNPS implemented in cooperation with the British Embassy in Prague in the years of 2012 and 2013 included activities to increase awareness about THB and labour exploitation of Czech citizens endangered by social exclusion that were about to travel to the United Kingdom. Thanks to the project, cooperation with British NGOs was initiated.
- **Programme on migrants:** The Programme on migrants is implemented by CNPS in order to provide, among other activities, also long-term assistance to trafficked migrants, so called life coaching, that aims for resocialisation of the clients in the Czech Republic.

Diaconia West implements the following activities:

Prevention Programme Kudy-Kam

Prevention Programme Kudy-Kam was initiated in 2009 and is currently offered to schools in Pilsen Region in two versions, one for children of 11 to 13 years of age and one to children of 13 to 15 years of age. The aim of the programme is primary prevention consisting of raising awareness of the children in the field of THB and sexual abuse for commercial purposes. Interactive tools are widely used by the presenters, including a movie produced by Diaconia called “Může se to stát – dnes mě, zítra tobě” (*It May Happen – to Me Today, to You Tomorrow* in English).

Diaconia plans to **enlarge, both personally and in capacity, the scope of its registered social services**. It plans to aim its activities not only at trafficked men, but also married and unmarried couples that have become victims of THB or are imminently endangered by this phenomenon.

CNPS continues in its cooperation with **Kirchen helfen Kirchen** organisation. Their new project is aimed at monitoring of working conditions of Romanian, Bulgarian and Moldovan workers in the Czech Republic. The goal of this project is raising awareness about human rights and THB. The planned outputs of this project are the initiation of international cooperation of aiding organisations and the creation of educational activities for persons endangered by labour exploitation. Planned enlargement of the scope of services provided by the Diaconia for trafficked persons also forms part of this project.

3.4.4. International Organisation for Migration

3.4.4.1. 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.

IOM covers the following areas:

- assistance in humanitarian emergencies – sudden migration waves ;
- assisted returns and reintegration programmes;
- facilitating labour migrations;
- health programmes;
- information and educational programmes;
- migration policy and research;
- training of public administration officials and building capacities in migration management; and
- programmes aimed at combating and preventing THB.

3.4.4.2. Provided services

IOM participated in the Programme of Voluntary Returns also in 2013, however, the number of returned persons significantly decreased in comparison with the previous years. The reason for that can be found in lower capacity of the IOM office in Prague and fewer informative activities aimed at foreigners that are still needed in the Czech Republic. 146 migrants voluntarily returned from the Czech Republic in 2013.

Number of Returned Persons	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Czech Republic	635	617	297	315	312	399	214		2224	214	202	223	146	5,798

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

The good practice that IOM has confirmed on multiple occasions is the work of its community councillors that IOM uses to approach Vietnamese and Mongolians residing in the Czech Republic and who are able to explain to them all the details of voluntary returns. The desired trend that would be convenient to follow is related to high awareness of all foreigners that reside within the Czech Republic on the possibilities offered by the Programme. Especially those foreigners who deal with their rather harsh views of their life in the Czech Republic should be targeted.

IOM Prague works in close cooperation with all stakeholders of the Programme. Although the IOM office had no active project on victims of THB in 2013, it assists in implementation of the Programme and thus provides assistance to victims of THB, too. As far as the **operative level** is concerned, IOM Prague assisted 8 victims of THB in their returns. 1 victim (man) returned to the Czech Republic from the United Kingdom and 7 victims returned to Romania. The network of IOM offices throughout the world is aware of the Programme that offers the possibility of voluntary returns or financial aid to facilitate voluntary returns. The Programme is unparalleled within the EU and is highly valued by directors of IOM country offices. It is clear that as far as “sustainability” is concerned, the Programme shall be evaluated positively.

3.4.4.3. Other Activities

IOM Prague participated in preventing and combating THB by providing consular training designated for employees of the MFA scheduled to work abroad and follow-up training courses for consular officials already working abroad at consulates and embassies in host countries. 3 training courses took place in 2013. The training courses are prepared in cooperation with a representative of the security policy department of the Mol to make the consular staff responsive to the phenomenon of THB and ready to assist potential victims or profile potential victims in the Czech Republic.

IOM is prepared to participate in activities that would help disseminate information on assistance that is available to potential victims of THB – both men and women, both in the case of exploitation in the sex industry or forced labour. Comparable activities were carried out in a limited area by all THB

specialized organisations – La Strada, Caritas, IOM – in 2007. It is necessary to reach all potential victims of THB by raising awareness about the assistance provided by the Czech Republic.

IOM will aim its activities in 2014 at prevention, providing the above mentioned training courses to consular staff (MFA) and assisting potential victims within the Programme. In order to raise awareness the IOM office prepared training courses of LO inspectors aimed at distinction of illegal work from forced labour, however, IOM Prague has not found sufficient funding for such a project, yet.

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

Some Other Acts, as amended (hereinafter referred to as the “Act on the Residence of Foreign Nationals”) establishes the conditions for entry of foreign nationals to and their departure from the Czech Republic, lays down conditions for the residence of foreign nationals in the Czech Republic and defines the scope of competences of the Czech Police, the Mol, and the MFA in this area of public administration. Sec. 42 specifically lays down conditions under which the Mol can, upon an application filed by a foreign national, issue a long-term residence permit for the purpose of protection in the Czech Republic.

A long-term residence permit for the purpose of protection in the Czech Republic is issued by the Mol at the request of foreign nationals who are, or have probably been, victims of offences related to THB or who are persons who have been the subjects of an action to facilitate illegal immigration or persons who have been assisted to reside illegally in the Czech Republic upon the condition that such persons cooperate with the law enforcement authorities within criminal proceedings relating to a suspicion that a criminal offence has been committed and such persons did not cooperate with the suspect(s).

Further, the Ministry may issue a long-term residence permit for the purpose of protection in the Czech Republic to a foreign national whose testimony is important for exposing an offender, for the prevention, detection or investigation of a crime or any other intentional offence the prosecution of which is mandatory under an international agreement or upon the condition that such persons cooperate with the law enforcement authorities within criminal proceedings relating to a suspicion that a criminal offence has been committed and such persons did not cooperate with the suspect(s).

As in the previous year 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 2013 - Total of 23			
Granting Residence Permit	2	Granted	2
		Discontinued	0

Extending Residence Permit	19	Extended	18
		Refused	1
Cancelling Residence Permit	2	Cancelled	0
		Halted	2

Of the total number of applicants, 9 were nationals of Vietnam, followed by 6 Nigerians, 3 Ukrainians and 2 were nationals of Honduras, Algeria and 1 applicant was from Serbia. Of the total number of 23 proceedings 12 related to women and 11 to men.

3.6. Financial Resources

3.6.1. Funds Provided by the Ministry of the Interior of the Czech Republic

The new funding method installed in 2012 upon the approval by the 1st Deputy of the Minister of the Interior, who decided to change the method of financing the Programme so that financial resources could be fully and economically used, was respected in 2013. The change laid in the fact that payments were made under an agreement on the provision of services concluded with an NGO and the Mol on the basis of public procurement (a tender). The contract, for security reasons, was awarded through a negotiated procedure without publication in compliance with Act No. 137/2006 Coll. on Public Contracts.

This method of financing allowed 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. CZK 826,449 was provided in order to secure funding of those activities in 2013.

3.6.2. Inspections and Further Activities Carried out by the Ministry of Labour

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 2013 the MLSA provided subsidies amounting to CZK 47,073,000 in support of 121 services that mentioned as one of their target groups the group of “victims of THB.” Out of the 121 supported services 7 mentioned this target group as their priority, including the service provided by the CNPS that did not show up in the aggregated results because it also mentioned as a priority the target group

of victims of domestic violence. Those services were provided with subsidies amounting to CZK 5,833,000 in 2013.

Subsidies Provided by the MLSA to Providers of Social Services in 2013 for the Key Target Group – Victims of THB				
Organisation	Service	Target Group	Type of Service	Subsidies in 2013
La Strada	Counselling to trafficked and exploited persons	Victims of THB	professional social counselling	781 000
La Strada	Crises aid to trafficked and exploited persons	Victims of THB	crisis aid	1 510 000
La Strada	Info and SOS line of La Strada	Victims of THB	crisis aid via telephone	37 000
La Strada	Accommodation for trafficked and exploited persons	Victims of THB	houses of asylum	1 055 000
Diaconia West	Field programme	Victims of THB	field programmes	549 000
CNPS	Apartment of asylum	Victims of THB	houses of asylum	916 000
Caritas	Magdala counselling	Victims of THB	professional social counselling	985 000

Another source of funding for providers of social services that provide services aimed at victims of THB are EU Structural Funds that the Czech Republic made use of in the years of 2007 to 2013.

3.6.3. 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 more 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.

4. 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. Similar information might be found also in chapters on victim support, especially in

the aforementioned profiles of NGOs (this information was not included in the text below in order to maintain context and continuity of this chapter).

4.1. Training

In order to prevent THB, training seminars and lectures concerning the issue of human trafficking also continued in 2012. 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 MoI 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).
- An authority that also deals with organized criminal activities is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), that is mandated not only to manage protection of outside borders of the EU, but also matters concerning transborder crime. Since 2013 the Police President has been implementing a **training project aimed at sharing experience and knowledge on THB to Alien Police officers who work on the first and second control line within the outside borders of the EU**. The scope of targeted officers was subsequently widened to include also other groups of Alien Police officers. A pilot training programme was scheduled in September 2014. The analyses unit of Frontex updated its risk analysis of victims and perpetrators of THB in 2013 that can be used by police officers at border crossings. This analysis was translated at the national level and forwarded to police officers in question.
- 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. These officers 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 2013, the topic of THB was also included in seminars dedicated to health issues, violent crime, offences against morality, crimes against minors, compensation for damages, non-physical harm, unjustified enrichment and other seminars for law enforcement personnel on the new Civil Code and the Act on Victims of Crime.
- In October 2013 a roundtable on THB for the purpose of forced labour took place. It was organized by the Judicial Academy in cooperation with the SPD Mol and its purpose was the exchange of good practices in the field of THB for the purpose of forced labour between representatives of the Czech Republic, Germany and Poland.
- 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 2013 three regular pre-departure training sessions were held, attended by 33 future consular officials, whilst 12 officials were trained individually.
- 17 Employees of **the Refugee Facilities Administration** participated at a 14 hour long seminary on THB that was organized by La Strada and was held on November 13 and 14 2013.
- A special training on illegal employment for chief labour inspectors was held in October 2013 in Hustopeče near Brno. 50 Chief **labour inspectors** attended this event and were trained in techniques of detection of victims of labour exploitation. Subsequently, about 300 inspectors who participated in the realization of a project called “Effective Development of Employment, Complex Controlling Activities, and Abatement of Illegal Employment” were trained. Their training focused on EU and Czech legislation related to THB, case studies, relevant authorities etc.
- Besides its support of the Programme, the Crime Prevention Department of Mol also supported **field work, promotional activities and a campaign** aimed to raise awareness on THB. Another part of the campaign shall continue in 2014, as well as field work.

4.2. Other Activities

SPD Mol in cooperation with the Department of Press and Public Relations of the Mol prepared a competition called “Travel without Risks: Conceive, Warn, Win” that was open for submissions between February 2 and March 31, 2013. The aim of this competition was to produce a video spot that

would introduce risks related to travelling abroad, promote prevention of those risks, including THB, labour exploitation and diverse frauds. It was not the aim of the competition to shock or discourage from travelling abroad, but to emphasize that disrespect to certain basic rules when travelling abroad might be risky for the traveller. Prizes for the winners were donated by a private operator of public transportation. Results of the completion were published in May 2013. The selected spots were aired in buses of the donator of the prizes in May and June 2013. For more information see www.mvcr.cz/cesta.

As part of the project financed through the Operational Programme Human Resources and Employment called “Effective Development of Employment, Complex Controlling Activities, and Abatement of Illegal Employment” a new key activity no. 08 was implemented– “**Working Group of Advisors on Prevention of Illegal Employment of Labour Offices in the Czech Republic**”. This activity was implemented between January 1 and December 31, 2014 under supervision of the LO. This activity aims at prevention of illegal employment of long-term unemployed applicants for work, mainly through prevention of abuse of the social system that consists of simultaneous performance of illegal work and registration with the LO (linked to abuse of social benefits provided when unemployed, while illegally working in another EU member state). Emphasis is placed on efficient work with applicants for employment consisting of intensive, individual as well as group counselling. Such counselling shall raise awareness of the applicants on negative effects of illegal employment, labour law, etc. The envisaged frequency of these consultations was once in 14 days.

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 initiated close cooperation with the Romanian Embassy in Prague in their preventive activities in Romania.

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.

In 2013, **three meetings of the Governmental Council for Equal Opportunities for Women and Men** (hereinafter referred to as the “Council”) took place. No questions related to THB were discussed at its meetings. As in the previous years, the Council secretariat – the unit for equal opportunities for women and men – drafted and action plan of equal opportunities for women and men called “Updated Measures on Priorities and Procedures of the Government in Order to Pursue Equal Opportunities for Women and Men” (hereinafter referred to as the “Updated Measures”) that was adopted by the government with its resolution no. 348 on May 15, 2013. One of the tasks included in the Updated Measures aims at raising awareness on equal opportunities for women and men with emphases given to the unacceptability of gender violence and THB. The Updated Measures also contain a task of the Mol to take measures for prevention and elimination of gender violence and THB, to include such measures into the Mol priorities and take into account this topic in shaping its migration policy.

To tackle the issue of THB, it is necessary to have complex information at hand. It is therefore important to mention that 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 Sociopathological 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.”

4.3. Prevention through Enhancement of Legal Regulation

Legislative Amendments in the Czech Republic

- The government cancelled the task to draft a new legal regulation on entry and residence of foreign nationals in the Czech Republic by its resolution no. 739 of September 25, 2013, arguing that this issue shall be addressed in the Plan of Legislative Activities in the future. The government also decided that the Mol shall by September 30, 2013, prepare a draft law amending the Act on Residence of Foreign Nationals to implement EU legislation.
- Through implementation of the EU Directive 2011/98/EU in 2014, a **new type of long-term residence authorisation**, the so called EU Blue Card, will be introduced. The EU Blue Card will be offered in two options, one that is to serve both as a long-term residence permit and a work permit, and one that is to be used as a long-term residence permit only. The Green Card that provides both a long-term residence permit and a work permit shall be cancelled. The EU Blue Card is to be issued for an employment registered by the MLSA that has not been filled up within the previous 30 days.
- **Work permits** shall still be issued by local offices of the LO, e.g. to foreign nationals delegated to the Czech Republic, seasonal workers of foreign origins, and some other categories of foreigners. Work permits will no longer be required from persons with long-term residence permits for the purposes of family reunification.
- **The amendment of the Act on Employment** is to introduce a new sanction for employers consisting of the impossibility to use the central register of employment for announcing vacancies that could be suitable for EU Blue Card holders, if this employer was sanctioned within the previous 12 months for enabling the performance of illegal work. The amendment shall also address the option of the employer to send foreign nationals from third countries on a business trip.
- In 2012, the Parliament of the Czech Republic adopted **Act. no. 401/2012 Coll. amending Act. no. 359/1999 Coll., on Socio-Legal Protection of Children**. The amendment entered into force on January 1, 2013. This amendment introduced a specialized institute of social guardianship for children and minors (see Sec. 31 to 34 of the Act on Socio-Legal Protection of

Children), that focuses on care after children and minors with behavioural problems neglecting their school attendance, that do not work even though they do not have sufficient source of income, abuse drugs and alcohol, earn their living through prostitution, have committed crime, administrative offence or otherwise disrupted the common life, or repeatedly run away from their parents or other legal or natural persons responsible for their upbringing.

- Neither criminal offences related to **unauthorised removal/treatment of human tissues and organs, human embryos and the human genome** (Sec. 164 – 167 of the Criminal Code), nor the criminal offence of **placing a child under the power of another person** (Sec. 169 of the Criminal Code), nor the criminal offence of **pandering** (Sec. 189 of the Criminal Code), nor the criminal offence of **prostitution endangering moral development of children** (Sec. 190 of the Criminal Code), nor the criminal offence of **illegal employment of foreign nationals** have been amended in 2013.
- As far as the **offence of THB** (Sec. 168 of the Criminal Code) is concerned, a draft law amending the Criminal Code, the Code of Criminal Procedure and Act no. 418/2011 Coll., on Criminal Responsibility of Legal Persons, was proposed. This amendment implements requirements of the EU Directive on THB and EP and EC Directive 2011/93/EU of December 13, 2011, Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography, replacing Council Framework Decision 2004/68/JHA. As a part of this amendment, a change to the wording of Sec. 168 of the Criminal Code was proposed.

As far as Sec. 168 of the Criminal Code is concerned, the proposed amendment changes the Criminal Code in two respects:

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

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

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

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

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

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

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

b) extension of the list of prohibited acts

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

- Another amendment to the Criminal Code was proposed in order to introduce two new criminal offences, first **participation in a pornographic performance** (new Sec. 193a of the Criminal Code) that would provide legal basis for prosecution of participation in a pornographic performance involving a child, second the **illicit approaching of a child** (new Sec. 193b of the Criminal Code) that provides for the criminalization of an intentional act that consists of an adult person proposing a meeting to a child. The elements of the crime of **production/disposition of child pornography** (Sec. 192 of the Criminal Code) are also to be extended by a specific provision on prosecution of intentional acquisition of access to child pornography through ICT. In order to fulfil all the requirements in the field of the fight against child abuse, sexual exploitation, and child pornography, the Act on Criminal Responsibility of Legal Persons shall also be amended by introduction of a set of new crimes for which legal persons might be prosecuted (rape, participation in a pornographic performance, the illicit approaching of a child).
- Most of the provisions of the Act no. 45/2013 Coll., on the Victims of Crimes, entered into force on August 1, 2013. This act strengthens the legal position of victims and imposes an obligation on the Police and other law enforcement agencies to provide the victims with understandable guidance on their rights, including the right to have their personal data anonymized, the right to financial assistance or the right to protection against secondary harm. According to Sec.

2(4)(c) of the Act, all victims of THB are granted the special status of especially vulnerable victims. This status provides for further rights, e.g. a better position to get the professional help free of charge.

5. PARTNERSHIP

5.1. 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 2013. The IMCG discussed such topics as evaluation of tasks from previous meetings, the introduction of activities of participating organizations, the introduction of most important outputs of the Status report on THB in 2012, EUROSTAT reports, the report of the International Labour Organization, the issue of trafficking with children, forced labour and other forms of exploitation: begging and forced theft. In December 2013, the issue of decreased demand for services of trafficked persons, Act on Victims of Crimes in relation to victims of THB, or inclusion of new stakeholders was also discussed. IMCG provides the only platform for meeting of representatives of relevant ministries with representatives of NGOs and international organizations.
- On the level of the ANACEN platform (**Analytical Centre for Border Protection and Migration**), sectional questions regarding illegal migration and THB were discussed in 2013. They mainly concerned information provided by Czech embassies abroad, which was forwarded to law enforcement agencies.
- In 2013, experts also met within the platform known as the **Inter-ministerial Group for Combating Illegal Employment** (hereinafter referred to as "IMGCIE"). Three meetings of IMGCIE took place in 2013 (32nd and 34th), where the following issues were discussed: information on proposed amendments in the field of residence and employment of foreign nationals, especially in relation to the implementation of the Directive 2011/98/EU and draft law amending the Act on Employment. Experiences of NGOs were also presented and discussed, identifying a need to increase cooperation between NGOs and controlling bodies. In the field of controlling activities regarding illegal employment, outputs of the controls of Labour Inspectorates were discussed, as well as outputs of activities of other relevant authorities. Members of IMGCIE were also notified about numbers of administrative expatriations of foreign nationals who were employed without residence permits or work permits in the Czech Republic. A new working group on the issue of sharing of relevant information and improvement of cooperation in the fight against illegal employment was created in 2013 that consisted of representatives of MLSA, the General Directorate of Customs Administration, SLIO, the Directorate of the Alien Police Service and the General Directorate of the Labour Office.

- Cooperation between relevant offices of the Czech Police, **NGOs and IOM Prague** continued in 2013. 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. The Police commended cooperation with the R-R organization, as far as gaining information on the victims of crimes of pandering, extortion, THB and other crimes is concerned.
- The Czech Police also cooperated with **authorities in charge of social and legal protection of children** (e.g. in cases of securing appropriate care of children of detained persons, exchange of information, etc.), the **Customs Administration** (exchange of information on persons suspected of committing the crime of THB, common cooperation on controlling activities), the **SLIO** (consultations took place that concerned working conditions and controlling activities), **Trade Licensing Authorities** (regarding businesses that could be affected by THB), the **Hygienic Service** (as far as respect of the relevant legislation is concerned), **medical facilities** (especially in investigations of crimes related to intentional spreading of infectious diseases), **municipalities** (regarding issues concerning public order and implementation of local decrees on regulation of prostitution and other forms of crime), and with local LOs and financial authorities, other state authorities and legal persons. Additionally, cooperation with the Firefighting Squad took place. There is also cooperation within the Czech Police that includes cooperation of Police experts on THB (police officers from different units).

5.2. International Cooperation

Some information relevant to this Chapter has been stated above; therefore 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. Some international delegations were welcomed in order to discuss the topics in question.

- In 2013 two **meetings of national rapporteurs and equivalent mechanisms of the EU** were held in Brussels. The Security Policy Department of the Mol, as the national coordinator of the policy for combating THB, plays the role of the national rapporteur in the Czech Republic. A fundamental topic is always the exchange of information on the situation in individual EU Member States – new trends as well as new strategic and operative measures to be adopted. Furthermore, in the year reviewed, attention was drawn to the functioning of national referral mechanisms as required by Art. 19 and 20 of the Directive 2011/36/EU. The following issues were also discussed: data collection by Eurostat, the question on THB posed by FRA, methods of identification of victims by consular staff and Alien Police, external cooperation with civil society, THB in the internet era (as regards preparation of the EU Conference on THB that was to take place on the day against THB, that is October 18, 2013).
- SPD Mol hosted a **study visit of a Turkish delegation** between September 23 and 25, 2013.

The study visit was one of the outputs of the **TAIEX programme**. The visit focused on the topic of "Well-established practices of effective THB prevention and protection of THB victims". The 7 Turkish representatives met with representatives of the relevant Czech authorities, including SPD MoI, UCOC and NGOs in order to understand the situation, levels of cooperation, good practice and legislation in the Czech Republic.

- On April 22 and 23, 2013, SPD MoI and La Strada co-organized a conference on THB that was the final outcome of a project called "**Discovering Trafficking for the Purpose of Forced Labour and Labour Exploitation**" and where outcomes of their activities were presented together with the outcomes of the third partner of the project - the Judicial Academy. This project was co-financed by the EU and its implementation began in June 2010. The aims of the project were as follows: mapping of experiences in the field of criminal approach to the issue of THB for the purpose of forced labour and other forms of exploitation abroad by using the network of so called national rapporteurs or other equivalent mechanisms. The outcomes of the project were used as bases for the proposed amendment of the Criminal Code (see above), as well as further education of relevant professionals.
- 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. EURES is currently preparing for a reform that aims to set up a new funding system by using the European Social Fund and open more to the private sector. The goal is to transform EURES' promotional and consulting services into a tool that would provide for direct mediation of employment in Europe.
- MLSA and SLIO representatives took part in a workshop called "Learning Exchange between Czech Republic, Estonia and Lithuania" in Tallinn and in an international conference called "Sharing real lessons and good practices in relation to European employment" in Brussels in 2013. Both events took place following the international meeting of Peer Review organized by MLSA in 2012. One of the main topics that were discussed was the importance of a preventive approach towards the fight against latent illegal employment, it was proven that implementation of a preventive strategy with the motto "prevention is better than cure" is very effective. Representatives of the Czech Republic expressed interest in implementing the good practices of Estonia in the field of THB in the Czech Republic.
- In April 2013, representatives of SPD MoI, UCOC and the Regional Public Prosecutor's Office

from South Bohemia participated in a workshop at a conference organized by the Dutch Ministry of Security and Justice in close cooperation with ministries of Poland, Cyprus and the city of Amsterdam. The main goal of the conference called “**Putting Rantsev into Practice**” (application of demands for cooperation between law enforcement authorities specialized in THB as required by the judgment of the European Court of Human Rights) was the further development of operational cooperation in the fight against THB. Representatives of the Czech Republic presented a good practice from the field of labour exploitation. Representatives of SLIO and Municipal Police Prague took part in the conference, too.

- 8 priorities were identified within the **EU policy cycle for organised and serious international crime** for the period of 2011-2013. Out of the 8 priorities the Czech Republic took part in 2 priorities and together with other member states implemented an operational action plan for the year of 2013. This action plan is prepared annually on the basis of long-term strategic plans for the entire duration of the policy cycle (the MoI also takes part in strategic planning). The Czech Police took part in priorities called THB and Synthetic Drugs. Representatives of the UCOC’s Department for THB and Illegal Migration participated in the creation of a so-called **operative action plan within the EMPACT**³⁰ and took part in operative meetings within the sub-project ETUTU where information was shared on THB related issues, especially concerning Nigerian organized criminal groups.
- As in the previous years, in order to strengthen international cooperation, the Czech Republic sent abroad its **liaison officers and national Police experts** in 2013. Their destinations were countries whose citizens often commit crime in the Czech Republic or who are strategically important for particular criminal activities (e.g. drug trade). In 2013, the Czech Republic dispatched 4 liaison officers – to the Czech Embassy in Russia (Moscow), the Czech Embassy in Romania (Bucharest, with accreditation for Bulgaria, Moldova and Turkey), the Czech Embassy in Serbia (Belgrade, with accreditation for Albania, Bosnia and Herzegovina, Montenegro, Croatia and FYROM), and the Czech Embassy in Vietnam (Hanoi). Two other liaison officers represented the Czech Republic in EUROPOL (Hague) and INTERPOL (Lyon). In most cases the liaison officers cooperate with specialized units with nation-wide scope of activities.

6. PRIORITIES

6.1. Evaluation of Activities Aimed at Combating Trafficking in Human Beings in Light of the Priorities for the Year 2013

I. Amendment of the Criminal Code

As a follow up to the measures adopted last year, namely the measure of evaluating tools for combating THB for the purpose of labour exploitation, the wording of elements of crime (see above) were amended. The definition of THB was amended in such a way that it makes it compatible with international documents related to this issue.

³⁰ See https://www.europol.europa.eu/sites/default/files/publications/eu_policy_cycle_socta_empact.pdf.

II. Implementation of the EU Directive on THB

Adoption of the several times mentioned EU Directive on THB was a significant international event. The EU Member States were bound to put into force the laws, regulations and administrative provisions necessary to comply with this Directive by 6 April 2013. The Czech Republic was among those member states who achieved this goal. The priority for the year of 2013 was to focus on this implementation process. Of importance were especially educative activities for frontline professionals that might have encountered victims of THB in practice. These topics were also discussed within the IMCG platform.

III. Implementation of Projects

In 2013, the main activities of many projects were implemented and a range of projects in which Czech specialists in combating THB were involved were terminated. These were joint actions carried out at the national and international levels. The pilot project of cooperation with the private sector was closed and the project on Discovering Trafficking for the Purpose of Forced Labour and Labour Exploitation reached the point of its peak activity.

6.2. Priorities for the Year 2014

Priorities for 2014 are set in compliance with the measures proposed by the National Strategy to Combat Trafficking in Human Beings (2012 – 2015), taking into account the priorities of IMCG members.

I. Intensified Control Activities

In 2014, attention will be given to the identification of suspicious situations related to THB, not only at the criminal law level. As far as labour exploitation is concerned, the labour inspectors play a crucial role when inspecting workplaces that do and do not relate to THB. Emphasis will be given to effective control activities, the continuation of educative activities and the intensification of communication between the labour inspectorates and law enforcement authorities. Cooperation will be involved also in control activities of other public authorities within this domain.

II. Monitoring of the Private Prostitution Scene

Based on experience of IMCG members, it seems that voluntary prostitution is more and more affiliated with prostitution in private flats, as opposed to club and street prostitution. Monitoring of the private prostitution scene is significantly more difficult, which makes it harder to provide assistance – be it by the NGOs or law enforcement authorities. Prosecution of criminal activities is hard in such a setting, therefore attention of IMCG members will be given to monitoring of the private prostitution scene in 2014.

III. THB on the Internet

The internet provides many options for perpetrators of the crime of THB, especially as far as recruitment of victims and solicitation of services of trafficked persons are concerned. In 2014, attention will be given to the issue of perpetration of the crime of THB on internet. This issue will be also included into training materials for professional education of experts on THB within the Czech Police.

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
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
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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