

CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women who are subjected to trafficking in persons, specifically forced prostitution and a source, transit, and destination country for men and women who are in conditions of forced labor. Women from the Czech Republic, Slovakia, Ukraine, Russia, Romania, Bulgaria, Vietnam, Mongolia, and Brazil are subjected to forced prostitution in the Czech Republic and also travel through the Czech Republic *en route* to other European countries, including Austria, Germany, Switzerland, and Serbia where they are subjected to forced prostitution. Many Roma women from the Czech Republic are subjected to forced prostitution domestically and also in other destination countries. Men and women from Russia, Ukraine, Kyrgyzstan, Uzbekistan, Romania, Vietnam, Mongolia, Thailand, and Belarus are subjected to conditions of forced labor in the construction, forestry, agricultural, and service sector industries and are exploited within and transited through the Czech Republic to other countries within the European Union. Men and women from the Czech Republic are subjected to conditions of forced labor in the United Kingdom.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. The government amended its criminal code to increase the maximum penalty for trafficking from 15 to 16 years' imprisonment and continued to provide excellent protection and assistance to victims of trafficking both within the Czech Republic and also in source countries. In 2009, the government provided approximately \$456,000 in funding for its domestic anti-trafficking programs, including \$213,000 for victim assistance.

Recommendations for the Czech Republic: Increase the number of convicted trafficking offenders serving some time in prison; ensure trafficking offenses are prosecuted and convicted using Section 232a or Section 166 of the criminal code – thereby increasing the number of convicted offenders sentenced to time in prison; demonstrate increased efforts to investigate and prosecute forced labor offenses and convict and punish forced labor offenders; ensure that trafficking offenses investigated and prosecuted under Section 166 of the criminal code are disaggregated from non-trafficking offenses; improve efforts to disaggregate labor trafficking from sex trafficking statistics; and increase the number of victims referred for assistance by law enforcement personnel.

Prosecution

The government demonstrated mixed law enforcement efforts over the previous year. During most of the reporting period, the Czech Republic prohibited trafficking for commercial sexual exploitation and labor exploitation through Sections 232a and 204 of its criminal code, and punishments prescribed under these statutes ranged from two to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In January 2010, a new section of the criminal code – Section 166 – came into effect and increased the maximum penalty prescribed for trafficking to 16 years; however, Section 166 of the criminal code includes elements beyond the scope of trafficking as defined in US law, including forced military service. During the reporting period, police conducted 47 investigations – including three labor trafficking investigations – a decrease from 81 investigations conducted in 2008. Authorities prosecuted 115 persons for trafficking offenses compared with 110 individuals prosecuted in 2008. The government convicted 83 trafficking offenders during the reporting period, an increase from 64 convicted offenders in 2008. Only those offenders convicted under Section 204 – the pimping law – were sentenced to time in prison during the reporting period. The number of convicted traffickers sentenced to imprisonment decreased during the reporting period. In 2009, only 23 percent – 19 out of 83 – trafficking offenders convicted served time in prison, down from 28 percent – 18 out of 64 – offenders convicted in 2008 who subsequently served time in prison. In 2009, one trafficking offender was sentenced up to one year imprisonment, 16 offenders were sentenced to one to five years' imprisonment, and two traffickers were sentenced to 15 to 25 years' imprisonment. The police provided 12 training seminars to 431 seasoned officers and cadets focused on investigation techniques as well as victim identification for both sex and labor trafficking offenses in 2009.

Protection

The government sustained strong efforts to protect and assist victims over the reporting period. The government employed formal victim identification procedures and a victim referral mechanism in 2009. Authorities identified and referred 13 victims – eight victims of forced labor and five victims of forced prostitution – to NGOs for assistance during the reporting period, compared with 13 victims identified and referred in 2008. The government continued to fund its comprehensive "Program of Support and Protection of Victims of Trafficking in Human Beings," which was available for both foreign and Czech victims and provided for both short-term and longer-term assistance. In 2009, the government allocated \$213,000 to NGOs to provide victim assistance and rehabilitative care, down from approximately \$283,000 funded in 2008. Government-funded NGOs provided comprehensive assistance and shelter to approximately 76 victims; it assisted the same number of victims in 2008. The government also allocated \$1,200 for the repatriation of one foreign victim and one Czech victim compared with the repatriation of nine foreign victims and one Czech national in 2008. Both foreign and Czech victims were offered an automatic 60-day period of reflection, during which time they received government-funded assistance through NGO providers while they decided whether to cooperate with law enforcement in the criminal investigation. Victims were encouraged to assist in investigations and

prosecutions. Foreign victims who cooperated with investigators after the initial 60-day reflection period were granted temporary residence and work visas for the duration of the relevant legal proceedings; one victim was granted a temporary residency permit in 2009, compared with 19 victims in 2008. Upon conclusion of the court proceedings, qualifying victims had the opportunity to apply for permanent residency; six victims were granted permanent residency in 2009, compared with one victim granted permanent residency in 2008. Victims were not fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The government demonstrated sustained, strong efforts to prevent trafficking domestically and it continued to dedicate significant resources to prevent trafficking in designated foreign countries during the reporting period. Through its partnership with IOM, the Ministry of Foreign Affairs allocated approximately \$132,500 from January 2008 through April 2010 to NGOs to raise awareness of trafficking among the Mongolian labor migrant population and also to protect Mongolian victims of both forced sex and forced labor exploitation within the Czech Republic and those who were repatriated to Mongolia. Domestically, the Ministry of Interior funded an NGO to conduct a campaign to raise awareness of forced labor among foreign workers in factories, with an emphasis on the Vietnamese community. The government also funded NGOs to conduct general trafficking awareness campaigns in schools and in asylum and migration centers. The government continued funding the "Say it for Her" campaign aimed at reducing the demand for commercial sex acts among foreign tourists visiting the Czech Republic. The Czech Republic is not a party to the 2000 UN TIP Protocol.