

# Human trafficking of slovak Roma for the purpose of forced labor

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## Abstract

*Human trafficking belongs to widespread but hidden crime in Slovakia. Most affected groups are the Roma people, who live in social excluded settlements. However the lack of official statistical data and the lack of recording of ethnicity when collecting data about the victims are the factors making it difficult to obtain a real picture of the field of human trafficking in Slovakia. The purpose of the presented research was therefore to collect the data and information directly in the field about human trafficking cases for purpose of forced labor. The collected data subsequently gave us a better understanding of the current condition of the field of human trafficking on a representative sample from marginalized Roma locations and to discover its forms, mechanisms, and causes. The data show the importance of building the trust-based relations between individual local authorities and the most endangered Roma group in order to increase the chances of discovering and identification of human trafficking victims. The findings are based on a sample of 19 localities with Roma settlements. The paper draws attention to the prevention mechanism, which can decrease the number of Roma victims of human trafficking.*

**Keywords:** *human trafficking; forced labor; Roma; Slovakia; prevention*

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## 1. Introduction

Most published reports, data, and analyses dedicated to the area of human trafficking only concerns with the cases of women who became victims of human trafficking in abroad for the purposes of forced prostitution. While such cases keep occurring and it is necessary to pay attention thereto, the spectre of cases of human trafficking with victims being not only

women but increasingly also men is much more diverse as it may seem from the official statistic data. Also, geographically one cannot talk only about international trafficking. Current data show an increasing number of cases of intra-national human trafficking, without victims crossing the borders of the Slovak Republic.<sup>1</sup>

Discrepancy of data of individual responsible institutions recording varying data about the same facts for the same period, the demandingness of unveiling of these cases, criminal-law qualification of cases of the criminal offence of human trafficking as procuring prostitution, as well as the lack of recording of ethnicity when collecting data about the victims are the factors making it difficult to obtain a real picture of the field of human trafficking in Slovakia. The purpose of the presented research was therefore to collect the largest possible quantity of data and information about human trafficking cases directly in the field, especially in Roma social segregated settlement, from where come most of the victims.<sup>2</sup> The collected data subsequently gave us a better understanding of the current condition of the field of human trafficking on a representative sample from marginalized Roma locations and to discover its forms, mechanisms, and causes. As it was necessary to focus closer on the most endangered groups by human trafficking, we performed the research with the selected target group, especially with persons from a socially excluded environment marked by long-term unemployment. We have chosen the analysed locations accordingly. As Slovakia belongs mostly to the transit and source countries of human trafficking, it was also important to perform a thorough analysis of individual contexts and trajectories in international trafficking.

## **2. Methods**

As we already mentioned in the introduction, the main goal of the presented research was to map the phenomenon of human trafficking and its causes, focusing on members of excluded Roma communities in Slovakia as the source country. According to current estimates, the aforesaid target group<sup>3</sup> is the most vulnerable and most endangered group of inhabitants in relation to human trafficking in Slovakia.

Due to the staff and time available, the field research in Slovakia focused on three higher regions: Košice, Prešov, and Banská Bystrica. These higher regions are the regions of Slovakia where

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<sup>1</sup> Zuzana Fialová et al.: Human Trafficking in the Slovak Republic. Research report for the United National Office on Drugs and Crime (UNDOC), (Bratislava: SGI, 2008); internal statistics of the IOM

<sup>2</sup> Report: Trafficking in Romani Communities (2011) ERRC. Hungary.

<sup>3</sup> Report: Trafficking in Romani Communities (2011) ERRC. Hungary.

most excluded Roma locations within Slovakia are present.<sup>4</sup>

In field research, we have decided to use the qualitative method of data collection in order to collect a diversified number of data and dependencies. As an additional method, we have used quantitative data collection using structured questionnaires. After completing interviews at a national level, we have started, on the basis of the locations selected at the nation level, the second phase of interviews, this time directly with entities representing local institutions. Three researchers were selected for individual higher regions; these divided the selected locations in all three higher regions among themselves so that all planned locations are visited. Within the field research we have, altogether on all levels (community, local, national) performed 141 interviews within 19 locations in the Košice, Prešov, and Banská Bystrica higher regions.<sup>5</sup> We have personally spoken to 25 potential and identified victims of THB (Trafficking on human beings)<sup>6</sup>- all of them of Roma origin, adults, predominantly from socially excluded locations.

**Tabel 1: Number of interviewed respondents**

Name of locality	Victims	Community	Locality level	National level
KE-kraj				
1.Okres KE-okolie	5	1	8	
2.Košice	2	1	4	4
3.Okres Spišská Nová Ves	4	1	3	
4.Okres Michalovce	1	1	6	
5.Michalovce			5	
6.Bystrany/Žehra	2	2	6	
PO-kraj				
7.Okres Levoča/Prešov		1	3	1
8.Okres Bardejov			1	
9.Sabinov/Lipany	2	2	10	
10.Okres Snina	2		4	
11.Jarovnice			5	
12.Lomnička/Podolí nec		2	4	
13.Okres Stropkov	2		2	
14.Humenné			1	
BB-kraj				
15.Okres Lučenec	2		5	1
16.Okres Detva	1	2	4	
17.Okres Žiar nad	2	3	8	

<sup>4</sup> 2004 Atlas of Roma Communities

<sup>5</sup> For the purposes of this report and research, national level is represented by state authorities seated in Bratislava, with nationwide scope of powers in the field of HT in Slovakia.

<sup>6</sup> Number of potential victims. 22; number of officially identified victims: 3.

Hronom				
18.Okres Rimavská Sobota			1	1
19.Okres Veľký Krtíš			2	
Okres BA				11
<b>Together (141)</b>	<b>25</b>	<b>16</b>	<b>82</b>	<b>18</b>

### 3. Forced Labour – Characteristics and Legal Regulation in the Slovak Republic

The ban on forced labour, contained in the basic agreements related to human rights (e.g. International Pact on Civil and Political Rights), is detailed in the Convention of the International Labour Organization on forced and mandatory labour. This was ratified by the Slovak Republic on 01 January 1993.<sup>7</sup> The *ban on forced labour and forced services* is, apart from its basing in the Constitution of the Slovak Republic,<sup>8</sup> detailed also in the Labour Code that defines basic labour terms (as well as labour terms for persons under the age of 18). The Constitution of the Slovak Republic guarantees to everyone a “*right to free choice of profession and right to work*”; however, this may be limited by the state in case of foreigners.<sup>9</sup> All employees have a right to “*fair and satisfying work conditions*”, with the Constitution providing, without limitation, “*right to remuneration for work performed, sufficient to provide a decent living standard, protection against (...) discrimination at work, protection of safety and health at work, longest possible work time and adequate rest after work.*”<sup>10</sup>

Forced labour shall mean any type of work, services, employment irrespective of the industry or type of occupation, within legal and illegal employment, as well as formal and informal employing, performed under the threat of punishment in the form of threat, violence, retaining identity documents, imprisonment or non-payment of wages, as well as punishment by loss of rights or privileges of employees - the most significant indicator in the forcing element. In the context of directive 2011/36/EU<sup>11</sup>, forced begging should be considered as forced labour. This is why use for begging is included in the definition of the

<sup>7</sup> Ratifications of the Convention of the International Labour Organization on forced labour (no. 29) available at: [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312174:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312174:NO) (visited on 27 February 2014).

<sup>8</sup> Constitution of the Slovak Republic; published under no. 460/1992 Coll.; Article 18.

<sup>9</sup> Constitution of the Slovak Republic; published under no. 460/1992 Coll.; Article 35(4).

<sup>10</sup> Constitution of the Slovak Republic; published under no. 460/1992 Coll.; Article 36.

<sup>11</sup> See: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

term of human trafficking only if elements of forced labour and/or service are present. On the basis of relevant law, the validity of potential consent with performance of such work and/or service should be considered individually in each case.

## **4. Results of the Field Research**

### ***4.1 Forced labor - target and source countries***

According to the data collected, of all of the countries of Western Europe, the United Kingdom is the most frequent destination for Slovak Roma. Within England, according to the statements of the respondents, most East-Slovak Roma concentrate in the middle, continental part of the country, specifically in Peterborough, Sheffield, Leicester, Derby, Halifax, Coventry, and Birmingham. From the viewpoint of region of origin of THB victims, we can confirm from the collected data that most potential and identified victims within the research came from the Košice and Prešov higher regions. Slovak districts with the highest identified number of victims include Michalovce (Veľké Kapušany), Košice – okolie, Snina, Sabinov, Levoča, and Lučenec.

### ***4.2 Forced labor – Recruitment and process of exploitation***

The most frequent phenomena belonging to the criminal offence of human trafficking among the Roma in the analysed regions are the crimes committed for the purposes of forced labour. According to the results of research, at least 103 persons became potential and identified victims of human trafficking (not including estimates of respondents) in the last 6 years; of those, 61 for the purposes of forced labour. Further, in a smaller scope, cases of THB for the purposes of sexual exploitation and forced begging occurred accompanied by various other fraudulent phenomena. Cases of THB for the purposes of forced labour were found in all analysed locations, irrespective of the size of location, district, or higher region.

The victim of forced labour is usually a middle-aged father of children, with previous experience with work, usually as a construction worker, with enough strength and looking for work to support his family but unable to find it in his home location in Slovakia in the long run. As he has no stable work, he sometimes performs various short-term works in the neighbourhood, usually illegally. He is therefore very easy to attract to labour exploitation.

Before travelling, the offender underlines several times that it is necessary to take all personal documents, including birth certificates of children. Already before departure, the victim receives promises of large monetary gain from remuneration for work he will perform, and promises of further increase of income by receiving social benefits in parallel. In numerous cases, the victims are abused in the destination country not only for forced labour, but they also become victims of various fraudulent side phenomena, i.e. the victim is abused several times. Mostly, personal documents of the victim are abused for the purposes of receiving social benefits. The offender abuses personal data and signatures of the unaware victim already from the beginning. These enable the offender to open personal bank accounts in the name of the victim and to direct social benefit money sent by the British state thereto. Thus, the offender commits the criminal offence of fraud. In recent years, these are the frauds that are getting more and more popular as jobs in the United Kingdom get sparse.

The most frequent method used by recruiters to attract victims from excluded Roma locations for forced labour is personal contact. Only rarely are victims attracted by media channels or by a labour agency. Direct oral contact, most frequently in a public space, and trustworthy behaviour are used by recruiters to attract victims to exploit them subsequently. The most popular location of recruitment of Roma victims are public locations in streets close to or directly in a Roma location.

#### ***4.3 Forced labor – Identification***

According to the data obtained from the research, we can state that identifying victims from socially excluded locations is done exclusively with assistance of other persons. In most cases, victims do not want to talk about what happened at the beginning and often fail even to realize that they were a victim of trafficking. The persons who contact and identify the victim are usually family members of the victim and subsequently people active in local self-administration.

According to the collected data from the research, the most important part of identification is the increased attention and building of awareness of THB cases at the side of representatives of local state administration bodies and organizations that may get into contact with potential victims of THB during their work. Currently, the awareness of the THB phenomenon is still insufficient at a local level. At the same time, one can see the low level of contact of local entities to inhabitants especially of excluded locations, also influencing the success of identification of potential THB victims.

In most analysed cases, the victim understands and is aware of being cheated, however, is unaware of their rights that were violated and other legal consequences. This is why it is unavoidable for the victims and their families to be institutionally supported by national and local entities in such cases. However, the results of the research imply that the information and identification from the side of local entities is insufficient. Generally, one could summarize that the numbers of identified persons are directly proportional to the active relationship between representatives of local institutions and the inhabitants of the Roma social excluded location.

#### ***4.4 Forced labor – Prevention***

According to the respondents of the research, the target group – Roma from socially excluded locations – perceive most of information by television. Television series are particularly popular. Therefore, the respondents recommend use as many visual channels as possible to provide information about THB risks, including television spots, films and series for the Roma target group, ideally in the form of emotional stories. On the contrary, promotion materials such as leaflets and posters are, according to most respondents, an unsuitable communication means for direct intermediation of preventive information to the target group as most of Roma from the socially excluded environment are unable to perceive information in this manner. According to the respondents, the reason is in little interest in written text. On the other hand, leaflets and various support materials for prevention can serve as a suitable communication means for workers in locations where they meet potential victims and important information can be provided verbally using the said materials. This is why we found that in the creation of printed materials for THB prevention, it is necessary to focus on the target group of representatives of local institutions (mostly social workers) and to adapt the contents thereto. Especially for professions such as field social workers, specialized officers, and teachers who meet potential victims in their everyday work, it is necessary to create various manuals and support cards with indicators especially for these professional groups, adopted to their work activities with the target group.

Oral communication is another important method of dissemination of prevention among persons from the THB endangered group. Respondents underline individual approach when explaining the risks of THB to this group. It is very important to build trust between the target group and the person providing information for prevention and trying to draw the attention of those endangered by THB to the potential risks of travelling to abroad. That

implies that efficient prevention occurs when the target group has a long-term relationship with the person warning them about THB risks. Potential victims are also alerted about risks in cases when they communicate, prior to the trip, with the so-called leader of the community, a person coming from the same Roma location and having sufficient information on who intends to go where for work. On the basis of regular communication with entities from local institutions, he is able to assess potential risks better and to provide the information to a potential victim.

## **5. Conclusion**

Of all of the countries of the Western Europe, the United Kingdom is the most frequent destination for the Slovak Roma migrants (especially the continental part in the central part of England).

The most frequent method used by recruiters to attract potential victims from excluded Roma locations is personal contact.

The most frequent phenomena belonging to the criminal offence of human trafficking among the Roma in all analysed regions are the crimes committed for the purposes of forced labour.

The most frequent motive persuading the potential victim to travel to abroad with the recruiter is the vision of work in combination with receiving social benefits in the destination country.

Potential victims of THB are mostly lower middle-aged men between 25 and 35 years of age, usually married and with children. Identification of victims from socially excluded locations is done purely by other persons.

The number of identified persons is directly proportionate to the active relation between representatives of local institutions and inhabitants of the Roma location. Trust-based relations between individual local actors, as well as the endangered group, on the basis of findings, increase the chances of discovering and identification of THB victims.

According to the respondents of the research, the target group – Roma from excluded locations – perceive most of information by television.

According to most respondents, promotion materials such as leaflets and posters are an unsuitable communication means for direct intermediation of preventive information to the target group.

Oral communication, personal meetings, and media are important methods of dissemination of prevention among persons from the THB-endangered group.



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