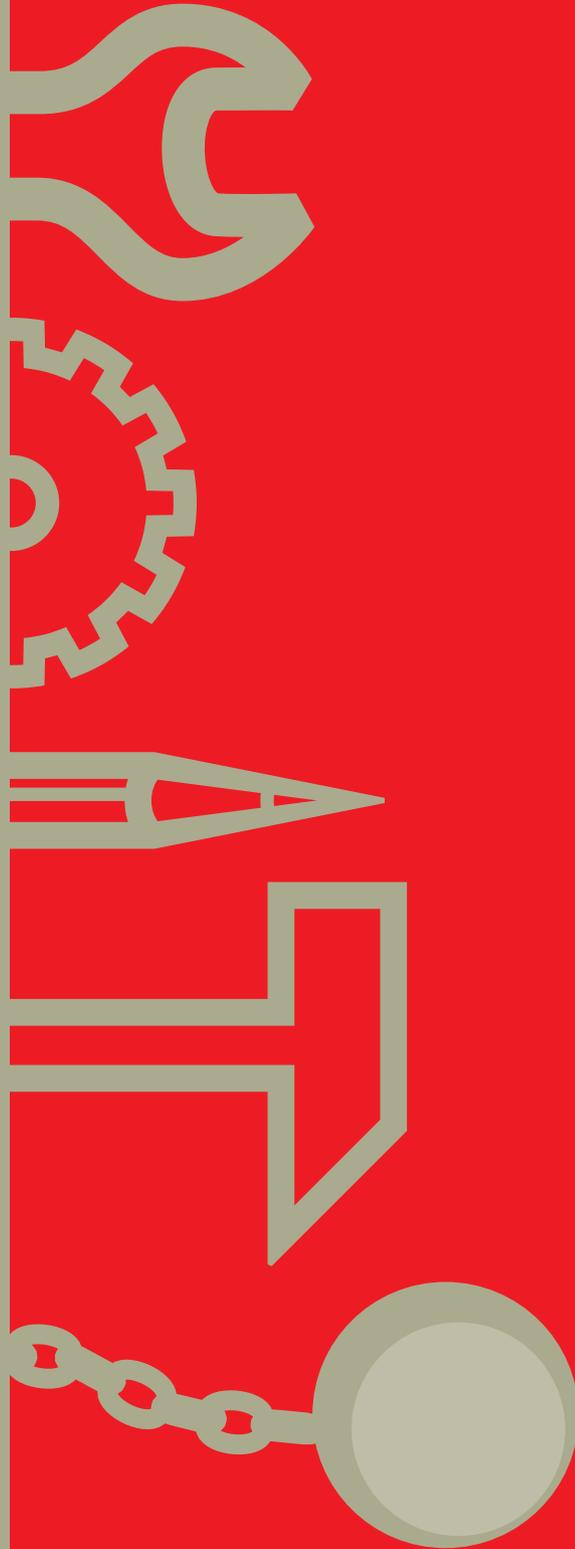


LABOUR EXPLOITATION

AS A FORM OF TRAFFICKING IN HUMAN BEINGS



European Union



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Human trafficking is a problem of global proportions, which includes a number of criminal activities, including buying and selling, recruiting, transporting, harboring and accommodating of people with a goal of their exploitation through forced labor, forced prostitution, forced begging, forced marriage, slavery and selling of organs, tissues and blood.

Exploitation is established and maintained by the use or threat of force, fraud, abuse of authority, abuse of the difficult position of the exploited people, kidnapping and the like. Any consent of a victim of exploitation does not change the fact that it is an offense and shall not be taken as a mitigating circumstance in the trial.

Human trafficking is a serious social problem, because it drastically **undermines basic human rights** - the right to life, freedom of choice, freedom of movement, etc. Human trafficking is on the opposite side of the

respect for human rights and regulated system of equality, non-discrimination and nonviolence, which we believe are core values in democracies of XXI century. Due to an increased globalization, human trafficking has global proportions. This problem is common to rich and poor countries, both developed and developing countries, post-conflict countries and countries in transition, occurring as the country of origin, transit and / or destination of trafficking victims.

Millions of women and children, and also men are **forced** into prostitution, servitude in the homes, begging, working on plantations, in factories, construction sites, as well as other forms of **forced labour**. They are trafficked transnationally - between countries and internally - within the borders of a country. In addition, in the world there is no country in which there is not present any kind of trafficking.



This publication presents the stories of two workers from Serbia, who were exploited in Slovenia¹.

Bojan: ... When I think back, the whole thing seems ridiculous and I cannot believe I found myself in that situation. I was a victim of exploitation in the workplace. It all seemed like

a good opportunity for a better life in a little happier state than the one I was born in and where I lived for 30 years.

The reasons why migrant workers decide to leave their home countries are a better economic situation and greater prospects of finding employment in another country. They perform different types of work and have different levels of qualification.

Dragan: Before I came to Slovenia, I lived in a small town in Serbia with my wife and three children. I worked from time to time, mostly without a proper contract, because there was no work. Together with a wife who worked in a plastics factory, we were barely surviving. The children went to school in torn clothes and often hungry, but we were not able to offer them more.

One evening, while I was drinking beer in a bar with friends, a man approached us. We knew him by sight; we knew he was called Milan, had a lot of money, worked in Slovenia and that he was returning to Serbia occasionally to visit his father, always in a new Mercedes. He began to talk to us about how we work and how we live, so we told him that the situation was bad, that the earnings could barely pay the costs, for food often run out. He told us he worked in a

construction company in Slovenia, where there was otherwise a lot of work but the pay was excellent and the workers got 5 euro per hour, their employer provided them accommodation, they were working in two shifts, had day off on Sundays, and overtime work was paid for some euro more. The employer provided visa and work permit - it would cost something, but this debt could be paid back later, when we would work in Slovenia. He gave us his business card and told us to think and to call him the following week, before returning to Slovenia.

When he left, we were thinking that this was a really good opportunity, that we could send home a lot of money, that we could later be joined by families, only to escape from the poverty that surrounded us on all sides and from which we could not see a way out. With

¹ All names have been changed for the purpose of writing this brochure.

beer, the offer really sounded right, but we decided to think a little and talk with women, and to meet the next day after work and talk.

When we met the next day, two friends told that their wives did not agree with that, that they do not want to be separated. Daniel said that his wife agreed to go on for several

Bojan: How it all began ... It was June 2010, when I went to Ljubljana to visit my sister and her family. My sister already lived in Ljubljana for 8 years. She told me that her neighbour has a firm and that he needs workers - bricklayers, machinists, electricians and the like. He needed people who have at least some vocation, or a secondary school education. Trial period would last about a month, and per hour pay would be about 3.5 euro, plus lodging and meals. Then he would, if he was satisfied with the worker, arranged him a work permit and hired him, which would mean a higher hourly rate [4-5 euro].

My sister knew the man, as they had their children spend time every day and it did not seem suspicious to offer her something. She didn't even think of me because I then had a job. However, to me it looked like an attractive offer and I asked my sister to connect me with this man. And so it was. He arrived one afternoon at my sister's and the two of us talked about the job. I admitted to him that I have no experience in masonry. To him it was

months and earn enough to pay off debt and to save at least something.

So together we called Milan and told him that we want to go to Slovenia to work on the construction site, that we are ready to move immediately, as we didn't have any real job at the moment.

not a problem because I will have people beside me who will teach me how to do everything. He said he was currently doing some fencing for the Austrian market and work counters for radiators in houses. He asked me when I could start working. I explained to him that I have a job and I said in July that the contract on that job would probably be extended, but that I wanted to start something new and that his offer suits me because I want to leave Serbia, where the living now is very difficult. Our final deal was to send him high school diploma, so he could prepare the paperwork in time for the visa. We shook hands and left.

I returned to Serbia. My contract expired and I decided that I don't want to prolong it. I firmly decided to try something new. My sister gave my diploma to her neighbour and he said that currently there is a lot of work and that I should contact him when I come to Slovenia. He said his wife has inquired for a visa and it would go a little harder, but they will try to fix it. The sister then had a bad premonition, because he changed the

story a bit, telling her about some illegal work on buildings, and she told me that, but I was already decided and I did not want to let anything deter me from my decisions.

I came back to Slovenia in July 2010, ready to immediately start working. When I arrived, my sister knocked on the door of my neighbour and told him that I had arrived. I remember that was the Monday. When my sister asked him when would I start to work he told her he would call me on Wednesday, as he was at that time in a mess and he needed time to organize. On Wednesday morning I was not called. My sister had somehow learned of his cell and wrote him a message. Immediately he called her back and told her that he did not forget me, that the next day we would meet and that I should send him my phone number so that the two of us could have a direct contact. The same day I have written him a message from my Slovenian number, to leave him my contact and that he could tell me where we can meet the following day. I did not receive any answer on the message. On Thursday morning he still didn't call me. I waited until 11 and then

Dragan: Throughout the month we were informed that all the papers are arranged and that we can come to Slovenia. Milan has sent to us 70 euro each for a ticket to Ljubljana.

He waited for us at the bus station in Ljubljana and took us to the chief who led the work on

my sister called his wife and asked her what was happening. She said that I should go in front of the building where I should wait for her husband. I got dressed and went. That day he introduced me to his brother who was supposed to be my boss and with whom I will make arrangements regarding the job. His brother drove me in Kamnik in their shop, and there we worked till 5 p.m. There was no concrete agreement for further on, except that we will 'be in contact'. I waited for days for him to call me, so that I could go to work. I was writing to my new boss and occasionally called him, and he only replied that there is nothing yet with the job and that he would call me when there would be some news. The world was tearing down for me, because I was afraid that all of this would be nothing, because nothing was negotiated. I waited to be called to start working.

And finally, I really started to work. Sometime in August 2010. I worked irregularly, because I was called as needed. I worked various jobs, from the fence for Austria to installation of the meters for radiators and heating in a house in the neighbourhood. I worked for 10-12h a day.

the construction site 50 km outside Ljubljana. He explained that the pay is 3 euro per hour, for overtime 4 euro, that the visas and work permits cost 200 euro and we would pay them from the first wage, the rent for a bed in the apartment where we would sleep with six other workers would be 100 per month, which we

would pay from our salary. From the rest we would receive one part on the bank account, and the second part on the hand. Per hour pay was to be lower than it was promised by Milan, but it seemed that we would receive more than somewhere else.

The first month we worked every day for 12 hours and for two Sundays. We were really tired, but we rejoiced that we would receive a good salary from which we would send most of it to our families. Paycheck was a disappointment, because after all the deductions on account we were paid only 300 euro, and we had

received 200 euro in cash money. We have calculated that at least another 200 euro was missing and complained to the boss who told us that we also had to pay all those broken bricks, and if something bothered us we were free to go back to where we came from. Daniel, who was temperamental, told me that it was really not OK and that he wanted to return home, because in Slovenia was the same as in Serbia, just without the family. I decided to endure a few more months, because from that moment on there would be no cost of visa and work permit, so there would be 300 euro more that could be sent home.

Migrant workers are employed in a variety of sectors, but they can mostly be found on construction sites. They often work 7 days a week, up to 12 hours a day. With no overtime pay, right to vacation or leave because of illness. The wages are not paid regularly and sometimes they are not paid at all.

Bojan: I respected the system of writing working hours. I had a paper where I wrote the date and hours worked, and how many meals I had that day [for working 8 hours we count two meal breaks], but the food I was buying by myself. The employer promised me that he would pay everything and sometime by the end of August I handed him the list with a realized hours. He promised to me that he would pay everything in a couple of days.

While I worked, I met with other workers who

worked for a longer period for the same man. At first they were cautious and did not say much about the boss, because they thought I was his man because his brother brought me. But after a while, when I told them my story, they took pity and began to tell me of their troubles. There were 4-5 who lived in an apartment that was bought by the bosses. Some were from Bosnia, one from Serbia, mostly unqualified workers. Some were employed by the bosses in Litostroj. Basically, they were paid minimum

wage, and everything beyond that the boss owed to them and was delaying the payment. I went to the apartment in which they lived, several times. The conditions were really bad. The worst part was that they were without electricity, because the boss did not pay the bills. Luckily it was summer, so it was a long day. To one man, with whom I worked, the boss has owed about 5000 euro. The guy has taken

a loan in Bosnia and the minimum wage, which he received, was barely enough to manage to survive. Especially because the salary was always late, so he had to buy food and survive through the month on his own expense. He only stayed because he lacked only a month or two to 2 years of work for one employer, which was the requirement to obtain a “personal work permit.” It was his only hope.

When they arrive in the “promised land”, their employers often put them up in workers’ hostels, where they live in inhuman conditions. Usually more workers share a room than it would be in normal situation. They live jammed together. Rents per square meter are typically higher than those in the private housing market. Sometimes the employers place them in temporary housings on construction sites where there is no water, no electricity, no heating at the winter ...

Bojan: Regarding the payment, he once gave me 100 euro and said he would give me the rest in a few days. Each time he repeated – it would be on Monday, Friday, tomorrow, it is certain, and the like. But money was not there. I had earned a total of around 1200 euro. My sister wrote the message and asked him to pay me because I would have to return to Serbia [three-month tourist visa was slowly running out, and I realized that since I am not getting a job there, I wanted to get at least what I have already earned]. Since he did not reply to any of my requests, my sister wrote to him and told him that she would report him for the exploitation at the workplace. We connected with the Society

Ključ and have already begun to prepare the report. He begged us to wait and that he would definitely pay me everything, not to worry. So I went back for Serbia with 400 euro, which my sister gave me, not to go home without money, because I was going to the parents who then closed the company and they needed every penny. I returned home disillusioned and frightened, wondering what should I do with my life. I left a secure job for the hope of a better tomorrow, and in the end I left without anything. Fortunately, in all that I was not alone. I had room and board at my sister’s and support of her family. Without it I do not know what I would do. I think of thousands of people who have gone through worse

than me, who came in the same way as I did, and did not have anyone to whom they could rely on in such difficult times.

Finally I got another 300 euro, which my sister managed to pull from the wife of my employer because she was threatening with reporting

Dragan: Next month they paid on the account only 300 euro, of which they have taken away 100 euro, and regarding the money that I was supposed to get on hands, I was told that I would get it in two weeks, because the general manager has no money as the others have not paid him yet. After two weeks have passed and the money was still not there, I spoke with the manager of the construction site who told me to wait a little more and that I would receive the next salary and all previous revenue that they owed to me.

I was worried that I am being used, but I did not know what to do, because I had only 6 euro left in my pocket, after sending home 100 euro, with which I was supposed to live until the next salary, meaning another two weeks. With this money I could not get back home. By phone I

them. When the money was taken, she signed a paper that she received the money. It was sometime in October 2010. In September 2011 my sister met my “employer” and he by himself gave her another 200 euro. The rest was promised when he could. So I got a total of 600 euro. He owes me about the same amount.

argued with my wife because she did not believe me that we are not paid and she accused me that I had probably spent all in a bar and with other women, while she and the children were hungry. My heart was hurting because she did not believe me and I found myself in a worse situation than the one in Serbia. Anyway I still believed that I would receive the following salary and the rest of the money.

The following salary was again only 300 euro, and on the hand they gave me another 150, of which they immediately took the 100 for rent. I cried because I did not know what to do. The leader of my construction site was still promising that it was so only because the owner had not been paid and how everything would be reclaimed to the workers after all.

Due to the economic crisis and the greed of employers, many construction and other companies go bankrupt. Migrant workers are among the first to lose their jobs. The employers don't pay them regularly, they don't pay them for any overtime hours, social security and give them wages very different than it was agreed at the beginning.

Dragan: In the flat and at the construction site I spoke with other workers, who have decided that for such a small salary they did not want to work anymore, so they decided to go on strike. The next day we went to the construction site and informed our boss that, until we got everything they owe us, we would not work. The boss said that we would all be fired unless we worked and that we could return home without money. On the following day he came with a bunch of money and gave each of us 50 euro and said that it was all the owner could give us at that point and how we would get the rest together with the next pay. We calmed down a bit and continued to work until the following

month when salaries were not paid on the account. No money, no food and no faith in a positive outcome, but with the help of some volunteers from Slovene Philanthropy we addressed the reporters who came to us and questioned us about the conditions in which we lived, if we had food, when we had received the last salary and how much hours a day had we been working. The story was published in all newspapers, even on television. We received some aid in a form of food from of the Red Cross, but not the wages. We had no money to return home, and where would we return - from one poverty to the other.

Because of the difficult situation the workers are forced to seek different means of employment. Various "employers" and intermediaries try to take advantage of their distress.

Dragan: Milan again contacted us saying that he now went to work in Germany and that he heard about our plight and how we were deceived. When I told him that he was probably a fraud, he began to defend himself how he did not know it would be as it was, how he was always paid fairly, that at that time it was the recession and that Slovenia had no money, but that in Germany they get paid 15 euro per hour, that it was work without working permit, but if we wanted he could take us there. I looked at him in disbelief, but Milan claimed that he

would not have lied to me, because we came from the same region, there was no reason to lie. He asked me if I did not see that he had a lot of money, and he said I could earn as much as he did... He was trying to convince me for some time, so I started to think that I had nothing to lose. In Serbia, I had hungry children and wife, in Slovenia I had neither money nor a job. So that would mean I should go and try another chance in Germany. I informed my wife regarding the decision, and she begged me to come home saying we would manage somehow, that we

could return to live at her parents' in a house in the country, where there would be at least

food from the garden and that I should not go to Germany to be exploited again.

Due to their harsh living conditions and the opportunity to earn money, some workers nevertheless accept the offer and leave for the "promised land". The future employer doesn't inform them about the amount of wage, the contract, the place or price of accommodation...

Dragan: I didn't listen to her. I went to Germany. They found me living in miserable conditions on a construction site. The owner has not provided us any accommodation, we slept in the boxes next to the construction site, and the salary was about 300 euro a month in cash. Journalists have discovered that we

were exploited in Germany and I returned to Slovenia, where my temporary residence permit is still valid and now I wait to recover the money from the Slovenian construction company that is in the process of bankruptcy. I am desperate, disillusioned and without faith in a better future.

Their illusions about the 'Promised Land' are soon dispelled. They work 10 to 12 hours a day, the employer transfers them from one building site to the next and "lends" them to other companies, they work in different countries and earn 100 to 200 euro a month, they have to work even when sick and receive no holiday allowance, no reimbursement for meal and travel expenses.

The workers now live in even more inhuman conditions, ten people are packed in a small room, they have no hot water, the employer deducts the rent directly from their wages, they don't know how much rent they are charged; when they want to move elsewhere, they are not allowed to.

HOW TO PROTECT YOURSELVES:

It is very important who your source of information regarding the potential employment abroad is.

Gather as much information on your employer as possible. Try to find information regarding your employer on the Internet. Check if the company to which you are applying is in bankruptcy or overindebted.

Before you start working always make an agreement on conditions of work and demand a contract that should be reviewed by an expert. In Serbia, you can seek free legal advice at ASTRA.



IT IS GOOD TO HAVE ANSWERS ON THE FOLLOWING QUESTIONS:

- **Do you know who your employer is and how much you will earn?**
- **Do you have a contract?**
- **Do you have a right to warm meal, paid transfer expenses, paid leave and sick leave, and to work a maximum of 8 hours a day?**
- **Do you have a right to choose and to say „no“?**
- **Is everything working out as it was previously agreed?**
- **Can you in any moment change your mind and leave?**



ORGANIZATIONS WHICH CAN HELP YOU:

In Serbia:

ASTRA

SOS telephone: 011 33 47 817

Free line: 0800 101 201

In Slovenia:

- **Society Ključ – centre for fight against trafficking in human beings**

P. P. 1646, 1001 Ljubljana

e-mail: info@drustvo-kljuc.si

Free line: 080 1722 [this telephone number is free at the area of Republic of Slovenia]

- **Slovene filantrophy**, Association for promotion of volunteer work, Poljanska cesta 12, 1000 Ljubljana.

Tel.: 01/4301288

e-mail: info@filantropija.org

- you can also call the police on 113 or 080 1200

PREPARED BY:



Society Ključ, Slovenia

contact: info@drustvo-kljuc.si



ASTRA

sos@astra.rs

www.astra.rs



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Project is financed by the European Union within the Support to Civil Society Programme

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