

# **Czech Republic**

## **Penal Code**

Act No. 140/1962 Coll., as amended by later provisions (2001 and 2004)

### **Article 204**

(1) Whoever engages, forces or lures another person to carry out prostitution or profits from prostitution carried out by another person, shall be punished by imprisonment for a term of three years.

(2) Whoever commits such act as defined in paragraph 1 shall be sentenced to imprisonment for a term of two to eight years in case he made use of violence or threat or other violent means or if the person abused is in a dependent position in the relation to him/her.

(3) Two to eight years of imprisonment shall be served by a person

a) who gains a substantial profit from the acts defined in paragraph 1 or 2,

b) who commits the act as a member of an organized group; or

c) who commits the act on a person younger than eighteen years.

(4) The imprisonment of five to twelve years shall be served by a perpetrator who has committed the act defined in paragraph 2 on a person younger than fifteen years.

### **Article 232a**

#### Trafficking in Human Beings

1) Whoever induces, engages, hires, lures, transports, hides, detains or delivers a person under 18 years of age to be used

a) for sexual intercourse or other forms of sexual molestation or exploitation,

b) for slavery or servitude, or

c) for forced labour or other forms of exploitation, shall be punished to imprisonment for two to ten years.

2) In the same manner will be punished whoever by means of the use of force, threat of force, deception or abuse of his mistake, stress or dependence induces, engages, hires, lures, transports, hides, detains or delivers another to be used

a) for sexual intercourse or other forms of sexual molestation or exploitation,

b) for slavery or servitude, or

c) for forced labour or other forms of exploitation.

3) Offender shall be punished by imprisonment of five to twelve years,

a) if he commits the crime stated in Article 1 or 2 as a member of an organised group,

- b) if he exposes another by such act to danger of an aggravated bodily harm or death,
  - c) if he commits such act with the intent of obtaining a substantial gain, or
  - d) if he commits such act with the intent of using another for prostitution.
- 4) Offender shall be punished by imprisonment of eight to fifteen years,
- a) if he causes by the crime stated in Article 1 or 2 an aggravated bodily harm, death or another particularly grave consequence,
  - b) if he commits such act with the intent of obtaining a gain of large scope, or
- if he commits such act in connection with an organised group operating in more countries.

[as amended by the Act No. 537/2004]

### **Article 233**

- (1) Whoever entices another person abroad shall be punished by imprisonment for a term of three to eight years.
- (2) The perpetrator shall be punished by imprisonment for a term of five to twelve years
- a) if he/she commits the crime defined in paragraph 1 as a member of an organized group,
  - b) if he/she commits such act on a person younger than eighteen years or a person suffering from a mental disease or disorder; or
  - c) if the act results in a severe damage to the health of the victim, his death or another severe consequence.