

Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings

COUNCIL OF EUROPE



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**Report submitted by the Montenegrin authorities  
on measures taken to comply with  
Committee of the Parties Recommendation CP(2012)9  
on the implementation  
of the Council of Europe Convention  
on Action against Trafficking in Human Beings**

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**GOVERNMENT OF MONTENEGRO  
GENERAL SECRETARIAT  
OFFICE FOR FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS**

No: 16-719/14

Date: November 5, 2014

**COUNCIL OF EUROPE  
SECRETARIAT GENERAL  
DIRECTORATE GENERAL  
HUMAN RIGHTS AND RULE OF LAW  
JUSTICE AND HUMAN DIGNITY DIRECTORATE  
to EXECUTIVE SECRETARY OF THE COUNCIL OF EUROPE CONVENTION  
Ms. Petya Nestorova**

**Dear Ms. Nestorova,**

Hereby I would like to inform you that Government of Montenegro has recognized GRETA Recommendations of a significant importance for strengthening overall anti-trafficking efforts in Montenegro. Hence, respective institutions have undertaken a range of activities in order to implement mentioned recommendations.

Please find enclosed a Report by Montenegrin authorities on measures taken to comply with GRETA and Committee of the Parties Recommendation on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

Thank you for cooperation.

Yours sincerely,



**HEAD OF OFFICE/NATIONAL COORDINATOR FOR FIGHT  
AGAINST HUMAN TRAFFICKING**

**ZORAN ULAMA**

**Report on Measures taken to comply with the GRETA Recommendation**  
**on the implementation of the Council of Europe Convention**  
**on Action against Trafficking in Human Beings**  
**by Montenegro**

November, 2014

GRETA RECOMMENDATION	UNDERTAKEN ACTIVITIES
<p><b>Definition of trafficking in human beings</b></p> <p>1. In order to be fully consistent with the definition of THB in the Convention, GRETA considers that the Montenegrin authorities should include abduction as one of the means for committing trafficking in human beings.</p>	<p>During the work on amending the Criminal Law 2013, Working Group of the Ministry of Justice has considered all GRETA recommendations. In relation to the relevant recommendation, the Working Group was of the opinion that the abduction should not be included in the list of ways for committing human trafficking. This is the reason why the Article 164 of the CC of Montenegro prescribes abduction as a special criminal offense and that, if the crime of trafficking gets committed through abduction, as a way of committing human trafficking, it will reach the concurrence of criminal offenses. On the other hand, the inclusion of criminal offence abduction into the Article 444 would make problems in practice when determining i.e. putting the criminal offence(s) at the expence of the defendant.</p> <p>Pursuant to the aforementioned reasons, when amending Criminal law, it has been decided for abduction not to be prescribed as one of the ways for committing the criminal offence of human trafficking under the Article 444.</p>
<p>2. In order to be fully consistent with the definition of THB in the Convention, GRETA considers that the Montenegrin authorities should explicitly include “slavery and practices similar to slavery” in the forms of exploitation resulting from trafficking.</p>	<p>Subject GRETA recommendation has been implemented in such a way that the amendments to the Criminal Code of Montenegro , in the part of legal description of the offense of trafficking in persons, (Article 444) the basic form referred to in paragraph 1 is extended and explicitly prescribed goal " slavery or actions similar to slavery" as a form of exploitation arising from human trafficking. In relation to that, Article 444 of the Criminal Law states:</p> <p>„(1) Anyone who by force or threat, deceit or keeping in delusion, by abuse of authority, trust, relationship of dependency, difficult position of another person or by keeping back identification papers or by giving or receiving money or other benefit for the purpose of obtaining consent</p>

	<p>of a person having control over another: recruits, transports, transfers, hands over, sells, buys, mediates in sale, hides or keeps another person for exploitation of work, submission to servitude, commission of crimes, slavery or acts similar to slavery, prostitution or other form of sexual exploitation, begging, pornographic use, entering into unlawful marriage, taking away a body part for transplantation or for use in armed conflicts shall be punished by imprisonment for a term of one to ten years. “</p>
<p>3.GRETA considers that stating explicitly the irrelevance of the consent of a victim of trafficking to the intended exploitation could improve the implementation of anti-trafficking provisions.</p>	<p>Subject GRETA recommendation has been implemented in such a way that the amendments to the Criminal Code in Article 444 bears a provision (paragraph 9), which eliminates the possible dilemma in a way that the consent of a victim of human trafficking does not exclude criminal offense.</p> <p>In this regard, Article 444, paragraph 9 of the Criminal Code reads as follows:</p> <p>„(9) Consent of the victim to whom the offence from paragraph 1 to 3 of this Article has been committed is without an effect to the existence of that criminal offence“.</p>
<p>4.GRETA considers that the Montenegrin authorities should expand the scope of Article 445 of the CC to include children up to the age of 18, in line with the Convention.</p>	<p>Subject GRETA recommendation has been implemented in such a way that the amendments to the Criminal Code, a criminal offence under the Article 445 is expended to juveniles, so that criminal protection from human trafficking is now broader. Under the Article 142 of the same law, a minor person is a person under the age of eighteen years, until the minor is a person who has attained the age of fourteen years and has not attained the age of eighteen.</p> <p>In this regard, Article 445 of the Criminal Code reads as follows:</p> <p>"Trafficking in minor persons for adoption:</p> <p>(1) Anyone who abducts a person who has not yet reached the age of fourteen for adoption in contravention of current regulations or whoever adopts such a person or mediates in such adoption or whoever for that purpose buys, sells or hands over another person who has not yet reached the age of fourteen or transports, provides accommodation for or hides such a person who has not reached the age of fourteen, shall be</p>

	<p>punished by imprisonment for a term of one to five years.</p> <p>(2) Anyone who deals with activities referred to in Paragraph 1 of this Article or participates in their organized commission together with several other persons, shall be punished by imprisonment for a minimum term of three years.”</p>
<p><b>Definition of victim of trafficking</b></p> <p>5. GRETA urges the Montenegrin authorities to review the definition of victim of THB, in the light of the above considerations and amend the relevant legislation.</p>	<p>Subject GRETA recommendation has been implemented in such a way that the amendments to the Criminal Code an Article 142 is been amended (mening of the term) in a view of the meaning of the term victim.</p> <p>In this regard, Article 142, Paragraph 11 of the Criminal Code reads as follows:</p> <p>„The victim is a person to whom, by an unlawful act which the law prescribes as a criminal offense, has been caused physical or mental pain or suffering, property damage or violation of human rights and freedoms. "</p>
<p><b>Comprehensive approach and co-ordination</b></p> <p>6. GRETA considers that the Montenegrin authorities should further strengthen the co-ordination between the national authorities and NGOs active in the field of action against THB to ensure that NGOs are involved in the planning and implementation of national policy.</p>	<p>The willingness of the institutions of the Government of Montenegro to effectively confront human trafficking is proven by the signing of the Memorandum on cooperation between state institutions (the Supreme Public Prosecutor's Office, the Ministry of Education and Sports, Ministry of Labour and Social Welfare, Ministry of Health, Police Directorate) and three non-governmental organizations in 2007 .</p> <p>In the meantime, through an intense process of harmonization of existing mechanisms to combat trafficking with international standards, within the process of integration, there have been certain organizational and regulatory changes, and recognition of the strong contribution of civil society in the policy-making process governing these issues, and due to the importance of the need for trafficking cases to obtain court of law epilogue as soon as possible, the revision of the Memorandum has been initiated. The Office has formed a team of eksperts that through 5 working meetings agreed on the text of the new Memorandum on cooperation of governmental and non-governmental institutions and organizations, as well as representatives of judiciary and prosecution. The revised Memorandum on cooperation has</p>

	<p>ceremonially been signed on 18.10.2013. On that occasion, eight new partners signed the Memorandum: the Supreme Court of Montenegro, the Red Cross, PI Center for child and Family Support, and four non-governmental organizations that are intensively engaged with this issue in Montenegro. The monitoring of the implementation of the mentioned Memorandum is in charge of Coordinating body, chaired by the National Coordinator for Combating Trafficking in Human Beings, and composed of the contact persons of all signatories of the Memorandum, including the six-person contact representatives of NGOs signatories of the Memorandum.</p> <p>This Memorandum makes the cooperation of state bodies that are directly involved in the issues of human trafficking more productive and this way legally defined obligations of the institutions are being specified through standard operating procedures of the signatories of the Memorandum implemented in addressing the specific case of human trafficking. The Memorandum is particularly focused on the treatment in relation to women and children victims of trafficking. When selecting non-governmental organizations, the signatories of the Memorandum, the NGOs that meet certain requirements have been taken into account (specific knowledge of the phenomenon of trafficking in human beings, experience in working with victims, etc..) i.e. those that have the capacity to provide adequate temporary/short-term assistance to victims of trafficking to their placement in the government's shelter for victims of human trafficking.</p> <p>- Representative of non-governmental organizations is a legal member of the Government Working Group for Monitoring the Implementation of Strategy for fight against human trafficking and related Action plans.</p> <p>Pursuant to Article 9, paragraph 1 of the Regulation on the procedure for achieving cooperation between state authorities and non-governmental organizations ("Official Gazette", No. 7.12), the General Secretariat of the Government of Montenegro-Office for Combating Trafficking in Human Beings has sent three public calls to non-governmental organizations for nominating candidate who would become a member of the Working Group for Monitoring the Implementation of the National Strategy for combating Trafficking in</p>
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	<p>Human Beings (25/10/2013, 19/11/2013, 15/01/2014.). On the public call responded the NGO Montenegrin Women's Lobby, whose director became a legal member of the Working Group for monitoring the implementation of Strategy to combat human trafficking by the decision of the Government to chose a candidate as a member of Working Group for monitoring the implementation of the National Strategy to combat trafficking in February 3, 2013.</p> <p>-Furthermore, when making strategic document Office for Combating Trafficking in Human Beings had organized consultations with relevant non-governmental organizations dealing with fight against human trafficking and protection of victims of this crime. In this regard, the Office to Combat Trafficking in Human Beings and in drafting the Action Plan for Implementation of Strategy for Combating Trafficking in Human Beings for 2014, issued a public call to NGOs for consultation in relation to the preparation of the Draft Action Plan for Implementation of the Strategy for Combating Trafficking in people in 2014 (10.02.2014).</p> <p>Mentioned public calls are available on the site of a Government Office for fight against human trafficking - <a href="http://www.antitrafficking.gov.me">www.antitrafficking.gov.me</a> .</p>
<p>7. Further, GRETA considers that the Montenegrin authorities should take further steps to ensure that the national action to combat THB is comprehensive, and in particular:</p> <ul style="list-style-type: none"> <li>- encourage more effective participation of all public bodies involved in the implementation of anti-trafficking measures at the national and local levels, and increase the co-ordination of their activities; in this context, it is important to further raise awareness of the Memorandum of Co-operation and the responsibilities arising from it;</li> <li>- pay increased attention to preventive measures among vulnerable groups, such as the RAE community, internally displaced persons, and children without parental care residing in institutions;</li> <li>- ensure that gender mainstreaming is reflected in the national anti-trafficking policy and practice;</li> <li>- include in the National Strategy measures to address THB for the purpose of labour exploitation.</li> </ul>	<p>- For the implementation of the National Strategy and the following Action Plan governmental Working Group is in charge, as a body composed of representatives of the relevant ministries at the level of Deputy Ministers (Ministry of Health, Ministry of Labour and Social Welfare, Ministry of Justice, Ministry of Education, Ministry of Interior, Ministry of Foreign Affairs and European integration, Ministry of Human and Minority Rights, Ministry of Culture), representatives of the cabinet of Vice-President of the Government for the political system, domestic and foreign policy, the Supreme Public Prosecutor's Office, Supreme Court, Ombudsman of Montenegro, the Office for Combating Trafficking in Human Beings, as well as representatives of the NGO Montenegrin Women's Lobby, IOM, OSCE, UNICEF, the United States Embassy in Montenegro. The main task of this body is to monitor the implementation of the National Strategy and individual Action Plans.</p>

	<p>- In addition, one of the goals stated in the Strategy for the Fight against Trafficking in Human Beings 2012-18 was to precisely Improve horizontal and vertical coordination and communication within the agencies responsible for implementation of activities undertaken by signing the Memorandum on Cooperation.</p> <p>-Following the review of the Memorandum on cooperation in the fight against human trafficking, which includes National referral mechanisms to act in relation to cases of trafficking in human beings, the Coordinating Team for monitoring the implementation of the Memorandum was formed, which in the same time represents the operating team to undertake specific activities (in accordance with the Memorandum) in relation to the identification, assistance and protection of victims of trafficking, as well as effective prosecution of traffickers. This team consists of representatives -contact person of all relevant institutions and organizations signatories to the Memorandum (the Ministry of Internal Affairs, the State Prosecutor's Office, Supreme Court, Ministry of Labour and Social Welfare, Ministry of Health, Ministry of Education, PI Centre for the Protection of Children and Families Bijelo Polje, Montenegro Red Cross and six non-governmental organizations). This team is managed by the National Anti-trafficking Coordinator, Mr Zoran Ulama.</p> <p>At a meeting of the Coordination Team in the mentioned composition,it is agreed that the team should meet at least 2 times a year during which they will assess the success of the implementation of the Memorandum in practice, and the team will further meet on an ad hoc basis in those situations when the territory of Montenegro identifies potential victim of trafficking. Potential victim of human trafficking can be identified by all signatories of the Memorandum, who shall promptly notify the contact person of the Police Directorate. The list of contact persons who are required to be 24 hours available to this team when it is necessary to provide assistance and protection to a trafficking person, was compiled and distributed. Also, at the meeting was considered as a key item on the agenda "obligation of the contact persons to,within their institutions, provide information to employees at all levels of the obligations undertaken by the Memorandum." Within this point ,the representatives</p>
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	<p>of all institutions participated and agreed with the fact that training in the institutions they represent must be continuous.</p> <p>- The Supreme Court has on 18.10.2013, as new/additional signatory, signed the Memorandum on mutual cooperation between state institutions and non-governmental organizations in the fight against human trafficking and Annex Memorandum on cooperation in the areas of prevention, prosecution and protection of victims and potential victims of trafficking. The Memorandum applies effectively . All courts and judges in Montenegro are informed and are familiar with the text of the Memorandum on mutual cooperation. The Supreme Court has appointed a contact person and a member of the coordinating body for monitoring and assessing the level of implementation of the Memorandum on mutual cooperation in the fight against human trafficking.</p> <p>- During the reporting period, the significant number of trainings has been conducted for the government officers, who in the performance of their duties, may come into contact with victims of trafficking and potential traffickers. On the aforementioned trainings, special attention was dedicated to raising awareness of content and the relevant obligations of authorities arising from the Memorandum on cooperation between state institutions and civil society in Combating Human Trafficking (the training details may be found in the response to recommendation No. 10).</p> <p>„ pay increased attention to preventive measures among vulnerable groups, such as the RAE community, internally displaced persons, and children without parental care residing in institutions“:</p> <p>The aforementioned part of the recommendation has been recognized and defined by the goals of the Strategy for Combating Trafficking in Human Beings:</p> <p>“Operational objective 1.2. Create the conditions for increasing the level of disclosure i.e. self-identification of potential victims in vulnerable groups, such as persons in prostitution, migrants without</p>
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	<p>identity documents, internally displaced persons - especially RAE population.</p> <p>Operational objective 1.3. Continue with the implementation of activities to improve the situation of vulnerable population groups in order to reduce the risk factors and enhance their resilience in relation to human trafficking.“</p> <p>Ministry of Labour and Social Welfare has drafted standards for day care centers for children with disabilities, for shelters with victims of domestic violence and foster care. In accordance with Article 169 of the Law on Social and Child Care, which states that regulations for the implementation of this law shall be brought within six months from the date of entry into force of this law, the Ministry of Labor has established a Working Group for drafting the Regulations which will specify the manner of using services in the field of children's social care, as well as norms and minimum standards of service. In order to better prepare the text of sub-legal acts, the Ministry of Labour and Social Welfare hired consultants from UNICEF and UNDP.</p> <p>-In order to raise awareness of the refugee community about the importance of registration, MOI, MLSW and UNHCR signed a Memorandum of Understanding to invest additional efforts and all persons within the stipulated time to resolve the status. An operational team of representatives from the Ministry of Interior, MLSW, UNHCR, Refugee Directorate is established to deal with solving the issue of internally displaced persons in order to find a long-lasting solution. Ministry of Labour and Social Welfare is responsible for the preparation of the Regional Housing programs for the most vulnerable refugees and displaced persons and defining programs at the country level, the number of future users, the value of the project, preparation and implementation plan. Through the Regional Housing Programme for Montenegro, it has been envisaged providing funds for resolving housing issues for 6,063 people (1,177 households), who belong to the most vulnerable categories (persons accommodated in informal collective centers and vulnerable people in private accommodation, with special emphasis on Camp Konik). During the year 2013 three projects were approved: "Pilot Project- Niksic" build 62 residential units, with a total value of 2.780.000.00 €, grant funds 1.980.000.00 €</p>
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	<p>contribution of local units of 600.000.00€, "Project Camp Konik" which envisages the construction of 120 housing units. The total value of this project is 7,374,135.00€, the grant funds are 5 993.785.00 € , as well as "the construction of a project for the elderly" Pljevlja, whose total value is 2.612.407.00 € from which donor funds are 2.078.278.00 € (a major construction project has been made with revision and was submitted to the competent authority for granting permission for building on 28.05.2014).</p> <p>The Strategy for the advancement of RE population in Montenegro recognized a special area that relates to the elimination of violence against women and domestic violence at this population. Through implementation of the activities envisaged by this document, a documentary film about this issue was made, as well as the need to point out the problem that exists in Montenegro and other countries, and invite all stakeholders to actively work to improve the situation of Roma and Egyptians in Montenegro and contribute to the elimination of violence against RE, especially specific forms of violence such as forced early marriages.</p> <p>In order to improve the social status of the Roma and Egyptian, Ministry of Human and Minority Rights, in cooperation with the Center for Roma Initiatives organized in 2013, a round table on the topic "Legal mechanisms in the fight against forced and contracted child marriages" which was attended by, besides the representatives of the Ministry, officials of the Police, Prosecutor's Office, Courts, Social Welfare Centers, as well as representatives of women's non-governmental organizations dealing with the situation of Roma and Egyptians in Montenegro.</p> <p>In Montenegro, 82 members of RE and Egyptian population are high school students, out of which 33 are Roma and Egyptian. Out of 15 members of RE population that are going to the University, 6 are women. In July 2014, a Memorandum of Understanding between the Ministry for Human and Minority Rights, the Roma Education Fund, the Department for Education and NGO Institute for Social Inclusion, with the aim of improving enrollment and increasing rates of staying in</p>
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	<p>high school students of Roma and Egyptians, enrolled in the middle of regular and vocational - technical schools through positive interventions, as well as students who are studying at University in Montenegro.</p> <p>In order to define and organize the work of "Roma assistants" and mediators to support pupils of RE population, regular programs of preschool education are being conducted (224 of Roma children), half aday stay(an average of 80 children of RE population). In addition, through the project "Inclusive Education Services" (IPA 2010) in June 2012, the program preparatory kindergarten in Podgorica and Niksic for 161 children (ages 4 to 7 years)was piloted .The plan and program are adopted, and so as the Working Manual. The "preparatory kindergarten" for children of Roma and Egyptian population alone was conducted in 2013 for 87 preschoolers who are eligible to enroll in primary school of 2013/2014 school year, and were not included in the systemic form of education.</p> <p>Within the project "Inclusive Education Services",it's been worked on the prevention of school dropout through the mechanisms of development for detecting and case manegement in 8 schools (4 in Podgorica, Niksic 2, 1 in Tivat and 1 in Berane). The job description of RE mediators has been made; 7 training for 168 school directors, teachers, experts, Handbook of professionals (teachers, associates, directors, RE assistants) and wasalso made for the ones interested in preventing school dropout.</p> <p>During 2013, the Institute of Education in cooperation with the Roma Education Fund, has realized the following:  Workshops with the mothers from camp:  - 39 workshops on early child development;  - 41 workshops on literacy;  Workshops with the girls:  - 39 workshops on early child development;  - 41 workshops on literacy and  22 workshops with children, age7-12 years and 47 workshops with children in care.</p>
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	<p>Program "Support for integration and voluntary return of internally displaced persons in the Konik camp in Montenegro" is being implemented with the support of the EU Delegation to Montenegro and the Montenegrin Government in partnership with the German organization HELP. This educational component of the REF program (Roma Education Fund) is implemented in partnership with the Ministry of Education.</p> <p>Programs for early child development and adult literacy are aiming at improving access to education and development during early childhood in children of RE population. Since the beginning of the project, approximately 50 workshops are held with two groups of mothers (twice a week) aimed at optimal early childhood development and literacy.</p> <p>Center for Vocational Education, in collaboration with the Institute for Social Inclusion prepared occupational standards of associates in social inclusion of Roma and Egyptian communities and organizer of social inclusion adopted on 20.12.2013, at the XI session of qualifications and training programs for the training of vocational associate in social inclusion of Roma and Egyptian communities and organizer of social inclusion of Roma and Egyptians, adopted on the XXVI meeting of the National Council for Education on 24. 12. 2013.</p> <p>In order to unify the activities conducted within the jurisdiction of the Police, in 2014, an action entitled "Trafficking" was adopted , and included a planned action of the Criminal Police and the Border Police, and cooperation with the Police Department of general jurisdiction. The aim of the action was set in a coordinated action of the actors in the part of prevention, data collection, collaboration with other competent authorities (labor inspection), the identification of potential victims, the number of processed criminal cases increased .</p> <p>Also, by the implementation of measures of the Action plan , the measures that are foreseen by the accompanying Action plans to be adopted in order to meet the National Strategy for Combating Trafficking in Human Beings are also being implemented .</p> <p>In May 2013, the Office for Combating Trafficking in Human Beings,</p>
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	<p>NGO Montenegrin Women's Lobby and NGO Fair Girls to the United States, organized a seminar on "Strengthening the capacity of law enforcement to identify victims of human trafficking/child of RE population."</p> <p>The training was attended by social workers, police officers, medical officers and NGOs.</p> <p>- ensure that gender mainstreaming is reflected in the national anti-trafficking policy and practice;</p> <p>During the second half of 2013, the Ministry for Human and Minority Rights- Department of Gender Equality has organized two seminars for the development of theoretical and practical knowledge of lawyers in Montenegro on issues of gender equality and the implementation of the Law on Gender Equality and other anti-discrimination law in practice. Fundings for this activity were provided from donations of UNWOMEN.</p> <p>In December 2012, a seminar was held with representatives of non-governmental organizations dealing with women from the Roma and Egyptian population. Theme of the seminar was to strengthen the network of Roma women NGOs in the fight against arranged marriages in the RE population.</p> <p>- include in the National Strategy measures to address THB for the purpose of labour exploitation</p> <p>- Strategic documents- The National Strategy for Combating Trafficking in Human Beings 2012-18 and accompanying Action Plans envisage measures to combat all forms of trafficking, including trafficking for labor exploitation.</p> <p>During all training seminars aimed at strengthening the professional capacity of the competent authorities and raising the consciousness of the general public about the phenomenon of human trafficking, particular attention is paid to the issue of trafficking for labor exploitation.</p> <p>In this regard, Montenegro has hosted a regional seminar on "Building</p>
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	<p>capacity to combat trafficking for labor exploitation", which was held from 5-7. March 2013 in Budva, in organization of International organizations ICMPD, with the support of the Office for fight against human trafficking. The seminar brought together National Coordinators for the fight against human trafficking, representatives of police and prosecutors from the region, who have through the exchange of experiences and good practices, presented national mechanisms that regulate human trafficking for labor exploitation.</p> <p>07.2013. - Government Office for Combating Human Trafficking in cooperation with the Organization for Security and Cooperation in Montenegro (OSCE) organized a one-day workshop during which the list of indicators for early recognition of victims of human trafficking was made, which in addition to general indicator contains a specially listed indicators for identifying victims of trafficking for labor exploitation, then for the purpose of sexual exploitation, as well as the indicators that point to the trafficking of children and child trafficking for begging. A special list of indicators for health workers was made in order to help to identify victims of human trafficking in the provision of medical assistance. Drafted list of indicators was published in the form of cards and distributed to the representatives of all relevant authorities - police, social workers, labor inspectors, health professionals, employed in local government, airports, train stations, border crossings.</p> <p>Inspectors of labor and protection at work, as well as representatives of utilities and tourism inspection, took part in the work of the international workshop "Combating seasonal sexual exploitation" by the end of April 2013, organized by the Office for Combating Trafficking in Human Beings, with the support of TAIEX.</p> <p>Administration for Inspection Affairs- Labor Inspectorate with the aim of combating illegal work and possible human trafficking for labor exploitation, continuously controls the catering, construction and other facilities. In addition to regular activities, the Labor Inspectorate carries out intensified inspection during: the winter tourist season, the summer tourist season and during national and religious holidays. In the first half of 2014, the Labour Inspectorate has conducted a total of 5,266</p>
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	<p>inspections, established 3118 irregularities, issued 199 rescripts, out of which 9 are on the banning of illegal work ("on the black") and imposed 1,342 misdemeanor fine warrant on the spot for a total of 318,245.00 euros. They've filed 9 requests for initiation of offense proceedings.</p>
<p>8. GRETA also considers that the Montenegrin authorities should ensure that the status of the Office for the Fight against THB be clarified as a matter of priority and that the Office be put in a position to fulfil its co-ordinating mandate effectively. GRETA invites the Montenegrin authorities to invest in the human and financial resources of the Office for the Fight against THB so that it can effectively carry out the full range of tasks within their mandate.</p>	<p>Decree amending the Decree on the General Secretariat of the Government from 18 April 2013, the Office for Combating Trafficking in Human Beings was repositioned from the Ministry of Internal Affairs into the Government Secretariat General. The Office is headed by the Head Office / National Coordinator for Combating Trafficking in Human Beings. The Office is staffed with 5 officers, 4 of which are Independent Advisors and 1 Administration Officer.</p> <p>The Office for Fight against Trafficking in Human Beings, as the umbrella institution for the activities taken in Montenegro with regard to combating trafficking in human beings, performs the following tasks and duties:</p> <ul style="list-style-type: none"> <li>-Creating and monitoring the implementation of the state policy on combating trafficking in human beings;</li> <li>-Coordination of the activities of the relevant public administration authorities, international and nongovernmental organizations, thereby uniting all positive efforts in combating trafficking in human beings in Montenegro;</li> <li>-Establishing cooperation between national and international entities with the aim to create efficient mechanisms for combating trafficking in human beings,</li> <li>-Presenting results realized with regard to combating trafficking in human beings in Montenegro through participation in various international and national gatherings;</li> <li>-Prepares report for the international subjects (SE, UN, European Commission, NATO, etc.).</li> <li>-Initiates harmonization of international law with domestic in this field,</li> <li>-Application of international regulations, conventions and Memorandums on combating trafficking in human beings;</li> <li>-Filing initiatives for approximation of national legislation with international standards in this field;</li> <li>-Performs duties related to the preparation of educational and promotional and marketing campaigns, develops informational materials, etc.</li> </ul>

	<p>-Manages the work of shelters for victims of trafficking and complete program to protect victims of trafficking,</p> <p>-Officials of the Office in accordance with the Memorandum on Cooperation manage the complete program to protect victims of human trafficking, which includes 24-hour duty and accessibility of the same.</p> <p>-as well as other duties in this field.</p> <p>The Office is under the management of the Head of the Office who is appointed by the Government of Montenegro for a period of 5 years, with the possibility of renewal of the mandate. At the session of the Government on September 12th, 2013, Zoran Ulama was re-appointed as the National Coordinator for Combating Trafficking in Human Beings.</p>
<p>9. Further, GRETA invites the Montenegrin authorities to introduce an independent evaluation of the National Strategy and Action Plans as a tool for assessing the impact of the activities and for planning future policies and measures to combat THB.</p>	<p>In order to develop quality situation analysis and gaining concrete proposals from professionals for the improvement of existing mechanisms to combat trafficking in Montenegro regarding the development of the Strategy for the Fight against Trafficking in Human Beings 2012-18 separate meetings were held with representatives of relevant institutions involved in the implementation of goals of the Strategy(over 70 meetings throughout the territory of Montenegro), as well as representatives of non-governmental organizations dealing with human rights.</p> <p>By the detailed analysis of the field data and the data available in the previous period, taking into account the recommendations of relevant international partners, Working Group for combating human trafficking, which brings together 18 members at a deputy ministries level, Assistant Special Prosecutor for Organized Crime, representatives of the Office of the President of Supreme Court, NGOs and international organizations, the Strategy for the fight against Trafficking in Human Beings for the period 2012-2018 was made, with the accompanying Action Plan for 2012-2013. The goals of the Strategy are aligned with the goals prescribed by relevant international documents regulating this matter. Aiming at a successful implementation of the Strategy, individual one-year or two-year Action Plans are made and contain activities that the authorities indicate as necessary for the effective</p>

	<p>implementation of measures to combat human trafficking.</p> <p>Also, when making strategic document, all non-governmental organizations dealing with human rights in Montenegro are being called, to provide their suggestions and opinion that get esteemed.</p>
<p><b>Training of relevant professionals</b></p> <p>10. GRETA considers that the Montenegrin authorities should take further steps to improve the knowledge and sensitivity of relevant professionals about THB and the rights of victims, in particular social workers, law enforcement officials, lawyers, prosecutors, judges, etc. Future training programmes should be designed with a view to improving the knowledge and skills of relevant professionals which enable them to identify victims of trafficking, to assist and protect them, and to secure convictions of traffickers. During the training, particular attention should be paid to overcoming entrenched negative attitudes and prejudices vis-à-vis victims of trafficking.</p>	<p>- Professional training of employees in the Ministry of Interior -Police Directorate was realized in cooperation with the Police Academy, Human Resources, Regional School of Public Administration, as well as international organizations. Particularly significant training was organized by the International Organization for Migration (IOM), DCAF - Geneva Centre for the Democratic Control of Armed Forces, FRONTEX - European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, the OSCE - Organization for Security and Co-operation.</p> <p>Also, the Action Plan for the negotiation chapter 24- Justice, freedom and security, which the Government of Montenegro adopted at the meeting on 27 June 2013, as one of the duties of the Ministry of Interior, provided training for the MOI's officers who are directly engaged in proceedings of aliens for a permit for temporary residence, where among other things, to treat the issuance of temporary residence permits to victims of trafficking. Training will be held on a monthly basis starting September 2014. In order to effectively implement issues of supervision, border checks and control of stay of foreigners, continuous education of officials regarding the implementation of normative regulations, the use of modern technology and language skills shall be conducted.</p> <p>-During the reporting period, state prosecutors took an active part in the conferences, seminars and training courses that are relevant to the issue of combating trafficking in human beings:</p> <ul style="list-style-type: none"> <li>•Seminar on money laundering and financial investigations, December 10, 2012.</li> <li>•The fight against human trafficking, the European Commission and TAIEX, Vienna, 6-7. December of 2012;</li> <li>•EUROPOL's conference for organized crime in the Western Balkans,</li> </ul>

	<p>22-24. January 2013, The Hague, The Netherlands;</p> <ul style="list-style-type: none"> <li>•Workshop best practices of the European Union in financial investigations, 29-30. January 2013, Sarajevo, Bosnia and Herzegovina;</li> <li>•Regional Conference "Co-ordination in the fight against organized financial crime," 28-29. March 2013, Tirana, Albania;</li> <li>•Regional Conference on "International cooperation in the fight against organized crime and corruption-Achievements and Challenges", 6-7. March 2013, Zagreb, Croatia;</li> <li>•Training on combating trafficking for labor exploitation: Identification of the victims, investigation and prosecution, 4-7. March 2013, Budva, Montenegro</li> <li>•Workshop of experts from the UK who are involved in organized financial crime, 26 February 27, 2013, Podgorica, Montenegro;</li> <li>•Regional training on "Cross-border crime and mutual legal assistance", Danilovgrad, Montenegro 26-27. September 2013;</li> <li>•Cooperation in Criminal Justice: "The protection of witnesses in the fight against organized crime and corruption," Bar, Montenegro, 29-30.oktobar 2013;</li> <li>•OSCE Seminar "Strengthening cooperation among countries of origin, transit and destination of illegal migration and related transnational crime", Vienna, Austria, 30-31. October 2013;</li> <li>•Conference the Embassy of Sweden on trafficking and prostitution, Zagreb, Croatia, 21-22. November 2013;</li> <li>•UNODC Workshop "criminal legal response to the problem of human trafficking, Podgorica, Montenegro, 26-27. November 2013;</li> <li>•22nd SEEPAG meeting "Smuggling of migrants in terms of organized crime", May 8, Corfu, Greece;</li> <li>•Training of judges, prosecutors and lawyers in the European Court of Human Rights, 14-15-, 2013, Strasbourg, France;</li> <li>•ICMPD Seminar project "Building capacity to combat trafficking for labor exploitation", 3-4. June 2013., Vienna, Austria,</li> <li>•IV Regional Conference "The fight against organized crime, corruption and judicial cooperation in South East Europe, April 12, 2013, Belgrade, Serbia;</li> <li>•The fourth session of the Group for the evaluation of the implementation of the UNCAC, 27-21. May 2013, Vienna, Austria;</li> <li>•TAIEX Regional workshop on crime in the area of intellectual</li> </ul>
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	<p>property protection, 30-31 May 2013, Skopje, Macedonia;</p> <ul style="list-style-type: none"> <li>•Study visit to Croatian institutions to combat trafficking; Zagreb 10-11.03.2014.godine,</li> <li>•Regional training on the use of undercover investigators,Budva 24-28.03.2014 - took part two prosecutors from Montenegro</li> <li>•Workshop- fight against child trafficking, Sarajevo 13 ,14.05.2014.- a prosecutor participated;</li> <li>•Conference on Combating Trafficking in Human Beings, Tirana 17 , 18.06.2014.</li> </ul> <p>-Center for Judicial Education, as an organizational unit of the Supreme Court, continuously conducts training activities for judges and prosecutors on the offense of trafficking in persons, national and international regulations and standards, as well as criminal law institutes important for the processing and adjudication of criminal offenses with elements of organized crime, with special reference to the crime of human trafficking. In 2013, through the Center for Judicial Education, five trainings were conducted on key criminal justice institutions directly linked to the issue of human trafficking. In regards to the amendments to the Code of Criminal Procedure, by which the investigation was handed to the State Prosecutor's Office, the training was attended by 29 representatives of the judiciary, and 45 representatives of the prosecutorial organization.</p> <p>5-8.08.2013. - Israel / Haifa, through the Center for Judicial Education two judges of the Basic Court in Podgorica and Niksic participated in the International Seminar for judges on the topic: 'The critical role of the judiciary in the fight against trafficking in human beings.'“</p> <p>The seminar was organized in cooperation with the Organization for Security and Cooperation in Europe (OSCE), the United Nations Office on Drugs and Crime (UNODC), the Ministry of Justice of Israel, the International Organization for Migration (IOM), together with the Israeli Agency for International Development Cooperation (MASHAV) and Golda Meir Mount Carmel International training Center (MCTC). International seminar aimed to bring together judges dealing with cases of human trafficking, to share same experiences and enhance their knowledge in this area. Topics of the seminar were: International</p>
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	<p>framework for combating trafficking in human beings; Key issues and concepts that occur in human trafficking cases; Trafficking for forced labor and labor exploitation; Psychological symptoms of victims of trafficking; Obvious problems specific to the testimony of the victims; Best practices for the protection of victims; Sanctions and effective legal remedies for victims of decriminalization and non punishing of the victims; The importance of international cooperation.</p> <p>-12-13.12. 2013 - Budva / Becici, held regional seminar on the topic: "The crime of human trafficking – conducting investigation - experiences of the countries of SouthEast Europe." The seminar was jointly organized by the Office for Combating Trafficking in Human Beings of the Government of Montenegro, the United States Embassy in Podgorica and the Center for Judicial Education. The seminar was attended by four representatives of the judiciary, two representatives of the Prosecutor's Office, the Police Directorate and the National Coordinators for combating trafficking in human beings in Albania, Bosnia and Herzegovina, Bulgaria, Montenegro, Croatia, Kosovo, Macedonia, Romania and Serbia. The national legal framework in relation to trafficking and relevant case studies were presented, while the emphasis was on the exchange of experience in carrying out investigations in relation to a criminal offense of trafficking in persons, with special emphasis on the cooperation of representatives of the police and prosecution, as well as on the taking of testimony from victims trafficking.</p> <ul style="list-style-type: none"> <li>• 5-7. March, 2013 - Montenegro has hosted a regional seminar on "Building capacity to combat trafficking for labor exploitation", which was held from 5-7. March 2013 in Budva, in organization of international organizations ICMPD, with the support of the Office for fight against human trafficking. The seminar brought together National Coordinators for the fight against human trafficking, law enforcement and prosecutors from the region, who have through the exchange of experiences and good practices, presented national mechanisms that regulate human trafficking for labor exploitation.</li> <li>• At the initiative of the Office for Combating Trafficking in Human Beings, on 25-28.March 2013,there was a training in Budva on</li> </ul>
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	<p>"Research of cases of human smuggling and trafficking" organized by TADOC and the OSCE, with the support of the Office for fight against trafficking and Police Academy. The training was attended by 10 border police officers, four officers for fighting organized crime, three custom officials, and representatives of the Office and the Prosecutor's Office as a support to the organizers.</p> <ul style="list-style-type: none"> <li>• 17.-18. April, 2013 - The Office for fight against human trafficking with the support of TAIEX ,organized a multinational seminar titled "Combating seasonal sexual exploitation", which was attended by representatives of the police, prosecutors, NGOs and the Office of the National Coordinators of the region.</li> <li>• 16-17. May and 12 July, 2013 – In the organisation of the Office for Combating Trafficking in Human Beings and the American NGO "Fair girls" and NGO „Montenegrin Women's Lobby" two one-day trainings were held , intended for social and health workers, representatives of the Police and local authorities from southern and central regions on the theme: "Strengthening the capacity of law enforcement to identify victims of trafficking in persons/children of RE population." The same training was organized in July for the representatives of the above mentioned institutions in the northern region of Montenegro. The training was successfully attended by a total of 22 officials of the Centers for Social Work, 16 employees in the health centers, 9 employees of emergency medical aid, 18 representatives of the Police, 9 employees of local governments and 2 officials of the Office.</li> <li>• 3-4. June 2013 - The Head of the Office for Combating Trafficking in Human Beings Zoran Ulama led the Montenegrin delegation at the final technical seminar in the framework of the International Organisation for Migration Policy Development (ICMPD) Building capacity to combat trafficking for labor exploitation, on the topic "Stepping up the fight against human trafficking for labor exploitation." The seminar was held in Vienna (Austria), 3-4. June this year, and aimed to summarize the overall activities and initiatives that country has been undertaking in the field of combating trafficking for labor exploitation.</li> </ul>
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	<ul style="list-style-type: none"> <li>• 19.06.2013. - Head of the Office for Combating Trafficking in Human Beings and his associates payed an official visit to the municipality of Budva, during which they met with the Deputy Mayor, the Chief of the Security Center Budva and chief of community police. The meeting was organized with the aim to examine the possibility of greater involvement of local government in the activities in the fight against human trafficking.</li> <li>• 4.07.2013. - Government Office for Combating Human Trafficking in cooperation with the Organization for Security and Cooperation in Montenegro (OSCE) organized a one-day workshop during which the LIST OF INDICATORS FOR EARLY DETECTION OF VICTIMS OF TRAFFICKING was made . Drafted list of indicators was published in the form of cards and distrubuted to the representatives of law enforcement authorities.</li> <li>• 19-20.September, 2013 - Head of the Government Office for the Fight against Trafficking in Human Beings/National Coordinator leaded the Montenegrin delegation composed of representatives of the Prosecutor's Office, the police and the Ministry of Justice on the meeting which was held in Sarajevo, 19-20.September 2013, and which was dedicated to the implementation of Directive 2011/36 / EU in preventing and combating trafficking in human beings and protecting victims. During two working days, senior officials of the European Commission and the Council of Europe discussed the political significance of the Directive, and their experience in transposing the Directive into national legislation presented by participants from Croatia, Slovenia and Romania.</li> <li>• 16-20.September 2013.- As part of the implementation of the Programme "Combating Trafficking in Human Beings" of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU -FRONTEX , advisers at the Office for Combating Trafficking in Human Beings took part in the training of national trainers for the fight against trafficking in Gaeta, Italy, from 16-20.september, 2013. At such training, sessions that were carried out, were devoted to the following topics: Human trafficking as a violation of human rights- legal framework; The three phases of human trafficking, vulnerable groups, vulnerability; Identification of</li> </ul>
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	<p>potential trafficking victims and traffickers; Transfer to another line; Mental health-access to victims; The principles of adult learning; Interviewing- model "7 Steps"; Study case report interviewing victims; Designing a course on human trafficking in the border police.</p> <ul style="list-style-type: none"> <li>• 7-11.October 2013.- Head of the Office for Combating Trafficking in Human Beings/National Coordinator for Combating Trafficking in Human Beings Zoran Ulama and Advisor in the Office, attended the training on "Combating Trafficking in Human Beings", organized by the General Staff of Turkey, in the Training Center of the Partnership for peace in Ankara, from 7-11. October 2013. During the five-day course, participants had the opportunity to familiarize themselves with the International performance legislation that treats human beings, primarily with the UN Convention against Transnational Organized Crime and its Protocol of Palermo, as well as the main characteristics of the crime of human trafficking. A significant part of the course was focused on NATO policy in combating trafficking in human beings.</li> <li>• 8-9.October 2013. - Advisor to the Government's Office for Combating Trafficking in Human Beings took part in the conference "Combating Trafficking in Human Beings in South Eastern Europe: for better protection of minors", which was held in Chisinau, Moldova 8-9. October 2013. The conference was dedicated to strengthening of joint efforts in the fight against child trafficking, in the fight against criminal networks, with consideration of the specific dimensions of the problem, such as an integrated way to approach the issue of effective protection of child victims, as well as existing and new approaches to finding the traffickers (exposing the networks, criminal prosecution, international cooperation).</li> <li>• 18.10.2013. In the cooperation of the Government Office for the Fight against Trafficking in Human Beings and the OSCE Mission to Montenegro a ceremonial signing of the revised Memorandum on Cooperation in the fight against human trafficking between the Supreme Court, the Supreme Prosecutor's Office, Ministry of Interior / PD, Ministry of Labour and Social Welfare, Ministry of Health , GSG-Office for combating Human Trafficking, Centre for child and Family Support Bijelo Polje, Montenegro Red Cross and NGOs: Montenegrin Women's Lobby, Women's Safe House, House of Hope, Institute for</li> </ul>
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	<p>Social Inclusion, SOS Niksic, Podgorica SOS was organised.</p> <p>•29-30. October, 2013 – In the organisation by the Government Office for the fight against human trafficking, the Office of the United Nations Development Programme (UNDP) in Montenegro and Croatia and MoFA of R.Croatia, 29-30. 10.2013. a two-day seminar was held on "Combating Human Trafficking in the process of accession to the EU - the exchange of experiences." Regional Advisor of UNDP and longtime Head of the Working Group in the process of Croatia's accession to EU negotiating chapter 24, "Justice Freedom and Security" presented the experience in managing the negotiation process in this important chapter, while his colleagues talked about European legislation on the fight against trafficking, an analysis of key Directives in this area, and presented examples of good practice in terms of police cooperation in this field. Participants in the seminar were: representatives of police authorities, prosecutors and the judiciary in Montenegro.</p> <p>•30-31. October, 2013, Vienna, Austria - The Head of the Office for Combating Trafficking in Human Beings Zoran Ulama and Independent Advisor at the Office, on the invitation of the Organization for Security and Cooperation in Europe (OSCE) took part in the seminar on "Strengthening cooperation among countries of origin, transit and destination in the fight against illegal migration and related transnational crime". The Montenegrin delegation included one more member- Deputy Special Prosecutor for the fight against organized crime, corruption and war crimes. Western Balkans and Turkey, Ukraine, Greece, Norway, France, Poland, and representatives of international organizations, IOM, UNODC, ICMPD, as well as representatives of the EU agency Frontex also took part in the work of a seminar. The seminar discussed the general trends of irregular migration, smuggling of migrants and trafficking in human beings who have roots in conflict and post-conflict countries from Afghanistan over the eastern Mediterranean to Central and Western Europe.</p> <p>•26-27.November 2013.- Government Office for the fight against human trafficking, in cooperation with the Ministry of Interior-Police Directorate and the UN Office on Drugs and Crime in Vienna, organized a seminar on "criminal justice response to trafficking in</p>
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	<p>Montenegro." The seminar presented the overall international legal framework that addresses the issue of human trafficking, with a particular focus on the challenges of law enforcement, victim identification, a condition in which the victims are and the principle of non-punishment of victims of trafficking. The seminar was held in Podgorica on 26-27 November 2013, and those who took part in the seminar were representatives of police authorities (7 employees), prosecution (1) and the judiciary (2) of Montenegro.</p> <p>•5-6.December 2013.- Head of the Office/National Coordinator for Combating Trafficking in Human Beings Zoran Ulama, at the invitation of the National Committee to Combat Human Trafficking R.Moldavia, visited Chisinau on December 5th and 6th where he took part in the conference on "Strengthening criminal justice responses to trafficking in SEE countries - struggle against the abuse of Internet and to strengthen cross-border investigations" by the National Committee organized in collaboration with the UN Office on Drugs and Crime (UNODC ).</p> <p>•12-13. December 2013 - The Government Office for Combating Human Trafficking in cooperation with the Embassy of the United States in Montenegro and the Center for Judicial Training, organized a regional seminar on "The prosecution of cases of trafficking in Human Beings -cooperation between police and prosecutors - the experience of SEE countries ". This regional seminar was organized with the aim of strengthening national and transnational platform for cooperation and coordination of activities to combat trafficking. During the two-day workshop, the internationally - legislative framework in relation to trafficking was presented, with a special emphasis on the sharing of experiences in conducting an investigation the crime of human trafficking, with a focus on the cooperation of representatives of the police and prosecution, as well as the taking of testimony from victims trafficking.</p> <p><b><u>2014 :</u></b></p> <p>-Between 1.01-1.06.2014. The Center for Judicial Training Centre organized a training/ workshops on the subject of anti-trafficking and related criminal justice institutes and was attended by 11 judges.</p> <p>- 27-28. March 2014, in Ulcinj was organized a regional seminar/</p>
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	<p>training on "Mutual legal assistance and the fight against transnational organized crime and other forms of cross-border crime." The training was organized by the Embassy in Podgorica, in cooperation with the Center for Judicial Training of Montenegro, and is financially supported by the Bureau of the State Department to combat international trafficking in Narcotics and Law Enforcement (INL Program). The participants were representatives of the Ministry of Justice, Police, Interpol office, judges and prosecutors from Montenegro and Albania, as well as experts from the United States. The greatest attention was paid to the legal foundations of international cooperation in criminal matters, practical advice on operational cooperation, examples of good practice in respect of the preparation of requests for the provision of mutual legal assistance and the exchange of comparative experiences. Specific topics that were discussed: Cooperation of police and prosecutors in the fight against transnational organized crime and other forms of cross-border crime; Panel: Practical advice on operational police cooperation between Albania and Montenegro in the fight against transnational organized crime and other forms of cross-border crime, including the use of Interpol; Examples of international best practice in the preparation of requests for mutual legal assistance, as well as an overview of international and regional treaties and organizations; Requests for mutual legal assistance sent to America; Panel: The use of Europol and Eurojust; Using information from traditional sources, including civil society organizations; Panel: Trends in transnational organized crime and other forms of transnational crime in Albania and Montenegro. The seminar was attended by 30 participants (excluding the organizers and speakers), out of which 20 Montenegrin representatives: 8 representatives of the prosecutor's office, 6 representatives of courts (2 judges of the High Court in Podgorica, judge and consultant -Basic Court Bar and the judges and consultant-Basic Court in Ulcinj) 3 officers of police and three representatives of the Ministry of Justice.</p> <p>- 27-29.May 2014, Becici, Center for Judicial Training of Montenegro, in cooperation with UNODC, organized a regional workshop for the development of a regional curriculum on human trafficking for criminal justice professionals in South East Europe. The workshop intended to</p>
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	<p>gather the contact person nominated by the institution for the training of the judiciary, from the countries of South East Europe, to develop a regional curriculum on human trafficking for criminal justice professionals, and developing methodologies and training materials, as well as planning a two-day training in June 2014, which would be based on the regional curriculum, in order to test the practical effectiveness of the same. At the same time, this set is a training for trainers and participants to be able after the training to continue to transmit their knowledge. The regional workshop was attended by representatives of Montenegro, Bosnia and Herzegovina, Kosovo, Albania, Croatia, Macedonia and Serbia.</p> <p>- 24-25. June 2014, in Belgrade, in cooperation of the Judicial Academy of the Republic of Serbia and the UNODC- there has been organized a 'Regional pilot training in the field of trafficking for criminal justice professionals in South East Europe. After holding regional workshops in Budva, 27-29. May 2014, in collaboration with UNODC and the Center for Judicial Training of Montenegro, the two-day pilot training in Belgrade focused on the practical testing of the effectiveness of the Regional SEE programs. Ahead of Montenegro, the aforementioned regional course was attended by judges of the High Court and Deputy Basic State Prosecutor.</p> <p>-Officials of the Ministry of Health held a meeting with representatives of the emergency medical services with the aim of introducing indicators for early identification of potential victims of trafficking and further referral procedures with special reference to the Memorandum on cooperation in the fight against human trafficking. * 5 health workers employed in the emergency services. Health care workers are educated on all issues related to the fight against human trafficking. Furthermore, they are always involved and participate in all training courses in this area, on which they receive the invitation. At the end, the contact persons of the Ministry of Health once a month holds a meeting with the staff of the Emergency Block of the Medical Center and the Department of immediate medical attention, as the institutions that are the first to come into contact with victims of trafficking, for even greater sensitizing and to combat this crime.</p>
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	<p>-Representatives of the Office for Combating Trafficking in Human Beings, who are also certified national trainers by FRONTEX for training border police on combating trafficking in human beings, in cooperation with the Police Directorate-Border Police, with the support of the OSCE Mission to Montenegro, in late May 2014, began the first phase of organizing training. In this regard, in there has been a total of 12 trainings in Podgorica, Bar, Niksic, Pljevlja, Bijelo Polje, Rozaje, Ulcinj and Herceg Novi. Each of the training was attended by 15 border police officers. Through several modules, participants were acquainted with the issues, ways and methods of identification of victims and potential victims of trafficking, techniques of interviewing victims, and the institutional and legal mechanisms to combat human trafficking. Due to the special vulnerability of children to trafficking, within each module, trafficking in children is treated as a separate unit. The next three phases will be conducted during October - November 2014, April-May 2015 and October - November 2015 and during those phases all the members from the Montenegrin border police will be trained.</p> <p>-27 to 29 May 2014 - Becici, Center for Judicial Training of Montenegro, in cooperation with UNODC, organized a regional workshop for the development of a regional curriculum on human trafficking for criminal justice professionals in South East Europe. This workshop is intended to gather the contact person nominated by the institution for the training of the judiciary from the countries of South East Europe, to develop a regional curriculum on human trafficking for criminal justice professionals, and develop methodologies and training materials, as well as to develop a plan for a two-day training in June 2014, which will be based on the Regional curriculum, in order to effectively test the effectiveness of the same. At the same time, this set presents a training for trainers and participants of the same. After the training, they will be able to continue to transmit their knowledge. A regional workshop was attended by representatives of the following countries: Bosnia and Herzegovina, Kosovo, Albania, Croatia, Macedonia, Serbia and Montenegro.</p> <p>-24 and 25 June 2014 - Belgrade, in cooperation of Judicial Academy of the Republic of Serbia and the UNODC- there has been organized a 'Regional pilot training in the field of trafficking for criminal justice</p>
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	<p>professionals in South East Europe. After holding regional workshops in Budva, 27-29. May 2014, in collaboration with UNODC and the Center for Judicial Training of Montenegro, which is intended to gather the contact person nominated by the institution for the training of the judiciary from the SEE for the development of the Regional SEE program and the development of methodologies and training materials based on Regional SEE program ,this two-day pilot training will focus on the practical testing of the effectiveness of the Regional SEE programs. Ahead of Montenegro, the aforementioned regional course was attended by judges of the High Court and Deputy Basic State Prosecutor.</p> <p>-In the first quarter of 2014, a round table was organised, on "Together for prevention and protection" with representatives of institutions, ministries, international and national NGOs on the possibility of finding the best solutions on issues of begging, early marriages and arranged marriages of Roma girls and youth in general.</p> <p>-The Office for combating trafficking has, with the support of Human Resources Management, organized three seminars on the topic of "Building skills for early identification of potential cases of human trafficking in Montenegro" for police officers, social workers, inspections, staff in Unemployment in the immigration detention and the Centre for asylum seekers from northern, central and southern regions. The seminars were held for:</p> <ul style="list-style-type: none"> <li>–the central region (Podgorica, capital Cetinje, Crikvenica, Niksic, Šavnik, Plužine) on 29 and 30 September - 20 participants</li> <li>–for the northern region (Municipality of Bijelo Polje, Kolasin, Mojkovac, Berane, Plav and Andrijevica rožaje, Gusinje, Pljevlja, Zabljak, Petnjica) on October 10 - 15 participants</li> <li>–for the southern region (Municipality of Ulcinj, Bar, Budva, Tivat, Kotor, Herceg Novi) 03 October- for 15 participants.</li> </ul>
<p><b>Data collections and research</b></p> <p>11. GRETA considers that, for the purpose of preparing, monitoring and evaluating anti-trafficking policies, the Montenegrin authorities should develop and maintain a comprehensive and coherent statistical</p>	<p>- At the initiative of the Government Office for the Fight against Trafficking in Human Beings Tripartite Commission was established , composed of representatives of the Supreme Public Prosecutor's Office, Supreme Court, Police and the Office for Combating Trafficking in</p>



<p>system on trafficking in human beings by compiling reliable statistical information from all main actors and allowing disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.). This should be accompanied by all the necessary measures to respect the right of data subjects to personal data protection, including when NGOs working with victims of trafficking are asked to provide information for the national database.</p>	<p>Human Beings, which follows the statistics about human trafficking and the data on a monthly basis submitted to the Office for the Fight against trafficking.</p> <p>Office as a coordinating body, combines data and creates a unique statistics on human trafficking in Montenegro. These figures include: data on offenders and victims of this crime, and the complete description of the criminal process respecting the law on protection of personal data. Also, the Office performs analysis of statistical data in relation to nationality, sex, gender, year of traffickers and victims as well as in relation to the type of exploitation.</p> <p>Mentioned detailed statistics are public and 24h available on the website of the Office (<a href="http://www.antitrafficking.gov.me">www.antitrafficking.gov.me</a>).</p>
<p>12. GRETA invites the Montenegrin authorities to continue conducting and supporting research on THB-related issues as an important source of information for future policy measures. Areas where research is needed in order to shed more light on the extent of the problem of THB include trafficking for the purpose of labour exploitation and trafficking in children.</p>	<p>In order to develop quality situation analysis and gaining concrete proposals from professionals for the improvement of existing mechanisms to combat trafficking in Montenegro regarding the development of the Strategy for the Fight against Trafficking in Human Beings 2012-18, separate meetings were held with representatives of relevant institutions involved in the implementation of goals (over 70 meetings throughout the territory of Montenegro), as well as representatives of non-governmental organizations dealing with human rights.</p> <p>A detailed analysis of the field data and the data which were available in the previous period, taking into account the recommendations of relevant international partners of the Working group for combating human trafficking, which brings together 18 members of a deputy ministries line, Assistant Special Prosecutor for Organized Crime, representatives of the Office of the President Supreme Court, NGOs and international organizations, the Strategy for combating Trafficking in Human Beings for the period 2012-2018 was developed , with the accompanying Action Plan for 2012-2013. The goals of the Strategy are aligned with the goals prescribed by relevant international documents regulating this matter. In order for a successful implementation of the Strategy, individual one-year or two-year action plans are made which contain activities that the authorities indicate as necessary for the effective implementation of measures to combat human trafficking.</p>
<p><b>International co-operation</b></p>	<p>By the amendments to the Law on International Legal Assistance in</p>

<p>13. GRETA invites the Montenegrin authorities to continue exploring possibilities for international co-operation in the fields of protecting and assisting victims of THB, and the investigation and prosecution of trafficking cases.</p>	<p>2013, as one of the forms of mutual legal assistance, it has been provided the establishment of joint investigation teams of the competent authorities of more state.</p> <p>Information about previous convictions imposed against defendants in other countries, court gets through mutual legal assistance, in accordance with the Act on Mutual Assistance in Criminal Matters (Official Gazzete no. 4/2008 and 36/2013) and the relevant multilateral and bilateral contracts.</p> <p>National judicial authority shall forward the request for mutual legal assistance to foreign judicial authorities and receive requests for mutual legal assistance to foreign judicial authorities through the Ministry of Justice.</p> <p>In the event of an international Memorandum or reciprocity, the request for mutual legal assistance, Ministry delivers and receives through diplomatic channels.</p> <p>Exceptionally, when it is provided by an international Memorandum, or when there is reciprocity, the national judicial authority may immediately submit to the competent foreign judicial authority and to receive from the foreign judicial authority the request for mutual legal assistance, with a commitment to a copy of the request to the Ministry.</p> <p>In an emergency, if there is reciprocity, request for mutual legal assistance can be transmitted and received through the National Central Bureau of INTERPOL.</p> <p>International legal assistance includes the extradition of accused and convicted persons, assignment and transfer of the criminal prosecution, enforcement of foreign criminal judgments, service of documents, written materials and other items in connection with criminal proceedings in a foreign country, as well as the execution of certain procedural actions such as interrogation of the accused, witnesses and expert witnesses, investigation, search of premises and persons and temporary seizure warrant.</p> <p>In trafficking cases referred to in Article 444 of the Criminal Code of Montenegro, the Montenegrin courts fully apply the Criminal Code, the Criminal Procedure Code, as well as other domestic laws, relevant</p>
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	<p>international conventions, respecting the human rights standards established by the Constitution of Montenegro, the European Convention on Human Rights and fundamental Freedoms and the Universal Declaration of Human rights, especially the Council of Europe Convention on Action against trafficking in Human Beings. The competent courts (High Courts in Podgorica and Bijelo Polje) are equipped with appropriate audio-video equipment that allows examination of trafficked witnesses via video-link, if the victim is not in the territory of Montenegro.</p> <p>In order to intensify the bilateral cooperation in the field of prevention, identification of victims of trafficking and prosecute traffickers Government Office to combat trafficking initiated the signing of the Protocol on cooperation in the fight against human trafficking with the countries of the region, ie. with those countries whose nationals in most cases appear as victims or perpetrators of the crime of trafficking in Montenegro. Accordingly, the National Coordinator for Combating Trafficking in Human Beings of Montenegro and Kosovo have on 24.04.2014 signed the Protocol on Cooperation between the Government of the Republic of Kosovo and the Government of Montenegro in the fight against human trafficking and improving the identification, reporting, referral, cooperation in criminal matters, and voluntary return of victims and potential victims of trafficking. This Protocol in a special manner treats the issues related to the identification of victims and potential victims of trafficking and persons who are forced to work, especially during the construction and tourist season, cooperation in criminal matters, and the process of voluntary return of victims and potential victims of trafficking. In early December, the National Coordinators of Montenegro and the Republic of Albania will also sign a Protocol on cooperation in the fight against human trafficking, while in the course of drafting is a Protocol on Cooperation with the Republic of Serbia.</p>
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<p><b>Measures to raise awareness and discourage demand</b></p> <p>14. GRETA considers that future actions in the area of awareness raising should be designed in the light of the assessment of previous measures and be focused on the needs identified. Awareness-raising campaigns, education in schools and training of relevant professionals should aim at promoting gender equality and eradicating gender-based violence and the stigmatisation of victims of trafficking.</p>	<p>Action Plan for Gender Equality for the period 2013-2017, which was adopted by the Government of Montenegro in January 2013 (hereinafter PAPRR) provides a range of activities to the curriculum and the classroom, as well as in their implementation, to ensure continued implementation and respect for the principle of gender equality. Regarding the activities of PAPRR, concerning the introduction of gender equality in the entire educational system in 2013, it has been created a manual for teachers on the "Healthy Lifestyles" in which it addressed the area of gender equality.</p> <p>The analysis of educational programs for training on occupations that were adopted in 2013 was done and it has been found to have fully complied with the principles of gender equality.</p> <p>In order to establish a society of equal opportunities and the elimination of all forms of discrimination based on sex as one of the strategic objectives defined by the PAPRR, Ministry for Human and Minority Rights, Department for Gender Equality, in cooperation with the Center for Judicial Training in 2013, organized a seminar on "Gender equality - national and international framework" for the judiciary. This seminar is a continuation of activities started in the previous period within which seminars were organized for the development of theoretical and practical knowledge of judges and prosecutors in Montenegro on issues of gender equality and the implementation of the Law on Gender Equality and other anti-discrimination law in practice.</p> <p>In order to strengthen the capacity of judges and prosecutors for more effective implementation of international and national legislation related to gender-based discrimination and protection from violence against women in the family, in 2013, three workshops were held for judges, prosecutors, and judges of the Basic courts and law violation authorities, whose theme was the application of the Law on protection against domestic violence and the accompanying Protocol of the treatment of institutions. These activities were continued in 2014.</p> <p>Also, in 2013, in the organisation of the Ministry for Human and</p>
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	<p>Minority Rights, with the financial support of UNWOMEN, two seminars were held for lawyers / activists on the topic of "Gender Equality".</p> <p>In order to improve knowledge of women's human rights and gender equality in the civil service, the directors of primary schools in the municipality of Bijelo Polje, Berane, in cooperation with the Human Resources, Ministry for Human and Minority Rights, held in the same year a seminar on "Gender equality. "</p> <p>Ministry for Human and Minority Rights, in order to ensure the implementation of anti-discrimination legislation with the impact assessment, the quality and level of implementation of the legislation in late 2013, started a campaign called "I support, respect, protect, represent a man." Also, the Ministry for Human and Minority Rights, with the financial support of the OSCE Mission to Montenegro, continued training of inspectors in all areas of inspection through seminars and workshops in the area of identifying and providing protection from discrimination.</p> <p>Ministry for Human and Minority Rights, in the framework of gender equality IPA 2010, which in the past three years conducts in partnership with UNDP in Montenegro, organized two seminars in May 2014, a seminar for teachers of civic education on gender equality, with a particular focus on combating violence against women and domestic violence. Also, this Ministry has in the same period organized a seminar for the judiciaries – magistrate and Council for violations, on the theme of violence against women.</p> <p>In cooperation with the Municipality of Budva, the Ministry has organized training for representatives of the multidisciplinary team for municipalities Kotor, Budva and Tivat, as part of the activities of PAPRR and Local Action Plan for Gender Equality of Budva.</p> <p>In October 2013 and 2014, educational workshops were organised with students on human trafficking/child, while marking the European Day Against Human Trafficking - 18 October each year the first class in all</p>
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	<p>schools in Montenegro is dedicated to the topic of human trafficking / children, with a special focus on methods of recruitment and the avoidance of risk in relation to trafficking.</p> <p>Details about the campaigns can be found in response to recommendation number 19.</p>
<p>15. Further, GRETA considers that the Montenegrin authorities should continue their efforts to discourage demand for services from trafficked persons.</p>	<p>-Government Office for the fight against human trafficking in coordination with other relevant institutions carries out activities aimed to inform the public about all aspects of the phenomenon of trafficking in human beings, of which we have reported in more details in response to question no. 19.</p> <p>- In addition, paragraph (7) of Article 444 of the Criminal Code specifically criminalizes offense the usage of services from the victims of trafficking - "Who uses the services of persons who are known to have done work for him in paragraph 1 of this Article, shall be punished with imprisonment from six months to five years“</p>
<p><b>Social, economic and other initiatives for groups vulnerable to THB</b></p> <p>16. GRETA considers that there is scope for strengthening measures for groups vulnerable to THB on the basis of the identified root causes of THB (economic and social conditions, poverty, inadequate education, absence of employment opportunities, etc.).</p>	<ul style="list-style-type: none"> <li>• Parliament of Montenegro adopted the Law on Social and Child Protection at the meeting on 28.05.2013., which states that child who is a victim of human trafficking, as well as an adult and an elderly person a victim of human trafficking should be protected in a special way.</li> <li>• Ministry of Labour and Social Welfare has drafted standards for day care centers for children with disabilities in shelters for victims of domestic violence and foster care. The Ministry of Labour has established a Working Group to draft Regulations which will specify the manner of use of services in the field of children's social care, as well as norms and minimum standards of service. In order to better prepare the following text of secondary legislation, the Ministry of Labour and Social Welfare hired consultants from UNICEF and UNDP.</li> </ul>

	<ul style="list-style-type: none"> <li>• The Rulebook has been adopted on detailed conditions, norms and standards of social services and child protection, as well as the Regulation on standards for shelter.</li> <li>• Government of Montenegro at its session held on 27.06.2013. adopted a National Action Plan for Children 2013-2017.(NPAD), which is a strategic document that defines the general policy of the children for the period from 2013 to 2017. This document identifies the main problems in achieving, protecting and promoting the rights of children in our country, as well as the main directions for their resolution. The NPAD 2013-2017. structure is compliant with the Recommendation given to Montenegro by the UN Committee on the Rights of a Child (2010);</li> <li>• Based on the report of the Centre for Social Work in the reporting period, two underage girls as victims of human trafficking were recorded - provided social support to victims;</li> <li>• During the reporting period, two cases of minors , victims of arranged marriages were reported . After being placed in a shelter, the girls are being, ex officio, appointed guardians, members of the professional team, and protection plans are made in a timely manner . In developing care plans participated members of the expert team for protection from domestic violence employed by the Center for Social Work Niksic and PD. At a meeting of the Multidisciplinary Team for protection against domestic violence and violence against children, held on 29.04.2013, it was decided that the girls should return to their biological families, with the obligation of the members of the expert team to regularly conduct site visits and monitor the situation of the families. Girls, although returned to their family, are still under the tutelage of professionals Centre and for the same are made individual plans of care by the center for social work;</li> <li>• The seminar held at the topic- Role of the Centers for social work as a guardianship authority in criminal proceedings - Minors (June 5) in total 42 participants; as a training of specialist of Centers for social work to protect the rights of children without parental care and application of institute parenting of the child (27-28. May 29 and 30May ), a total of 50 experts from CSO, Ljubovica, professional services of the courts and prosecutors' offices.</li> <li>• In order to raise awareness of the refugee community about the</li> </ul>
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	<p>importance of registration, MOI, MLSW and UNHCR signed a Memorandum of Understanding to invest additional efforts and all persons in order to resolve their status within the stipulated time. An operational team was formed consisting of representatives from the Ministry of Interior, MLSW, UNHCR, Uzzi which will deal with solving the issue of internally displaced persons in order to find a lasting solution. Ministry of Labour and Social Welfare is responsible for the preparation of the Regional Housing programs for the most vulnerable refugees and displaced persons and defining programs at the country level, the number of future users, the value of the project preparation and implementation plan. The Regional Housing Programme for Montenegro envisages provision of funds for housing for 6,063 people (1,177 households), which belong to the most vulnerable categories (persons accommodated in informal collective centers and vulnerable people in private accommodation, with special emphasis on Camp Konik). During the year 2013 three projects were approved: "Pilot Project- Niksic" -built of 62 residential units, with a total value of EUR 2.780.000.00 €, grant funds 1.980.000.00 € contribution of local units of 600.000.00€ "Project Camp Konik"- which envisages the construction of 120 housing units.</p> <p>With the aim to improve the social status of Roma and Egyptian population, Ministry of Human and Minority Rights in cooperation with the Center for Roma Initiatives organized in 2013, a round table on the topic "Legal mechanisms in the fight against forced and contracted child marriages" which was attended, besides representatives of this Ministry, but also officials of the police, prosecutors, courts, social work centers, as well as representatives of women's non-governmental organizations dealing with the situation of Roma and Egyptians in Montenegro. In Montenegro, 82 members of Roma and the Egyptian population are high school students, of whom 33 are Roma and Egyptian. Out of 15 members of Roma population at the University, 6 are women. In July 2014, a Memorandum of Cooperation between the Ministry for Human and Minority Rights, Roma Education Fund, the Department for Education and NGO Institute for Social Inclusion has been concluded, with the aim of improving enrollment and increasing rates of staying in high school of students Roma and Egyptians enrolled in the regular middle and vocational technical schools through</p>
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	<p>positive interventions, as well as students who study at Universities in Montenegro. Ministry for Human and Minority Rights provides funds for scholarships of students and pupils of Re population.</p> <p><b><u>Education of Roma children in 2013</u></b></p> <p>Within the project "Inclusive Education Services" it's been worked on the prevention of school dropout through the developing mechanisms for detecting and case studies in eight schools.</p> <p>Rreparatory kindergarten activities for the elementary school for 87 of RE community who are eligible to enroll in primary school 2013/2014 school year have been implemented and until then not been covered by any form of systematic or program of education.</p> <p>In the academic year 2013/2014, a desegregated education of RE children from camps Konik 1 and 2 of the six elementary schools in Podgorica was organized . 969 free sets of textbooks have been provided. It is recommended that schools interested in Roma and Egyptians, approve them free access to grades, and the principle of affirmative action intermediates for entry into secondary schools. In cooperation with higher education institutions, using the same measure, the young population of RE are supported in order to achieve their academic ambitions.</p> <p><b><u>Activities in 2014.</u></b></p> <p>Communication activities have been held with the Roma community,lists of school-age children entering the first grade school year 2014/15. year have been made(currently about 60 students). Analysis developed in order to enroll in the city schools. Organizing and conducting systematic review is currently being worked on.</p> <p>In order to encourage employment and self-employment of the working population and RE I / R from Kosovo, living in Konik, training programs were implemented for acquisition of first occupation (Assistant reinforcers - 10 participants of RE population), in cooperation with HELP, Center for Professional education of Montenegro and ZOPT (Centre for Education and training).</p> <p>Desegregated education of RE children from camps Konik 1 and 2 are continuously taking place in six elementary schools in Podgorica. Six RE mediators ensure that children regularly attend school and work</p>
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	<p>with teachers and support staff schools to their success. Meetings of representatives of the Ministry of Education, Institute of Education, Coordinator of desegregated education in six schools mentioned (professional staff - counselors/ psychologists) are regular. Current activities are being reviewed, monitoring children at risk of dropping out, proposing measures implemented by visits to families at risk, monitoring the implementation of supplementary education in schools and student volunteer practice.</p> <p>Children with special educational needs:</p> <p>In line with the Government's Programme for 2013, an Inclusive Educational Strategy has been adopted (2014-2018) on 18 December 2013. The document was developed through a participatory process and the participation of all relevant actors. The goals of the Strategy are to continue to provide access to education and support of their children to acquire quality education. The manual for adjusting the external examinations of children with special educational needs is made. Education to support inclusive education in seven professional schools is continued and followed by development of a training program for the implementation of inclusion and the accompanying Handbook. The Ministry participated in the TEMPUS project at the Faculty of Philosophy in Niksic, which aims to establish a Master study of inclusive education in Montenegro. The engagement that assistants provide for students in teaching is supported; performing technical assistance, in accordance with the decision on orientation and individual-education programs (IROP-in). In cooperation with the Resource Centre "Podgorica", UNICEF and the Institute for textbooks and teaching materials, the books on audio recording to better support students with visual impairments are transferred.</p> <p>Special attention of the Ministry of Education was directed to the education of children of Roma and Egyptian populations and children from socially vulnerable families. Together with partners from the Red Cross, the EU Delegation to Montenegro, the Roma Education Fund in Budapest, organization HELP ,number of activities that were designed</p>
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	<p>to the earlier inclusion of preschool children in the system of education, provision of free textbooks and school supplies, provision of school mediators, free transportation to city schools in Podgorica students from the settlement of Camp Konik were implemented .</p> <p>The Ministry has participated in the development of Strategies for the advancement of position of LGBT people and the Action Plan for 2013 and conducted training for 30 teachers implementers of the subject programs called Civic education and Healthy lifestyles on non-discrimination.</p> <p>In cooperation with the Department of Education, the role and organization of mobile services to support children with special educational need is defined.</p> <p>The project "Support to special classes for inclusive education," which is for children with moderate and serious difficulties organizing joint teaching of certain subjects with their peers in regular classes is implemented.</p> <p>Based on the decisions of the commission for guidance, records of children with special educational needs are kept,out of which in 2013, they were 1296 .</p> <p>The instructions are created for adjusting the external examinations of children with special educational needs - for elementary school and graduation.</p> <p>An external checkout has been organized in collaboration with professional services in schools (proposed form of the test for internal-external evaluation) with the aim of individualization.</p> <p>For hiring assistants who would carry out technical assistance in the teaching of pupils with special educational needs, the Ministry has provided 100,000.00.</p> <p>In cooperation with the Resource Centre "Podgorica", UNICEF and the Institute for textbooks and teaching materials textbooks are transferred to audio – CD.</p> <p>The schools have, under the SIMPLE project (IPA Adriatic) , promoted equal opportunity in education, regardless of their background, ethnicity or any other difference. They created posters about equality that are in plain sight at schools.</p> <p>The Ministry of Education has, with the aim of improving social</p>
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	<p>inclusion and cohesion, participated in the project of the Council of Europe and the European Union, "Regional support inclusive education" (IPA 2012). Seven primary and secondary schools that represented the diversity among all students were selected . The project "Inclusive Education Services (IPA 2010)" was brought to an end.</p> <p>Adapting educational technology for children with special educational needs</p> <p>How students with special educational needs, who adopted contents prescribed by the program, are not always able to, in the usual way (test) demonstrate their achievements, Examination Centre adjusts test technology and the conditions and procedures for taking tests.</p> <p>Adapting test technologies include: accessibility of facilities for conducting examinations with special tools, special/custom equipment, custom test material, exemption from parts of the exam that student due to the type and extent of a disability can't take with the help of personal assistants (eg. Listening for children with damaged impairments), extended time for exams.</p> <p>At the beginning of 2014, in cooperation with various government institutions in charge, the NGO Montenegrin Women's Lobby started implementing prevention programs with the Roma girls and their mothers through direct individual interviews of general practitioners and gynecologists about the risks that might affect their health in general, and particularly reproductive health after an early marriage. Workshops also treated Roma customary law, early marriages and arranged marriages with minors, with particular emphasis on the possible consequences that this form of marriage may exhibit various types of violence or trafficking of Roma girls. It has been spoken about forementioned topics on the workshops, and in individual interviews in the camps Konik I and II. A serie of informational- educational workshops has been conducted with vulnerable cathegories of the population in relation of them becoming victim of human trafficking (children without parental care from home "Ljubović" and children from the Roma refugee camp "Konik 1)." In the framework of this project publications "Stop Trafficking of children" have been prepared.</p>
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	<p>- On April 29 2014, a thematic meeting of the Working Group was held so as to monitor the implementation of the Strategy for the Fight against Trafficking in Human Beings in the expanded composition (attended by directors of elementary and secondary schools in Podgorica, representatives of social work and police) in order to draw additional attention to solve the problem of forced arranged marriages among the population of RAE.</p>
<p>17. GRETA also urges the Montenegrin authorities to ensure the registration of all children at birth, as a preventive measure against trafficking. Further, GRETA urges the Montenegrin authorities to take steps to secure the registration of all persons from vulnerable groups for social services, both as a prevention measure and in order to avoid re-trafficking.</p>	<p>Ministry of Interior- regional units and branch offices for administrative internal affairs continuously perform the subsequent registration of persons in the civil registry of births, according to legal procedures. In accordance with the Action Plan for the Implementation of the Strategy for IDPs in 2014, the procedure of subsequent registration in the civil registry of births in Montenegro is the primary responsibility of the Ministry of Justice. The adoption of the Law on Amendments to the Law on non-contentious Proceedings, the adoption which is planned for 2014, will prescribe the court proceedings to determine the time and place of birth.</p> <p>Permanent resolution of the refugees status and internally displaced persons residing in Montenegro enables recognition on the right of permanent residence or temporary stay of up to three years following the adoption of the Law on Amendments to the Law on Foreigners ("Off. Gazette of Montenegro", no 72/09), which entered into force on November 7, 2009, creating the necessary conditions for resolving the status of these persons in Montenegro.</p> <p>In terms of providing assistance to these persons in obtaining necessary documents, in the framework of the so-called "Sarajevo Initiative", the Ministry of Internal Affairs of Montenegro is coordinating the work of the Regional Technical Working Group on Documentation, composed of the representatives of Montenegro, and representatives of the Republic of Croatia , Bosnia and Herzegovina, Serbia and the UNHCR. Ministry of Interior was the organizer of five meetings of the Working group which has, by the opinion of all its participants and relevant international organizations, achieved significant results in their work.</p>

	<p>Another example of the commitment of Government of Montenegro and the Ministry of Interior to provide assistance to internally displaced persons from Kosovo in terms of obtaining the required documentation, is the initiation and conclusion of the Memorandum between the Government of Montenegro and the Republic of Kosovo on subsequent registration of internally displaced persons from Kosovo residing in Montenegro, into the basic registers and register of citizens of the Republic of Kosovo, which was signed in June 2011.</p> <p>In order to animate refugees and internally displaced persons to exploit the legal ability for regulating the status during the previous period, information campaigns were organized continuously , both through the media, and field campaigns by the country's municipalities, which are jointly conducted by representatives of the Ministry of Labour and Social Welfare, Ministry of Interior, the Office for Refugees and UNHCR.</p> <p>In order to finally resolve the legal status of IDPs (RL) and internally displaced persons (IDPs) in Montenegro, on March 6 2014, in Podgorica was signed a Memorandum of Understanding between the Ministry of Interior, Ministry of Labour and Social Affairs and the United Nations High Commissioner for Refugees (UNHCR), which contained a set of measures and actions to be taken by the end of 2014.</p> <p>By the new Law on Foreigners, which is in the proposal stage, it is envisaged for the procedure of issuing work and residence permits to unite. The permit will be issued by the Ministry of Interior, which eliminates paperwork and reduces long way towards legitimizing the residence and employment of aliens. This permit will be issued as a single document in the form of ID - documents that are automatically printed in the information system of the Ministry of Interior.</p> <p>Article 82 of the Draft Law on Foreigners, which will start to be applied from January 1, 2015, stipulates that a permit for permanent residence may be issued to a child:</p> <ol style="list-style-type: none"> <li>1) whose both parents at his birth, have a permanent residence permit;</li> <li>2) if one of the parents at the time of his birth, is a Montenegrin citizen</li> </ol>
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	<p>and has a residence in Montenegro, or a foreigner with a permanent residence permit, with the consent of the other parent;</p> <p>3) whose parent, at a time of his birth, has a granted permanent stay, and the parent is unknown or has died.</p> <p>For the last ten years, Health Center Podgorica has taken legally prescribed steps to ensure the registration of all persons from vulnerable groups (in the area of the Capital this is primarily related to IDPs in reception camps Konik I and II). On the 9.7.2014, based on the electronic database of the Fund for health insurance, in the area of the Capital city there were 466 people registered with the status "active refugees" and 5,725 people with the status of "internally displaced persons".</p> <p>Also on this day, person with the status of "displaced persons" made choice of a doctors in the Health Center Podgorica: with selecting physicians for adults 372, with selecting doctors for children 35 and another 59 people did not make the choice of a doctor.</p>
<p><b>Border measures to prevent THB and measures to enable legal migration</b></p> <p>18. GRETA considers that the Montenegrin authorities should make further efforts to:</p> <ul style="list-style-type: none"> <li>- detect cases of THB in the context of border control;</li> <li>- introduce a checklist to identify potential THB-related risks during the visa application system;</li> <li>- provide regular training to Border Police officers, with a view to improving their capacity to detect potential victims of trafficking.</li> </ul>	<p>- Government Office for the Fight against Trafficking in Human Beings in cooperation with the Ministry of the Interior / Police Directorate with the support of the OSCE Mission, devised a plan of training for border police in 2014/2015 which stipulates that all border policemen, employed at border crossings in the territory of Montenegro, be trained to identify potential victims of trafficking and what steps to take to provide these persons with adequate assistance and protection. The plan envisages the training of approximately 600 border police officers over the next two years and the lectures that would be held on this subject in the department of border police in the field. By now, the training for 200 border police officers has been realised and completed (out of which 7 female officers) on „Training of border police to combat human trafficking," according to the project Frontex. Advisors from the Office, as certified trainers for border police, have been hired as trainers on the topic of human trafficking, after they underwent a training and gained certificates by FRONTEX in Italy (Gaeta), in September 2014. The Training Unit of the European Agency for the management of operational cooperation at the external borders of the</p>

	<p>Member States, Frontex, has developed the project "Training on Human Trafficking in the Border Police," which is specifically focused on the prevention and identification of human trafficking. Implemented sessions were devoted to the following topics: - Human Trafficking as a violation of human rights and legal framework; - Three phases of human trafficking, vulnerable groups, vulnerability; - Identification of potential trafficking victims and traffickers; - Transfer to another line; - Mental health-access to victims; - Principles of adult learning; - Interviewing-model "7 Steps" Case Studies of interviewing victims; - Designing a course on human trafficking in the border police.</p> <p>07.2013. - Government Office for Combating Human Trafficking in cooperation with the Organization for Security and Cooperation in Montenegro (OSCE) organized a one-day workshop during which the list of indicators was made for early recognition of victims of human trafficking, which in addition to general indicators, contains specially mentioned indicators for identifying victims of trafficking for labor exploitation, then for the purpose of sexual exploitation, as well as the indicators that point to the trafficking of children and child trafficking for begging. Also, a special list of indicators for health workers who would help to identify victims of human trafficking in the provision of medical assistance was made. Drafted list of indicators was published in the form of cards and distributed to the representatives of all relevant authorities - police, social workers, labor inspectors, health professionals, employed in local government, airports, train stations, border crossings.</p> <p>These indicators are published in the form of cards and distributed to all border crossings in Montenegro, and then during training of each individual border police officer, trainee.</p>
<p>19. Further, GRETA invites the Montenegrin authorities to consider carrying out information campaigns to alert potential foreign victims of THB-related risks, in co-operation with countries of origin.</p>	<p>-During the reporting period, the Government Office for Combating Human Trafficking launched a serie of campaigns aimed primarily at raising awareness level of the world public about human trafficking and to strengthen the resilience of its citizens in relation to the same.</p> <p>-Bearing in mind that tourism in Montenegro is one of the priority economic sectors, in order to meet the tourist season a campaign aimed</p>



	<p>at raising awareness of the general public about the phenomenon of human trafficking was intensified . For this purpose, a promotional material was distributed in all tourist centers (flyers, posters, catering bags of sugar with the no. of SOS phone, etc..). Over the Border Police, at all border crossings of Montenegro, there's a prominent poster of the hotline for victims of human trafficking. The same has been placed on all rail and bus stops throughout Montenegro. Also, a campaign was conducted to promote the principles of the Code of Conduct for the Protection of children from sexual exploitation in travel and tourism, which was signed by 244 representatives of the tourism industry in Montenegro.</p> <p>The SOS line for victims of human trafficking is continuously been promoted, as well as for all citizens who need information about this phenomenon, and is available 24 hours a day and the calls are anonymous and free from all the fixed and mobile operators, within it billboards are placed on the most frequent locations throughout Montenegro, a video that aired on almost all television stations is made, a large number of flyers, posters have been distributed and many other similar activities have been done.</p> <p>-Campaign “STOP HUMAN TRAFFICKING” is continuously been conducted on the territory of Montenegro. This campaign includes broadcasting of the TV video "Stop human trafficking", which at the same time promotes government SOS antitrafficking line (11 66 66).</p> <p>- In 2013, as part of the activities that have been undertaken on the occasion of the celebration of the 18th of October-European Day against Human Trafficking in cooperation with the Railways of Montenegro and the national airline – Montenegroairlines, with purchased train/airline tickets informational card about human trafficking have been distributed, with the prominent number of SOS phones for victims of human trafficking.</p> <p>-Railways of Montenegro also provided promotional drive to Red Cross volunteers on the route Podgorica-Bar-Podgorica, during which they distributed propaganda material and educate travelers about human trafficking.</p> <p>- Office for combating trafficking has, through Ministry of Education</p>
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	<p>initiated that on October 18th in classes of Civil society and Civil education, debates and workshops on human trafficking should be organised .</p> <ul style="list-style-type: none"> <li>- At the web portal Cafe del Montenegro 5 tempting fake adds, designed by Red Cross, leaded by link to the RC Facebook page and contained warning of fake adds and measures of precaution.</li> <li>-The Red Cross of Montenegro conducted an action on "Ring for Freedom", organising also the walk of volunteers and sharing promotional materials in 12 Montenegrin municipalities. At the same time, a movie "Slave" which was made by Croatian Red Cross, was presented. After the screening, the volunteers of the Red Cross organized discussions on four themes, in which the Head-National Coordinator for Combating Trafficking in Human Beings participated.</li> <li>-The central event was the ceremonial signing of the revised Memorandum on cooperation in the fight against human trafficking from: Office for Combating Trafficking in Human Beings, Ministry of Interior- Police Directorate, the Ministry of Health, Ministry of Labour and Social Welfare, the Supreme Court, the Supreme Prosecutor's Office, Public center for child and Family Support Bijelo Polje, Montenegro Red Cross and six non-governmental organizations, "Montenegrin Women's Lobby," "Woman's Safe House," "Institute for Social Inclusion", "SOS Hotline for Women and children Victims of Violence Niksic-" "SOS telephone for women and children victims of violence-Podgorica "and" House of Hope ".</li> <li>-Institutions of the Protector of human rights and freedoms prepared and printed a flyer that provides tips and advices for parents and children on safe Internet use. Institutions in the first half of 2013 prepared the publication "Improving the status of children to protect them from all forms of exploitation." During the second half of 2013, the Institution of the Protector of human rights and freedoms of Montenegro held a set of workshops with parents, teachers and children in order to educate and promote safe use of the Internet and to draw attention to all the possible abuse through advanced information technology and in cooperation with Telenor prepared and distributed promotional material in the form of flyers.</li> <li>-In cooperation with the Police Directorate, at all border crossing points posters are placed with the prominent SOS phone number.</li> </ul>
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	<p>Also, in 2014, a series of events was organized so as to mark the month of October as the month of combating trafficking in human beings and especially 18 October the European Day Against Human Trafficking. The central event was organized in cooperation with the Red Cross and the Government Office for the Fight against Trafficking in Human Beings-October 17th, when all the relevant subjects took part in the round table which was dedicated to the topic of illegal migrants, asylum seekers and young beggars as vulnerable groups in relation to trafficking.</p> <p>-Department of the Ministry for Human and Minority Rights for gender equality as part of the regular activities, in December, prepared and made a documentary film on the subject of contracted and forced marriages - testimonies of victims from Montenegro. There was a two-day seminar organized on "Legal mechanisms in the fight against forced and contracted child marriages." The aim of the seminar was to strengthen interdepartmental cooperation in the fight against forced and contracted child marriages, with special emphasis on the RE population. Participants were representatives of the police, prosecutors, courts, social welfare centers, as well as representatives of non-governmental organizations dealing with the situation of Roma and Egyptians in Montenegrin society.</p> <p>-During the campaign, on the 16th day of activism against domestic violence, Ministry for Human and Minority Rights organized the presentation of a documentary film in three Montenegrin towns (Podgorica, Niksic and Berane) for the representatives of CSO, Police, Prosecution, Court, representatives of the school.</p> <p>-National Coordinator for Combating Trafficking in Human Beings to Montenegro Zoran Ulama, signed the Joint Declaration of the National Coordinators for Combating Human Trafficking in South-Eastern Europe to strengthen the Transnational Referral Mechanism (TRM) and the strengthening of cooperation in trafficking cases, in October 2012. This document is of particular importance, given that victims of trafficking who are identified within the territory of Montenegro are mostly originating in the countries of SEE. This document commits National Coordinators, inter alia, of:</p>
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	<p>„Maintaining an interactive dialogue with all concerned governmental and non-governmental sectors, thereby applying a multidisciplinary approach and continuing the promotion of effective communication, cooperation and policy coordination among countries and regions of origin, transit and destination;</p> <p>-Continuing with the application of innovative approaches to the prevention of trafficking in relation to vulnerable groups, especially children, as well as adopting a proactive approach to the identification, protection, assistance and care in order to ensure the best interests of the child;</p> <p>-Supporting efforts, together with partners from the EU to reduce the demand for services provided by trafficked persons, including cheap labor;</p> <p>-Supporting the establishment of new partnerships, particularly with the private sector;</p> <p>-Increasing knowledge on trafficking implementation of targeted research, which will focus on the thematic and geographic priorities and using this research to create a response based on the data in relation to all forms of trafficking "</p> <p>In order to intensify bilateral cooperation with countries in the field of prevention, identification of victims of trafficking and prosecution of traffickers, Government Office for Combating Human Trafficking initiated the signing of a Protocol on cooperation in the fight against human trafficking with neighboring countries, ie. with those countries whose citizens in most cases appear as victims or perpetrators of the crime of trafficking in Montenegro. Accordingly, the National Coordinators for combating trafficking in Montenegro and Kosovo have on 24.04.2014. signed a Protocol on cooperation in the fight against human trafficking. This Protocol in a special manner treats the issues related to the identification of victims and potential victims of trafficking and those who are forced to work, especially during the construction and tourist season, cooperation in criminal matters and proceedings, voluntary return of victims and potential victims of trafficking. The document mentioned above specifically provides and conducts joint information campaigns, specifically as one of the goals of the Protocol states:</p>
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	<p>"Undertaking joint campaign to raise public awareness about the problem of forced begging." The drafting of the Protocol on cooperation with the Republic of Serbia and Albania, which will overlook the implement of joint informative campaigns to raising awareness of the trafficking phenomenon, is in progress. (Protocol attached)</p> <p>-Bearing in mind that during the tourist season the phenomenon of child beggars and street children in Montenegro was observed , originally from Albania, it was initiated to hold joint meetings of the National Coordinators from Montenegro and Albania, and police officials of both countries on the same border crossing Sukobin-Murićani to discuss topics of trafficking, child beggars and unaccompanied children - exchange of experience and promoting bilateral /cross border cooperation. Also, at this border crossing is placed billboard in Albanian, Montenegrin and in English language, promoting the SOS line for victims of human trafficking in both countries. It was agreed that meetings of this type should be held at least twice a year and more often if necessary.</p>
<p><b>Identification of victims of trafficking in human beings</b></p> <p>20. GRETA urges the Montenegrin authorities to:</p> <ul style="list-style-type: none"> <li>- strengthen multi-agency involvement in victim identification by introducing a national referral mechanism which defines the roles and procedures of all frontline staff who may come into contact with victims of trafficking;</li> <li>- provide frontline staff with operational indicators, guidance and toolkits to be used in the identification process; these indicators should be regularly updated in order to reflect the changing nature of victimhood of human trafficking;</li> <li>- develop multi-agency training on the identification of victims for frontline staff (including law enforcement officials, labour inspectors, social workers, medical staff, staff of special institutions for children and NGOs);</li> <li>- ensure that law enforcement officials, social workers, labour inspectors and other relevant actors adopt a more proactive approach and increase their outreach work to identify potential victims of trafficking.</li> </ul>	<p>The amendments to the Law on Foreigners, which is currently in parliamentary procedure for adoption, under the Article 51, the legal system will be expanded so as to identify victims of trafficking in Montenegro in the following way:</p> <p>Period of reflection</p> <p>Article 52</p> <p>An alien who is assumed by the police to be a victim of the criminal act of human trafficking, has the right to within 90 days decide whether to cooperate in criminal proceedings, or whether to join the prosecution or to be a witness in this proceeding (the period of reflection).</p> <p>Police determines whether the alien is a victim of the crime of human trafficking, in cooperation with the authorities, NGOs and other relevant organizations, and dealing with the prevention, education, reporting and prosecution of offenders and protection of potential i.e. victims of human trafficking, but when it comes to minor foreigner, Police will cooperate with Center for social work.</p> <p>Following the review of the Memorandum on Cooperation in the fight against human trafficking, which defines mechanisms for treatment in</p>

	<p>relation to trafficking cases, the Coordinating Team for monitoring the implementation of the Memorandum was formed , which represents the operation team who undertakes specific activities (in accordance with the Memorandum) in respect to the identification, assistance and protection of victims of trafficking, as well as effective prosecution of traffickers. At this time there are representatives-contact persons of all relevant institutions and organizations signatories to the Memorandum (the Ministry of Internal Affairs, the State Prosecutor's Office, Supreme Court, Ministry of Labour and Social Welfare, Ministry of Health, Ministry of Education, PI Centre for the Protection of Children and Families Bijelo Polje, Hampshire cross of Montenegro and six non-governmental organizations). This team is managed by the National coordinator to combat trafficking, Zoran Ulama.</p> <p>At a meeting of the Coordination Team in already mentioned composition, it is agreed that the team meets quarterly, in order to assess the success the implementation of the Memorandum in practice, and the team will further meet on an ad hoc basis in those situations when the territory of Montenegro identifies potential victims of trafficking. The potentially trafficking victims can be identified by all signatories of the Memorandum, on which the contact person of the Police and the Office shall promptly be notified. A list of contact persons, who are obliged to be 24 hours available to this team and when it is necessary to provide assistance and protection to trafficking victims, was compiled and distributed.</p> <p>- provide frontline staff with operational indicators, guidance and toolkits to be used in the identification process; these indicators should be regularly updated in order to reflect the changing nature of victimhood of human trafficking;</p> <p>07.2013. - Government Office for Combating Human Trafficking in cooperation with the Organization for Security and Cooperation in Montenegro (OSCE) organized a one-day workshop during which a list of indicators for early recognition of victims of human trafficking was made and which in addition to general indicator contains a specially listed indicators for identifying victims of trafficking for labor exploitation, then for the purpose of sexual exploitation, as well as the</p>
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	<p>indicators that point to the trafficking of children and child trafficking for begging. A special list of indicators for health workers to the same help to identify victims of human trafficking in the provision of medical assistance is also formed. Drafted list of indicators was published in the form of cards and distributed to the representatives of all relevant authorities - police, social workers, labor inspectors, health professionals, employed in local government, airports, train stations, border crossings.</p> <p>-develop multi-agency training on the identification of victims for frontline staff (including law enforcement officials, labour inspectors, social workers, medical staff, staff of special institutions for children and NGOs);</p> <p>- ensure that law enforcement officials, social workers, labour inspectors and other relevant actors adopt a more proactive approach and increase their outreach work to identify potential victims of trafficking</p> <p>-Since it is recognized that proactive identification of victims and potential victims can not be attributed exclusively on police activities, the current strategic documents has planned activities that include developing and improving professional skills to proactively identify victims of trafficking by representatives of institutions in accordance with job descriptions that may come into contact with potential victims and trafficking/child. In this regard, a series of trainings was conducted on identifying and providing assistance and protection to victims of trafficking for police officers, social workers, inspections, staff in Employment services, and in Center for asylum seekers.</p> <p>-5-7. March, 2013- Montenegro has hosted a regional seminar on "Building capacity to combat trafficking for labor exploitation", which was held in Budva, in organization of international organizations ICMPD, with the support of the Office for fight against human trafficking. The seminar brought together national coordinators for the fight against human trafficking, law enforcement and prosecutors from the region, who have, through the exchange of experiences and good practices, presented national mechanisms that regulate human trafficking for labor exploitation.</p>
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	<p>-25-28.March, 2013.- At the initiative of the Office for Combating Trafficking in Human Beings, there was a training organized in Budva on "Research of cases of human smuggling and trafficking" organized by TADOC and the OSCE, with the support of the Office for fight against trafficking and Police Academy. The training was attended by 10 border police officers, four officers for fighting organized crime, three custom officials, and representatives of the Office and the Prosecutor's Office as a support to the organizers.</p> <p>-17.-18. April, 2013. - The Office for fight against human trafficking with the support of TAIEX ,organized a multinational seminar titled "Combating seasonal sexual exploitation", which was attended by representatives of the police, prosecutors, NGOs and the Office of the National Coordinators of the counties in region.</p> <p>-17. May and 12. July, 2013.- In the organisation of the Office for Combating Trafficking in Human Beings and the American NGO "Fair girls" and NGO „Montenegrin Women's Lobby" two one-day trainings were held , intended for social and health workers, representatives of the Police and local authorities from southern and central regions on the theme: "Strengthening the capacity of law enforcement to identify victims of trafficking in persons/children of RE population." The same training was organized in July for the representatives of the above mentioned institutions in the northern region of Montenegro. The training was successfully attended by a total of 22 officials of the Centers for Social Work, 16 employees in the health centers, 9 employees of emergency medical aid, 18 representatives of the Police, 9 employees of local governments and 2 officials of the Office.</p> <p>-29-30. October, 2013. - In the organisation by the Government Office for the fight against human trafficking, the Office of the United Nations Development Programme (UNDP) in Montenegro and Croatia and MoFA RC 29-30. 10.2013. a two-day seminar was held on "Combating Human Trafficking in the process of accession to the EU - the exchange of experiences." Regional Advisor of UNDP and longtime head of the Working Group in the process of Croatia's accession to EU negotiating chapter 24, "Justice Freedom and Security" Filip Dragovic, presented</p>
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	<p>the experience in managing the negotiation process in this important chapter, while his colleagues talked about European legislation on the fight against trafficking, an analysis of key Directives in this area, and presented examples of good practice in terms of police cooperation in this field. Participants in the seminar were: representatives of police authorities, prosecutors and the judiciary in Montenegro.</p> <p>-26-27.November, 2013. - Government Office for the fight against human trafficking, in cooperation with the Ministry of Interior-Police Directorate and the UN Office on Drugs and Crime in Vienna, organized a seminar on "criminal justice response to trafficking in Montenegro." The seminar presented the overall international legal framework that addresses the issue of human trafficking, with a particular focus on the challenges of law enforcement, victim identification, a condition in which the victims are and the principle of non-punishment of victims of trafficking. The seminar was held in Podgorica, 26-27.november 2013, and those who took part in the seminar were representatives of police authorities (7 employees), prosecution (1) and the judiciary (2) of Montenegro.</p> <p>-12-13.December, 2013. - The Government Office for Combating Human Trafficking in cooperation with the Embassy of the United States in Montenegro and the Center for Judicial Training, organized a regional seminar on "The prosecution of cases of trafficking in Human Beings -cooperation between police and prosecutors - the experience of SEE countries ". This regional seminar was organized with the aim of strengthening national and transnational platform for cooperation and coordination of activities to combat trafficking. During the two-day workshop the internationally - legislative framework in relation to trafficking was presented, with a special emphasis on the sharing of experiences in conducting an investigation the crime of human trafficking, with a focus on the cooperation of representatives of the police and prosecution, as well as the taking of testimony from victims trafficking.</p>
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	<p>- 27 - 29. May 2014. – Becici, Center for Judicial Training of Montenegro, in cooperation with UNODC, organized a regional workshop for the development of a regional curriculum on human trafficking for criminal justice professionals in South East Europe. The workshop intended to gather the contact person nominated by the institution for the training of the judiciary, from the countries of South East Europe, to develop a regional curriculum on human trafficking for criminal justice professionals, and developing methodologies and training materials, as well as planning a two-day training in June 2014th year, which would be based on the regional curriculum, in order to test the practical effectiveness of the same. At the same time, this set is a training for trainers and participants after the training to be able to continue to transmit their knowledge. The regional workshop was attended by representatives of Montenegro, Bosnia and Herzegovina, Kosovo, Albania, Croatia, Macedonia and Serbia.</p> <p>-The Office for combating trafficking has, with the support of Human Resources Management, organized three seminars on the topic of "Building skills for early identification of potential cases of human trafficking in Montenegro" for police officers, social workers, inspections, staff in Unemployment in the immigration detention and the Centre for asylum seekers from northern, central and southern regions. The seminars were held for:</p> <ul style="list-style-type: none"> <li>– the central region (Podgorica, capital Cetinje, Crikvenica, Niksic, Šavnik, Plužine) on 29 and 30 September - 20 participants</li> <li>– for the northern region (Municipality of Bijelo Polje, Kolasin, Mojkovac, Berane, Plav and Andrijevica rožaje, Gusinje, Pljevlja, Zabljak, Petnjica) on October 10 - 15 participants</li> <li>– for the southern region (Municipality of Ulcinj, Bar, Budva, Tivat, Kotor, Herceg Novi) 03 October- for 15 participants.</li> </ul> <p>Meetings with a coordinated body for monitoring the tourist season</p> <p>- At the initiative of the Government Office for the fight against human trafficking ahead of the tourist season, representatives of the Office inform local coordination teams for monitoring the tourist season on the procedures of identification and referral of victims of trafficking, especially among children beggars on the streets, seasonal workers and</p>
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	<p>animator in restaurants. Coordinating teams are composed of representatives of local services, police, labor inspection, financial/market inspection, centers for social work in coordination with the mayors.</p> <p>-In accordance with CPC prosecution and police conduct, in most cases, proactive investigations regarding the criminal offense of trafficking in human beings, which among other things assumes the use of secret surveillance measures in the preliminary investigation, which in discovered cases in the last two years yielded results.</p> <p>-Unit for Combating Human Trafficking within the Department for Combating Organised Crime- Criminal Police Sector in MOI/ PD Montenegro is in the process of formation.</p>
<p><b>Assistance to victims</b></p> <p>21. GRETA urges the Montenegrin authorities to step up their efforts to provide assistance to victims of trafficking, and in particular to:</p> <ul style="list-style-type: none"> <li>- ensure that conditions provided in shelters for victims of trafficking are adequate and adapted to their special needs. In this context, better balance should be struck between the need to place victims of THB in a safe accommodation and the need to achieve their recovery and rehabilitation; this requires greater awareness among staff working with such victims as regards the need to respect the victims' privacy and to assist in their rehabilitation;</li> <li>- facilitate the reintegration of victims of trafficking into society and avoid re-trafficking by providing them with vocational training and access to the labour market;</li> <li>- improve the system for providing assistance to child victims of trafficking, both in terms of accommodation and as regards medium and long-term support programmes tailored to the needs of the children;</li> <li>-ensure that all the signatories of the Memorandum of Co-operation effectively fulfil their responsibilities related to the provision of assistance to potential victims of trafficking;</li> <li>- provide training to all professionals responsible for the provision of assistance and protection measures to victims of trafficking.</li> </ul>	<p>-Government of Montenegro through the budget of the Office, fully funds all the expenses that are necessary for the smooth functioning of the Shelter for victims of Trafficking in Human Beings. This includes expense of renting the facility and other expenses, expenditures for food, clothing, shoes, toiletries, medicines and other necessities for the children, and wages for the activists of the NGO "Montenegrin Women's Lobby," who are employed at the shelter. In government shelter all the victims are treated equally, regardless of whether the victim is a Montenegrin or a foreign national. In 2012 the State shelter was relocated to another facility, which is able to accommodate 15 people, with the possibility of separate accommodation of adults and children.</p> <p>-In the period from 02 to 04 June, an expert of the European Commission has paid an official visit to institutions of Montenegro and to Shelter. There was a total of 10 meetings, with representatives of the Office for Combating Trafficking in Human Beings, the Supreme Public Prosecutor of the Supreme Court, the Ministry of Health, Ministry of Labour and Social Affairs, the Centre for Social Welfare, the Ministry of Internal Affairs, Police, representatives of shelters for victims of trafficking as well as representatives of non-governmental organizations that directly or indirectly deal with the issues of</p>

	<p>combating human trafficking. The visit was aimed at making the analysis of the functioning of shelters for victims of human trafficking and making recommendations for staff and technical capacity strengthening it in order to comply with EU standards in this area.</p> <p>-At the initiative of the Government Office for Combating Trafficking in Human Beings, it is expected that Ministry of Defence of Montenegro will cede some of its facilities for the Government Shelter for victims of human trafficking. After the formal procedure of assigning facilities, Government Office will, with the assistance of donors, renovate buildings to make them up to the standards that shelters of this type should meet. It is a number of smaller objects on a larger space, which will be adapted for women, children and men trafficked.</p> <p>- facilitate the reintegration of victims of trafficking into society and avoid re-trafficking by providing them with vocational training and access to the labour market;</p> <p>- Significant results were also achieved in the field of encouraging victims of trafficking in persons/children to participate in the proceedings in front of investigative and judicial authorities. Service for supporting victims was formed in all Montenegrin courts competent to deal with human trafficking cases.</p> <p>There has been progress in the area of creating the preconditions for quality reintegration, re-socialization and repatriation of victims of trafficking in persons/ children through the provision of free continuing education in regular educational institutions, as well as free attendance on various specialized courses for fast training of the victims, as well as providing opportunities for their priority employment by signing the Protocol of cooperation between the Office for combating Trafficking in Human Beings and the Union of Employers of Montenegro. Cooperation Protocol provides joint activities on timely information on the phenomenon of trafficking of both, employers and employees, i.e. persons with whom to conclude a contract of employment. Also, the Protocol defines joint activities to raise awareness of the general public about the phenomenon of human trafficking with special focus on the prevention of cases of labor exploitation. The economic independence of people who have come out of the trafficking in persons chain is a key</p>
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	<p>factor of their full reintegration into normal society. In this regard, this Protocol will give them the opportunity to attend training for performing appropriate tasks and provide priority for employment in accordance with the needs of employers.</p> <p>- improve the system for providing assistance to child victims of trafficking, both in terms of accommodation and as regards medium and long-term support programmes tailored to the needs of the children;</p> <p>-The Ministry of Labour and Social Welfare ensures, in provision of social, child and family protection to potential victims of trafficking in human beings, citizens of Montenegro and foreign citizens, appropriate social, child and family protection, through PI Centers for Social Work, giving priority with regard to other cases. Social and child welfare for foreign citizens-potential victims of trafficking in human beings includes the right to one-off monetary assistance and the right to appointment of a custodian. Social and child welfare for the citizens of Montenegro- potential victims of trafficking in human beings is provided in accordance with the law.</p> <p>Social and child welfare and protection in the area of family relations is provided to the children potential victims, during their stay in the territory of the state regardless of where they are located.</p> <p>Mechanisms of assistance include:</p> <ul style="list-style-type: none"> <li>a) assessment of socio-economic status, as a basis for granting a financial assistance and other forms of protection in accordance with the law,</li> <li>b) establishing the legal basis for setting a guardian,</li> <li>c) developing individual plans of care to potential victims of trafficking, in cooperation with other signatories to the Memorandum.</li> </ul> <p>For potential victims of trafficking, Montenegrin nationals and non-nationals, the Center for Social Work will start the procedure on the basis of documents provided by the Ministry of Interior, Ministry of Foreign Affairs, the Ministry of Education and other relevant institutions.</p> <p>PI Centers for social work, in all cases of doubt that the person is a victim of human trafficking, apply standards of identification, in order to respect:</p>
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	<p>a) The right to privacy of potential victims, especially for issues of a personal nature and issues of traumatic nature, if not for the purpose of collecting the necessary data,</p> <p>b) the right of the potential victim to all the information in the fields of social, child care and family relationships, as well as other possible actions to be taken in order to protect it.</p> <p>-The Ministry of Education and Science provides potential victims of trafficking in human beings, children, residing legally in the territory of the country, with adequate housing, or continuing education in public educational institutions, with priority to other cases, in accordance with the rules regulating the relevant field of education, and in compliance with the right to privacy, in particular for personal matters and traumatic issues that are not required in order to include them into educational system. At the same time, adequate services of the Ministry, as well as psychological and pedagogical services in public educational institutions, will provide prompt and efficient inclusion of children into educational system in the territory of the country.</p> <p>Mechanisms of support and assistance that will be provided to children - potential victims of human trafficking are based on:</p> <ul style="list-style-type: none"> <li>• special pedagogically-psychological methods in the departments of educational institutions and with their assessment of the physical and psychological condition of children, referral to special professional treatment, as well as proposals for the designation of special programs, in accordance with the regulations for the area of education;</li> <li>• monitoring the behavior and learning of the child and informing the relevant services in the system of child protection established by the Memorandum.</li> </ul> <p>Necessary expenses related to accommodation in educational institutions ( student hostels) and access to education, especially vocational education and training leading to the first occupation of the child, shall be provided by the Ministry during their stay in the territory of the state. The Ministry will through the work of public educational institutions and through regular and special programs in the framework of the Action Plan, continuously monitor the work on educating and raising awareness among children and students about human rights, the</p>
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	<p>protection of the dignity and integrity of the person, while guaranteeing gender equality, the principle based on the rights of a Child, in order not to be victims of trafficking. Ministry of Education and Science will, under prescribed conditions, cooperate and enable NGOs and other organizations and professionals to access to educational institutions in activities intended for the presentation of the program that is most appropriate to their needs and that suit the objectives of this article. The Ministry is constantly working on the development of educational policies and measures for the protection and welfare of children, especially adolescents, and cooperates with other agencies and organizations in combating human trafficking and protecting human rights, especially the rights of the child, taking into account its best interest. The Ministry is committed to the maximum in terms of the inclusion of particular risk groups, particularly the Roma population in the educational system in large numbers and improving their successful integration into society and a better social status.</p> <p>-ensure that all the signatories of the Memorandum of Co-operation effectively fulfil their responsibilities related to the provision of assistance to potential victims of trafficking;</p> <p>Following the review of the Memorandum on cooperation in the fight against human trafficking, which includes National referral mechanisms to act in relation to cases of trafficking in human beings, the Coordinating Team for monitoring the implementation of the Memorandum was formed, which in the same time represents the operating team to undertake specific activities (in accordance with the Memorandum) in respect to the identification, assistance and protection of victims of trafficking, as well as effective prosecution of traffickers. This team consists of representatives of contact persons of all relevant institutions and organizations signatories to the Memorandum (the Ministry of Internal Affairs, the State Prosecutor's Office, Supreme Court, Ministry of Labour and Social Welfare, Ministry of Health, Ministry of Education, PI Centre for the Protection of Children and Families Bijelo Polje, Montenegro Red Cross and six non-governmental organizations). This team is managed by the National coordinator to combat trafficking, Mr Zoran Ulama.</p>
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	<p>At a meeting of the Coordination Team in the mentioned composition, it is agreed that the team should meet at least 2 times a year during which they will assess the success of the implementation of the Memorandum in practice, and the team will further meet on an ad hoc basis in those situations when the territory of Montenegro identifies potential victim of trafficking. Potential victim of human trafficking can be identified by all signatories of the Memorandum, who shall promptly notify the contact person of the Police Directorate. The list of contact persons who are required to be 24 hours available to this team when it is necessary to provide assistance and protection to a trafficking person, was compiled and distributed. Also at the meeting was considered as a key item on the agenda "obligation of the contact persons to, within their institutions, provide information to employees at all levels of the obligations undertaken by the Memorandum." Within this point, the representatives of all institutions participated and agreed with the fact that training in the institutions they represent must be continuous.</p> <p>The question was posed on how the members of the Coordination Body will train within their institutions. The representative of the Police Directorate stated that they had performed certain actions related to human trafficking, as well as that they are holding meetings where the Heads of the security centers will be called, as well as other officers where they will have the opportunity to get familiar with the obligations under Memorandum.</p> <p>Representative of the Supreme Court pointed out that the meetings are being held every month and that if there is a situation with regards to human trafficking victims the presidents of the courts should be introduced to it.</p> <p>Representative of the Ministry of Labour and Social Welfare has proposed holding meetings within the ministry, that will be called upon by the representatives of the Office.</p> <p>Representative of the Ministry of Health said that as far as getting to know the employees with the Memorandum, there is a problem in the fluctuation of doctors and workers. It was agreed that it is necessary to organize meetings, workshops, round tables so that employee, especially in key institutions signatories to the Memorandum, especially in the northern and southern region shall meet with all obligations under the Memorandum.</p>
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	<p>- provide training to all professionals responsible for the provision of assistance and protection measures to victims of trafficking</p> <p>- An organized serie of trainings- details in replys on the recommendation no.10 .</p> <p>Supreme State Prosecutor appointed contact person who will actively participate in the implementation of activities under the Memorandum on cooperation between state authorities and civil society in the fight against human trafficking, which among other things includes the activities for which the prosecutor's office is competent and which relates to the protection of potential victims of trafficking.</p> <p>In elementary and high courts in Montenegro operates service for support of witnesses / injured parties ie. victims of trafficking, trafficking in children for adoption and domestic violence in family or community.</p> <p>There are authorized persons to support victim/witness in the case of the alleged offenses in the competent courts.</p> <p>With the aim of informing the public, The Informator has been published containing detailed information about local and really competent courts, the importance of the testimony before the court, the witness and the hearing of a minor (security-protected, who can be heard as a witness, and who is exempt from the duty to testify, what is the presentation and what the confrontation, who may ask the questions to a witness , what after the completion of a testimony), information about the work of the Service(first contact with the court, support) with the contact information of persons who are authorized to provide support for witnesses / injured.</p> <p>Authorized persons from support services are available to answer questions, give explanations regarding the work of the court, the criminal proceedings, the place of sitting in the courtroom and to do all they can to make the testimony of the victim constituted a positive experience, not discomfort.</p> <p>The Informator is publicly published, distributed to courts and non-governmental organizations involved in the fight against human</p>
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	<p>trafficking, and it can also be found on <a href="http://www.sudovi.me">www.sudovi.me</a>.</p> <p>Center for Judicial Education, as an organizational unit of the Supreme Court, continuously conducts training activities for judges and prosecutors on the offense of trafficking in persons, national and international regulations and standards, as well as criminal law institutes important for the processing and adjudication of criminal offenses with elements of organized crime, with special reference to the crime of human trafficking.</p> <p>In 2013, through the Center for Judicial Education five trainings were conducted on key criminal justice institutions directly linked to the issue of human trafficking. In regards to the amendments to the Code of Criminal Procedure, by which the investigation was handed to the State Prosecutor's Office, the training was attended by 29 representatives of the judiciary, and 45 representatives of the prosecutorial organization.</p> <p>5-8.08.2013. -Israel / Haifa, through the Center for Judicial Education two judges of the Basic Court in Podgorica and Niksic participated in the International Seminar for judges on the topic: 'The critical role of the judiciary in the fight against trafficking in human beings.'</p> <p>The seminar was organized in cooperation with the Organization for Security and Cooperation in Europe (OSCE), the United Nations Office on Drugs and Crime (UNODC), the Ministry of Justice of Israel, the International Organization for Migration (IOM), together with the Israeli Agency for International Development Cooperation (MASHAV) and Golda Meir Mount Carmel International training Center (MCTC). International seminar aimed to bring together judges dealing with cases of human trafficking, to share same experiences and enhance their knowledge in this area. Topics of the seminar were: International framework for combating trafficking in human beings; Key issues and concepts that occur in human trafficking cases; Trafficking for forced labor and labor exploitation; Psychological symptoms of victims of trafficking; Obvious problems specific to the testimony of the victims; Best practices for the protection of victims; Sanctions and effective legal remedies for victims of decriminalization and non punishing of the</p>
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	victims; The importance of international cooperation.
<p><b>Recovery and reflection period</b></p> <p>22. GRETA urges the Montenegrin authorities to review the legislation in order to ensure that the recovery and reflection period provided for in Article 13 of the Convention is specifically defined in law.</p>	<p>Art. 50-53 of the Draft Law on Foreigners, which will start to be applied from 1 January 2015, stipulates</p> <p>Temporary residence on humanitarian grounds</p> <p><b>Article 50</b></p> <p>The temporary residence permit for humanitarian reasons can be given to:</p> <ol style="list-style-type: none"> <li>1)an alien who is supposed to be the victim of the crime of trafficking in persons;</li> <li>2)minor foreigner who has been abandoned or is a victim of organized crime or for any other reason without parents or unaccompanied;</li> <li>3)an alien in particularly justified humanitarian reasons.</li> </ol> <p>An alien referred to in paragraph 1 of this Article doesn't have to comply with the requirements of Article 42, paragraph 1, point. 1, 2, 3 and 8 of this law.</p> <p>The temporary residence permit for humanitarian reasons is being issued on the basis of adequate evidence of international organizations, NGOs or public authorities , which an alien referred to in paragraph 1 of this Article, provide assistance and protection, or evidence of a competent state authority confirming that the alien cooperates in resolving crimes.</p> <p>Rights of foreigners with a residence permit on humanitarian grounds</p> <p><b>Article 51</b></p> <p>An alien who has been issued a temporary residence permit on humanitarian grounds has the right to housing, health, education, employment and financial assistance, in accordance with the law.</p> <p><b>Period of reflection</b></p> <p><b>Article 52</b></p> <p>An alien who is assumed by the police to be a victim of the criminal act of human trafficking,has the right to within 90 days decide whether to cooperate in criminal proceedings, or whether to join the prosecution or to be a witness in this proceeding (the period of reflection).</p> <p>Police determines whether the alien is a victim of the crime of human</p>

	<p>trafficking, in cooperation with the authorities, NGOs and other relevant organizations, and dealing with the prevention, education, reporting and prosecution of offenders and protection of potential i.e. victims of human trafficking, but when it comes to minor foreigner, Police will cooperate with social work.</p> <p>Protection of foreigners with a residence permit on humanitarian grounds</p> <p>Article 53</p> <p>An alien who has been issued a temporary residence permit on humanitarian grounds should not be forcibly removed for illegal entry or stay in Montenegro.</p> <p>An alien referred to in paragraph 1 of this Article, for which there is a reasonable fear that testifying in criminal proceedings could be under threat to life, health, physical integrity or freedom, protection and realization of rights is provided in accordance with the law governing the protection of witnesses.</p> <p>A minor who is found to be the victim of the crime of human trafficking will not be returned to any state, if after evaluation of the risks and its security, there are circumstances that indicate that such a return would not be in his best interest.</p> <p>Article 59 of the Draft Law on Foreigners provides that a request for extension of a temporary residence permit is submitted to the Ministry in the place of residence no later than 30 days before the expiry of the temporary residence permit. The application shall inclose valid foreign travel document or ID card issued by the competent authority of another country, and evidence justifying the request for a permit for temporary residence.</p> <p>Article 62 of the Draft Law on Foreigners provides that without permit for temporary residence and work permit or a certificate of registration of labor, alien can work in Montenegro, if he has a temporary residence permit on humanitarian grounds. In this case, the foreigner has free access to the labor market in Montenegro, unless a special regulation stipulates otherwise.</p>
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	<p>Draft Law is in the process of obtaining the necessary reviews and is expected to be submitted to the Government by the end of July 2014. Direct consultations were carried out with the European Commission, which submitted its opinion on Draft Law of foreigners to provide continuation of further procedures, necessary for the adoption of this law.</p>
<p>23. Further, GRETA urges the Montenegrin authorities to ensure that trafficked persons are systematically informed of the possibility to use a recovery and reflection period and are effectively granted such a period.</p>	<p>- In Basic and High courts in Montenegro operates Service for the support of witnesses / injured parties ie. victims of trafficking, trafficking in children for adoption and domestic violence in the family or community.</p> <p>There are competent persons in competent courts for providing help to victims/witnesses in subjects of alleged criminal offences.</p> <p>The work of Service operation to support victims of human trafficking follows a guidebook with information about local and really competent courts, the importance of the victim's testimony in court, the witnessing itself and the hearing of a minor (security-measures of protection, who can be heard as a witness, and who is exempt from the duty to testify , what is the presentation and what the confrontation, who may ask the witness questions, what after the witnessing), information about the work of the Service (first contact with the court, support) with the contact information of persons who are authorized to provide support for witnesses/injured.</p> <p>Authorized persons from support services are available to answer questions, give explanations regarding the work of the court, the criminal proceedings, the place of sitting in the courtroom and to do all they can to make the testimony of the victim a positive experience, not discomfort.</p> <p>The Informator has been publicly published, distributed to the courts and non-governmental organizations that are committed to the fight against human trafficking, and published on the website of the courts <a href="http://www.sudovi.me">www.sudovi.me</a>.</p> <p>-Prosecution informs victims of trafficking about their rights as victims in criminal proceedings, as well as on other rights when a victim of trafficking in persons is a witness in criminal proceedings, in particular the possibilities of the Witness Protection Act.</p> <p>- The staff of the shelter for victims of human trafficking inform the</p>

	<p>victim of all its rights, including the right to a period of recovery and reflection, provided in the Shelter.</p> <p>- Since 2009, the Government Office for the Fight against Trafficking in Human Beings has established and actively promotes SOS hotline victims of human trafficking. It's free, anonymous and available 24 hours, and by which all citizens, including potential trafficking victims can be informed of all rights and forms of assistance and protection available to victims of this crime in Montenegro.</p>
<p><b>Residence permits</b></p> <p>24. GRETA urges the Montenegrin authorities to ensure that victims of THB can take full advantage of the right to be granted a renewable residence permit.</p>	<p>-The answer is contained in the answer to question 23 in 2013 and 2014. During the reporting period residence permits for victims of human trafficking has not been issued because the two identified victims possessed a residence permit. It is important to emphasize that aid to victims of human trafficking in a shelter or by the competent institution is not conditional on the possession of a residence permit or identity documents.</p>
<p><b>Compensation and legal redress</b></p> <p>25. GRETA urges the Montenegrin authorities to step up their efforts to provide information to victims of THB about their right to compensation and ways to access it, and to ensure that victims have effective access to legal aid in this respect.</p>	<p>-Prosecution informs victims of trafficking about their rights as victims in criminal proceedings, as well as on other rights when a victim of trafficking in persons is a witness in criminal proceedings, in particular the possibilities of the Witness Protection Act.</p> <p>-According to the Law of Obligations trafficking victim has a legal right to file a claim for pecuniary / non-pecuniary damage. The court decides on the claim based on an oral, direct and public hearing. Adoption i.e. rejection of the claim depends solely on whether the claim is justified, and which facts the court will take as proven, the court decides on his belief, based on thorough and careful assessment of each piece of evidence separately and all the evidence together, and based on the results of the whole process.</p> <p>As regards to the existence of the offense and the guilt, the court in civil proceedings is related to the final judgment of the court by which the accused is guilty.</p> <p>In this regard, in every procedure, as well as in proceedings when a trafficking victim seeks compensation, the court is obliged to respect the law and only to directly apply the same in each particular case, regardless of who are the parties to the proceedings.</p> <p>-Law on Free Legal Aid ("Official Gazette" No. 20/2011),came into</p>

	<p>force on 1.01.2012. The victim of trafficking is entitled to free legal assistance.</p> <p>Free legal assistance includes provision of necessary funds to fully or partially cover the costs of legal advice, drafting of documents, representation in proceedings before a court, state prosecutors and the Constitutional Court of Montenegro and the procedure for the amicable settlement of disputes, as well as exemption from payment of litigation costs. Exercising the right to free legal assistance in accordance with this Law does not limit the provision of legal aid by services, NGOs and other organizations which are established in accordance with the law.</p> <p>In all Basic courts in Montenegro Offices for providing free legal assistance are opened. The same legal assistance is available to victims of trafficking.</p>
<p>26. Further, bearing in mind that no victims of trafficking have received compensation from the perpetrators, GRETA encourages the Montenegrin authorities to set up a State compensation scheme accessible to victims of THB, as envisaged by the draft Law on Compensation for Damages to Victims of Crime.</p>	<p>The Working group has prepared the Draft Law on the Compensation of Victims of violent crimes and can be found in governmental procedure. Establishment of a proposal by the Government is expected in the third quarter of 2014. Taking into account the principles of the European Convention on the Compensation of victims of violent crimes, this law shall regulate the right to financial compensation for victims of violent crime committed with premeditation, conditions and procedures for exercising the right to compensation, the authorities dealing with the case and decide on the right to compensation, authorities and procedures for cross-border cases when the state has a right of reimbursement.</p>
<p><b>Repatriation and return of victims</b></p> <p>27. GRETA considers that the Montenegrin authorities should take additional steps to develop the institutional and procedural framework for the repatriation and return of victims of THB, with due regard to their safety, dignity and protection. Particular attention should be paid to ensuring financial means for the travel of victims of THB.</p>	<p>-Return/repatriation of victims of trafficking in Montenegro and from Montenegro in another country is carried out only in cooperation of relevant institutions, with the coordination of Government Office for the fight against human trafficking. Accommodation, transport and protection of victims of trafficking in Montenegro provide relevant institutions, primarily the Office for Combating Trafficking in Human Beings, Ministry of Interior / Police Directorate and Social Work Centers. Examples from practice:</p> <p>-In 2013, one trafficking victim of Roma population has been registered- identified in Serbia. In cooperation with competent authorities of R.Serbia, it has been agreed for employed in the Office</p>

	<p>for combating trafficking to meet OB at the Podgorica Airport. After the stay in Government Shelter(in a period where the victim received treatment, on its own request, with prior security check and police approval has been returned to its family in Ulcinj).</p> <p>- In 2014 -on trafficking victim, originally from Bosnia. Identified in Montenegro. Stayed in government shelters for victims of trafficking in persons during the period of 19.03-30.04.2014., after which returned to its own request in BiH, in cooperation of the Government Office for the Fight against Trafficking in Human Beings, Ministry of Internal Affairs of Montenegro and BiH MOI.</p>
<p><b>Substantive criminal law</b></p> <p>28. In order to be fully consistent with requirements under Article 24 of the Convention, GRETA considers that the Montenegrin authorities should include commission of a criminal offence by a public official in the performance of his/her duties and deliberately or by gross negligence endangering the victim's life as aggravating circumstances.</p>	<p>Subject GRETA recommendation has been implemented in such a way that the amendments to the Criminal Code in Article 444 introduced a more severe form of committing a criminal offense if the offense is committed by a public official or endangering the life of one or more persons.</p> <p>In this regard, Article 444, paragraph 3 of the Criminal Code reads as follows:</p> <p>"If the offense referred to in paragraph 1 of this Article is committed against a minor or an offense referred to in paragraph 1 of this Article is committed by a public official in the performance of official duties or with the intent of endangering the life of one or more persons, the perpetrator shall be punished by imprisonment of at least three years. "</p> <p>In all criminal cases, including trafficking cases, courts apply the general rules of sentencing the penalty prescribed in Article 42 CC MNE.</p> <p>The court shall to the perpetrator of criminal offence determine the sentence within the limits prescribed by the law for that offense, bearing in mind the purpose of punishment and taking into account all the circumstances affecting the punishment to be less than or greater (mitigating and aggravating circumstances), and in particular: the degree of culpability, motives for the offense, the degree of danger or injury to the protected object, the circumstances under which the offense was committed, the past conduct of the offender, his personal situation, his conduct after the commission of the offense, and in particular its relationship to the victim of the offense and other circumstances related to the personality of the offender.</p>



	<p>In fixing a fine the court shall give particular consideration to the financial standing of the offender, as well.</p> <p>The circumstance, which is an element of a criminal offence, may not be also taken into consideration either as aggravating or mitigating circumstance, except if it exceeds the measure required for establishing the existence of the criminal offence thereof or certain form of criminal offence or if there are two or more such circumstances, only one being sufficient for the existence of serious or minor form of criminal offence.</p>
<p>29. GRETA considers that the Montenegrin authorities should take the necessary measures to establish as criminal offences the acts of providing, procuring, concealing, damaging or destroying a travel or identity document of another person when committed intentionally and for the purpose of enabling THB.</p>	<p>In relation to the relevant recommendation, we point out that the retention of identity documents to commit human trafficking and to exploit is sanctioned by Article 444, paragraph 1 of the Criminal Code, which states:</p> <ul style="list-style-type: none"> <li>• “Anyone who by force or threat, deceit or keeping in delusion, by abuse of authority, trust, relationship of dependency, difficult position of another person or by keeping back identification papers or by giving or receiving money or other benefit for the purpose of obtaining consent of a person having control over another: recruits, transports, transfers, hands over, sells, buys, mediates in sale, hides or keeps another person for exploitation of work, submission to servitude, commission of crimes, prostitution or begging, pornographic use, taking away a body part for transplantation or for use in armed conflicts shall be punished by imprisonment for a term of one to ten years .”</li> <li>• Although seizure activity, hiding, damaging or destroying of travel or identity documents are not specifically prescribed as means of execution I.e. facilitating trafficking in persons, the provision of Article 444, paragraph 1 (retention of identity documents) should certainly be interpreted more broadly. For the existence of criminal offence, it is always necessary that some of the action of execution should be taken in one of the aforementioned ways, but on the other hand for the existence of criminal offence, a certain guideness of the action is necessary. Those are specific activities i.e. those connected to the achievement of certain goal in relation to the person who is the subject of human trafficking, i.e. in relation to the passive subject.</li> </ul>

<p>30. GRETA considers that the Montenegrin authorities should to take steps to ensure the application in practice of the legal provisions concerning the confiscation of assets of persons convicted for THB offences.</p>	<p>The procedure of adoption of the new Law on confiscation of property acquired through criminal activity is in the process, whose solutions will enable more efficient temporary and permanent seizure of assets for which the perpetrator does not prove the legal origin.</p> <p>Article 90 of the CPC of Montenegro prescribes the seizure of property and financial investigations for extended confiscation of assets:</p> <p>(1) In the process leading to the criminal offense for which the Criminal Code provides the possibility of extended confiscation of a convicted person, his legal successor or the person to whom the accused transferred the property that can not prove legal origin, and there are grounds for suspicion that the property was acquired illegally the court may, on proposal of the State Prosecutor, order seizure of assets.</p> <p>(2) Against the suspect or the accused for the criminal offense referred to in paragraph 1 of this Article, his legal successor or the person to whom the suspect or defendant transferred certain assets State Prosecutor invokes a financial investigation.</p> <p>(3) The financial investigation will gather evidence on the assets and income of the suspect or the accused, his legal successor or the person to whom he has transferred property that was acquired in the time prescribed by the Criminal Code.</p> <p>Article 112 of the Criminal Code stipulates seizure of property , ie that no one can retain material gain acquired by an unlawful act which the law has prescribed as a criminal offense. Such benefit shall be confiscated under the conditions stipulated by the Criminal Code and the court decision.</p> <p>In the process of temporary seizure of assets, the provisions of the Law governing the executorial proceeding is being applied, unless otherwise prescribed by the provisions of this Law.</p> <p>Money, things of value and all other material benefits obtained by a criminal offence shall be seized from the offender; should such a seizure be not possible, the offender shall be obliged to pay for the monetary value of the obtained material benefit</p> <p>The perpetrator of a criminal offence may also be seized from material benefit for which there is well-founded suspicion that it has been</p>
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	<p>acquired through criminal activity, unless the offender makes plausible that its origin is legal (extended confiscation).</p> <p>The confiscation of material benefit may be applied if the offender was sentenced by a final and enforceable decision for one of the criminal offences committed within a criminal organization (Article 401CC) and one of the following criminal offences:</p> <ul style="list-style-type: none"> <li>- against humanity and other assets protected under international law and committed out of greed (human trafficking).</li> </ul> <p>Material benefit obtained by a criminal offence shall also be seized from the persons it has been transferred to without compensation or from the person who knew that material benefit was acquired through a criminal offence or who could or was obliged to know that.</p> <p>Seized shall also be any property obtained by a criminal offence in favour of other persons.</p>
<p>31. GRETA considers that in the context of the drafting of the new Criminal Code, the Montenegrin authorities should conduct a thorough assessment of the effectiveness of the criminal law provisions concerning THB and the above-mentioned related provisions of the CC, with a view to avoiding any overlap in their scope and improving legal clarity and legal certainty.</p>	<p>Ministry of Justice continuously monitors the implementation of the Criminal Code, follow the needs of the social environment and recognizes the initiatives and proposals for amendments that are coming to its address. Special attention is paid to the improvement of the criminal law in a part of its harmonization with the relevant European and international standards. Representatives of the Ministry of Justice are members of a number of committees for the UN dealing with the criminal justice system, and thus directly participate in the work of the committee and defend of reports on the progress of Montenegro in this area.</p> <p>Bearing in mind the observations of experts and citizens of Montenegro to the current application need for the Law on Amendments to the Criminal Code, it has been based on several reasons. As part of the process of making i.e. adopting the law is to produce a statement of reasons in addition to the law, in which, among other things, set out the reasons for making the same, and an explanation of the legal institutions. The most important reasons for the adoption of the Law on Amendments to the Criminal Code in 2013 were: harmonization with the acquis of the European Union, the Council of Europe Conventions and the United Nations, the legal standards of the European Court for Human Rights and other international instruments. Then, further</p>

	<p>streamlining of general and special part of the Criminal Code on the basis of good practice in other European criminal justice, compliance with regulations, the elimination of certain legal inconsistencies and further improvement of certain existing solutions.</p> <p>Bearing in mind that the Criminal Code (Official Gazette 40/2008, 25/2010, 32/2011, 40/2013 and 56/2013) Article 444 which provides for the criminal offense of Trafficking in compliance with the relevant international laws, courts are required to during adjudication in cases of human trafficking entirely apply the above legal provision.</p>
<p><b>Non-punishment of victims of trafficking in human beings</b></p> <p>32. GRETA urges the Montenegrin authorities to take legislative measures allowing for the possibility of not imposing penalties on victims of THB for their involvement in unlawful activities to the extent that they were compelled to do so.</p>	<p>In each case of human trafficking depending on the circumstances, the prosecution is taking measures to avoid punishing the victims for their possible involvement in illegal activities in which they are forced to comply with the law.</p> <p>Taking into account the concept of the Criminal Code, its basic provisions concerning the offense, then the basis that excludes the existence of a criminal offense or exclusion of guilt, we believe that Article 26 of the Convention I.e. subject recommendations specially implemented in Article 12, which reads:</p> <p>“Force and threat</p> <p>(1) The act done the under the influence of absolute power, is not a criminal act.</p> <p>(2)If the offense was done so that the offender would of his goods, or goods of another eliminate the risk that results from the force which is not absolute or threats, the offender shall apply the provisions of Article 11 of this Code, taking force or threat as unprovoked danger.</p> <p>(3)If the offense is committed under force or threat, and the conditions of paragraphs 1 or 2 of this Article are not fulfilled, the offender may be punished less severely, and if the offense is committed under particularly mitigating circumstances, the offender may be released from punishment.</p> <p>(4)In the cases referred to in paragraphs 1 and 2 of this Article, if the person against whom force is applied is not considered as the perpetrator of the crime, the perpetrator shall be a person who has</p>

	<p>applied force or threat. "</p> <p>In criminal proceedings, which are conducted for a criminal offense of human trafficking, the court shall render a judgment that can only refer to a person who is accused and only to the act which is the subject of the charges, contained in the raised, i.e. at amended indictment at a trial.</p> <p>-Unit for Combating Human Trafficking within the Department for Combating Organised Crime- Criminal Police Sector in MOI/ PD Montenegro is in the process of formation.</p>
<p><b>Investigation, prosecution and procedural law</b></p> <p>33. GRETA urges the Montenegrin authorities to take measures to:</p> <ul style="list-style-type: none"> <li>- identify gaps in the investigation procedure and the presentation of cases in court, inter alia with a view to ensuring that crimes related to THB are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions;</li> <li>- strengthen investigation and prosecution of trafficking cases with the involvement of public officials by imposing and enforcing proportionate and dissuasive sanctions upon those convicted.</li> </ul>	<p>Prosecution shall undertake all actions aimed at efficiency in conducting investigations for criminal offence of trafficking and prosecute all cases even if they include state officials, in accordance with legal regulations. In so far adjudicated trafficking cases in which the defendants were found guilty, courts imposed a sentence of imprisonment according to the general rules of sentencing set out in Art. 42 and 42a of the Criminal Code of Montenegro.</p> <p>All final judgments of the criminal offense referred to in Art. 444 of the Criminal Code of Montenegro are published on the website of the High Courts in Podgorica and Bijelo Polje.</p> <p>In addition, amendments to the Code of Criminal Procedure, expected to be adopted by the end of 2014, among other things, go towards expanding the authorities of the police, the type of secret surveillance measures that would contribute to the efficiency, quality and success of the criminal proceedings.</p> <p>In court, cases of human trafficking have priority in addressing, which means that the same are immediately being taken up and that the trial schedules as soon as possible in relation to the date of receipt of the case in the court and its electronic assignment to a judge.</p> <p>In order to combat the crime of human trafficking, the conclusion of the meeting by the President of the Supreme Court with the presidents of all courts in cases of this offense, shall have priority in addressing. This is particularly important considering the fact that judges take cases in the order of receipt of the case to the court.</p> <p>-Unit for Combating Human Trafficking within the Department for Combating Organised Crime- Criminal Police Sector in MOI/ PD</p>

	Montenegro is in the process of formation.
34. GRETA also considers that the Montenegrin authorities should make full use of all measures available to protect victims and to prevent intimidation during the investigation and during and after the court proceedings. In this context, the Montenegrin authorities should take additional measures to ensure that victims of THB are adequately informed and assisted during the pre-trial and court proceedings.	<p>Prosecution informs victims of trafficking about their rights as victims in criminal proceedings, as well as on other rights when a victim of trafficking in persons is a witness in criminal proceedings, in particular the possibilities of the Witness Protection Act.</p> <p>Protection of witnesses and victims of human trafficking is guaranteed by the consistent implementation of the Witness Protection Act and the Code of Criminal Procedure, and the establishment of support services to the victims/witnesses to the crime of human trafficking, as well as special services within all relevant courts in Montenegro.</p> <p>Victim of human trafficking, which has the status of a witness/injured, enjoys all the rights stipulated by procedural laws, and judges who participate in the work of the council, which is responsible for decision-making in these criminal cases, exclusively apply the relevant statutory provisions and comply with all the rights of witnesses / injured in the process.</p> <p>When it comes to hearing victims and witnesses of human trafficking, according to the Article 113 of the CPC witnesses shall be examined separately and without the presence of other witnesses. When hearing of a juvenile, especially if it is the injured party, care shall be taken in order not to have an adverse effect on the mental condition of the minor. Also, the injured party who is the victim of the crime of sexual abuse, and the child examined as a witness has the right to testify in a separate room in front of a judge and a court reporter, the prosecutor, the defendant and defense counsel to watch the course from the other room, with the ability to ask questions to the witness, whereof it is the court's obligation to instruct them , while everything is being noted.</p> <p>Protection of witnesses from intimidation is particularly regulated by Article 120 of the CPC and consists of special ways of participating and questioning witnesses in criminal proceedings.</p> <p>Witness protection can be provided outside of the criminal proceedings, in accordance with the law governing the protection of witnesses (Witness Protection Act). The court is obliged to inform the witness about these rights.</p>

	<p>Article 121 of the CPC stipulates the special ways of participating and questioning witnesses in criminal proceedings: the hearing of witnesses under a pseudonym, a hearing with the help of technical devices (firewall, voice simulators, devices for the transmission of images and sound) etc. If special kind of hearing in the proceedings applies only to non-disclosure of personal information, a hearing will be conducted under a pseudonym, and the rest of the hearing will be conducted under the general provisions of the CPC on the examination of witnesses.</p> <p>If special way of participating and questioning witnesses in the proceedings relates to the concealment of personal data and hiding the face of the witnesses, the hearing will be conducted through technical means for transferring image and sound. Face and voice of the witness during the hearing will be changed, and the witness will be placed in a room which is separated from the room in which are the investigating judge and the other persons who were present at the hearing. The investigating judge shall forbid any question whose answer might reveal the identity of witnesses.</p> <p>After completing the examination, the witness shall sign the record by the pseudonym in the presence of the investigating judge and clerk.</p> <p>Persons who, in any capacity, find out information about a protected witness is obliged to keep them a secret.</p> <p>The decision on the special ways of participating and questioning of a protected witness in the investigation brings the investigating judge on the request of a witness, defendant, defense counsel or public prosecutor, during the trial. The proposal must be justified.</p> <p>Before making a decision, the investigating judge will assess whether the testimony of the witness is of such importance to be given the status of a protected witness. In order to determine these facts, the investigating judge may appoint a hearing and invite the public prosecutor and witnesses.</p> <p>Information about the witness, who will in a special way participate in the proceedings, shall be sealed in a separate envelope and kept by the investigative judge. On the cover will stand a sign "protected witness – secret." Cover can be opened only by the Panel to judge at the trial and appellate court on appeal, but will note that it has been opened with the reference of the council members who are familiar with its contents.</p> <p>After that, cover will be resealed and returned to the investigating</p>
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	<p>judge.</p> <p>These provisions apply to the hearing of a protected witness during the trial, and the participation and examination of the victim in criminal proceedings.</p> <p>High courts in Podgorica and Bijelo Polje, as a really competent courts for dealing with cases of human trafficking are equipped with adequate audio-video equipment for the smooth conduct of the criminal proceedings and examination of victims of trafficking.</p> <p>The work of Service operation to support victims of human trafficking follows a guidebook with information about local and really competent courts, the importance of the victim's testimony in court, the witnessing itself and the hearing of a minor (security-measures of protection, who can be heard as a witness, and who is exempt from the duty to testify , what is the presentation and what the confrontation, who may ask the witness questions, what after the witnessing), information about the work of the Service (first contact with the court, support) with the contact information of persons who are authorized to provide support for witnesses/injured.</p> <p>Authorized persons from support services are available to answer questions, give explanations regarding the work of the court, the criminal proceedings, the place of sitting in the courtroom and to do all they can to make the testimony of the victim a positive experience, not discomfort.</p> <p>The Informator has been publicly published, distributed to the courts and non-governmental organizations that are committed to the fight against human trafficking, and published on the website of the courts <a href="http://www.sudovi.me">www.sudovi.me</a>.</p>
<p>35. Further, GRETA considers that there is need for improvement of the knowledge and sensitivity of judges, prosecutors, investigators and lawyers about THB and the rights of victims. Future training programmes should be designed with a view to improving the knowledge and skills of relevant professionals which enable them to identify victims of trafficking, to assist and protect them, and to secure convictions of traffickers. During the training, particular attention</p>	<p>During the reporting period, the significant number of training courses for the staff of authorities responsible for the issue of identification of victims, prosecuting traffickers and providing assistance and protection to victims has been conducted. Details about the training in response to the recommendation <b>No.10</b>.</p> <p>- The Office for combating trafficking has, with the support of Human Resources Management, organized three seminars on the topic of</p>



<p>should be paid to overcoming entrenched negative attitudes and prejudices vis-à-vis victims of trafficking.</p>	<p>"Building skills for early identification of potential cases of human trafficking in Montenegro" for police officers, social workers, inspections, staff in Unemployment in the immigration detention and the Centre for asylum seekers from northern, central and southern regions. The seminars were held for:</p> <ul style="list-style-type: none"> <li>–the central region (Podgorica, capital Cetinje, Crikvenica, Niksic, Šavnik, Plužine) on 29 and 30 September - 20 participants</li> <li>–for the northern region (Municipality of Bijelo Polje, Kolasin, Mojkovac, Berane, Plav and Andrijevica rožaje, Gusinje, Pljevlja, Zabljak, Petnjica) on October 10 - 15 participants</li> <li>–for the southern region (Municipality of Ulcinj, Bar, Budva, Tivat, Kotor, Herceg Novi) 03 October- for 15 participants.</li> </ul> <p>- Center for Judicial Education, as an organizational unit of the Supreme Court, continuously conducts training activities for judges and prosecutors on the offense of trafficking in persons, national and international regulations and standards, as well as criminal law institutes important for the processing and adjudication of criminal offenses with elements of organized crime, with special reference to the crime of human trafficking.</p>
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