

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



CP(2016)8

**Report submitted by the Serbian authorities
on measures taken to comply with
Committee of the Parties Recommendation
CP(2014)6 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

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The report of the Republic of Serbia
on measures and activities undertaken in 2014 and 2015
in relation to GRETA Proposals

National Strategies and Action Plans

1. GRETA invites authorities of the Republic of Serbia to include the fight against human trafficking in the next National Youth Strategy.

On the session held on 27th February 2015, the Government enacted **National Youth Strategy for the period 2015- 2025** („Official Gazette of RS, no. 22/15), whose implementation is in the competence of the Ministry of Youth and Sports. In the course of development process of this document, the analysis of the current state related to the youth was conducted, which showed that human trafficking is a challenge which young persons are facing, so that this challenge was identified in two strategic areas of the National Youth Strategy: safety and mobility of the youth.

In the area of safety of the youth, particularly accented is the need for development and upgrading of human/youth trafficking prevention program, while in the area of the youth mobility it is more closely indicated to the link that exists between irregular migrations and human trafficking and the fact that persons who migrate are exposed to additional risks of human trafficking, and therefore it is pointed out to prevention and fight against irregular migrations through the activities aimed at raising the awareness of young people about causes and consequences of irregular migrations and eradication of human trafficking.

In August 2015, the Government brought in the **Action Plan for implementation of the National Youth Strategy for the period 2015- 2017** („Official Gazette RS, number 70/15) which more precisely defines who are the carriers and participants with regards to the prevention in the area of human/youth trafficking; With intention to develop a prevention program in the area human/youth trafficking, **Ministry of Youth and Sports** financially supported in 2015, with almost 3.5 million RSD¹, the project of an association whose primary goal was education of students in high schools in the area of security, with special focus on peer violence, abuse of narcotics and human trafficking.

In a number of high schools in the Republic of Serbia, 25 educational workshops were held, in which 750 young people participated. These workshops were devoted to the problem of human trafficking, with special accent on acquainting young people with means of grooming and forms of children and youth exploitation.

Definition of „human trafficking”

2. GRETA believes that Republic of Serbia should expand the scope of the Article 389 of Criminal Code, and to include persons aged under 18, in accordance with the Convention that considers a child every person younger than 18.

Comprehensive approach and coordination

3. GRETA invites Government authorities of the Republic of Serbia to continue development of coordination between government authorities and organizations of the civil society involved in fight against human trafficking, and to secure participation of NGOs in planning and implementation of

¹ About 28,500.00 EUR (*twenty eight thousand five hundred euro*). According to the average exchange rate of the National Bank of Serbia on 01.02.2016> 1 EUR = 122.93 RSD.
Exchange rate list available on: <http://www.nbs.rs/internet/cirilica/scripts/ondate.html>

national politics. It is necessary to encourage further drafting/signing of memorandums of understanding between government authorities and competent NGOs.

According to proposal of new national Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children, and Victims' Protection in the Republic of Serbia for the period 2016-2022, among others it is stipulated to nominate **Working Group for Implementation and Monitoring of the Strategy**, formed of representatives of ministries and government authorities, who possess expert knowledge in the area significant for implementation of the Strategy, as follows:

❖ Ministry of Interior (*hereinafter MoI*), Ministry of Justice, Ministry of Education, Science and Technological Development, Ministry of Health, Ministry of Labor, Employment, Veteran and Social Affairs, Ministry of Finance, Ministry of Trade, Tourism and Telecommunications, Ministry of Culture and Information, Ministry of Youth and Sports, Ministry of Foreign Affairs, Republic Public Prosecutor's Office, Office for Human and Minority Rights, Security Information Agency, Commissariat for Refugees and Migrations, Team for Social Inclusion and Poverty Reduction, Centre for Protection of the Victims of Human Trafficking, and one representative of Red Cross of Serbia and representatives of civil society organizations.

According to the Strategy Proposal **organizations of civil society should equally take part in the work of Working Group for Implementation and Monitoring of the Strategy**, by naming five representatives of civil society organizations dealing with human trafficking problem. Representatives of Civil Society Organizations will be chosen **in cooperation with Office for Cooperation with Civil Society** within three months from adoption of the Strategy, on which the Office for Cooperation with Civil Society will inform National Coordinator for Fight Against Human Trafficking.

Process of the preparation of National Strategy for Prevention and Suppression of Human Trafficking, Especially Women and Children in the Republic of Serbia for the time period 2016-2022, and Action Plan for time period 2016-2017, for adoption by Government of the Republic of Serbia, is in its final phase (at the end of 2015 opinions were collected from 20 relevant ministries and the positive opinion of European Commission, we are still waiting for positive opinion of the Ministry of Finance in relation to the planned budget and one activity that should be conducted by the Ministry of Finance). We note that in accordance with the Action Plan for negotiation chapter 24 „Justice, Freedom and Security“, in the framework of the process of accession of the Republic of Serbia to European Union, „the second quarter of 2016“ was defined as a deadline for adoption of new national Strategy and accompanying Action Plan.

In the drafting of both strategic documents were involved representatives of civil society, specialized non-governmental organizations Astra and Atina from Belgrade, and the documents were also the subject of a public discussion.

In April 2014, **Service for Informing Victims and Witnesses** was formed, which started to work in **the Higher Public Prosecutor's Office in Belgrade**. The Service was established in the framework of the project implemented by Republic Public Prosecutor's Office with the support of British Embassy. With the aim to organize support services to victims and witnesses, on **20.02.2015 Republic Public Prosecutor's Office signed the Memorandum of Understanding with Victimology Society of Serbia** (Non-governmental organization - NGO), **which is one of their key partners in realization of the project** of improving the status of victims of all criminal offences.

We remark that already **since September 2012 and October 2013, Republic Public Prosecutor's Office signed Memorandums of Cooperation with civil society organizations ASTRA and ATINA**, based on which signatories became mutually obliged to collect data and exchange

information in cases of human trafficking, to work in the field of prevention, and to be specially involved in improving the rights of the victims of human trafficking.

During 2014 and 2015, coordination of Centre for Protection of the Human Trafficking Victims (CPHTV) and government authorities and NGOs was upgraded. Coordination is particularly improved in preliminary identification of human trafficking victims with centers for social work and education system. This improvement is, among else, the result of the implementation of the project "Better identification and protection of human trafficking victims" whose leader was International Organization for Migrations (IOM), Office in Belgrade.

On 15.01.2016. CPHTV and NGO ASTRA signed Memorandum on Cooperation. Cooperation was intensified with NGO Praksis, and there is a plan for drafting of memos with two other NGOs. Specially developed is cooperation with UNHCR and UNICEF in relation to identification and protection of human trafficking victims among migrants.

With French Embassy we made Draft Protocol on cooperation of Serbia and France in protection of children who are victims of human trafficking, which is being prepared for signing. CPHTV participated in preparation of the Agreement between Governments of the Republic of Serbia and Montenegro on cooperation in human trafficking. We also made a protocol on cooperation between CPHTV and Community-Health Centre Voždovac for more efficient health protection of human trafficking victims, regardless of their citizenship.

4. GRETA is of the opinion that authorities of the Republic of Serbia should establish separate working post „National coordinator“ supported by special office which would be in proportion with the size and scope of the tasks, in order that this body could perform its mandate effectively.

Numerous activities have been initiated in the Republic of Serbia with the aim of complete fulfillment of this GRETA Proposal. Position of the Coordinator for fight against human trafficking was established in the Ministry of Interior (*currently the Coordinator is at the same time the Head of the Department for Suppression of Trans-border Crime, Illegal Migrations and Human Trafficking, in the Border Police Directorate*), and following measures were undertaken for systematic solution of the position and office of National Coordinator for Fight Against Human Trafficking:

Government of the Republic of Serbia by Resolution of 30.10.2015 (Official Gazette no. 90/2015) named members of **Council for Fight Against Human Trafficking**: Minister of Interior as President of the Council, while members of the Council are: Minister of Finance, Minister of Education, Science and Technological Development, Minister of Labor, Employment, Veteran and Social Affairs and Minister of Justice.

In the General Police Directorate, the **Office for Coordination of the Activities in Fight against Human Trafficking** was formed on national level with multidisciplinary approach. The Office will, among else, implement at operational level the decisions of the Council for Fight against Human Trafficking, and it will be in charge of implementation of National Strategy for Prevention and Suppression of Trafficking in Human Beings, especially Women and Children, and Protection of Victims in the Republic of Serbia for the period 2016-2022, and accompanying Action Plan.

After adoption of new National Strategy on Human Trafficking, in the Ministry of Interior will be appointed National Coordinator for fight against human trafficking. It is also envisaged to establish **National Office of Independent Reporter for human trafficking in 2019.**

5. GRETA also believes that authorities of the Republic of Serbia should undertake further steps in securing comprehensive fight against human trafficking on national level, and particularly:

- to strengthen the fight against human trafficking with purpose of labor exploitation, through participation of civil society, Labor Inspectorate, companies, syndicates, and agencies for employment around mutual platform and through improvement of identification of and helping to the victims of labor exploitation;
- to pay more attention to measures for prevention and protection which correspond to specific risks of human trafficking to which children are exposed, especially children from socially endangered groups, internally displaced children and juvenile foreign citizens unattended, and to secure to take into consideration the best interest of a child.

In partnership of International Organization for Migrations (IOM) and Centre for Protection of Human Trafficking Victims, indicators for preliminary identification of human trafficking victims were created, for social protection, police and education systems. These indicators are accepted by competent ministries, and there are also approvals of competent ministries for their application, therefore drafting of documents needed for their mandatory preparation is ongoing.

In 2015, a team of 20 trainers for training the experts in those systems for application of indicators was formed, and 496 experts for practical application of the indicators have been trained. Among trained experts there are 118 police officers. **In the frame of these indicators there are also indicators of labor exploitation.**

The Centre is a participant in the project International Labor Organizations (ILO) intended for improvement of the response of Serbia and reduction of worst forms of children labor in Serbia. An example from practice of the Centre in 2014 is provided help and support to labor exploitation victims (*98 labor exploitation victims identified*). Victims accepted only material support, consisting of a single financial support received from competent centers for social work and packages of food and sanitary products provided by Red Cross and Centre for Protection of Human Trafficking Victims. In some cases also advisory assistance was provided by the Centre experts. Apart from that, because of the case of labor exploitation in Sochi, good cooperation was established between the Centre and the higher prosecutor in charge.

Through performed activities of preliminary identification, 6 presumptive victims of human trafficking were discovered in 2015, where human trafficking was cut in the grooming phase. We consider this a big step forward for Serbia in early discovering and prevention of human trafficking. In this group of victims there were 5 kids. Five kids were discovered through regular industry of the Centre for Social Work, which confirms the success of implemented activities on improvement of preliminary identification and effectiveness of created indicators for preliminary identification. Centre is actively involved in creating standard operational procedures (SOP) for protection of children migrants, especially children without escort or detached children, conducted by UNICEF in cooperation with Ministry of Labor, Employment, Veteran and Social Affairs, and realized by NGO IDEAS and CPHTV.

Children victims of human trafficking are particularly recognized as a highly risky group for which urgent protection steps are stipulated. SOP is based on the protection of the rights of children, to the best interest of a child. In the regular activity of CPHTV, leading principle of action is a child's best interest. With purpose of making decision on the best interests of a child, two supportive instruments for assessment were created within CPHTV – list of questions for assessment of resilience and identity of a child, and list of questions for assessment of the protective behavior of a nurser. These instruments are supplement to other techniques of the assessment of risk factors and protective factors when deciding about the best interests of a child. Project of UNITAS Fund is in its preparation phase, which is supposed to enable informing about trafficking of pupils of primary and secondary schools – in 300 schools in Serbia.

Labor Inspectorate, as a body in the **Ministry of labor, Employment, Veteran and Social Affairs**, undertakes measures and activities in area of working relations and safety and health at work, with primary goal to ensure implementation of Labor Law, Law on Safety and Health at Work, Law on Inspection Supervision and other laws and bylaws regulating the area of working relations and safety and health at work (*especially of adjoin EU Directives*) and collective agreements, in order to reduce the number of injuries at work and to suppress black work. In Labor Inspectorate there are 260 persons employed on an indeterminate period, out of which 242 labor inspectors. According to data of the Company Registries Agency, there are 337,729 registered business entities at the moment (120,830 companies and 216,899 entrepreneurs), which means that one labor inspector „covers“ 1,396 business entities.

Labor Inspectorate devotes special attention to surveillance in high-risk sectors (construction and industry), in sectors in charge of the jobs which can be connected to human trafficking by its nature (catering industry, construction industry, seasonal jobs), and to solving the problems related to categories of especially sensitive groups of employees – issue of women in the labor force, labor engagement of children and minors, work of persons with some form of disability, and labor engagement of foreigners.

According to the *Law on Inspection Supervision*, put into force on 29th April 2015, domain of labor inspection has been widened, so that apart from registered subjects it controls also non-registered subjects which hire people for **black work and whose engagement can be related to human trafficking**. In this way legislation framework for more decisive fight against grey economy was established, with purpose of **introducing non-registered subjects into legal flows, preventing unloyal competition, regulating working-legal status of persons engaged at work and work in safe and healthy work place.**

From the beginning of the implementation of provisions of *Law on Inspection Supervision* related to non-registered subjects, that is from 30th July 2015, 389 non-registered entities were identified with 567 person involved in black work in those entities. For the purpose of acquainting the public with new things in Law on Inspection Supervision, labor inspection prepared and distributed in the field 5000 leaflets – appellation to non-registered entities to perform their business according to the law. In that sense, cooperation was established between labor inspection and Ministry of Interior, tourist inspection, market inspection and Tax Administration, especially during target controls of catering-industry objects in late night hours in the border area. On those occasions persons were detected in black work among which also foreign female citizens engaged as singers, but in conversation with them we did not obtain findings that they were victims of human trafficking and exploitation.

Labor Inspectorate is actively involved in the project of International Labor Organization (ILO) **„Engagement and Support at National Level for Reduction of Child Labor“, which will be implemented in 2016 and 2017.** In the framework of the mentioned project, in which will be involved, apart from Labor Inspectorate, also representatives of the Centre for Social Work, MoI, Centre for Human Trafficking and Victims Protection, Ministry of Education, Science and Technological Development, analysis will be conducted of legal instruments for identifying possible „gaps“ in the field of child labor, their comparison with international labor standards and development of recommendations for their improvement through connection with international standards related to child labor, legal instruments related to children labor and trafficking in children will be prepared, consultative workshops organized for representatives of government institutions, syndicates, association of employers and civil society, and preparation of the material is also planned, as well as development of the program and training for labor inspectors and representatives of other institutions relevant for the field of child labor, with topic of discovering and preventing child labor and fight against trafficking in children.

Furthermore, there will be a **training for the trainers intended for labor inspectors (focal point) in every governing county and in Belgrade, on fight against child labor, including fight against trafficking in children.** Project stipulates drafting of a study on child exploitation and child labor, with focus on abuse of children for beggary and pornography, and drafting of comprehensive National Strategy and National Action Plan for fight against child labor, including their worst forms.

Ministry of Trade, Tourism and Telecommunication, Sector for Market Inspection in their work, in cooperation with other relevant ministries and organizations of civil society, conducts surveillance over the dealings of business entities and individuals which announce jobs and mediation for employment in foreign countries, even though they do not have special permits.

6. Apart from that, GRETA invites state authorities of Serbia to consider possibility of establishing independent National reporter or some other mechanism for monitoring activities of state institutions related to fight against human trafficking (see Article 29, para. 4 of the Convention and para. 298. of the Report with explanations).

Mentioned proposal had been discussed and it was decided to establish the function of **National reporter for human trafficking in the Republic of Serbia.**

As mentioned in the response to question number 4, according to Action Plan for Negotiation chapter 24 „Justice, Freedom, and Security“, in the framework of the process of accession of the Republic of Serbia to European Union, one of stipulated activities was **to establish National Office of Independent Reporter for Human Trafficking in the course of 2019.**

Training of relevant experts

7. GRETA invites government authorities of the Republic of Serbia to continue to upgrade knowledge and sensitivity of competent professionals (including police officers, social workers, professionals working with children, labor inspectors, medical staff, public prosecutors, judges, media and other important groups) in relation to human trafficking and victims' rights. Training programs in future should be created with intention to upgrade knowledge and skills of competent professionals which would allow them to recognize victims, help them and protect them, to enable reimbursement for victims and ensure punishment for human traffickers.

Since the adoption of GRETA Report for the Republic of Serbia, in 2014 and 2015 were conducted numerous trainings of professionals for human trafficking and victims' rights, in accordance with this GRETA Proposal. We will mention below just some of those activities:

In October 2012, specialization for criminal prosecution of human trafficking was introduced in one prosecutor's office, in the way that in all higher prosecutors' offices in the Republic of Serbia were appointed prosecutors who would be contact points in cases of human trafficking, who are specially trained for this area, and act and coordinate work in cases of human trafficking. **Representatives of Public Prosecutor's Office** in 2014 and 2015 participated in following seminars, workshops and conferences related to human trafficking:

- 17-18th February 2014, Vienna, Austria, Conference „Not for Sale – Joining Forces Against Trafficking in Human Beings“, organized by Austrian Federal Ministry for European and International Affairs, Council of Europe, OSCE and Swiss Federal Department for Foreign Affairs;
- 29-30th April 2014, Sarajevo, B&H, „Regional workshop on effective protection of victims and witnesses of trafficking in persons in criminal proceedings in the South Eastern Europe“, conducted by UNODC in cooperation with Ministry of Justice of Bosnia and Herzegovina.

- 13-14th May 2014, Sarajevo, „Multi – beneficiary workshop on fighting transnational criminal organization involved in child trafficking: investigation, prosecution and international cooperation“, organized in cooperation with National Coordinator for Fight against Human Trafficking and Ministry of Security of Bosnia and Herzegovina;
- 17th November 2014, Belgrade, Expert Workshop on Non-Punishing of Victims of Human Trafficking, organized by OSCE Mission in Serbia;
- 04-05th November 2015, Belgrade, Regional Workshop on Strengthening Trans-border Cooperation in Fight Against Criminal Offences Related to Illegal Migrations, organized by OSCE Mission in Serbia, IOM and UNODC;
- 19th November 2015, Kragujevac, Round table on Non-punishing Victims of Human Trafficking, organized by OSCE Mission in Serbia;
- 8-10th December 2015, Belgrade, Workshop on Use of Joint Investigation Teams in Fight Against Human Trafficking, organized by Ministry of Interior of the Republic of Slovenia;
- 11th December 2015, Niš, Round table on Non-punishing Victims of Human Trafficking, organized by OSCE Mission in Serbia;

On Diplomatic Academy of the Ministry of Foreign Affairs training of diplomats in relation to human trafficking is being conducted through the program of professional development which is organized every year.

This is *Basic Program of Diplomatic Training* intended for young diplomats, and also for individual officers of different government authorities engaged in international affairs. This form of training is also part of certain number of lectures of university professors, and other relevant domestic and foreign lecturers (*experienced diplomats, officials, professors etc.*) in the frame of these subjects:

- Consular law and practice
- International public law (*a part related to human rights*)
- International relations and foreign politics (*concrete cooperation with certain countries in prevention of human trafficking*) and
- Security in modern international relations.

Also, with the purpose of the best possible preparation for work of diplomatic-consular representatives, Ministry of Foreign Affairs conducts as its continuous activity a comprehensive training of diplomatic and other officers. This training includes visit to all relevant institutions of state administrations and training in areas of their competence (*MoI, Ministry of Justice, Ministry of Labor etc.*).

In that context, in the area of consular training, special attention is devoted to acquainting with legal procedures related to conditions for stay of foreigners in the Republic of Serbia, the procedure of issuing visa and biometrical documents and similar measures applicable in the area of fight against illegal migrations and trafficking in human beings. In that sense, in Ministry of Foreign Affairs cooperation is already established with foreign experts within the project „Reform of the Police and Migration Management“ with the aim of harmonizing national system of issuing visas with best EU practice, and training of consular officers in the area of recognizing counterfeited documents, techniques of interview and other relevant measures.

In the framework of preparations and training of individuals, teams and contingents of **Serbian Army who are seconded to multi-national operations of United Nations and European Union**, there are program activities related to fight against human trafficking and victim protection, whereas the topic "Mandate of the Mission and Basic Tasks in Peace Operations" points out for every single mission to the specific characteristics of the zone of that mission.

On **03.04.2014** in the General Headquarters of Serbian Army, **Centre for Peace Operations, police officer of the Border Police Directorate, Section for Suppression of Illegal Migrations and Human Trafficking, the contact person for cooperation with GRETA** gave lecture on the topic «Trafficking in Women and Children» for 30 students of the course from Ministry of Defense,

Ministry of Interior and Faculty of Security, as a preparation for UN peace operations. **Following topics were covered by this lecture:** Phenomenon of Trafficking in Human Beings; Significance of Systematic Approach in Confronting Trafficking in Human Beings; UN Convention Against Transnational Organized Crime, accompanying Protocols and Definition of Human Trafficking; Elements of Criminal Offence „Trafficking in Human Beings“; Role of UNODC, Special UN Reporter for Trafficking in Human Beings Especially Women and Children, and the Role of Other International Organizations; Legislation of European Union in relation to Trafficking in Human Beings and Analysis of Harmonization by the Republic of Serbia; Delusions and Stereotypes in Relation to Trafficking in Human Beings and Relation with Other Criminal Offences; Statistical Preview and Analysis of the Situation in Serbia; Significance of International Cooperation; Recognizing and reporting cases of human trafficking by members of peace missions; and there was also the session reserved for students' questions. After lectures, students had opportunity to watch documentary movie on labor and sexual exploitation of boys in Afghanistan «BUČA BAZI».

In the framework of Curriculum plan and program of the **basic police training in Sremska Kamenica**, in the frame of the module “Crime Suppression”, modular unit “**Providing Support, Protection and Assistance to Victims**” (*vulnerable groups in the application of rights*) exists education unit “**Trafficking in human beings and illegal migrations**” in duration of four school classes, with stipulated curriculum topics through which students of basic police training acquire knowledge and skills in discovering and illumination of criminal offences related to human trafficking and work with victims.

It is necessary to highlight that in 2014, through the basic police training passed 2 classes of students with total number of 568 students. In 2015, for the training in Centre for basic police training were admitted 12th and 13th class of students of professional development of the basic police training. Based on the dynamics of the training defined by Gantt chart, training of students of mentioned classes from curriculum unit “**Trafficking in human beings and illegal migrations**” will be performed in 2016.

In 2010 and 2011, a project proposal of the Ministry of Interior was realized with the support of the OSCE Mission to Serbia “**Program of police trainers training in the area of the fight against trafficking in human beings**“, which aimed at training, improving knowledge, skills and positions of police officers for efficient and effective performance of work from the area of countering trafficking in human beings and victims protection. There was a training for **38 police officers** of the MoI working on the suppression of illegal migrations and trafficking in human beings – who acquired a lecturer competence in the area of “**Fight against trafficking in human beings**“. **In 2014**, these police officers, with a restriction pertaining to the state of emergency due to floods and significant engagement of the police in undertaking measures of rescuing and restoring floods consequences, carried out **19 educations**, on which occasion **329 police officers** attended lectures, out of which 228 from regional police directorates, and 101 from Border Police.

On **April 10, 2014**, at the youth conference “**MAN 2014 – Superman of Europe**“, in Cultural Decontamination Center of Belgrade, a police officer of Border Police Directorate delivered a lecture on «**Police role in countering trafficking in human beings in Serbia and the role of men**» for approximately 50 young people from the region. Representatives of 13 European states took part in this activity. Lecture was broadcasted live and followed by a large number of young people by means of social networks and Twitter, where they had a chance to ask questions on trafficking in human beings by means of this social network. For more information on this activity, please see:

<http://www.e8.org.rs/man-2014/man2014-supermen-of-europe-conference/#!/prettyPhoto>

In the period between **11th and 17th August 2014**, in a **summer course for trainers training from the area of security** held in Andermaat, Switzerland, in the organization of Center for Security, Development and Rule of Law – **DCAF**, police officer of **Border Police Directorate**, representatives of the **Academy of Criminalistic and Police Studies**, as well as a representative of the **Center for Basic Police Training** participated. The training was delivered through “basic” and “advanced course“, in accordance with previous experience and participants qualifications, and the police officer of the Border Police Directorate, involved in educations on trafficking in human beings, successfully completed the advanced course.

On **5th December 2014**, on Legal Clinic for Combating Trafficking in Human Beings, Faculty of Law, Belgrade University, **coordinator for combating trafficking in human beings** delivered a lecture for approximately **25 students and frequenters of Legal Clinic** on trafficking in human beings in Serbia and so-far established national system for the prevention of trafficking in human beings, identification of victims and prosecution of offenders.

On **26th December 2014**, at **Legal Clinic for Combating Trafficking in Human Beings**, Faculty of Law, Belgrade University, lecture on “Police role in the suppression of trafficking in human beings in Serbia“ was delivered by police officers of the Border Police Directorate (*Section for Illegal Migration and Trafficking in Human Beings Suppression*) and Belgrade Police Directorate (*Section for Prostitution Suppression*). There were **20 students and frequenters of Legal Clinic** present, and due to high interest and a number of questions of students, the lecture lasted for almost 3 hours.

From the establishment of the **Academy of Criminalistic and Police Studies** (in 2006), an optional teaching subject was envisaged in the Curriculum of the fourth year as “**Illegal Migrations and Trafficking in Human beings**“.

In 2014, lessons on this subject in the total fund of **75 teaching classes** were attended by **57 students**. Together with the lecturers from the Academy, in the realization of lessons the following people participated: coordinator for combating trafficking in human beings, police officers of the Section for Human Trafficking and Human Smuggling Suppression of the Service for Combating Organized Crime, Criminal Police Directorate, director of the **Center for Human Trafficking Victims Protection** (CHTVP) and a representative of NGO ASTRA.

In 2015, lessons on this subject were attended by **61 students** and the total fond was 75 teaching classes, relying on the textbook “Illegal migrations and trafficking in human beings“, issued in 2012. Police officers working on the suppression of trafficking in human beings, coordinator for combating trafficking in human beings and director of the **Center for Human Trafficking Victims Protection** again took part in delivering lessons.

Lecturers from the Academy, as members of the expert group, took part in preparations of the material for Regional Conference “Access to the right to compensation for damage by human trafficking victims in the region“, in the organization of NGO ASTRA – Action against trafficking in human beings and developed policy paper “**Compensation for victims of criminal offences with elements of violence – response of the Republic of Serbia**“. Conference was held in the **Small Room of the National Assembly of Serbia**, on 17th and 18th October 2014, as a final activity of a huge regional project “Balkans ACT (Against Crime of Trafficking) Now!“, and one of the introducers, a professor of the Academy, presented “**Legal framework in the area of compensation for damage for human trafficking victims in Serbia**”.

In the framework of the same project, a lecturer from the Academy, as one of the introducers, took part in two round tables (in Niš - on 10th December 2014 and Belgrade - on 12th December 2014), which gathered approximately **60 judges of basic, high and appellation courts, public**

prosecutor's offices and deputy public prosecutors from basic, high and appellate public prosecutor's offices, lawyers and representatives of non-governmental organizations that provide different forms of assistance to victims of criminal offences with elements of violence.

Lecturers from the Academy delivered six lessons each for police officers of Pančevo Police Administration, Kragujevac Police Administration and Belgrade Police Administration (*Rakovica Police Station*) on the topic of gender based violence and within that topic also on the measures of prevention, detecting, investigating and proving trafficking in human beings.

Lecturer from the Academy, as a member of the consultative team, took part in the realization of the project "**Strengthening of the system for identification and protection of human trafficking victims in the period between September 2013 and February 2015**". In the course of the work on stated project, on 30th June 2014, a survey and interview was applied to ten students of the fourth year of academic studies of the Academy of Criminalistic and Police Studies, who, in 2014 listened to teaching lesson "Illegal migrations and trafficking in human beings", through three groups of questions: a) definition and indicators of human trafficking; b) vulnerability factors and c) role of the police in countering trafficking in human beings. The results thus provided were used for the improvement of lessons on the subject and for comparison with results of survey and interview of government officials from the system of education, protection, health, justice and interior, which was developed by the representatives of the **Center for Human Trafficking Victims Protection**. Identical survey was carried out within the organizational units of the MoI involved in the suppression of trafficking in human beings by the representatives of the MoI in the consultative team, from Border Police Directorate.

A lecturer from the Academy was engaged as an expert consultant by the OSCE in the period between 15th November and 20th December 2014 for the work on state of play analysis, definition of problems and proposal of solutions for the implementation of principles of non-punishing human trafficking victims in the Republic of Serbia.

A lecturer from the Academy, on the Faculty of Law of Novi Sad University, in the organization of Elsa Novi Sad (*European Association of Students of Law*), on 26th November 2014, delivered a lecture for approximately **150 students of the Faculty of Law of Novi Sad University** on the topic of trafficking in human beings – as a form of breaching human rights and measures of social response.

A lecturer from the Academy, in the framework of the realization of lessons on gender studies on the Faculty of Law of Belgrade University, in April 2014, delivered two lectures for some twenty students on the topic of Criminogenic field of gender (in)equality – trafficking in human beings, prostitution – improvement of victims protection, case study.

A lecturer from the Academy, within the realization of lessons on the Legal Clinic of the Faculty of Law of Belgrade University, on 14th November 2014, delivered two lectures for twenty students on the topic of Process of trafficking in human beings.

A lecturer from the Academy, in the period between 18th and 20th December 2014, delivered ten classes of lectures in PhD studies of the Faculty for Criminology, Criminalistics and Security Studies of Sarajevo.

As stated, with reporting in relation to Suggestion no. 5, **Center for Human Trafficking Victims Protection** in 2015 created training for the application of national indicators for preliminary identification of human trafficking victims. A group of 20 trainers was set up and trained as a

training core for other trainings on trafficking in human beings. **Afterwards, 496 experts for social protection, police and education were trained for the implementation of national indicators.**

By mid May, in Vrnjačka Banja, in the organization of IOM and the **Center for Human Trafficking Victims Protection**, training for trainers was held in relation to indicators for recognizing cases and victims of trafficking in human beings, which was attended by police officers engaged in the suppression of trafficking in human beings. Out of total number of 20 trained trainers, **5 trainers were from the MoI**, Criminal Police Directorate, Border Police Directorate, Novi Sad Police Administration, Leskovac Police Administration and Kraljevo Police Administration.

As well, with the support of IOM, **15 experts for work with children who survived a sexual exploitation were trained.** By late 2014, the Center held a workshop for the employed in centers for the accommodation of asylum seekers with the aim of developing skills of recognizing victims among asylum seekers.

In March 2015, in cooperation with the police, the Center held a workshop for 30 employees in **Children Village of Sremska Kamenica**. In this social protection institution, children - human trafficking victims are accommodated. **In the framework of strengthening capacities for recognizing human trafficking victims among migrants, there was held a two-day workshop in Preševo for 40 participants.** As well, in July, the Center took part in platform „Trafficking in human beings and migrations" in Vranje in the organization of the Human Rights Board of Vranje.

Judge of the **Supreme Court of Cassation** took part in a training related to topic “Protection of human trafficking victims in criminal proceedings“, held in Montenegro in September 2015 in the organization of the UNODC.

In the period between 14th and 17th April 2015, at the premises of the MoI, a training on **“Questioning minor human trafficking victims“** was delivered by the experts of the MoI of France and organized by the Embassy of France to Belgrade. The training was organized for representatives of the police, prosecutor’s office, judiciary, **Center for Human Trafficking Victims Protection** and representatives of specialized NGOs.

Training for national trainers against trafficking in human beings for border police was held in the period between 29th September and 1st October 2015 in Lithuania – Vilnius, in the framework of **FRONTEX** organization. Stated training was attended by representatives from Malta, Moldova, Ukraine, Albania, Bosnia and Herzegovina, Macedonia, Georgia, as well as two police officers of the MoI, Border Police Directorate. Plan and program is under preparations, which will lead to the realization of training plan and presentations in connection to modern trends and activities related to trafficking in human beings in 2016.

Police officer of the Border Police Directorate, Asylum Office, in May 2015, attended **“Course on investigations of trafficking in human beings cases“**, in the organization of International Law Enforcement Academy (ILEA) in Budapest.

According to the program of specialized trainings of police officers of the Ministry of Interior for 2015, in cooperation with Border Police Directorate and Department for Specialized Education and Training, three one-day seminars were held on the topic of **“Legal provisions regulating the problem of trafficking in human beings, illegal migrations and smuggling of human beings“**, with **52 participants**, as follows:

On 14th October 2015, in Border Police Station of Boranja, near BiH (23 police officers); on 15th October 2015, in the Regional Center of Border Police near BiH (16 police officers) and on 24th October 2015, in Border Police Station of Vršac, near Romania (13 police officers).

As well, **the Center**, together with the ministry in charge, **in the organization of IOM**, organized a training for 40 employees, representatives of organizations, including the police, which work in Preševo and Miratovac (*south of the Republic of Serbia, in the vicinity of the border with Macedonia, main route of the flow of a large number of illegal migrants*) on providing assistance to migrants on trafficking in human beings and possibilities for recognizing victims of this criminal offence among migrants, including asylum seekers.

In September 2015, in the organization of the Ministry of Labor, Employment, Fighter's and Social Affairs and UN, a seminar was held on the topic of "Human rights of migrants and refugees", where representatives of International Migrations Organization delivered a training for representatives of local self-governments which were affected most by migrant crisis and representatives of relevant institutions on the work with sensitive migrants categories, including fight against trafficking in human beings.

Office for Human and Minority Rights of the Government of the Republic of Serbia, in cooperation with German Association for International Cooperation (GIZ), carried out program "**Social Protection and Prevention of Trafficking in Human Beings**", which was completed in November 2015. In the framework of this program, two trainings on trafficking in human beings were held in 2014 and four trainings in 2015. There were 25-30 participants from various municipalities in the Republic of Serbia attending each of the trainings.

Information gathering and research

8. GRETA believes that authorities of the Republic of Serbia should strengthen the exchange of statistics among agencies in charge of gathering various types of information pertaining to trafficking in human beings. It should be followed by all necessary measures, which will ensure respecting right to personal data protection of persons these data refer to. When considering trafficking in human beings trends in Serbia, state authorities should cooperate with NGOs that provide support to victims, so that these statistics are also taken into consideration.

9. GRETA urges all state authorities of the Republic of Serbia to continue implementing and financing researches in relation to trafficking in human beings issue as a source of information important for the evaluation of existing programs and planning strategic measures in future. Areas where more studies would be welcome in order to get more knowledge on the scope and trends of trafficking in human beings in Serbia and to introduce it better to policy makers are trafficking for labor exploitation, trafficking in children and trafficking within Serbia.

Overview of measures and activities carried out in the Republic of Serbia in relation to GRETA proposal no. 8 and 9:

In the **Ministry of Interior**, Border Police Directorate and Department for Combating High-Tech Crime of the Service for Combating Organized Crime, there was an EU Twinning project under the name of "**Strengthening Border and High-Tech Security**" (2012-2014). The Project was implemented with the assistance of the Embassy of Great Britain in cooperation with Police Presidium of the Czech Republic, and was aimed at the establishment of an efficient system for the prevention and suppression of illegal migrations and trafficking in human beings on the territory of the Republic of Serbia, which was increasingly supported by the use of high technologies and the Internet.

In the framework of the project, **a research of the abuse of information and communication technologies for human trafficking and irregular migrations purposes was carried out. A**

study was published and is available in electronic form in English at: http://www.MoI.gov.rs/cms_eng/home.nsf/Cyber%20crime%20and%20the%20links%20to%20irregular%20migration%20and%20human%20t.pdf

With the aim of studying trafficking in human beings phenomenon and stressing the importance of international cooperation, in 2014, the following scientific papers were published by police officers of the MoI:

"Human Trafficking in Serbia as a Criminal Phenomenon", Security (*Theoretical and Professional Review of the MoI of Serbia*), No. 3/2013, Belgrade, Serbia, 2014, p. 171-188, available at:

<http:// prezentacije.MoI.gov.rs/upravazaobrazovanje/aktuelno/Bezbednost%203-2013.pdf>

"Monitoring of the implementation of Council of Europe Convention on Action against Trafficking in Human Beings in the Republic of Serbia", in *Violence in Serbia – causes, forms, consequences and social response*, Scientific expert gathering with international participation, Tara, from 21st to 23rd October 2014; Belgrade, Academy of Criminalistic and Police Studies and Hans Seidel Foundation, 2014, Volume 2, p. 188-202, ISBN 978-86-7020-286-3, UDK 343.54/.56 343.98, COBISS.SR- ID 207691532.

In 2015, a representative of the Department for Specialized Education and Trainings, chief inspector, in co-authorship with police officer of the Border Police Directorate, published and presented scientific and expert paper on trafficking in human beings in a magazine of international significance (M 51) on the following topic:

„GRETA questionnaires as an element of the mechanism for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings", *Temida*, y. 18, no. 2, Victimology Society of Serbia, Belgrade, June 2015. The paper was previously presented on the "Fifth Annual Conference of Victimology Society of Serbia, "Victims' protection: International law, national legislations and practice", 27th and 28th November 2014, Belgrade, Book of abstracts available at:

<http://www.vds.org.rs/File/KnjigaApstrakataVGodisnjaKonfVDS2014Eng.pdf>

As well, scientific staff of the **Academy of Criminalistic and Police Studies**, in co-authorship with other authors, also published the following relevant scientific papers:

Adequacy of normative solutions of qualified forms of criminal offence of trafficking in human beings in the legislature of the Republic of Serbia, in *Countering contemporary organized crime and terrorism V, EDITION ΑΣΦΑΛΕΙΑ, Volume VII*, Academy of Criminalistic and Police Studies, Belgrade, 2014, p. 11-30, editor S. Mijalković, COBISS.SR-ID 212066828, ISBN 978-86-7020-302-0.

Criminal activity of human traffickers in Cybercrime and links to irregular migration and human trafficking, Ministry of Interior of the Republic of Serbia. Belgrade, 2014, p. 637-662, ISBN978-86-83397-18-1, COBISS.SR-ID209540876.

Analysis of verdicts for criminal offence of mediation in prostitution in the Republic of Serbia, in *Violence in Serbia – cases, forms, consequences and social response*. Scientific and expert gathering with international involvement, Tara, from 21st to 23rd October 2014; Belgrade, Academy of Criminalistic and Police Studies and Hans Seidel Foundation, 2014, Volume 1, p. 349-359, ISBN 978-86-7020-285-6, UDK 343.54/.56 343.98, COBISS.SR- ID 102439876.

Students of specialized academic studies of the Academy of Criminalistic and Police Studies, in 2015, wrote and defended four specialist papers connected by content to "trafficking in human beings and victims protection", as follows:

- “Measures of prosecutorial protection of human trafficking victims in the Republic of Serbia“;
- ”Excluding criminal and legal liability of human trafficking victims“;
- ”Removing organs or body parts as a form of trafficking in human beings – prevention and suppression“ and
- ”Trafficking in children as a form of transnational organized crime – international legal and national legal framework“.

Republic Public Prosecutor’s Office cooperates at strategic and operational level with the Ministry of Interior and the Center for Human Trafficking Victims Protection, but also with nongovernmental sector, and in accordance with the *Law on personal data protection* they exchange information.

Please see below a table with statistics on the activities of the Public Prosecutor’s Office in proceedings for criminal offence of trafficking in human beings referred to in Article 388 of the Criminal Code in 2013 and 2014.

Development of the statistical report for 2015 is ongoing.

ACTIVITIES OF PUBLIC PROSECUTOR’S OFFICE ON CRIMINAL OFFENCE TRAFFICKING IN HUMAN BEINGS REFERRED TO IN ART. 388 OF THE CRIMINAL CODE in 2013 and 2014																
	Total number of received complaints	REJECTED complaints	ORDER for launching investigation	CONVICTED upon the suggestion, direct indictment, convictions after investigation	COURT DECISIONS											
					CONVICTING VERDICTS							Security measure as an independent one			TOTAL (column 6-13)	Acquitting
					prison	Fine as the main one	Work in public interest as a main punishment	Seizure of a driving license as the main punishment	WARNI NG MEASU RES	Probation	Court warning	acquired				
2013	74	2	71	36	45					1			46	6		
2014	45	8	23	22	16					1			17	6		

Center for Human Trafficking Victims Protection gathers all data at disposal of NGS. All authorities (it refers also to the police), organizations (*including NGOs*) and citizens report to the Center a suspicion that certain person is a human trafficking victim (*preliminary identification*). In this way, all pieces of information on possible victims are gathered in the Center, which after the suspicion report carries out a procedure of the assessment whether this person is a human trafficking victim or not. If yes, it creates with him/her **individual services plan** and he/she is referred to various programs and services he/she needs with different organizations. After and in the course of providing services all service providers and program implementers notify the Center on the outcomes and other relevant information on a specific victim they work with. This provides for convergence of all important data on the victim in a data base managed by the Center. Personal victims’ information are secured and kept in the Center in accordance with current regulations. Statistics on trafficking in human beings in 2014 are published in EUROSTAT publication on trafficking in human beings.

According to the above stated, **Center for Human Trafficking Victims Protection third year in a row carries out analysis on the human trafficking situation in Serbia, according to the methodology of EUROSTAT.** Analyses were made for 2013 and 2014, and the development of analysis for 2015 is ongoing. Developed analyses were translated in English and published on the Center's site. Analyses and reports in English are available on the Center's site: <http://www.centarzztlj.rs/eng/index.php/stats-and-reports>.

Center for Human Trafficking Victims Protection comprises annual report on trafficking in human beings in Serbia according to requirements of the ministry in charge, that is, the founder from the establishment (2012). As well, Ministry of Labor, Employment, Fighter's and Minority Affairs financed a project implemented together by NGO, Center for Public Policies Research and Center for the Protection of Human Trafficking Victims. Project "**Improvement of prevention, protection and integration of human trafficking victims through the development of local social politics – empowerment of coordinating role of centers for social work at the local level**" had a research component, as well. The topic of the research was citizens' awareness of trafficking in human beings phenomenon and the possibility of local communities to respond victims' needs.

In 2015, in the framework of project "Strengthening capacities for strategic analysis and strategic assessment in criminal police directorates of ministries of interior of Serbia, Montenegro and FYR Macedonia", in the organization of the Government of Switzerland, DCAF, OSCE Mission in Serbia and TAIEX experts, national **Serious Organized crime Threat Assessment** – (SOCTA) was developed for the Republic of Serbia. The assessment comprises a strategic overview of the area of trafficking in human beings in Serbia, as well.

Threat assessment indicates that in the Republic of Serbia there is internal trafficking in human beings – victims and perpetrators are mostly Serbian nationals. Republic of Serbia to a smaller extent is a country of the origin of human trafficking victims exploited beyond the borders of the country, and transit and destination country for foreign human trafficking victims. Sexual and labor exploitation are a dominant exploitation form in the Republic of Serbia. Especially vulnerable categories are female victims, minors and Roma population members. Current tendencies indicate changes in the method of grooming victims, which is increasingly done by means of contemporary information and communication technologies. The application of national Serious Organized Crime Threat Assessment is of extreme importance for General Police Directorate, which shall within its organizational units establish a process of monitoring its implementation and revision, as well as method of gathering information, analyses and reporting.

In the development of this analysis, the following individuals took part: representatives of the Ministry of Interior, Center for Human Trafficking Victims Protection, Republic Public Prosecutor's Office, as well as representatives of the civil society – national non-governmental organizations "Astra" and "Atina". On 30th December 2015, this strategic report was published on the Internet presentation of the MoI, available at:

http://www.MoI.gov.rs/cms/resursi.nsf/SOKTA_procena_pretnji.pdf

Round table – one-day workshop with a group of experts for the suppression of trafficking in human beings (GRETA), with the support of the Council of Europe, was held in Belgrade on 19th May 2015 in "Metropol Palace" hotel. Border Police Directorate and the MoI studied and translated the Council of Europe Report from this expert workshop, and it was assessed as a realistic one and in accordance with conclusions from this round table, where there were 25 representatives of the most important subjects in the fight against trafficking in human beings and the victims' protection in the Republic of Serbia.

Council of Europe report on the round table held in Belgrade (*original and translation*), was sent to all most important subjects in the fight against trafficking in human beings and

victims' protection in the Republic of Serbia, the representatives of which, apart from the representatives of the Ministry of Interior, under the leadership of the State Secretary, were present in stated workshop:

Republic Public Prosecutor's Office, Academy for Criminalistic and Police Studies, Red Cross of Serbia, Faculty of Law of the Belgrade University Center for Human Trafficking Victims Protection, local teams/networks for combating trafficking in human beings of Novi Sad, Sombor, Kragujevac and Leskovac, Ministry of Education, Science and Technological Development, Ministry of Health, Ministry of Labor, Employment, Fighter's and Minority Affairs, Ministry of Foreign Affairs, Office for Human and Minority Rights, Labor Inspectorate, Commissariat for Refugees and Migrations, Team for Social Engagement and Poverty Reduction, national NGOs "Atina" and "Astra" of Belgrade. **The Report was also sent to the Ministry of Justice and the Supreme Court of Cassation, the representatives of which were not present in the workshop.**

Having in mind interactivity of the round table with GRETA, the Council of Europe Report on the round table held in Belgrade represents also one of the analyses and studies of the current state of play in the field of human trafficking suppression and victims protection in the Republic of Serbia.

In 2015, a number of activities were carried out on preparations and development of the study – expert material, published in OSCE Mission edition for Serbia under the heading "**Legal framework and recommendations for the implementation of the principle of non-punishing human trafficking victims in the Republic of Serbia**". Authors of the study are a judge of the Supreme Court of Cassation, deputy republic public prosecutor and a teacher of the Academy. A working group made of the representatives of the Republic Public Prosecutor's Office – High Prosecutor's Office of Novi Sad, High Prosecutor's Office of Sremska Mitrovica, deputy high public prosecutor of Belgrade; MoI – Police Administration of Novi Sad, CID – SCOC and Border Police Directorate; director of the Center for Human Trafficking Victims Protection and coordinator in NGO Astra also took part in the development.

Commissariat for Refugees and Migrations performs duties in relation to gathering, uniting and analyzing data and indicators for managing migrations, development and regular updating of **Migration profile of the Republic of Serbia**, taking care of the availability of information with significance for migration issues etc. Development and regular updating of the Migration profile is a significant step in the development of mechanisms and systems for gathering information on all categories of migrants. Migration profile serves as means for monitoring migration flows and trend in the country and based on it mechanisms for gathering migration information have been established and developed. It is updated every year and allows for better inspection in the total migration situation in the country.

In the **Migration profile for the year 2014** (*adopted in October 2015*) annual view of the situation in the field of human trafficking in the Republic of Serbia was given. Data was disaggregated according to citizenship, gender, age, type of exploitation, determined status of the victim, number of sentences against persons who committed trafficking in human beings and number of persons who were convicted for the criminal offence Trafficking in human beings. **Data in Migration profile about victims in human trafficking** originate from two sources – Ministry of Interior (MoI) and Center for Human Trafficking Victims Protection, which is state institution authorized to conduct identification of victims in human trafficking. Data from MoI was given based on number of filed criminal charges against perpetrators of criminal offence Trafficking in Human Beings. Data from Center for Human Trafficking Victims Protection was given based on conducted identification procedure, which is based on endangerment of victim's human rights in situation of human trafficking, although it does not need to result in criminal proceeding for criminal offence Trafficking in Human Beings and conviction of the perpetrator for this criminal act.

Commissariat for Refugees and Migration supported project "Opening of dialogues in local communities among migrants and citizens on mutual tolerance and nonviolence" conducted by NGO Atina and NGO APC-CZA. The important aspect of the project is *establishing the degree of exposure of migrants to human trafficking and other forms of exploitation, as well as recognizing situations of human trafficking*. Specific objective is connecting key actors engaged in protection and providing support to migrants, as well as those engaged in prevention of human trafficking and protection of different forms of exploitation.

Commissariat cooperates with NGO ASTRA, which via SOS telephone provides information and assistance to potential illegal migrants and victims of human trafficking, conducts preventive campaigns on awareness raising for different structures of citizens about phenomenon of illegal migrations and human trafficking, provides information about legal immigration, provides direct help to victims of human trafficking etc.

Office for Human and Minority Rights during 2015, based on information provided from competent state authorities and relevant civil society organizations, drafted **Second and third periodical report on implementing Convention on the Rights of the Child** and **Second and third periodical report on implementing The International Convention on the Elimination of All Forms of Racial Discrimination**. During drawing of these documents **all relevant information related to human trafficking were analyzed and compiled** in order to supply contracting parties with credible information about measures that Republic of Serbia has undertaken with aim of implementing their recommendations received in previous cycle of considering implementation of these two Conventions.

International cooperation

10. GRETA invites state authorities of the Republic of Serbia to continue expanding international cooperation with aim of further combat against human trafficking and providing assistance to victims.

Prosecutor's Office is acting in accordance with ratified International Agreements and *Law on mutual assistance in criminal matters*, providing wide scope of international legal assistance in cases of smuggling of human beings. Also, having in mind provisions of Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters, from 1959, Prosecutor's Office is completely dedicated to further developing immediate cooperation with competent state authorities of other countries, since this manner enables quicker, more efficient and qualitative assistance and support to foreign competent authorities that lead criminal proceedings in their own states against persons accused for human trafficking to hasten criminal proceedings, and thus additionally protect victim's rights.

On **16.01.2014**, **Agreement on Operational and Strategic Cooperation between the Republic of Serbia and the European Police Office** was signed, which in "**Annex 1 – forms of crime**" envisages cooperation in field of human trafficking; it is important to mention that from July 2014 **Agreement on Operational Cooperation between the Republic of Serbia and EUROPOL** came into effect, which significantly improved MoI capacities to operationally cooperate with other law enforcement authorities on investigations about human trafficking. Merely from July 2014 until the end of the year, number of cases and exchanged operational data regarding human trafficking and related criminal offences, with other members and EUROPOL partners was 161.

On **08.12.2014** **Memorandum of Understanding between Ministry of Interior of the Republic of Serbia and National Crime Agency in the United Kingdom on Cooperation against**

organized crime, that in **Section 1, point 2B**, regulates cooperation in field of human trafficking was signed.

We especially emphasize that during November and December 2014 in Belgrade with the support of UN Office on Drugs and Crime – UNODC, together with **colleagues from France**, police and Prosecutor's Office, two bilateral workshops were held. Their topics were continuous mutual comprehensive acting in cases of children trafficking that were discovered in France (*forcing children to commit criminal offences and forcing children into begging*). Direct and comprehensive approach to the problem of children trafficking from Serbia to France was taken, since participants from Serbia in the workshop were Prosecutors, police officers, Center for Human Trafficking Victims Protection and specialized NGO Atina and ASTRA.

Directorate for International Operative Police Cooperation, Affairs Department of INTERPOL, during 2015 initiated **227** new cases related to human trafficking, that represent a small increase comparing to 2014 when **218** new cases were investigated in this filed.

Please note that beside new cases, officers of Directorate for International Operative Police Cooperation are acting upon cases from previous years (number of these cases is fairly big). In the last two or three years, **trend of increase in new cases can be noticed**, as well as acting in cases from previous years, that coincides with beginning of big migrants crisis that whole continent is facing with.

During 2015 **Directorate for International Operative Police Cooperation, Affairs Department of EUROPOL**, via EUROPOL channels exchanged in total 4752 information, out of which 181 information was related to human trafficking and 4 information were related to trafficking in human organs.

In June 2015, after certain experts, representatives of Criminal Police Directorate (*police officer of Service for Combating Organized Crime*) and Border Police Directorate (*at the same time the contact person for cooperation with GRETA*) and representatives of EUROPOL, signed **Working arrangements on accession Serbian police to EUROPOL's Focal point „PHOENIX“ to combat human trafficking within framework of Analytical Work File in Combat Against Serious Organized Crime**, Serbian police officially joined the mentioned Focal point. This will enable certain experts to participate meetings of analytical group together with representatives of other countries, to be informed by EUROPOL, at request, about development of that analytical work file, to receive and after that convey results, in accordance with article 18 Implementing rules governing EUROPOL's relationship with its partners. This includes exchange of personal data and confidential information which is in accordance with relevant provisions of the Cooperation Agreement, but only with prior approval of the party that provides information concerning Serbia.

Exchange of data and International Operative Police Cooperation via EUROPL channels have significantly been improved since signing Operational Agreement with EUROPOL and working arrangement on access to EUROPOL Focal points. This can be seen in number of contributions to EUROPOL databases, that is a number of data which Serbian police provided to EUROPOL for cross-checks through EUROPOL database and further analysis according to needs in order to establish potential matches and joint international investigations, which represents one of most significant facts in cooperation with EUROPOL and its partners. Please note that on the initiative of the Affairs Department of EUROPOL, EUROPOL's support and financial support of OSCE the **Workshop on EUROPOL's products and services** has been held in Belgrade from 15-16. April 2015. Signatory parties and Focal point Phoenix experts were present at the Workshop.

Police officers of Service for Combating Organized Crime, Trafficking in Human Beings and Human Beings Smuggling Suppression Section during 2014 and 2015 had one investigation regarding criminal offence Trafficking in Human Beings in form of sexual exploitation through prostitution which resulted in filing criminal charges in Slovenia for stated criminal act against three

persons, two Slovenian citizens and one citizen of Romania. Seven victims of human trafficking were identified in this case, all of them citizens of Serbia.

During 2015 police officers of Ministry of Interior, the Republic of Serbia had a meeting with Swiss liaison officer in Belgrade in order to exchange information and have joint investigation in potential case of trafficking in human beings in Switzerland – sexual exploitation of Serbian and Macedonian female citizens and citizens of other states in the Region in night clubs and pubs.

In December 2015, in Belgrade, representatives of Ministry of Interior and Prosecutor's Office of the Republic of Serbia, Slovenia, Bosnia and Herzegovina, Montenegro and Macedonia, Europol and EUROJUST attended the **Workshop within project "Joint Investigation Teams to Fight Trafficking in Human Beings in the Western Balkans"** organized with aim of introducing participants with advantages of forming Joint Investigation Teams (JIT) in international cases of human trafficking which affected several countries.

Cases where Joint Investigation Teams were formed in countries of the Region were presented, with a discussion of the participants and experts comments from Europol and EUROJUST representatives. After completion of the Workshop, it is concluded that forming of these teams is really relevant in international cases of human trafficking, having in mind that trafficking usually affects several states, where some of the countries– country of origin of victims, often the origin of the perpetrator, are transit countries, and then again some countries appear as exploitation countries which additionally complicates proving concrete criminal offences. Via EUROJUST it is possible to finance joint investigative teams and through Europol it is possible to finance technical equipment which significantly makes investigations easier and more efficient.

During 2015, a number of Agreements were concluded and some of them regulated cooperation in field of "fight against trafficking in human beings", and improvements of identification of victims in human trafficking, where we highlight the following:

Letter of Intention on cooperation between Ministry of Interior of the Republic of Serbia and Ministry of Interior of the State of Qatar, signed on 25.10.2015 in Doha;

Agreement between Ministry of Interior of the Republic of Finland and Ministry of Interior of the Republic of Serbia on police cooperation in suppression and fighting crime, signed on 22.01.2015;

Protocol on cooperation in the course of the 2015 tourist season between the Ministry of Interior of the Republic of Serbia, General Police Directorate and the Ministry of Interior of Montenegro, Police Directorate;

It is important to emphasize that during 2015 (27.10.2015) Memorandum on cooperation between Ministry of Interior of the Republic of Serbia and Federal migration service of Russian Federation was signed. As one of the area of cooperation regulating labor migration and suppression of illegal migrations is determined, including exchange of statistical, legal and professional-methodological information of mutual interest. Also, Memorandum concerns realization of joint programs in field of migration and etc, which is relevant in suppression of human trafficking, especially labor exploitation of Serbian citizen in Russian Federation, having in mind that in the last few years various such cases were registered.

Memorandum of Understanding between Federal Council of Switzerland and Government of the Republic of Serbia on establishing migration partnership which was signed on 30. June 2009 constituted **regular dialogue in field of migrations**. Migration dialogues are opportunity to elaborate all points of Memorandum of Understanding with aim of designing efficient process of managing migrations and strengthening mutual cooperation. **One of the points in Memorandum of Understanding is fight against smuggling of human beings and human trafficking. During 2014-2015 two Migration dialogues have been held.**

Measures to raise awareness measurements and discourage demand

11. GRETA realizes that measures to raise awareness in future should be designed in light of the assessment of previous measures and should be directed to perceived needs. Initiative to raise awareness should further be directed towards endangered groups and they should inform public about forms of human trafficking which are increasing, such as labor exploitation, forced begging, forcing to commit criminal offence and human trafficking within Serbia.

Center for Human Trafficking Victims Protection promotes data achieved based onto work on victim protection via media (*great number of interviews, newspaper articles, etc.*), publications of papers intended for specialized and interested public, participating on round tables, giving lectures in highly appreciated educational institutions (*lectures at Faculty of Political Sciences, Criminal Police Academy*).

Representatives of the Ministry of Interior gave lectures at Faculty of Law, University in Belgrade (*where Legal Clinic for fight against trafficking in human beings is functioning*), as well as their participation in capacity of a lecturer at private Faculty of Law, UNION.

Most significant suppression activities were realized during celebration of World Day Against Trafficking in Persons in July and European Day Against Human Trafficking in October, when traditionally in Serbia „month of fight against trafficking in human beings“ is celebrated.

On April 9, 2014, in Belgrade, for the first time the round table under title “**Elimination of the worst forms of child labor in Serbia: International experience and recommendations**” was held in organization of the Ministry of Interior, United States Embassy in Belgrade and International labor organization (ILO). Representatives present at this round table were from United States Embassy in Belgrade, Delegation of European Commission in Serbia, ILO, US Department of Labor, Ministry of Interior of the Republic of Serbia and other state authorities, unions, international organizations and organizations of civil society. Official Report from 2012, “Findings on worst forms of child labor in Serbia” was presented by US Department of Labor and was a topic of discussion at the round table. Actions to improve elimination of the worst forms of child labor in Serbia were recommended. These actions are given based on US Department of Labor Report and refer to Laws and legal regulations, coordination and conducting, as well as on to politics and social program.

On July 29, 2014, 30th July was celebrated, the World Day in Fight against Trafficking in Persons. On that day press conference was held with participants from the Ministry of Interior, led by Secretary of State, coordinator for fight against human trafficking, high UN representative and head of the UN Mission in Serbia, Irena Vojackova Solarno, head of IOM Mission in Serbia, Lidija Marković, Embassy of Belarus in Belgrade and representatives of Center for Human Trafficking Victims Protection. **Cabinet of the Minister and Media Cooperation Bureau**, in cooperation with NGO Atina, provided all journalists and television presenters on most popular television channels with UN symbol against human trafficking “**blue heart**” on that July 30, the World Day in Fight against Trafficking in Persons.

During 2014 month of October was celebrated as month of prevention in human trafficking, especially October 18, “European Day against Human Trafficking”. Representatives of the police, other state officials from social services, health services, justice in cooperation with local authorities and civil society took part in this celebration participating in many round tables, conferences and preventive actions related to the problem of human trafficking.

Cabinet of the Minister and Media Cooperation Bureau provided support in writing book “**Armageddon**” about the problem of child pornography and children trafficking, warning the

young, but parents and teachers as well about the dangers of misusing modern technologies. Book also contains recommendations for safe Internet and social networks use. Together with the author, representatives of the Ministry of Interior, High-Tech Crime Suppression Department and Trafficking in Human Beings and Human Beings Smuggling Suppression Section promote book and safe Internet use.

Preventive activities in Serbia are being conducted on social networks, especially on Facebook, since large number of young people uses this network and they are not aware of the danger of recruitment for human trafficking or abuse of any other kind. In that respect, groups on Facebook promoting activities against human trafficking are supported. These groups are led by civil society organizations and Red Cross of Serbia, and groups "Action for freedom", "Music against human trafficking" and "Movies against human trafficking" that on high level represent useful resource for information about human trafficking.

In the period from November 4 to November 5, 2014, **the 14. Alliance against Trafficking in persons OSCE Conference** was held in Vienna, with the title "Ethical Issues in Preventing and Combating Human Trafficking". Over 230 participants, representatives of OSCE member states, international and non-governmental organization representatives, as well as representatives of companies, religious communities and labor unions, members of Alliances against trafficking in persons, which was founded under the auspices of OSCE, attended the Conference. After completion of the first day of conference, Secretary of the State of Ministry of Interior had an exclusive meeting with OSCE special representative for fight against human trafficking, Madina Jarbusinova.

During 2015, and especially during celebration of „**Month of fight against trafficking in persons**“, in total 191 round tables on subject about human trafficking were held in primary and secondary school, student campus or faculty. On total they lasted about 248 school classes and about **13.000 pupils and students and 1.296 teachers, professors and school directors** were present. As presenters and participants, about 84 representatives of Red Cross of Serbia, social services and NGOs took part. Numerous activities with aim of human trafficking prevention were realized: 9 times they were guests on radio programs in total duration of 124 minutes; 21 times they were guests on TV programs about human trafficking in total duration of 620 minutes.

Center for education and prevention of social pathology „Dorotej“, from Belgrade, with support of Ministry of Trade, Tourism and Telecommunication, realizes project under title "Hundred schools for childhood without pain". The aim of the project is protection and safety of children on the Internet that is introducing users to dangerous that come via social networks. Presenter at round tables organized on that occasion in several schools was a journalist, author of the books „Lost in fog“ (about human trafficking) and „Armageddon“ (about police action against pedophilia).

On the occasion of frequent violence against women and domestic violence with fatal outcome, for more efficient inclusion into the system of protection against any form of violence, Ministry of Education, Science and Technological Development recommended in June 2015 to all schools:

- To within Annual work plan or Annex to Annual work plan foresee measures for prevention of any form of violence, discrimination and/or segregation
- That suggested measures (in form of workshops, round tables or dialogues) continuously take place with students, parents and local community
- To include parents, representatives of social services, health homes, Prosecutor's Offices and police in realization of suggested measures
- That all activities on suppression of all forms of violence start immediately, with beginning of 2015/2016 school year

In cooperation with Police Directorates, Social Service Centers, Health care Centers and government and non-government organizations in educational institutions **lectures for students, teachers and/or parents are held on various topics related to: human trafficking, gender equality, domestic violence, sexual violence, discrimination, digital violence and etc.**

Related to suppression activities, **Ministry of Youth and Sports** was informed regarding Suggestion 1.

RED CROSS OF SERBIA – PROGRAM OF FIGHT AGAINST TRAFFICKING IN PERSONS (*Legal basis: Law on Red Cross of Serbia, Article 9, Paragraphs 1, 2, 4 and 6 Articles 14, 15 and 16 of the Law*).

Project was implemented as continuation of the Program of human trafficking suppression that began in 2005 with means provided by Norwegian Red Cross, while Danish Red Cross provided support to administrative procedures related to implementation. During next couple of years, financing of Program on singular, exactly specified activities was supported by Spanish Red cross, UNHCR, IOM, US Embassy in Belgrade, Swiss Agency for Development and Cooperation (SDC) and International Federation of Red Cross and Red Crescent Societies.

Aims of the Program are directed towards reducing vulnerability of potential and actual human trafficking victims in Serbia. The emphasis is put on to the young, including particularly vulnerable groups, through preventive action. Program included training for professionals that may come in contact with victims of human trafficking. With all above mentioned, Program enhanced capacities of Red Cross of Serbia to deal with issues of human trafficking. Project was implemented by Red Cross of Serbia in close cooperation of headquarters and **80** Red Cross organizations in cities and municipalities across country.

The emphasis on celebrating European Day against Human Trafficking in 2014 was due to raising awareness of health care staff about human trafficking issues and about the necessity of their active inclusion in suppression of trafficking in human beings. With active inclusion in primary identification of victims of human trafficking, providing adequate support and protection, this staff can significantly assist in implementation of National Strategy against Trafficking in Human Beings. In respect to sensitizing health care workers and medical science students, the action also included university professors and professionals, medical science students and high school medical students.

World Day against Trafficking in Persons was for the first time celebrated in the Republic of Serbia on 30. July 2014. Although all Red Cross of Serbia activities were primarily directed to recovering from the consequences of catastrophic floods, 30 Red Cross organizations in cities and municipalities participated in appropriate manifestations of celebrating the World Day against Trafficking in Persons.

Program should be considered within Network of European Society of Red Cross and Red Crescent Societies that deal with issues of human trafficking – **Anti-trafficking Network**. Red Cross of Serbia took active part in ensuring exchange of experience and expertise among European Red Cross societies and other international partners. Together with representatives of Dutch Red Cross and Red Cross of Belarus, **representative of Red Cross of Serbia is also the member of Steering Committee of Network of Red Cross National Societies in fight Against Human Trafficking**. Experience of our National Society in field on suppression of human trafficking, contribution to development of Program to fight against human trafficking in national societies in surroundings and active contribution to developing similar programs across Europe, through Anti-trafficking work group organization within PERCO network, as well as active participation in

European Network of Red Cross National Societies and Red Crescent to fight against trafficking in human beings, were basis for participation of Red Cross in consultations for drafting European Union Strategy towards Eradication of Trafficking in Human Beings, that represents dedication of European Commission towards fight against this worst form of human rights violation. At invitation of European Union Anti-trafficking Coordinator, Maria Vasilidaou, at recommendation and support of Leon Prop, Director of the European Union Red Cross Office, **representative of the Red Cross of Serbia took part in two meetings devoted to developing the Strategy.**

On that occasion, experiences and findings of Red Cross of Serbia gathered during continuous work in this field were presented to high officials and representatives of European Union and UN Agencies. **Red Cross of Serbia recommendations mostly referred to improving suppression in human trafficking and need to achieve and maintain cooperation among key stakeholders in fight against this dangerous phenomenon.** Recommendations of Red Cross have been recognized, appreciated and incorporated into the text of Strategy, and these recommended areas of action are among priorities of the Strategy. Red Cross of Serbia presented achievements of our National Society and stands of Red Cross during joint Council of Europe and OSCE Conference on the occasion of the Austrian Chairmanship of Council of Europe and Swiss OSCE Chairmanship, held in Vienna in 2014.

Program results in 2015:

Over 300 informative workshops in cities and municipalities have been realized by **237 active young Red Cross educators.** With these, over **20.000** persons (from the beginning of Program the number of informed people is 350.000) have been educated. Through peer education young, especially those according to official statistics, most vulnerable, are warned about the existence of the problem and trained on measures of protection. Significant number of adults, including representatives of most vulnerable group such as Roma groups and Internally Displaced Persons, as well as parents and teachers were informed about human trafficking issue.

One Training Seminar for trainers, in total for 30 participants from Valjevo, Voždovac, Vranje, Gornji Milanovac, Zvezdara, Ivanjica, Kikinda, Kragujevac, Kruševac, Kraljevo, Loznica, Mionica, Novi Sad, Pančevo, Ruma, Savski Venac, Stari Grad, Sombor, Čičevac, Užice, Šabac and Šid was held. The aim of qualifying trainers is for them to conduct training in their surroundings and qualify future educators according to standardized agenda and principles of organization.

Seminars intended for training young educators were held at regional levels in accordance with plans provided to organizations of Red Cross in cities and municipalities and where actually required, in Kragujevac, Belgrade, Kraljevo and Koceljevo. These young educators were selected according to expectations that they should at least for two years spread knowledge about the problem of trafficking in human beings and manners of its suppression through various activities. Organizers of these seminars were Red Cross organizations in cities and municipalities. Facilitators were certified trainers chosen by Red Cross of Serbia. In group of three trainers they executed training according to standardized agenda and at the same time took over the role of mentors to people in group so they could monitor their engagement, provide adequate advices and encourage them to conduct informative workshops by themselves. Exchange of trainers and mentors to trainees as delegated responsibility has so far been graded as a very successful method of retaining volunteers.

By conducting mentioned trainings, multiple aims have been achieved, giving priority to preparing future educators and exchange of experience among employees and volunteers on how to conduct programs. Referring to the seminars evaluations, Program had many advantages from cooperation and joint appearance with Ministry of Interior. In order to maintain satisfying quality level required for conductive informative-preventive activities with children and young, all educated volunteers

must be familiar with content of educational material. This material vividly explains human trafficking phenomenon and measures for prevention to targeted groups, from preschool age to adolescence period.

Educational and promotional platform "Freedom is priceless" was held on May 25, in conference room of Dom Omladine in Belgrade for a large number of participants. On that occasion emphasizes was put on informing persons that through their professional work may come into contact with victims of human trafficking. The aim was to sensitize these professionals about the issues and make them better prepared for more efficient reaction to potential or actual human trafficking victims. Seminar was held together with Medical Students Association, in order to motivate medical and health care workers and actively include them in suppression of human trafficking. Through method of already proved peer education, we addressed not only to endangered groups but to young people expected to react and with their acts help save the victim of human trafficking.

In June 2015, video "**Button for Help**" dedicated to fight against trafficking in human beings, made in cooperation with Red Cross of Serbia and Agency New Moment New Ideas Company, won award on world's most prestigious creativity festival in Cannes, Cannes Lion.

During this summer as well, peer educators qualified to advise on measures of protection in situations that may lead to falling into trap of trafficking in human beings daily transferred their knowledge to children who attended the school **in period of 8 shifts of Red Cross Summer School organized in Baošići (Montenegro)**, adequately informing about **500 attendees** on preventive measures.

Project Development Group, which gathers very much dedicated volunteers and aims to spur internal organizations of project activities, exchange and distribution of relevant reports, as well as increase of organizing capacity for organizing standard activities and new initiatives, was actively contributing to the Program during whole reporting period. Heading towards new challenge and increased flow of migrants on their way through the Republic of Serbia, **a new set of electronic educational material** was established, aiming to increase public awareness and awareness of people getting in contact with them, **about migrants' situation and risks of their traveling route**. A new module of "Preventive Package" which relates to migration segment is followed by detailed instructions for volunteers in order to provide standard and established level of performing the activities. An Annual Program Evaluation indicated that it was necessary to expand it to development and performing the module which would influence the increase of public awareness and especially of people getting in contact with migrants about their rights, needs and threats following them on their way to desired destination.

A Committee for Fight against Human Trafficking within Serbian Red Cross was established. During reporting period two meetings were held where current questions were considered. The Program should also be considered within European Network of Red Cross and Red Crescent Societies which deals with answers to problem of human trafficking and PERCO network.

This year marking the **European Day in fight against human trafficking** was held during whole October as a mutual presentation of Red Cross, existing Local networks for fight against human trafficking and partners in implementing the activities of human trafficking suppression. This year also Red Cross volunteers brought the attention of citizens to problem of human trafficking by organizing already known public presentations of doll exposure – symbol of victim of human trafficking at squares, streets and shop-windows. Red Cross volunteers performed simulating scenes of human trafficking and victims' suffering which brought great interest of partners and public reactions.

Trainers of Serbian Red Cross passed on their knowledge through special seminars and youth summer camps to colleagues from Bosnia and Herzegovina, Croatia, Macedonia and Montenegro and to participants of international camp Atlantis which was held in Portugal this year. The topic human trafficking was a part of agenda of summer camps in which educators of Serbian Red Cross participated as lecturers. Mutual and comprehensive activity of a head office, collaborators and volunteers of Red Cross organizations in towns and municipalities gave result which was noticed by huge number of organizations and institutions in country and worldwide. All the activities performed in the reported period resulted in numerous new initiatives for cooperation and especially in intensifying continuous preventive activities which are performed for children and youth in schools by Red Cross.

12. Also, GRETA invites all public authorities of the Republic of Serbia to make efforts in discouraging the demand of services from victims of human trafficking in any form of exploitation, together with private sector and civil society.

Social, economic and other initiatives for groups subject to risk of human trafficking

13. GRETA considers that state authorities should continue with development of preventing activities through aimed measures of social and economic strengthening.

Presentation of measures and activities taken in the Republic of Serbia regarding GRETA's Proposals number 12 and 13:

Draft of new national Strategy provides strategic aim number 2 which is as follows
“Advanced prevention and reduced influence of causes of human trafficking according to dynamic of new challenges, risks and threats“.

The above mentioned aim provides that the advanced prevention and reduced influence of causes of human trafficking would be provided by constant performing of training program for state employees who could be in contact with victims of human trafficking, including vulnerable categories of migrants and children without parental or guardian accompaniment, through constant performing programs for strengthening especially vulnerable groups, by developing early warning system regarding risks which may lead to human trafficking, by constant performing programs of economic strengthening, by responsible media reporting on problem of human trafficking, by raising the public awareness through giving support to making media content on problem of human trafficking, by promoting the National telephone number for prevention of human trafficking and by comprehensive measures in raising awareness of public, state employees and members of organizations of civil society on causes of human trafficking, **especially with the aim to discourage demands for all types of human trafficking.**

Advanced prevention of human trafficking will be provided according to dynamic of new challenges, risks and threats, including more frequent mixed migration flows going over the territory of the Republic of Serbia and risks of human trafficking for vulnerable categories of migrants and asylum applicants. Also, when we talk about advanced prevention we should bear in mind that poaching activities for human trafficking, promoting and exploiting are more often done by misusing modern technologies, mobile internet and social networks. **These activities are provided and elaborated in the Action plan for 2016-2017.**

The following activities are planned in the Action plan: *„Performing the preventive programs according to impact analysis“*, *„Raising public awareness by giving support for making media*

contents“ and „*Developing early warning system to risks of human trafficking, especially towards women and children*“.

The following tasks are established within „*Performing the preventive programs according to impact analysis*“:

1. **Impact analysis of current programs and investigating the practice, method and strategy with recommendations;** 2. **Making and performing training programs intended for state employees who may get in contact with victims and potential victims of human trafficking within police, social services, judiciary, health services, education and Asylum centers;** 3. **Making and performing programs for strengthening especially vulnerable groups;** 4. **Making and performing programs of economic strengthening;** 5. **Raising awareness about responsibility and importance of media role and organizing the civil society to recognize the demand as one of the main causes of human trafficking;** 6. **Establishing the National telephone number for prevention of human trafficking.**

The following institutions and partners are responsible:

1. National coordinator and Working group for performing and monitoring the Strategy and partners; 2. Ministries in charge of government departments together in cooperation with the National coordinator; 3. Ministry of labor, employment, veterans and social welfare and partners; 4. Ministry of finance, National coordinator and partners; 5. National coordinator and Working group for performing and monitoring the Strategy and partners and 6. Ministry of labor, employment, veterans and social welfare and partners.

The deadline is „continuously up to the end of 2017“, and the following activities are defined as indicators:

1. Impact analysis with recommendations was made; 2. Number of performed training programs; 3. Trainings of services involved in the system of integrated border control involve contents related to human trafficking; 4. Number of successfully educated employees; 5. Educated employees successfully perform their jobs; 6. Number of performed programs for strengthening members of vulnerable groups; 7. **Modified legal provisions that provide financial benefits for economic subjects which donate or support programs of economic strengthening for victims of human trafficking;** 8. **Number of measures which resulted in reducing the demands for all types of human trafficking** and 9. Established and available telephone number for prevention of human trafficking.

The following resources are planned for these needs:

1. Two workshops for 3 EU experts, each lasting for 5 days, where analysis with recommendations and models of best practices would be performed and presented. 30 members of Working group for performing and monitoring and a coordinator would participate at these workshops. 2. To hold 2 meetings, each lasting for 3 hours, where training programs would be defined and made. A coordinator and members of Service for staff management would participate at these meetings (Annual training of 200 state employees coming from all systems); 3. **for task number 3, part of performance needs additional financing in the amount of 2,000,000 dinars per year, for task number 4, part of performance needs additional financing in the amount of 2,000,000 dinars per year, for task number 6. additional financing is needed in the amount of 2,000,000 dinars per year; Task number 3, in 2016 and 2017 (amount of 2,000,000 dinars per year):** For especially vulnerable categories (fosters of foundling homes; young people coming from poor Roma families; young people living and working on streets; young people who are unemployed,

socially excluded and poor; single and unemployed mothers; irregular migrants and asylum applicants; children migrants who are without accompaniment, young people who were returned according to Readmission agreement) courses, trainings and informative workshops should be organized with the aim to promote positive value system, as well as sport activities and giving information about reproductive health; **4. Task number 4, in 2016 and 2017 (amount of 2,000,000 dinars per year):** Support for vulnerable groups by organizing courses with the aim to gain knowledge and skills which will provide economic sustainability (making the products) and support to economic enterprises which will employ economically vulnerable groups; **5. TAIEX - Workshop in Belgrade, lasting for 3 days, where EU expert would present the best EU practice – responsibility and importance of media role and organizing the civil society to recognize demands (Training for 20 members from media, 10 members from NGO, 2 members from Ministry of Interior, National coordinator, 2 members from Center for protection of victims of human trafficking and 2 members of Ministry of labor);** **6. Task number 6, in 2016 (2,000,000 dinars):** Bid invitation for establishing National telephone number; annual salaries for 8 new employees; space rent; analysis making and reporting to other state bodies; costs of translating to foreign language; making of web site; **Task number 6, in 2017 (2,000,000 dinars):** Making fliers and workshops with the aim to promote National telephone number; annual salaries for 8 new employees; space rent; analysis making and reporting to other state bodies; costs of translating to foreign language; making of web site.

14. GRETA appeals to state bodies of the Republic of Serbia to involve measures for prevention of Roma human trafficking in the Strategy for promotion of Roma position in the Republic of Serbia, and to give assistance and protection to victims.

Together in cooperation with the German Association for international cooperation (GIZ) **Office for human and minority rights** established aims of program „**Social protection and prevention of human trafficking**“ through four components: 1) support in strengthening the social structures at national level, assistance in finding the systematic solutions and creating the social politics; 2) support to decentralized mechanisms of giving social services at regional, local and municipal level; 3) establish direct measures of support to improve social inclusion of persons affected by human trafficking; 4) establish the mechanisms of cooperation regarding social protection of vulnerable groups and improved mechanisms of giving social services.

Within the first program component, the program was accredited and *A Manual for fosters and children victims of human trafficking* was made. Capacities of state institutions are strengthened in the scope of their special role while establishing framework conditions and two trainings lasting for 4 days were organized for 50 participants. *A Manual with directions for preventing human trafficking and local services in prevention* was made. Two-day training was held for municipal teams. The topic was financial sustainability of services for prevention of human trafficking and sustainability program of local services for prevention of human trafficking with a gender component in the context of program implementation, establishing of intersectoral local services for prevention of human trafficking and appreciating genders in all phases of service development. A conference was organized where members of state bodies, institutions, local self-governments, organizations of civil society and international organizations participated, with the aim to exchange experience and connect local participants, as a necessary precondition for strengthening local capacities in establishing sustainable preventive measures against human trafficking. Also, A Day for fight against human trafficking was celebrated in Belgrade, where representatives of state institutions, international organizations, independent bodies for protection of human rights and civil society organizations were present.

Within the second component a comprehensive analysis of system for social protection for vulnerable groups was done and recommendations for improvement were finished. As a result of assessment need at municipal level it is determined that there is a need to build capacities for social services at municipal level in 11 pilot municipalities. In these municipalities 5 trainings were held for

100 participants and the topics were program sustainability, financial sustainability, gender, establishing intersectoral local services. During 2014 two trainings were held, which strengthened capacities of local organizations of civil society and experts from Center for social work in giving support / building capacities regarding standards for services which brought to spreading knowledge of experts about social services and services adjusted to clients. 35 participants from 11 municipalities were trained. During 2015 four trainings were held, each with 25 to 30 participants, representatives from police, Center for social work, Youth office, Center for working involvement, municipalities, NGOs, Red Cross, mobile teams and schools. Manuals „*Training for working with vulnerable groups*“ and „*Field work and mobile teams*“ were made.

Within the third component local partners strengthened their contacts and cooperation with public and private sector, and civil society organizations developed operative plans for public-private partnerships and worked on their implementation and cooperation with private enterprises.

Action social plans for approach to vulnerable groups were developed at local level by redefining current strategic documents and further technical support to local networks for fight against human trafficking was defined. **Strategy for fight against human trafficking** was developed in Kikinda, one of pilot municipalities. That is the first document made at local level which deals with this topic. Civil society organizations developed operative plans for public-private partnerships and work on their further development and implementation and cooperation with private enterprises.

Within the fourth component exchange was made between Serbian Center for Human Trafficking Victims Protection and Macedonian Ministry of social welfare.

According to recommendation from European Commission's Report on screening, Action plan for Negotiation chapter 23 provides adoption of new strategy on Romas. The Republic of Serbia made a ***Draft strategy for social involvement of male and female Romas in the Republic of Serbia for the period 2016 to 2025***. The Draft is in the adjustment phase.

In that document, a proposal from paragraph 14. GRETA was accepted, so instead of *System of social protection applies solutions that confer an advantage to support family in supporting children in risks, including special support to Roma families*, the following is provided for the segment which relates to social protection as a measure for establishing operative aim – **Advance system of prevention, protection, support and reintegration of victims of human trafficking according to new Strategy on fight against human trafficking including victims of Roma nationality**.

During 2014 and 2015 human trafficking projects were approved at competitions financed from budget of the Republic of Serbia. Within those projects numerous trainings, forums, round tables and media activities were organized.

- ***Competition for association projects with the aim to advance position and status of Romas in the Republic of Serbia 2013/2014*** – 3 projects dealing with human trafficking were approved and performed: "Young female Romas in fight against human trafficking" (Citizen association Ternipe, Pirot); „Say no“ (Citizen association "NEXUS", Vranje) and "Advance position of Romas through support in preventive measures for suppression of human trafficking and labor exploitation" (Resource center for sustainable development, Belgrade).
- ***Competition for association projects with the aim to advance position and status of Romas in Republic of Serbia 2015/2016*** - project „**Human trafficking – protection of Romas through preventive measures**“ was approved.

15. Also, GRETA invites state bodies of the Republic of Serbia to continue with taking steps for providing registration of all persons in register of births, with the aim to prevent human trafficking and avoid return of same persons into human trafficking chain.

Within their competence, members of Ministry of Interior actively participated in performing action plans for implementation of Strategy for advance position of Romas through implementation of Decade of Roma inclusion 2005 – 2015 in the area of issuing IDs needed for enforcing social, health and other rights.

Through legal principles of *Law on exchange and amendments of Law on ID* ("Official Gazette of the Republic of Serbia", number 36/11), *Law on permanent and temporary residence of citizens* ("Official Gazette of the Republic of Serbia", number 87/11), *Rule on registration form for permanent residence at the address of institution, i.e. Center for social work* ("Official Gazette of the Republic of Serbia", number 113/12), and *Rule on register procedure and cancellation of permanent and temporary residence of citizens, register temporary residence abroad and return from abroad, passive permanent and temporary residence, forms and manners of keeping the records* ("Official Gazette of the Republic of Serbia", number 68/13), which were initiated by this Ministry, mechanisms which enable easier access to IDs were made. These also include register of residence at the address of Center for social work for citizens of the Republic of Serbia, among which most of them are Romas, who do not have registered residence upon some other legal ground, if prescribed conditions are implemented by law. Also, members of Ministry of Interior of the Republic of Serbia made a draft *Law on personal identification number of citizen*. Upon enacting this Law, by-laws will be passed in this area.

Members of this Ministry make the activities regarding defining and solving recognized problems of Romas, through different types of cooperation with subjects relevant for solving status matters of these persons and through independent activities like: priority status solving requests for citizenship of Republic of Serbia submitted by Romas, in-time and complete informing about procedures for issuing IDs and taking other necessary measures, which enable every single procedure of issuing IDs for Romas to be done in a simplified and efficient way.

According to Agreement on Understanding made between Ministry of Justice and government administration, the Protector of the Citizens and UNHCR office in Serbia, a decision was made to form a **Technical group**, whose main task is to perform activities with the aim to implement subject of the Agreement – enrollment into the Register of Births for Roma national minorities who were not registered in these records up till now. Certain members of Ministry of Interior are also members of this working group and actively participate in its work by exchanging information and solving concrete problems that appear in procedures of citizenship status regulation and issuing IDs for Romas.

In the reporting period within implementation of Agreement on understanding, meetings were held organized by UNHCR. The topic was „New matters in the area enrollment into the Register of births, registering places of residence and getting IDs“. Representatives of UN High Commissioner for Refugees, Ministry of state administration and local self-government, the Protector of the Citizens, Praxis organization, Ministry of Interior Administration Department, Roma civil society, i.e. representatives of Roma associations participated at these meetings.

Representatives of UNHCR, the Protector of the Citizens, Praxis, Ministry of state administration and local self-government and Ministry of Interior informed the other representatives of these meetings about changes in legal provisions. Those provisions enable citizens of the Republic of Serbia whose legal personality is not recognized by enrollment into the Register of births („legally invisible persons“), and out of whom most of them belong to Romas, to enroll in the fastest and

easiest way and then to get citizenship of the Republic of Serbia, personal IDs and to register residence at the territory of the Republic of Serbia.

Representatives of Administration Department explained to the other representatives of these meetings how citizens could get citizenship of the Republic of Serbia and to register residence at the territory of the Republic of Serbia and then to apply for IDs. They were also informed that they could also get necessary information at organizational units of Ministry of Interior at place of residence or directly at Ministry of Interior.

In the scope of implementing this Agreement UNHCR also organized training for registrars and deputy registrars, employees of Centers for social work and police officers. The topic was "**Enrollment into the Register of Births and enforcing the rights related to citizenship, permanent and temporary residence of citizens and family-legal protection**". Representatives of Ministry of state administration and local self-government, the Protector of the Citizens, UNHCR, Ministry of labor, employment, veterans and social welfare, Praxis organization, Secretariat of Belgrade city department and Ministry of Interior Administration Department participated at these meetings.

Ways to solve status and citizenship matters for Romas and activities which Ministry of Interior took in order to regulate their status were especially considered at these trainings. At the same time, according to decision from Commissioner for Refugees and Migrations of the Republic of Serbia on recognizing refugee status, Ministry of Interior issues refugee document as an ID to these persons.

Citizenship of the Republic of Serbia could be obtained by manner set up in the Law on citizenship of the Republic of Serbia („Official Gazette of the Republic of Serbia“, numbers 135/04 and 90/07). Having in mind that citizenship is one of the main human rights and respecting principles of international law during making provisions that regulate citizenship, national legislation of the Republic of Serbia pays special attention to principles aiming to prevent statelessness, giving possibility to get citizenship on different grounds (origin, being born on the territory of the Republic of Serbia, refugees, emigrants, regaining citizenship of the Republic of Serbia etc.).

Law on citizenship of the Republic of Serbia gives a lot of possibilities to get citizenship of the Republic of Serbia, without any discrimination. This Law excludes possibility for a person to be left without citizenship and also enables double or multi-citizenships. According to this Law, a person born in one of the former republics of SFRY who had citizenship of that republic could get a citizenship of the Republic of Serbia. Also, a person who is a citizen of that other country coming from the territory of former SFRY and resides at the territory of the Republic of Serbia as a refugee or displaced person or who escaped abroad could get a citizenship of the Republic of Serbia.

Ministry of Interior contributes to solving problems of refugees by applying *Law on citizenship of the Republic of Serbia* using faster procedure, decides upon requests for enrollment into citizenship for this category of citizens, so that they could afterwards gain rights to IDs and other rights guaranteed by the Constitution.

In July 2015 at the proposal of Commissariat for Refugees and Migration, the Republic of Serbia adopted National strategy for solving matters of refugees and internally displaced persons for the period 2015 to 2020.

The Republic of Serbia tends **to facilitate access to documents to all internally displaced persons** by adopting relevant regulations and raising capacities of bodies in charge of issuing documents. In the scope of specific aim 3.1 (*To facilitate access to documents important for status and gaining rights of internally displaced persons*) **the following measures are provided**: improve mass

communication of internally displaced persons, especially affected Roma RAE population, about procedures for getting IDs and facilitate getting of documents by providing legal aid; strengthen coordination of competent institutions at local level in units of local self-governments, so that they could help internally displaced persons regarding getting IDs; raise the level of intersectoral cooperation at central level in order to solve problems of internally displaced persons regarding accessing documents important for enforcing their rights, including consideration of practical solutions for verification of documents issued at place of origin; facilitate access to formal labor market by changing regulations which would enable issuing of employment book to unemployed internally displaced persons according to their place of residence; and support adoption and implementation of strategic document regarding improvement of Roma position related to issuing of documents.

Measures for preventing human trafficking at borders and measures for enabling legal migrations

16. GRETA thinks that state bodies of the Republic of Serbia should make additional efforts in order to:

- reveal cases of human trafficking in the area of border control;
- introduce a control list for determining potential risks related to human trafficking during applying for visas.

Border police department within Ministry of Interior Police Directorate coordinates police activities in the area of fight against human trafficking and it has special organizational units for fight against human trafficking. Head of Division for suppression of trans-border crime, illegal migrations and human trafficking was appointed as a coordinator for fight against human trafficking in November 2008. Also, a police officer from this Division was appointed as a contact person of the Republic of Serbia for cooperation with GRETA in January 2012.

The above mentioned enables more successful directions of border police work in the area of suppression of human trafficking and identifying victims of human trafficking in the area of border control. Directions of border police work in this area are performed daily.

As far as **indicators for police regarding preliminary identification of victims of human trafficking** are concerned, a few groups of indicators are important for border control and recognizing cases of human trafficking, such as: „**Personal documents**“, „**Personal belongings which a person has**“, „**Transport of persons**“, „**Personal appearance**“, „**Wounds**“, „**Personal behavior and communication characteristics**“, „**Mistrust in police**“ and „**Spotted control over a person**“.

Border Police Department sent a request to IT Department in order to provide access to Indicators for police at intranet site of Ministry of Interior. Upon that, **police officers** from all Departments within Police Directorate, Police Department for Belgrade city, all regional Police Departments and all Regional Centers of border police **are recommended to get familiar with Indicators** and their further use in work. Also, indicators have already been used and will be used in future police trainings related to problems in the area of human trafficking.

In that aspect, INTRANET site of Ministry of Interior contains "**Indicators for police regarding preliminary identification of victims of human trafficking**" and „**Legal framework and recommendations for applying principle of impunity for victims of human trafficking in the Republic of Serbia**“ in electronic form in part "DOCUMENTS" – Border police department, so they are available to all police officers. These documents are put so that police officers working at

border control, suppression of human trafficking and victim protection and other police officers who may get in contact with victims of human trafficking and all other interested police officers, could get familiar with them. It is recommended that police officers use Indicators for preliminary identification of victims of human trafficking, especially in contacts with groups who are in bigger risk of human trafficking, including migrants and asylum applicants.

This one is an example of good practice, having in mind that most of the countries use indicators from different international organizations (most often UNODC and ILO) and in Serbia there are national indicators. Upon making *The Instructions on obligatory police acting in cases of human trafficking*, which is already approved by Ministry of Interior with consent from Police Director, Indicators for Police will become a part of the above mentioned Instructions, which will make it even more important. The preconditions for making this Instruction are changes in authorities of police organizational units, which act in cases of human trafficking, according to recommendations from European Commission experts.

In the area of border control it is important to mention trainings of border police in September 2013 and September 2015. Four police officers from Border Police Department attended training "*Fight against human trafficking for border police*" and became „national trainers for border police“, according to organization and program of FRONTEX. Two police officers are from Division for suppression of trans-border crime, illegal migrations and human trafficking and other two police officers are from Border Division. Further training upon this program for border police is expected during 2016.

Out of trainers in the field of fight against human trafficking, who participated in the project with OSCE (the information was given in the Proposal No. 7), 101 police officers from the Border Police attended the courses in 2014.

Also, as previously stated in the answer regarding the Proposal No. 7, according to the Program of professional training of police officers of the Ministry of Interior for 2015, three one-day seminars had been carried out on the topic „**Legal provisions that regulate the issues of human trafficking, illegal migration and human smuggling**“, with participation of **52 police officers from Border Police** (Border Police Station (BPS) Boranja towards Bosnia and Herzegovina, 23 police officers; in Regional Border police Centre towards Bosnia and Herzegovina, 16 police officers and in BPS Vršac, towards Romania, 13 police officers).

Also, in the period from July 1 to September 30, 2015, within the teaching activity, based on undertaking several joint activities by Border Police Directorate and Criminal Police Directorate, **a professional training of operatives from Border Police engaged on activities of suppression of cross-border crime, illegal migration and human trafficking, as well as regarding criminal-intelligence work, had been carried out.**

Uniformed police officers from Border Police (ranks: deputy/assistant of Commander of Border Police Station, shift manager in Regional Border police Center or in BPS) were present on the training, bearing in mind that they are closely in contact with teaching units, 1. Collecting and processing of operational data, knowledge and evidence, and 2. Forming and processing of operational data.

Professional education had been successfully carried out in the Regional Border police Center towards the Republic of Croatia in the city of Novi Sad (20.08.), in Border police Station Niš – airport (04.09.), in Regional Border police Center towards Bosnia and Herzegovina in Užice (11.09.) and in the headquarters in the Ministry in Belgrade (24.09.), and 51 police officers from Border Police attended the training – 34 operatives and 17 uniformed officers. It is

estimated that provided training will improve, to a large extent, the capacity of Border Police regarding the collection and processing of operational data in connection the issues of smuggling and human trafficking.

In order to avoid the issuance of visas (tourist, business, transit and others) **when there are reasonable grounds to believe that person can become a victim of human trafficking or involved in human trafficking**, an interview with applicant is obligatory, as well as with caller, and in the case of minors the consent of both parents for travelling is required. Checks by MoI of the Republic of Serbia are carried out regarding the requests for issuance of visas for all citizens of high migration risk countries, especially in cases of suspected human trafficking for sexual, labor and other forms of exploitation. Checks are carried out by the local police – specialized units for affairs related to foreigners, suppression of illegal migration and human trafficking, by directly contacting the caller and by performing other operational checks on the field.

If a suspicion occurs during the checks that it is a case of human trafficking, application for visa shall be rejected, further police checks shall be launched and stakeholders shall be informed via international police cooperation about all security related information. The Ministry of Foreign Affairs and Diplomatic - consular missions of Serbia are instructing the requests for checks. In order of faster and better checks regarding visa applications, a unique Visa Information System (VIS) is established and Diplomatic - consular missions of Serbia, the Ministry of Foreign Affairs and the Ministry of Interior have an access to the mentioned system.

From the Ministry of Foreign Affairs, other measures aimed at suppression of human trafficking and protection of victims are providing information through official websites of the Ministries and Diplomatic - consular missions (DCM), regarding the conditions for legal entry and staying in the territory of the Republic of Serbia, in order to ensure informed and legal migration. Also, informing our citizens about all relevant aspects of travelling or staying in other countries, with simultaneously warning of potential offenders of possible consequences. Informing DCM of the Republic of Serbia and international organizations about the measures carried out by the competent state authorities in the fight against human trafficking; Also, data are regularly exchanged with foreign DCM and MoI about lost and stolen passports, in order to prevent their possible misuse.

During 2014 and 2015, an active work was performed regarding harmonization of visa regime of the Republic of Serbia with EU visa regime, as one of the priority tasks towards full membership in the European Union. In the context of taking measures for prevention of growth of illegal migrants and possible misuse of visas, the Republic of Serbia has significantly reduced the number of visas issued at the border (*in 2013. – 485 visas are issued at border crossing (BC), in 2014. – 190 visas are issued, and in 2015. – 80 visas are issued*) and significantly tightened documentary evidence and procedures for issuing visas for entry and staying. **In the case of reasonable doubt, the consular officials perform interviews with visa applicants, and if issuing visa is for minors, the presence of both parents or their certified consent is necessary.** Visas are issued based on the prior consent of the Ministry of Interior.

National Visa Information System (VIS) was established according to the model used in the EU Member States and 82 diplomatic-consular missions of the Republic of Serbia are currently operational. Rounding off an information system on the state level by including border crossings and regional police directorates in VIS is currently in progress, which will further enhance the efficiency of operations of all relevant state authorities, but also enhance the possibility of fast coordination in prevention of illegal activities.

Identification of victims of trafficking

17. GRETA considers that state authorities of the Republic of Serbia should intensify efforts towards discovery of potential victims of human trafficking among asylum seekers and to ensure their referral to the Center for Human Trafficking Victims Protection, due to formal identification and assistance.

Center for Human Trafficking Victims Protection actively participates in creation of standard operating procedures for migrant children protection (SOP), particularly unaccompanied and separated children, implemented by UNICEF in cooperation with the Ministry of labor, employment, veteran and social issues, which are undertaken by NGO “IDEAS” and CHTVP. Children victims of human trafficking are particularly recognized as high risk group and urgent steps are intended for protection. CHTVP cooperates with the Commissariat for refugees and migration and within their competence is Centers for asylum seekers.

Training for employees in these centers regarding the topic – how to recognize a victim of human trafficking and what is the procedure for cooperation with the Center for Human Trafficking Victims Protection – was held in December 2014. At the same time, centers for social welfare from the territories where asylum seekers are accommodated, also attended the training, and the way of mutual cooperation is better explained. In specific cases of suspected human trafficking, direct communication is achieved with CHTVP commissariat.

In cooperation with civil society organizations, **the Commissariat for refugees and migration** provides free legal and psychological support and assistance to asylum seekers. That way, through provision of psychological support, there is a possibility to timely notice and identifies victims and potential victims of human trafficking among asylum seekers.

Since January 2015., **the Asylum Office**, systematized within the Border Police Directorate in the MoI, is responsible for coordination of activities in the fight against human trafficking, and officers from the mentioned Office are informed on daily basis about new modus and trends, and through exchange of information and data with the Department for combating cross-border crime, illegal migration and people trafficking. It allows easier detection of cases of human trafficking among asylum seekers. To this end, in different stages of the procedures, interviews has been carried out with asylum seekers by mixed police teams (*Asylum Office and police officers engaged in combating illegal migration and human trafficking*).

Also, numerous trainings in this field had been organized, which was largely presented as the activities and measures regarding the Proposal GRETA No. 7.

18. GRETA considers that state authorities of the Republic of Serbia should take additional steps in order to ensure for the victims of human trafficking to be properly identified and to provide them all measures of assistance and protection envisaged by the Convention. For that purpose, the state authorities of the Republic of Serbia should:

- encourage inclusion of more institutions in identification of victims, formalization of the role and contributions of non-governmental organizations and involvement of other stakeholders, like labor inspectors, social and health workers;
- provide operational indicators, guidelines and instruments to be used in the identification process for officers who directly work with these persons; indicators should be regularly updated in order to follow the changing nature of human trafficking;

- undertake a proactive approach towards identification of human trafficking victims, due to labor exploitation, by encouraging supervision inspection in the field of labor in industries where the greatest risk exists (e.g. agriculture, entertainment, services, construction, domestic work);
- pay more attention towards identification of human trafficking victims among asylum seekers and foreign unaccompanied minors, as well as to provide additional training for employees who are in contact with such persons, and to inform unaccompanied minors about the risks of human trafficking.

Through the creation and application of national indicators for preliminary identification of human trafficking victims, the role of other organizations, institutions and systems in early detection of possible victims has strengthened. Relevant non-governmental organizations were included in creation of indicators, and these indicators will be useful also for non-governmental organizations which provide various social services (*e.g. victims of domestic violence, asylum seekers, children for marginalized groups, etc.*) because it will enable them easier identification of victims. Cooperation in this field between CHTVP and ASTRA has officially started according to Memorandum.

National indicators are available to employees who directly work in education, social security and police. The form in which they are created allows their update. CHTVP created an instrument for assessing the best interest for children who are victims of human trafficking – a list of questions for assessing the resilience and identity of a child and a list of questions for assessing the relationship of caregiver. Also, a range of techniques is used in identification of children which are primarily intended to identify children who are victims of sexual exploitation, as well as issues based on NICHD protocol and list of questions regarding sexual exploitation for adequate age group.

Regarding more proactive approach in detection of labor exploitation and regarding the role of Labor Inspectorate, more information were provided in answer related to Proposal No. 5.

Regarding the measures in identification of the human trafficking victims among asylum seekers, answers are given in Proposal No. 17, and answers related to trainings are given in Proposal No. 7.

Victims' Assistance

19. GRETA urges the state authorities of the Republic of Serbia to strengthen their efforts and provide assistance to the victims of human trafficking, in particular:

- to ensure that all measures of assistance, provided by the law, are guaranteed in practice; when providing assistance is entrusted to NGOs in the capacity of service providers, the state has obligation to ensure adequate funding and quality of services provided by NGOs;
- to ensure adequate and safe housing, with a sufficient number of rooms for victims of human trafficking, including the rooms for men and children, in accordance with assessment of the trend of human trafficking in the Republic of Serbia;
- to ensure that available services are tailored to the specific needs of human trafficking victims, including children, and that minimum standards are guaranteed in the cases when the victims are accommodated in the facilities which are not designed for such victims;
- that human trafficking victims are guaranteed the possibility of access to public health care system;
- to facilitate reintegration of human trafficking victims into society and to prevent their return into the chain of human trafficking, providing them long-term assistance, including professional training and access to the labor market.

Considering the adopted service standards in social protection, Serbia meets the difficulties because NGOs has not yet entered the process of creating services and their licensing or accreditation of programs. In terms of Accommodation, Serbia has the most need for provision of housing for children who are victims of human trafficking and adult females. For now, the accommodation is provided for all victims. Accommodation for children is provided with the provider of accommodation services which are within the jurisdiction of the state, and such shelters for children are within the Institute for Children and Youth in Belgrade, Niš and Knjaževac, and other shelters are within the Centers for social work, in homes for children without parental care and in foster families. Last year, the largest number of children was accommodated in foster families.

Accommodation of adult female victims is provided in shelters within Centers for social work and in temporary housing of NGO ATINA. During the last year, two victims had used the possibility of alternative accommodation provided by NGO ATINA. For now, there is no need for provision of accommodation for male victims of human trafficking; they are primarily victims of labor exploitation who are returning home. During 2015, 40 victims (35 children) were using accommodation services.

In the Republic of Serbia, children can be sent to accommodation only in institutions which are licensed for accommodation of children, and if some service provider wants to be licensed, he/she must meet the standards prescribed by the Rules on detailed conditions and standards for provision of social care services (Official Gazette of the Republic of Serbia, No. 42/2013 from 14.05.2013.). Services providers for accommodation of children can only be state institutions, and fulfillment of standards will guarantee the inspection of MRSP. In providing services for victims, through individual plan of services, which represent a main instrument of coordination, the provided support is appropriate to the individual needs and it is agreed with the victim.

CHTVP provides long-term support to the victims, as long as there is a need for support emerged as the effect of experienced exploitation. **According to internal standards of victim protection in Serbia, a victim may use the support up to 3 years and after that period but in specific situations.** Victim support is organized from specific support of victims of human trafficking immediately after discovering, towards gradual inclusion of other services dedicated for other citizens, till finally independence of the victim from the provided service by CHTVP. We believe that this is a good way for integration of victims. NGO ATINA provides program of giving a support towards employment of victim, as a form of preparation for their establishing contacts with labor market and employment.

20. Furthermore, GRETA invites national authorities to continue providing regular training to all professional workers responsible for implementation of measures in order to help victims of human trafficking.

In 2014 and 2015, the Republic of Serbia has fully taken measures and activities regarding this Proposal. Answered in the previous questions, particularly in response related to reporting regarding Proposal No. 7.

Period for recovery and contemplation

21. GRETA urges the state authorities of the Republic of Serbia to revise their legislation to ensure that the period for recovery and contemplation, provided in Article 13 of the Convention, so that mention period could be specifically defined by law and that in such period all measures of protection could be available, which are provided in Article 12, paragraphs 1 and 2 of the

Convention. It should be clear that period for recovery and contemplation is not conditioned by cooperation between the victim and services from the Ministry of Interior and judiciary.

Approval of staying

22. GRETA urges the state authorities of the Republic of Serbia to provide support to victims of human trafficking so they could have ability to fully use the right to obtain approval of staying, whose validity can be prolonged, especially in the cases when they cannot cooperate with the state authorities.

Preview of measures and activities undertaken in the Republic of Serbia regarding the Proposal GRETA No. 21 and 22:

During 2014 and 2015, there were no granted temporary residence permits for foreign citizens who are victims of human trafficking because there was no need to grant humanitarian stays.

Action Plan for Chapter 24 „Justice, freedom and security“, in a part related to migration, is dealing with implementation of activities for gradual alignment with EU acquis, which are carried out in two stages, and final result will be full compliance to EU Directives.

In the second phase, the Republic of Serbia will carry out activities in order to harmonize the provisions of national law with those provisions of Directive which, inter alia, regulate issuing of humanitarian residence permits for irregular migrants who participate in proceedings before state authority. The deadline for drafting the Law on Foreigners is IV (fourth) quarter of 2016 followed by public hearing after which the draft Law enters into assembly procedure during which adoption of the Law is performed.

Drafting the Law on Foreigners is related to implementation of Twinning project for legal migration entitled „**Police Reform and migration management**“, financed from IPA funds for 2012., which began with implementation 01.03.2014.. The aim of this project, whose ultimate beneficiary is Border Police Directorate, is amendments to the Law on Foreigners and harmonization of national legislation in this filed with EU directives which follow the area of legal and irregular migration, as well as developing the Central data base for foreigners which will contribute to a more efficient procedure for issuing visas, granting temporary residence permits to foreigners and strengthening links with National employment Service. According to current plan, Twinning project shall be completed by the end of 2016.

It is planned that during the drafting of the new Law on foreigners, Proposal GRETA No. 21 related to «Period for recovery and contemplation» be taken into account, as well as Proposal GRETA No. 22 related to «Approval of staying». In accordance with Article 13 of the Law on employment of foreigners, who are victims of human trafficking, a personal working permit shall be issued for a duration of residence permit, and it means that victim of human trafficking is entitled to establish working relation according to approved humanitarian residence.

Compensation and legal protection

23. GRETA urges the state authorities of the Republic of Serbia to adopt the measures whereby victims of human trafficking are allowed to achieve compensation, in particular:

- to ensure that victims of human trafficking are systematically informed, in a language they understand, about the right to demand compensation and about procedures for its achievement;
- to allow victims of human trafficking to exercise their right to compensation by allowing them effective access to legal aid, by building capacities of legal profession to provide support to the

- victims in applying for compensation and it will include the issue of compensation into existing programs of professional training of police officers and judiciary;
- to allow victims of human trafficking, who left the Republic of Serbia, to apply for compensation.

24. In addition, due to a fact that no victim of human trafficking achieved compensation from the perpetrators, GRETA urges state authorities of the Republic of Serbia to establish a national program of compensation, which will be available to victims of human trafficking, regardless of nationality and status in the terms of residence.

Preview of measures and activities undertaken in the Republic of Serbia regarding the Proposal GRETA No. 23 and 24:

In accordance with Criminal Procedure Code, the authority of proceedings is obliged to inform the injury party about the granted rights. Also, the injured parties have the right to use their language and script during the procedure, and if the procedure is not conducted in their own language and if, after being informed about the right to interpretation, they do not give statement that they know the language which is used during the procedure and waive their right to translation, they will get official interpretation from the budgetary funds of what they or others state, as well as translation of documents and other written evidence.

The injured party is entitled to submit a proposal and evidence to assert property claims and to propose temporary measures for its security, as well as to appeal against the decision on the awarded property claim.

One of the activities which Public Prosecutor's Office has taken in improving the situation of victims of all crimes is establishment of Information **Service of injured parties and witnesses**, which began its works at **Higher Public Prosecutor's Office** in Belgrade in April 2014, within the project implemented with support of the British Embassy. The goal of establishing the service is to provide detailed information about their rights and obligations, criminal procedure and manner of exercising the rights to the parties injured by the criminal offence and witnesses in criminal proceedings. By founding of this service, it will enable citizens, who participate in criminal proceedings as witnesses or injured party, within the legal possibilities, to timely be informed about their rights and obligations and this shall contribute to better communication and cooperation between the public prosecution and injured parties and witnesses, and thus to efficient conduct of the investigations. Namely, **for the purposes of the Service, a brochure is drawn up which shall be delivered with the invitation for giving a statement in the public prosecution**. In the mentioned brochure, the participation of victim in criminal proceeding is emphasized, as well as their rights and methods of protection. In order to organize the support services towards injured persons and witnesses, the Republic Public Prosecutor's Office signed (20.02.2015.) a Memorandum of understanding with Victimology association of Serbia, which is one of the key partners of the Republic Public Prosecutor's Office in this project realization, as it stated in reporting for Proposal No. 3. In addition, **Information Services for injured parties and witnesses in the Higher Public Prosecutor's Office in Novi Sad, Niš and Kragujevac began to work in 2015. (15.12.2015.)**.

Additionally, **the Ministry of Justice** of the Republic of Serbia passed a **draft Lay on free legal aid**, which goal is to provide the right to effective and equal access to justice to every person, in accordance with the principles of the rule of law and equality of individuals in proceedings before the court, administrative authority or other public authority, and before Constitutional Court, enabling the creation and protection of rights, obligations and interests. Free legal aid encompasses providing general legal information, initial legal advice and legal advice, by compiling of documents, as well as representation, making of submissions, defense and implementation of mediation process.

Repatriation and return of the victims

25. GRETA considers that state authorities of the Republic of Serbia should take further steps to ensure that return of the victims of human trafficking is realized with the utmost respect of the rights, safety and dignity of persons in question, as well as the status of legal proceedings; this includes protection from retaliation and return of the same persons in human trafficking.

In 2015, victims of human trafficking, female citizens of the Republic of Serbia, were exploited in 6 cases in other countries (Italy, Austria, Belgium, Montenegro and Germany). Five of them had returned to Serbia. In only one case, return of the victim was partially coordinated through activities of CHTVP, and the return itself was provided by the government of another country. In other cases, victims themselves, returned to Serbia and later they were identified as victims of human trafficking. In the case of a victim, who had been exploited in Belgium, there was readiness of the state to ensure the return of victim, but it was her decision to stay abroad and use the support.

In all cases, when the victims are still abroad at the time of detection, the Embassies of the Republic of Serbia are involved in support and eventual return of the victim. Last year, the Embassy of the Republic of Serbia, partially funded and participated in organization of return of two Serbian nationals (female) from Papua New Guinea, who were returned through the process of repatriation, and after the identification process it was determined that they are not victims of human trafficking. One of the limitations in providing necessary support to the victim upon its return to Serbia is in current economic situation in the country and difficulties of providing housing, employment and other financial and material aid.

The number of victims of human trafficking, Serbian female citizens within transnational trafficking is 12. Six of them are victims who have already been outside the country, and in the case of other six victims of human trafficking, the action was stopped at the stage of recruitment.

Representatives of diplomatic – consular missions (DCM) abroad cooperate with the authorities of receiving country and in the field of fight against human trafficking. Most often they are police authorities of the foreign State or, in cases of providing a care for victims of human trafficking, social institutions and NGOs are in charged for them. Victims who are citizens of the Republic of Serbia, in most cases are referred to DCM in case if there is a need to issue a travel document for return to the country, as well as in the cases of readmission. Employees themselves in DCM, who are in contact with parties, usually estimate (*based on previous trainings undertaken within the Ministry of Foreign Affairs*), without using of specific indicators for identifying cases of trafficking, and when it comes to the victims of human trafficking who addressed to DCM, they take appropriate action (notification of competent authorities in the Republic of Serbia and others).

Over the past period, there were some recorded cases regarding the persons, victims of human trafficking, who addressed to DCM and ask them for a help. Most often they seek the issuance of

travel document or passport regarding the return to the country. They are usually females, without cash or personal documents, with a desire to return to the Republic of Serbia.

It is important to emphasize that it is foreseen, according to the Law on Republic administrative fees – Section B – tariff No. 9, paragraph 1, point 2, **for applicant for issuing travel document, when it is determined that it is a case of victims of human trafficking, that they are exempted from paying the consular fee in DCM.**

Within the framework of implementation of national policies for prevention and protection of victims and suppression of human trafficking, the Ministry of Foreign Affairs provides assistance to the victims of human trafficking through mediation in obtaining the documents, travel documents or passports, in direct communication with the DCMs and the Ministry of Interior. It achieves diplomatic communication with DCMs accredited in the Republic of Serbia, when it comes to repatriation of foreign nationals – victims of human trafficking who are kept in Serbia. Also, the Ministry mediates in organization and reception in the country of origin of the victims of human trafficking.

The principle of non-punishment of victims of human trafficking

26. GRETA considers that the state authorities of the Republic of Serbia, in order to improve the application of the provisions of the Convention of non-punishment, should take legislative measures that allow victims of trafficking not to be punished for participating in unlawful activities, to the extent that they were compelled to do so, and to issue guidelines to the public prosecutors on the steps to be taken in prosecutions of those persons suspected to be the victims of human trafficking.

In relation to the principle of non-punishment of victims of human trafficking, in cooperation with the Organization for Security and Cooperation in Europe, authors comprised of the judge of the Supreme Cassation Court, Deputy State Public Prosecutor and the Academy of Criminalistic and Police Studies professor issue a manual titled "Legal framework and recommendations for the implementation of the principle of non-punishment of victims of human trafficking in Serbia ". This Manual is directly related to the implementation of the principle of non-punishment of victims of human trafficking, in accordance with the provisions of Article 26 of Council of Europe Convention on Action against Trafficking in Human Beings. **In relation to this Manual, the OSCE Mission to Serbia organized four seminars in Belgrade, Novi Sad, Kragujevac and Niš in 2015, for judges and prosecutors from appellate courts and prosecutors' offices.**

As for as the **non-punishment of victims of human trafficking, according to the analysis of the Supreme Court of Cassation**, our criminal legislation has no special provisions to exclude criminal liability of trafficking victims for acts done in the situation caused by the status of victim.

However, **there are provisions in the Criminal Code, that is, general institutes, the application of which respects the principle of non-punishment of the victims.** Thus, the provision of Article 388, paragraph 1 of the Criminal Code, which stipulates the crime of human trafficking, determines that one of the forms of exploitation is exploitation to commit criminal acts. This directly rules out the possibility that the victim is responsible for that criminal activity due to the situation in which the victim was. From the perspective of the national criminal law, the principle of non-punishment would be possible relying on the general provisions of the Criminal Code which stipulates that it is not a criminal offense that which is of minor significance, which was carried out in self-defense, extreme necessity, in a state of mental unaccountability or under the influence of irresistible force or threat.

The best basis for excluding criminal responsibility of a victim is to determine the existence or threat or force, as facts that are established during the proceedings. In this sense, the general provisions of the Criminal Procedural Code give prosecutors the possibility to dismiss criminal charges.

An example of respect for this principle is seen in the proceedings conducted in the case of the High Court in Novi Sad K 322/12 against the defendants SJ and VM for the criminal offense of trafficking in human beings under Article 338, Paragraph 3 in relation to Paragraph 1 of the Criminal Code, where the injured party, minor DM that recruited the other minor, injured party AM, undertaking illegal activities, was not punished because she was a victim of human trafficking.

Regarding the case of the accused MS, who was, in a final judgment of the High Court in Pančevo, found guilty for committing a criminal offense of First Degree Murder under Article 114, item 5) of the Criminal Code, for which she was sentenced to a prison term of 18 years, which is why there was a petition for pardon as she was a victim of human trafficking, in which it is stated that she committed the crime in the status of a victim of trafficking, way we are clarifying this case and presenting certain peculiarities established during the proceedings.

The defendant MS committed the criminal offense of First Degree Murder for gain on January 27, 1999, against the injured party Friedrich Hauss (born on February 1, 1915). During the proceedings, from all the evidence, the court established beyond doubt that in 1998, the defendant had voluntarily contacted the injured party and later agreed with him to clean his apartment and also provide sexual services for money, and based on that agreement, the defendant had done that several times. On January 26, 1999, the defendant came to Karlsruhe, called the injured party and met him and then went to his apartment, had sexual intercourse with him, cleaned his apartment and slept there. On January 27, 1999, when she should have returned to Serbia with money she should have received from the injured party, after the conflict, she repeatedly slapped him and punched him with fists, and also scratched him with nails on the head and body, when the injured suffered multiple injuries and fell on knees, after which the accused took an ashtray with her right hand and struck him with it three times in the head, then she took an ashtray with both hands and hit him at least seven more times and inflicted upon him multiple injuries. In the end, when glass ashtray was smashed, she grabbed a knife from the table with her right hand and inflicted upon him the last injuries, two stabbings on the right side of his neck, which led to the death of the injured party. The defendant later removed a gold plated chain from his neck, a ring and ransacked his apartment looking for valuables and money, after which she washed her face, picked up her belongings together with the seized items and walked away from the scene.

It should be noted that the defendant changed her defense during the proceedings, completely denying everything, stating that it was a mistake and that she did not know the injured party and that she had never been in Karlsruhe where the criminal offense was committed, to later stating that she knew the injured party, that she was cleaning his apartment. When they compared her DNA profile with the DNA profile of biological traces found in the apartment of the injured party (which undoubtedly indicated that the defendant was in the apartment of the injured party), the defendant once again changed her defense, stating that she was cleaning his apartment on that day and that he attacked her wanting to rape her and that she stabbed him in self-defense and fled. Afterwards, she changed her statement saying that she punched the injured party with a glass ashtray and that she was in a relationship with a man who broke into the apartment and actually killed the injured party.

Finally, the defendant changed her defense significantly that she described she was in fact a victim of human trafficking and she was forced to look for older people in Germany, to approach them and have sexual relations with them in exchange for money, and then to forward that money to her then husband I B, and that it was her ex-husband who killed the injured party, while the defendant, in the

renewed proceedings, changed her statement stating that the relationship between her and the injured party was voluntary.

Thus, the fact that the defendant was a victim of human trafficking has not been established in any legally proceeding, but this is only one version of the defense of the accused, which initiated the proceedings before the Higher Public Prosecutor in Pančevo against an unknown person, in which she appears as a victim of human trafficking. Therefore, bearing in mind all the above circumstances, as part of the evidence adduced during the proceedings, and the fact that the defendant was not described as a victim of trafficking in any finalized legal proceeding, **it is clear that the accused committed the criminal offense of First Degree Murder, and that the present case is not a situation in which a victim of trafficking was convicted of illegal activities to which she was forced as a victim.**

Investigation, prosecution and procedural law

27. GRETA considers that the state authorities of the Republic of Serbia should take steps to guarantee the effective implementation of legal provisions on confiscation of assets from human traffickers.

The provisions of the Law on Seizure and Confiscation of the Proceeds of Crime shall apply, inter alia, to the perpetrators of the criminal offence of human trafficking under Art. 388 of the CC. Financial investigations are initiated by order of the public prosecutor against the owner when there are grounds for suspicion that he owns substantial property derived from crime. Public prosecutor is in charge of the financial investigation, and it is led by a specialized unit for financial investigations at the Ministry of Interior.

The financial investigation collects evidence on the assets, income and life expenses of the defendant, the accused associate or testator, the evidence on the assets inherited by the legal successor, or evidence of property and compensation for which the assets are transferred to a third party. When there is a risk that the later seizure of the proceeds from crime would be difficult or impossible, the public prosecutor files a motion for provisional seizure of property, on which a pre-trial judge or the presiding judge will decide.

If there is a risk that the owner will dispose of property proceeds from crime before the court decides on the request for the provisional confiscation, the public prosecutor shall issue an order prohibiting the disposal of property and provisional confiscation of movable property. This measure lasts until the court decides on the request of the public prosecutor, but no later than three months from the date of the order. Temporarily seized movable property, on the order of the public prosecutor, is entrusted to the **Directorate for Seized Property Management**.

It is possible to file a complaint against the court decision on temporary seizure of assets within eight days of receipt. With regards to the permanent confiscation of proceeds of crime, the public prosecutor submits a request for permanent confiscation within three months from the date of delivery of the final judgment which established a criminal offense which is a subject of the provisions of this Law.

Court issues the decision on the permanent confiscation of property in the main hearing. After completion of the main hearing, the court shall issue a decision granting or rejecting a request for permanent confiscation of property.

If there is a decision in the final judgment on the property claim of the victim, the court shall take that amount from the confiscated property, according to the decision on confiscation. If such

decision was not made, the court may issue a decision to extract part of the property in order to settle a property requirement. In the decision on confiscation of property, the court may decide on the request of injured party whose existence has been established by a final verdict.

As for the confiscation of assets from traffickers, according to the Supreme Court of Cassation, the provisions of Article 91 of the Criminal Code stipulate that nobody is allowed to keep material gain acquired by the criminal offense, and that Article 92 of the same Code prescribes the condition and the way of confiscation of proceeds of crime. So, in proceedings that were conducted for the criminal offense of trafficking in human beings under Article 388 of the Criminal Code, the proceeds from the perpetrators of this crime was seized precisely on the basis of those articles of the Criminal Code, as in proceedings conducted in the High Court in Belgrade, Special Department KPO1 14/12, **where proceeds acquired by the criminal offense in the amount of 55,000 Euros were taken from four defendants.**

In addition, **the Law on Seizure and Confiscation of the Proceeds from Crime** that is applied to defined crimes, and among other things, for the criminal offence of trafficking in human beings under Article 388 of the Criminal Code, provides for the possibility of seizure of assets resulting from the criminal offense of human trafficking in a situation where gain arising out of that offense exceeds the amount of 1,500,000.00 (one million and a half Serbian dinars) and when it is evidently disproportionate to the lawful income of the owner of that property.

In addition, the owner of property that is confiscated can be the accused associate, the testator, legal successor or a third person or entity to whom the assets derived from crime were transferred. This Law provides for the possibility of permanent confiscation of property after the completion of the criminal proceedings, as well as the temporary seizure of property at any stage of the criminal proceedings.

28. GRETA urges the state authorities of the Republic of Serbia to work on further development and specialization of investigative bodies, prosecutors and judges in order to ensure effective investigation and prosecution of human trafficking crimes, which will result in proportionate sanctions to deter the commission of such criminal offenses.

Public Prosecutor's Office in cooperation with the Judicial Academy, civil sector and international partners takes measures for further improvement of prosecutor contact points in order to conduct effective investigations and increase procedural efficiency in dealing with cases of human trafficking, the establishment of a comprehensive and multidisciplinary approach, based on human rights.

As already pointed out in reporting on the measures taken in relation to Proposal GRETA number 7, from October 2012, **a specialization for prosecution of human trafficking was introduced within the public prosecution, in such a way that all Higher Public Prosecutors' Offices in the Republic of Serbia have designated prosecutors contact points for cases of trafficking in human beings, who have special training in this field, acting and coordinating in trafficking cases.**

There is a specialized line of work within the Ministry of Interior, where there are specialized police units to combat trafficking in human beings (at various levels, including the Specialized Department for investigating organized forms of human trafficking within the Service for Combating Organized Crime), as well as the **Protection Unit, which deals with protecting witnesses and other persons** (read in more detail in the Proposal GRETA no. 29). **Specialization is greatly improved through trainings and international activities (workshops, seminars, conferences), which were numerous in 2014 and 2015.**

Protection of victims and witnesses

29. GRETA urges the state authorities of the Republic of Serbia to fully use the available measures to protecting victims and witnesses of human trafficking and to take additional measures in order to ensure adequate protection from potential retaliation or intimidation in the course of judicial proceedings, including a review of the practice of direct confrontation in the Court of the victims and persons who are suspected traffickers.

At the beginning of implementation of the new Code of Criminal Procedure, in courts and prosecution offices of ordinary jurisdiction, on October 1, 2013, procedural protection of witnesses and victims is extended. In addition to the basic protection, they can obtain the status of especially vulnerable witness and protected witness.

In addition to the protections provided by the Criminal Procedure Code, Public Prosecutor's Office undertakes other activities to improve the position of victims of all crimes, which is the reason why the **Department for Informing of injured parties and witnesses** was formed in April 2014, which has already been discussed.

It should be noted that the Ministry of Justice of the Republic of Serbia passed the **Draft Law on Free Legal Aid**, which aims to provide to any person the right to effective and equal access to justice, in accordance with the principles of the rule of law and equality of individuals in proceedings before a court, administrative body or other public authority and the Constitutional Court before which individual rights, obligations and interests are created or protected. **Free legal aid** includes providing general legal information, initial legal advice and legal advice, preparation of documents and representation, drafting submissions, defense and implementation of the mediation process.

Also, a **Special protocol on acting of the judicial bodies in protection of victims of human trafficking in the Republic of Serbia** stipulates that the Public Prosecutor in dealing with the victim must not ignore the existence of trauma, must respect the specificity of the psychological state of the victim and take all measures to mitigate the negative effects of trauma. The authorities of the procedure should avoid, to the greatest extent possible, and in all stages of the proceedings, the secondary victimization of victims (which is usually reflected in numerous and unnecessary hearings). The public prosecutor should primarily build trust with the victim by providing full information about the procedure and teach not only about rights and obligations, but also about all the challenges that the trial bears. Information should be true and real and it is unacceptable to create a false image, making false promises and encouraging excessive expectations that could be misleading for the victim.

According to the analysis of the Supreme Court of Cassation, as for the protection of victims and witnesses during criminal proceedings, it is regulated, in our legislation, in the provisions of Articles 102 to 112 of the Code of Criminal Procedure. The legislator prescribes the basic witness protection, which means that the body that conducts the procedure is obliged to protect the injured party or witness from insults, threats and any other attacks, and accordingly the public prosecutor or the court may ask the police to take measures to protect the injured party or witness in accordance with the law. In addition to the basic protection, the legislator prescribes the special protection of witnesses through the institute of especially vulnerable witness and protected witness.

In this regard, the witness may be particularly vulnerable because of their age, life experience, lifestyle, sex, health, character, manner or consequences of the crime, and other circumstances of the case, and the existence of one or more of these circumstances constitute grounds for the acting authority ex officio, at the request of the parties or the witness himself, to give the witness

especially vulnerable witness status. The rules on questioning an especially vulnerable witness are prescribed in the Article 104 of the Code of Criminal Procedure, where, as a basic rule it is stipulated that during the questioning of this witness, questions are raised through the acting authority, which must treat them with special care, in order to avoid the possibility of detrimental consequences of criminal proceedings for the personal, physical and mental condition of an especially vulnerable witness. For this purpose, the acting authority can, when it finds this is justified, examine this witness with the help of a psychologist, social worker or other professional.

When examining the vulnerable witnesses, there is a possibility that they are examined in a separate room without the presence of parties and other participants in the procedure, by using technical means for transferring image and sound, and there is also a possibility that this witness is examined in the apartment or in another room, or in the authorized institution especially accommodated to examine particularly vulnerable witnesses, as is the case when these witnesses cannot respond to the invitation of the acting authority or when that authority finds that this is more favorable for witnesses, and in these situations the authority may determine to examine the witness with the use of technical means for the transmission of image and sound, without the presence of other participants and parties to the proceedings, in the room where the witness is located. Especially vulnerable witness is not obliged to confront the defendant, except in cases when the defendant so requires, and provided that the procedure is approved by the acting authority. In set out legislation and regulating the status of especially vulnerable witness, which is a novelty in our criminal procedural legislation and did not exist in earlier legal provisions, secondary victimization of victims of human trafficking can be prevented effectively, especially when the victim is traumatized by the committed criminal offense.

In relation to this, **one should bear in mind that in criminal proceedings of the regular jurisdiction, giving witnesses the status of "especially vulnerable" is possible starting with October 1, 2013, when the Criminal Procedure Code has been implemented.** Regarding the protection of victims from secondary victimization, it should be noted that the law gives the opportunity to the public prosecutor of special jurisdiction, in the investigation against the defendants who were trafficking as an organized criminal group, to examine the witness-victim without calling in the suspect and his defense counsel to attend the examination, if he considers that their presence may influence the witnesses.

The institute of protected witness is regulated by the provisions of Articles 105 to 112 of the CPC, and accordingly protected witness status can be obtained by the person for whom they establish a link between their testimony or answers to specific questions and risks that could occur to their life, health, freedom or property of large scale, or of person close to him. In determining the status of a protected witness, the court may authorize one or more measures of special protection to prevent the public disclosure of the identity of the witness, and exceptionally withheld information to the defendant and his counsel on the identity of a protected witness. In this case, the identity of the witness will be revealed to the defendant and his counsel no later than 15 days before the start of the trial.

Method of implementation of the measures of special protection is reflected in: editing or deleting data on the identity of a protected witness from the file, in any way that prevents the disclosure of the identity of a protected witness when considering the file; concealing a protected witness image; examining the protected witness in a separate room by changing the voice of the witness; examining the witness using technical means for transferring image and sound. The procedure for examining the protected witness is specifically regulated by law. The court issues an order, which is secret, to notify clients, defense counsel and the witness of the date, time and place of the questioning the witness. Also, the court uses various warnings and restrictions prescribed by law, in their proceedings, to ensure that the identity of a protected witness is not revealed.

An example of the protection of victims of trafficking when giving their testimonies can be seen in the case of the Higher Court in Belgrade KPO1 14/12, where the defendants were tried as an organized criminal group, in the Special Department for Organized Crime, and they were legally convicted of trafficking in human beings. In that procedure, the factual situation was largely determined from the testimony of one of the victims, which had contributed to detecting the criminal offense and perpetrators. During the proceedings, and with regard to the opinion of the court expert psychologists, in accordance with Article 103 of the CPC, the victim got the status of vulnerable witness, and examining was carried out in accordance with the Article 104 of the CPC in the presence and with assistance of the expert psychologist, in a way that during the examining she was physically separated from the courtroom, using technical means for transferring image and sound, and according to the Trial Chambers' decision, the public was excluded during examination of this witness.

According to the Center for Human Trafficking Victims Protection, court proceedings in Serbia has not been improved to the extent necessary to enable the avoidance or reduction of secondary victimization of victims. In general, the Center for Human Trafficking Victims Protection, NGOs and Centers for social work are the ones that support victims to participate in court proceedings.

A particular difficulty in providing support to the victim during court proceedings is the fact that psychological support to overcome traumatic experience can lead to contamination of the statements or testimony of the victim, which is the reason to avoid it during the proceedings. The support of the victim by the Center and NGOs is reflected in: facilitating the transport of victims and lawyers, mediating with the prosecutor or the judge regarding the hearing, sensitization of the prosecutor / judge for the specific case and learning the characteristics of the victims' behavior (why, how, what to expect at the hearing, the credibility of the testimony of the victim in the context of trauma), support in terms of dealing with the re-experiencing of trauma, information about the process, the terms of giving testimony, the position of the perpetrator and other important aspects of the process, the presence at the hearing in terms of a confident person and psychological support due to the nature of experience, after the hearing. Although aware of the conditions under which they participate in court proceedings, victims of human trafficking, who accept cooperation with the Center (last year, only 2 victims refused to cooperate), also accept to participate in the process and are highly motivated to testify.

Law on the Protection of Participants in Criminal Proceedings regulates the conditions and procedure for providing protection and assistance to participants in criminal proceedings and persons close to them, who are, due to testifying or giving information significant for evidence production in criminal proceedings, exposed to danger to life, health, physical integrity, freedom or property, and without that testimony or information, it would be significantly more difficult or impossible to produce evidence in criminal proceedings for criminal offenses: 1) against the constitutional order and security; 2) against humanity and other rights protected by international law, and 3) of organized crime. State bodies and officials, that provide protection to participants in criminal proceedings, are obliged to conduct the proceedings and act urgently.

The decision on inclusion, extension, suspension and termination of the Protection Program is made by the Commission for the implementation of the Protection Program, which has three members. One member of the Commission shall be a judge of the Supreme Court of Cassation, appointed by the president of the Supreme Court of Cassation of Serbia, another member shall be one of the deputies appointed by the Republic Public Prosecutor, and the head of the Protection Unit is a member of the Commission ex officio.

The competent public prosecutor, pre-trial judge or the presiding judge may, ex officio or on motion of a party in the criminal proceedings, submit a request to the Commission, for the inclusion of

participants in criminal proceedings and persons close to them into the Protection Program. After the finalization of the criminal proceedings, the request may be submitted by the Protection Unit. Before deciding on the request, the Commission will request from the Protection Unit, within 15 days, an assessment on: 1) the dangers faced by the person for whom protection is requested; 2) the danger that including the person in the protection program could present for the community; 3) health condition of the person for whom protection is requested; and 4) the necessary protection measures.

Within the framework of the Program of protection, the following protection measures are applied: 1) physical protection of persons and property; 2) change of residence or relocation to another reformatory institution; 3) the concealment of identity and ownership information, and 4) change of identity.

- Physical protection of person and property, consisting of preventing unlawful endangering of life, health, physical integrity, freedom or property of the protected person with the use of physical and technical measures;
- Change of residence, consisting of a temporary or permanent relocation of protected persons from the place of residence or domicile in the new place designated by the Protection Unit, or
- Relocation to another prison facility, consisting of referring a protected person who was apprehended from the current prisons to the prison designated by the Protection Unit, agreed with the Ministry of Justice;
- Concealing the identity and ownership information, consisting of making and using personal documents or ownership documents of the protected person in which they temporarily change original data;
- Change of identity, consisting of complete or partial change of personal data of the protected person. With this measure, it is also possible to decide about changes in the physical characteristics of the protected person.

Protection Unit decides on the application of the first three measures, in accordance with Article 15, paragraph 1 in conjunction with Article 14, paragraph 1 -3 of the Law, and the Commission decides on changing the identity, on the proposal of the Protection Unit.

30. GRETA considers that the state authorities of the Republic of Serbia should ensure that child victims of human trafficking are given special protection, taking into account the best interests of the child.

The best interests of the child are taken into account from the first contact with the child until their recovery and integration. It is significant that all child victims of human trafficking who do not live with their parents have **foster care**, which is the first step in ensuring the best interests of children.

Center for Human Trafficking Victims Protection advocates and coordinates the protection of child witnesses in court proceedings, ensuring that the child is prepared to deal with the testimony, company and support during the testimony by the guardian, who is always accompanied by an expert from the Center for protection or an associate from NGOs. Special care is taken to ensure children are given the best possible protection within institutions or NGOs, taking into account the needs of the child.

There is an ongoing implementation of the project "**Improving children rights through the strengthening of the judicial system and social protection in Serbia**", funded by the European Union and implemented by UNICEF in partnership with the Ministry of Justice and the Ministry of Labor, Employment and Social Issues in which the **Units for supporting children in criminal proceedings** have been established.

ABBREVIATIONS

USA - United States

EU - European Union

COE - Council of Europe

CHTVP - Center for Human Trafficking Victims Protection

MoI - Ministry of Interior

PD - Police Department

SCOC - Service for Combating Organized Crime

CPD – Crime Police Directorate, General Police Directorate, Ministry of Interior

BPD - Border Police Directorate, General Police Directorate, Ministry of Interior

DIOPC - Directorate for international operative police cooperation, General Police Directorate, Ministry of Interior

JIT - Joint Investigation Teams

RPP - Republican Public Prosecutor

HPP - Higher Public Prosecutor

DMCP - The diplomatic missions and consular posts

CPA – Academy for Criminalistic and Police Studies

PS - Primary School

NGO - Non-governmental organization