Committee of the Parties

to the Council of Europe Convention

on Action against Trafficking in Human Beings

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

CP(2023)07

Report submitted by the authorities of the Republic of Montenegro on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2021)04 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Third evaluation round

Received on 6 June 2023

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1.GRETA considers that the Montenegrin authorities should strengthen the systematic provision of oral and written information to presumed and formally identified victims of trafficking, in a language they can understand, regarding their rights, the services available and how to access them, as well as the implications of being identified as a victim of trafficking. Law enforcement officers and members of the identification team should be trained and instructed on how to properly explain to victims of THB their rights, taking into account victims' cognitive skills and psychological state. Similarly, staff working at asylum reception centres and detention centres should be trained and instructed on how to provide information, in a proactive manner, to persons and groups at risk of being trafficked.	-**Ministry of the Interior**: • Police Directorate: The work and handling of cases with elements of human trafficking have particular specificities when it comes to working with victims of human trafficking or persons who are in the status of potential victims of human trafficking. In any situation where such a person is staying in official premises or in other locations, the police officer informs them of their rights in terms of provision of services and all protection measures, with special emphasis on children as a particularly vulnerable category. An interpreter is also hired if there is a need for it, and an employee of the Center for Social Work, and his/her hiring is mandatory in situations where a child is a victim. − Directorate for Administrative Affairs, Citizenship and Foreigners: The Law on International and Temporary Protection of Foreigners, which came into force in January 2018, fully implements international and European standards in this area. Although victims are often not aware of their rights and opportunities to obtain help and protection, which, along with several other circumstances, significantly complicates the process of their identification, a multilingual material on rights and available services and assistance services for victims of human trafficking has been created, which is available to foreigners who seek international protection in Montenegro, in the Reception Directorate, Reception Centers (responsible for the reception and accommodation of foreigners for international protection) and in the Asylum Directorate (responsible for the procedure for obtaining international protection in Montenegro). It has been translated into English and Arabic and distributed to foreigners seeking international protection. The preventive and educational activity aimed at foreigners seeking international protection raised the level of awareness in order to eliminate the possibility of becoming victims of some form of the criminal offense of human trafficking, and if persons are recognized (identified) as victims, they are provided with information on how and who they can turn to for help, as well as what forms of help are provided to them in those situations in Montenegro.

	The existing Information for foreigners seeking international protection in Montenegro has been supplemented with useful information on the fight against human trafficking. It was translated into 9 languages and printed. In addition, adapted material designed to raise awareness about human trafficking was created and distributed to children foreigners seeking international protection. The material has been translated into English, French and Arabic. With the aim of preventive action and detection of victims of human trafficking, through interviews conducted with foreigners seeking international protection, immediately after reception and during their stay at reception (accommodation), and guided by indicators, professionals (psychologist, social worker, medical worker and the educator), pay special attention to the identification of potential victims of human trafficking, so that appropriate procedures can be implemented in order to help victims of human trafficking. Workshops on the prevention of human trafficking were organized as part of occupational therapy for foreigners at reception, which were organized with the support of NGOs and international organizations. Employees of the Directorate for Reception of Foreigners Seeking International Protection (the Reception Center) attended training aimed at improving knowledge and skills in recognizing human trafficking, and proactively providing information to persons and groups at risk. The Ministry of the Interior, with the support of UNHCR, produced leaflets focused on the prevention of the criminal offense of human trafficking, which were translated into Ukrainian in the context of the influx of persons from Ukraine to Montenegro, who apply for temporary protection. In addition to the leaflet with general content, intended for the prevention of human trafficking, a special leaflet was designed and produced, with an emphasis on the prevention of human trafficking, whose victims can be children, which was also translated into Ukrainian. The mentioned leaflets were distributed in a timely manner to the Regional Units and Branches for Administrative Affairs, Citizenship and Foreigners within the Directorate for Administrative Affairs, Citizenship and Foreigners, which receive requests for the approval of temporary protection for persons from Ukraine, to the Border Police Sector , with the aim of distribution at all border crossing points where the entry is registered of persons from Ukraine seeking temporary

	protection in Montenegro, to the Department for Fight against Trafficking in Human Beings and to the Red Cross of Montenegro. − **MoI/Department for Fight against Trafficking in Human Beings:** The Team for formal identification of victims of human trafficking, when interviewing the victim, informs the victim of their rights in a language they understand, as well as on the available services for help and protection. The Department for Fight against Trafficking in Human Beings of the Ministry of the Interior contributed to the service provided by the Red Cross for refugees from Ukraine with the aim of informing them (phone line - 080 041 041) by creating information that is available on the mentioned phone line, and it refers to the phenomenon of human trafficking and available services for help and support. Information is available in Ukrainian, English and local languages. Information about this phone number, through which users can also speak with an operator in Ukrainian, in addition to other information about the SOS line for victims of human trafficking, help and support services, is also available on the leaflet that was created in cooperation with the International Organization for Migration-IOM and which was distributed in March 2023 to regional units and branches of the Ministry of the Interior, as well as to the Border Police and the Red Cross of Montenegro, who come into contact with persons from Ukraine.
2. GRETA also considers that the Montenegrin authorities should take additional steps to ensure the availability of interpreters for different languages spoken by asylum seekers, as well as their independence and sensitisation to the issue of human trafficking	**- Ministry of the Interior:** − Directorate for Administrative Affairs, Citizenship and Foreigners An interpreter, in accordance with the law, may be a person who, in addition to knowledge of the Montenegrin language, i.e. English or French, knows the language in which he/she is translating, has not been sentenced to a suspended prison sentence or is not subject to criminal proceedings in Montenegro. During the procedure for granting international protection, the interpeter is obliged to

	interpret truthfully, accurately and impartially. The interpreter is obliged to keep as confidential the data he/she learns about during the procedure for granting international protection. If, for objective reasons, it is not possible to provide an interpreter for a specific language, the Ministry may request the assistance of another country. Hiring of interpreters is carried out in accordance with the law governing public procurement. Interpretation in the procedure for granting international protection , may be provided through telecommunication or audiovisual electronic devices. Also, in February 2018, the "Protocol on the use of joint interpretation pool in the field of migration and asylum" was concluded within the framework of the Regional Initiative for Asylum, Migration and Refugees (MARRI). The protocol provides a legal basis for the establishment of a group of extra-regional interpreters, as well as for the provision of the "remote interpreting" service. In accordance with the above, the availability of interpreters for the different languages used by asylum seekers, as well as their independence, as well as sensitivity to issues of human trafficking, is ensured. **- Ministry of Justice:** In October 2022, the Ministry of Justice issued a public call for the appointment of interpreters (Public call for the appointment of interpreters (www.gov.me). After the procedures for the aforementioned call are completed, the register of interpreters will be updated.
3. GRETA urges the Montenegrin authorities to take further steps to facilitate and guarantee access to justice for victims of THB, in particular by ensuring that: - a lawyer is appointed as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the persons concerned have to decide whether or not they want to co-operate with the authorities and/or make an official statement;	**- Prosecutor's Office:** The State Prosecutor's Office, within the framework of its competence, and in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, assigns to persons injured by the criminal offense of human trafficking a lawyer - attorney in order to protect their interests in the proceedings. **- Court:** The analysis of data from court practice shows that no victim of human trafficking has exercised the right to free legal aid since the Law on Free Legal Aid came into force, which is a worrying practice;

- the authorities and the Bar Association encourage training and specialisation of lawyers to provide legal aid to trafficking victims, and trafficking victims are systematically appointed a specialised lawyer with experience in criminal cases.	**- Center for Training in the Judiciary and the State Prosecutor's Office:** The Center for Training in the Judiciary and State Prosecutor's Office, as a national institution for training in the judiciary whose competence is organizing and conducting training for judges and state prosecutors, continuously conducts training for judges, state prosecutors and representatives of the Ministry the Interior on the topic of combating human trafficking. To that end, in 2019, the Center, in cooperation with the US Embassy in Podgorica/INL Program, conducted a special functional training program for holders of judicial functions - Module: Fight against human trafficking. Experts from the USA, the European Union and members of the Center's Program Council from the ranks of judges participated in the development of the program. The trainings conducted within this program are integrated into the regular training program of the Center - Program for continuous training of judges and state prosecutors. The program is updated in accordance with amendments to the legislative framework and GRETA recommendations. A significant part of this program is related to topics concerning the rights of victims of human trafficking. The topics covered in the training are as follows: - Overview of the situation and legal framework in the field of human trafficking - Montenegro; - Initial situation in the field of human trafficking from the perspective of the position of the victim; - Case study of human trafficking – Montenegro; - Feature film about trafficking; - The role of victims and witnesses; - Interviews with victims; - Investigation and preparation for trial with examples from practice; - Investigative techniques in human trafficking - case study; - Use of information and communication technologies as investigative techniques in cases of human trafficking; - Case study: Preparation for trial; - Exercise in groups - human trafficking or mediation in prostitution (case scenario); - International cooperation, best practices, challenges and solutions. Bearing in mind that the expected amendments to the criminal legislation regarding the rights of victims have not yet been adopted, the Program Council of the Centre has not updated the Program

	in accordance with them. When the amendments are adopted, the Program will be updated in accordance with the amended criminal legislation. When it comes to the GRETA recommendations, the Program was updated by introducing a topic related to the use of information and communication technologies as investigative techniques in cases of human trafficking. We underline that the Center is responsible for conducting trainings for judges and state prosecutors and that it has established cooperation with the Bar Association. When it comes to training for lawyers, which are proposed by the recommendation, the Center can, at the initiative of the Bar Association, provide support in the sense of helping to create the Training Program for lawyers and providing expert support in the implementation of the program. Namely, the Center has trained lecturers from the ranks of judges and state prosecutors who can also be engaged in training for lawyers. **Ministry of Justice:** In the part of the recommendation that refers to the lawyer training program, it is envisaged in the Action Plan for the Implementation of the Strategy for Combating Trafficking in Human Beings for the period 2019-2024, for the year 2023. A joint meeting of the Ministry of Justice, the Bar Association and the Center for Training in the Judiciary and the State Prosecutor's Office is scheduled for June 5, 2023, where the training of lawyers will be discussed.
4. GRETA considers that the Montenegrin authorities should take further steps to ensure that victims of THB are provided with psychological assistance to help them overcome the trauma they have been through, and to achieve a sustained recovery and social inclusion	**-Ministry of Labour and Social Welfare:** The Law on Social and Child Protection recognizes counseling-therapeutic and social-educational services that include: counseling, therapy, mediation, SOS telephone line and other services with the aim of overcoming crisis situations and improving family relations. In the Centers for Social Work, multidisciplinary teams were formed, consisting of experts from the fields of social and child protection, health care, justice, police protection, protection of human rights and freedoms, as well as representatives of the NGO sector. The multidisciplinary team determines the plan and coordinates the activities in the process of helping the victim, in accordance with their needs and choice. In this regard, in the Centers for Social Work, professionals provide psychological, pedagogical, social and legal assistance to the victims.

5. GRETA welcomes that temporary residence permit for humanitarian reasons allows access to the labour market, and considers that the Montenegrin authorities should further strengthen effective access to, and/or reintegration of, the labour market for victims of THB and their economic and social inclusion through the provision of vocational training and job placement, raising awareness amongst employers, and the promotion of micro-businesses, social enterprises and public-private partnerships, including through state supported employment programmes, with a view to creating appropriate work opportunities for victims of trafficking	**- Ministry of Labour and Social Welfare:** Montenegro, through Article 5 paragraph 5 of the Law on Employment Mediation and Rights During Unemployment, provided access to the labor market for foreigners who are victims of human trafficking. **- Employment Agency of Montenegro:** There is currently one person with a granted permit for temporary residence for humanitarian reasons on the records of the Employment Agency. In accordance with the Law on Employment Mediation and Rights During Unemployment, the aforementioned unemployed person was provided with professional treatment related to information on employment opportunities and conditions, employment mediation, professional orientation, inclusion in measures of active employment policy, all with the aim of their employability. The person was referred several times to work with employers, but they did not enter employment. The person refuses mediation in employment on seasonal jobs. This person is a beneficiary of material security at the Center for Social Work.
6. GRETA urges the Montenegrin authorities to make efforts to guarantee effective access to compensation for victims of THB, in particular by: - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigations with a view to	**- Prosecutor's Office:** The State Prosecutor's Office in the cases formed against the perpetrators of the criminal offense of human trafficking, during the procedure, determines all the circumstances under which the criminal offense was committed and, in that sense, the financial gain from the exploitation of the victim. Also, the State Prosecutor's Office issues orders on the initiation of financial investigations against persons who are suspected of having committed the criminal offense of human trafficking, with the aim of confiscating assets acquired through criminal activity. **- Court:**

supporting compensation claims in court; - making full use of the legislation on the seizure and confiscation of criminal assets to secure compensation to victims of THB, and ensure that recoverable property which is seized in criminal proceedings is returned as soon as possible to the victim; - introducing a procedure through which victims are entitled to obtain a decision on compensation from the offender as part of the criminal trial and requiring courts to state, where applicable, why compensation has not considered; - including the topic of compensation in training programmes for lawyers, prosecutors and judges and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB; - ensuring that all victims of human trafficking, regardless of nationality and residence status, are eligible for state compensation, by bringing into force the Law on Compensation for Damages to	Before the Montenegrin courts, there is a possibility for persons injured by criminal acts to claim compensation for damages, both material and non-material. Compensation procedures are carried out according to the rules of the Criminal Procedure Code and the Law on Civil Procedure and since 2015, Montenegro has adopted a special Law on Compensation for Victims of Violent Crimes, the application of which has been postponed, which prescribes the possibility for victims to contact directly with a request for compensation to the state. The Law regulates the conditions, method and procedure for obtaining compensation for damage, and the Law will be applied from the day of Montenegro's accession to the European Union. Therefore, the Criminal Procedure Code[1] prescribes the possibility of submitting a property claim that arose as a result of the commission of a criminal offense, if this would not significantly delay the procedure. If the court instructs the injured party to pursue a property claim in civil proceedings, judicial protection is achieved before the basic court as the court with subject-matter jurisdiction. The Law on Obligations regulates issues of compensation for material and non-material damage. No victim of human trafficking has exercised the right to compensation through criminal proceedings. The Supreme Court of Montenegro has created a leaflet on the right to compensation for damages in criminal proceedings, with the aim of informing victims about the possibilities of exercising their rights, how, when and to whom they can apply. **- Center for Training in the Judiciary and the State Prosecutor's Office:** Topics related to the protection of victims' rights are represented at the trainings conducted by the Center for Training in the Judiciary and the State Prosecutor's Office. As part of these topics, the trainings also discuss compensation for victims of human trafficking. In addition, the topic of compensation is represented at other trainings (which do not relate to human trafficking), which may indirectly refer to compensation for damages to victims of violent crimes. The Center, after the adoption of amendments to the Criminal Code and the Criminal Procedure Code, will update its training program on human trafficking for judges and state prosecutors, in which special attention will be paid to the protection of victims' rights, an important aspect of which is the compensation of victims of human trafficking.

[1] Articles 234 – 242 CPC

Victims of Violent Crimes without further delay; in this context, the setting up of a victim compensation fund which uses confiscated assets of perpetrators of human trafficking to fund compensation should be treated as a priority.	**- Ministry of Justice:** In Montenegro, according to the current legislation, victims of criminal offenses can exercise their right to compensation in two ways: from the defendant by submitting a proposal for the exercise of a property claim in criminal proceedings or by filing a lawsuit in civil proceedings. There were no adopted legal solutions, but the Ministry of Justice has prepared a Law Proposal on Amendments to the Law on Seizure and Confiscation of Criminal Assets, which sends a strong message on the part of the state in order to clearly express the intention of recovering illegally acquired assets, while at the same time representing an improvement of the instruments which authorities will have at their disposal in that direction. In December, the Government of Montenegro determined the Law Proposal on Amendments to the Law on Seizure and Confiscation of Criminal Assets, after discussing it at the competent parliamentary committee, the ad hoc Working Group had the task of analyzing the Draft and proposing improvements.
7. GRETA considers that the Montenegrin authorities should take further steps to enable effective access to compensation for victims of trafficking by making compensation awarded in criminal proceedings payable by the State in advance, and the State taking the responsibility to recover the amount from the offender.	**- Prosecutor's Office:** The Law on Compensation for Victims of Violent Crimes, which will be applied on the day of Montenegro's accession to the European Union, provides that victims of violent crimes, including victims of human trafficking, will receive compensation from the budget of Montenegro, in a special section of the state administration body responsible for affairs of the judiciary. **- Court:** The Supreme Court of Montenegro, as the highest court in the country, as part of the Analysis of Court Practice for Human Trafficking cases, recommended the courts to decide on property claims in criminal proceedings, when there are sufficient grounds for this. **- Ministry of Justice:**

	The Law on Compensation for Victims of Violent Crimes regulates the conditions, method and procedure for exercising the right to compensation for victims of violent crimes, that is, the law prescribes the possibility for victims to apply directly to the state for compensation. The Law entered into force on July 15, 2015, and will be applied on the day of Montenegro's accession to the European Union. In order to improve the aforementioned law, for the needs of the Ministry of Justice, an assessment of the impact (including the financial impact) of the implementation of the Law on Compensation for Victims of Violent Crimes was carried out. The mentioned Assessment was completed in June 2022 with the support of the Horizontal Facility II through the project "Improvement of process guarantees in Montenegro". The aforementioned assessment issued 3 key recommendations related to: a) the need to improve the legal solutions contained in the law itself; b) the need to pass secondary legislation and c) recommendation related to the source of funding.
8. GRETA urges the Montenegrin authorities to take measures to strengthen the criminal justice response to THB, including by: - ensuring that human trafficking offences are proactively and promptly investigated, regardless of whether a complaint about the reported crime has been submitted or not, making use of all possible evidence, such as evidence gathered through special investigation techniques, financial evidence, documents and digital evidence, so that there is less reliance on testimony by victims or witnesses; - requiring consideration of allocation of specialist financial investigators to every THB case;	- **Ministry of the Interior**- Police Directorate: With the formation of the Operational Team for the Fight against Human Trafficking and the cooperation of this Team with the specialized Group for Countering the Criminal Offence of Smuggling and Human Trafficking and Illegal Migration, which is systematized within the Division for Countering Severe Criminal Offenses, the efficiency and proactivity of work on investigations has been raised to a higher level. This statement is supported by the statistics on completed cases. Special investigative techniques are certainly applied in all situations when the collection of evidence is "difficult" or the nature of the investigation requires the application of these methods. **- Prosecutor's Office:** In a certain number of cases, when the prosecutor receives certain knowledge of the grounds for suspicion that the criminal offense of human trafficking has been committed, they, in cooperation with the officers of the Police Directorate and other state bodies, conduct an investigation that in a certain number of cases results in the prosecution of the perpetrators of this criminal offense. In

- - strengthening efforts to investigate, prosecute and secure convictions in cases of trafficking for the purpose of labour exploitation, with the involvement of labour inspectors and tax inspectors.	addition to personal evidence, the prosecution, in order to prove the commission of a criminal offense, also collects material evidence, such as computer expertise reports and the collection of other digital evidence, the collection of video surveillance material from locations significant for the case, etc. *See the answer to recommendation No. 24.* In the Special State Prosecutor's Office, there are economic associates for all criminal offenses within the jurisdiction of the SPO, whose number was increased by 8 by the Rulebook on the Internal Organization and Job Description from 2022. **- Court:** Court data: 2021: Cases of human trafficking have priority in the work of Montenegrin courts, and lately there has been a positive trend of increase in the number of cases for this criminal offense, as highlighted in the Progress Report for Montenegro for 2021. **In 2021**, Montenegrin courts had a total of 8 cases pending against 11 defendants. Of that number, 2 cases have been resolved, and 6 cases are ongoing. When it comes to resolved cases, in two cases, the courts issued two convictions against three defendants, in one case, the convicted person was sentenced to 2 years in prison, and in the other - 1 year and 2 months. When it comes to statistical data for **2022**, a total of 11 cases against 21 defendants were pending before the competent courts. However, there were no resolved cases during this year. The human trafficking track record, 2023 - When it comes to repressive measures, 13 (thirteen) criminal proceedings for the criminal offense of human trafficking against 23 defendants are pending before the Montenegrin courts, which are in the trial phase. This data indicates that the trend of increasing the number of cases for this criminal offense continues, which has been on the "rising line" since 2018, and which has also been underlined by relevant international entities. However, during 2022 and 2023, there were no verdicts for the criminal offense of human

	trafficking. Since one part of these cases is in the final phase of the trial, it can be expected that first-instance verdicts will be passed in the following period. We underline that a national analysis and review of judicial practice for cases of human trafficking in Montenegro was prepared, which was created as a result of research activities carried out under the auspices of the project: "UN.Locking the Impunity for Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe ", which is led by the United Nations Office on Drugs and Crime (UNODC) based in Belgrade. This Analysis, as the first analytical document of its kind, deals with the criminal legal response of the Montenegrin authorities to the problem of human trafficking and, based on a complete insight into judicial practice in terms of investigation, prosecution and adjudication, provides answers to key research questions. The cases were analyzed from the very beginning, starting from the grounds for suspicion that there is a case of human trafficking to the final verdict of the criminal case, with the aim of reviewing the actions of all authorities involved in the process of combating human trafficking (police, prosecutor's office and court) and draw conclusions based on the facts : whether all necessary measures were taken in a timely manner with the aim of effective detection and prosecution of perpetrators of criminal offences, whether the policy of sanctioning perpetrators of criminal offenses of human trafficking is harmonized with international standards, as well as whether all operational measures were taken to protect the victim. The analysis had as subject of the research the final cases for the criminal offense of human trafficking, which were analyzed by the method of direct inspection of the files of final cases of human trafficking, which enabled the consultants to conduct a close, in-depth and detailed examination of the subject of study, as well as the accompanying conditions **- Directorate for Inspection Affairs:** When it comes to the part of the recommendation to strengthen efforts to investigate, prosecute and secure convictions in cases of human trafficking in cases of labor exploitation, with the involvement of labor inspectors and tax inspectors, we point out that the Division for Labor Inspection carries out regular inspections during which it monitors whether there are indicators that point to possible cases of human trafficking, and about which it is obliged to report to the competent authorities

	dealing with the detection of criminal offenses - the Police Directorate and the competent prosecutor's office.
9. GRETA considers that the Montenegrin authorities should take further steps with a view to: - improving the prosecution of cases of trafficking for the purpose of child, early and forced marriage; - sensitising prosecutors and judges to the rights of victims of THB, and encouraging the development of specialisation amongst prosecutors and judges to deal with THB cases.	- **Team for Formal Identification of THB Victims :** - **2021** - formal identification procedure was carried out in relation to 11 persons and 5 persons were granted the status of victim of human trafficking (4 female and 1 male). All persons who were granted the status of victims of human trafficking were minors, of that number, 2 female persons were identified as victims of human trafficking for the purpose of entering into an illicit marriage, 1 female person was a victim of human trafficking for the purpose of sexual exploitation, 2 persons (one male, one female) victims of human trafficking for the purpose of begging. - **2022** - formal identification procedure was carried out and the status of victim of human trafficking was granted to a total of 16 persons (13 female, 3 male). Of the total number of identified female persons, 9 were minors (7 victims of illicit marriage and 2 victims of forced begging), while 4 persons were adults (3 victims of sexual exploitation and 1 victim of illicit marriage and forced begging). All identified male persons were minors (1 victim of illicit marriage and 2 victims of forced begging). In **2023**, in conclusion with May 1, 2023 The Team for Formal Identificarion granted victim status to a total of 4 persons, of which 3 are minors (1 male - victim of forced begging and two females - one victim of sexual exploitation, the other victim of illicit marriage and forced begging), and one adult female - victim of sexual exploitation. - **Prosecutor’s Office:** The State Prosecutor's Office undertakes actions with the aim of sensitizing prosecutors regarding the rights of victims of human trafficking, which is reflected in the fact that all prosecutor's offices are subject-matter competent for the prosecution of this criminal offense, in the annual work program they have designated prosecutors specialized in the prosecution of perpetrators of the

	criminal offense of human trafficking. Also, the prosecutor's office continuously, in cooperation with police officers and other state authorities, undertakes measures and actions with the aim of identifying persons injured by this criminal act committed for the purpose of entering into an illicit marriage, and which actions resulted in the prosecution of a certain number of perpetrators of the criminal offense of human trafficking, where the form of exploitation is stated entering into an illicit marriage. **- Court:** Before the Montenegrin courts, one case of human trafficking for the purpose of entering into an ilicit marriage was concluded by a final sentence. On 28/12/2020, the High Court in Podgorica passed the verdict K. no. 82/20 by which the defendant B.A. was sentenced to two (2) years in prison. **- Center for Training in the Judiciary and the State Prosecutor's Office:** The Center will update its human trafficking training program for judges and state prosecutors in which special attention will be paid to child, early and forced marriages as criminal offenses of human trafficking.
10. GRETA welcomes the adoption of guidelines on the non-punishment of victims of THB, and considers that the Montenegrin authorities should take measures to ensure effective compliance with these guidelines, paying particular attention to children who are possible victims of THB, including through providing training on their basis to police officers, prosecutors, judges, lawyers and other relevant professionals	**- Prosecutor's Office:** The State Prosecutor's Office acts in accordance with the law, respecting the guidelines on non-punishment of victims of human trafficking for police officers, state prosecutors and judges, and in this sense participates in all trainings organized on this topic. At the level of the Police Directorate, the guidelines on non-punishment of victims of human trafficking are respected in accordance with its competences. Taking into account the concept of the prosecutorial investigation, the acting prosecutor carries out the eventual qualification of the criminal offence. **- Ministry of Justice:**

	The Ministry of Justice prepared the Proposal of the Law on Amendments to the Criminal Code of Montenegro, as well as the Proposal of the Law on Amendments to the Criminal Procedure Code. The law proposals have been sent to the European Commission for opinions and comments. In relation to the criminal offense referred to in Article 444, apart from the terminological harmonization of the concept of a child, kidnapping is added as one of the manners of committing this criminal offence, another more serious form of this criminal offense has been added, which will exist if the offense from paragraph 3 of this article has resulted in serious bodily injury of a child, and a prison sentence of at least five years is prescribed. Also, alignment with Directive 2011/36/EU was carried out, paragraph 11 introduces a provision on non-punishment of the victim for criminal activities that they were forced to commit. Paragraph 11 reads: "The victim of the criminal offense referred to in paragraph 1 of this Article shall not be punished for the criminal activities which he/she was forced to commit, as a direct consequence of being a direct victim of any of the offenses referred to in paragraph 1 of this Article". The Law Proposal introduces a new criminal offense of Sale of Children. The need to introduce this criminal offense exists because the UN Committee on the Rights of the Child, in its Concluding Observations on the combined second and third periodic report of Montenegro, stated that it urges the signatory states in particular: to provide in domestic legislation an explicit definition of the criminal offense of sale of children and ensure that it is incorporated into the relevant legislation in accordance with Articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography from 2000. Special protection in criminal proceedings has been introduced for, among other things, victims of the crime of human trafficking, but also a ban on concluding plea agreements for these crimes.
11. GRETA considers that the Montenegrin authorities should make full use of all available measures to protect victims and witnesses of THB and to prevent intimidation during the investigation, as well as during and after court proceedings	**- Ministry of the Interior** – Police Directorate: In the reporting period, police witness protection capacities were not used when it comes to human trafficking and investigations related to this area. In the majority of cases, the victims are placed in specialized shelters located in secret locations. The Police Directorate provides assistance on every

	request when it is necessary in the part of protecting the victim in the shelter and outside the shelter. Security assessments are also carried out when there are justified reasons for this. **- Prosecutor's Office:** In the reporting period, the State Prosecutor's Office did not have any requests or assessments that a certain person injured by the criminal offense of human trafficking should be offered the status of a protected witness, and in the event of such circumstances, it is ready to act in accordance with the law. **- Court:** Measures for the protection of victims during court proceedings: When it comes to the participation of minors - injured parties in criminal proceedings, in some cases, good court practice can be observed, especially in the part of excluding the injured child party from direct testimony in order to avoid secondary victimization, so during the proceedings the court made a decision not to hear the victim directly at the main trial, and their statement given before the state prosecutor's office was used during the proceedings. In cases in which minors participate in criminal proceedings, the acting of the Expert Service towards the injured party-child and other minor participants in the proceedings is of crucial importance, which is reflected in the overall observance of national and international standards, which require the highest level of attention of the authorities in dealing with children in criminal proceedings. Based on data from judicial practice, it can be seen that no victim of human trafficking had the status of a protected witness, which is a rarity also for other types of criminal offences. In the cases in which minors as injured parties gave their testimony at the main trial, the Expert Service of the Supreme State Prosecutor's Office previously issued a finding and opinion, with the aim of assessing and preparing the minor injured parties for possible testimony, and on the basis of which it was established that they understood the purpose of the criminal proceedings against the suspect and their participation in the proceedings and were ready to testify before the state prosecutor for minors. This procedure is a good practice.

	A good practice can be observed, when in one of the analyzed cases the competent state prosecutor, deciding on the protection of victims of human trafficking, applying the provision from Article 9 of the Constitution of Montenegro and Article 6 paragraph 2 item b of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and appointed an attorney-lawyer for the injured party-minor victims, in order to provide assistance that will enable them to present their points of view and interests in the appropriate stages of the criminal proceedings against the perpetrators of the criminal offence, in a way that will not affect the defendant's right to defense in the proceedings. The Supreme Court of Montenegro, in cooperation with the Program Office of the Council of Europe and the NGO Women's Rights Center, organized a workshop in June 2022, with the aim of training and supporting services for the support of victims and witnesses at courts in Montenegro in order to provide quality support to victims of domestic violence, human trafficking and crimes against sexual freedom. At this seminar, persons in charge of supporting victims and witnesses from Montenegrin courts had the opportunity to expand their knowledge and practice the skills necessary for working with victims and witnesses of domestic violence, human trafficking and crimes against sexual freedom, to exchange experiences with colleagues, as well as to become familiar with organizations that provide long-term support to victims of these forms of crime. At the seminar, they also had the opportunity to familiarize themselves with the skills needed to prevent burnout in the performance of this complex duty. The Government of Montenegro has prepared the Draft Amendments to the Criminal Procedure Code, which for the first time recognizes the Witness Support Services through the legal text and positions them in the courts. Furthermore, the Memorandum of Cooperation signed in December 2022 between the Supreme Court of Montenegro and the Institute for Legal Studies (IPLS) agreed on cooperation on the Project "Improving the system of protection of victims in the judicial system of Montenegro". The project is supported through the program "Access to justice and human rights in Montenegro - Trial monitoring project 2021 - 2023", implemented by the Center for Monitoring and Research (CeMI) and Human Rights Action (HRA), financed by the European Union, and co-financed by the Ministry of Public Administration.

	Among other things, as part of this project, monitoring of the work of victim support services in all courts in Montenegro will be carried out and recommendations will be made for improving the efficiency of their functioning.
12. GRETA welcomes the existence of police investigators and prosecutors specialised in trafficking in human beings, and considers that the Montenegrin authorities should promote specialisation and training of judges to deal with THB cases. Further training on THB should be integrated into the regular training curricula of relevant professional groups, including law enforcement officials, prosecutors, judges, forensic experts, labour inspectors, social workers, child welfare staff, health-care staff, and diplomatic and consular staff	**- Ministry of the Interior** – Department for Fight against Trafficking in Human Beings: The Ministry of the Interior/Department for Fight against Trafficking in Human Beings, in accordance with the obligations arising from the strategic documents during the reporting period, in coordination and cooperation with institutions accredited for the training of civil servants and state employees, as well as in cooperation with civil society organizations and international organizations, carried out activities that were aimed at strengthening the capacity of competent authorities related to the fight against human trafficking. In cooperation with the Human Resources Administration, training programs were organized on the following topics: - "Strengthening the skills of early identification and referral of potential cases of human trafficking in Montenegro" (4) (November 4 and 12, December 3 and 16, 2021); - "The role of health workers in the fight against human trafficking" (5) (5 and 26 November, 17 December 2021, 22 November and 1 December 2022); - "Strengthening the level of awareness about the phenomenon of human trafficking at the local level" (3) (November 19, December 9 and 24, 2021); - "Fight against human trafficking" (3) (November 24, December 23, 2021, December 22, 2022); - "The role and possibility of action of the Ministry of Foreign Affairs and diplomatic consular missions in the fight against human trafficking" (2) (December 10, 2022, May 3, 2023). These training programs were attended by a total of 136 officials, among whom were representatives of the MoI/Police Directorate, the Ministry of Labor and Social Welfare - Centers for Social Work, the Directorate for Inspection Affairs, health workers, diplomatic and consular staff, as well as representatives of local self-governments. The MoI Department for Fight against Trafficking in Human Beings, with the support of the OSCE Mission to Montenegro, and in accordance with the obligations from the Action Plans for the Implementation of the Strategy for Combating Human Trafficking, organized 4 one-day training sessions on the topic of combating human trafficking for the heads of the Security Centers and

	Departments, that is, for officers of the Police Directorate, Department for Public Order and Peace from the northern, central and southern regions of Montenegro in the period 5-8 October 2021, on the topic of the fight against human trafficking and its manifestations. A total of 18 managers and 50 officers attended the trainings. Also, the Department for Fight against Trafficking in Human Beings, with the support of the OSCE Mission to Montenegro, organized a set of trainings in the period 26-30 September 2022; 24-25. April 2023 on the topic "Application of guidelines for conducting interviews with persons suspected of being victims of human trafficking with an offered set of questions", intended primarily for police officers and social workers, which was attended by a total of 69 participants. The Department for Fight against Trafficking in Human Beings with the support of the International Organization for Migration IOM in the period May 17-18; October 24-25; November 9-10, as well as January 17-18; February 21-22; April 12-13 2023, organized trainings on the topic "Identification and referral of victims of human trafficking - implementation of the National Plan for formal identification of victims of human trafficking", for representatives of the Ministry of the Interior/Police Directorate, Ministry of Labor and Social Welfare/Centers for Social Work, Public Institutions for providing accommodation in a shelter/reception center, NGO, a total of 93 of them. The aim of the mentioned trainings was to contribute to the strengthening of national capacities towards sustainable reintegration, integration and protection of vulnerable groups in Montenegro. The Department for Fight against Trafficking in Human Beings, with the financial support of the IOM, organized a two-day training for professionals on November 28 and 29, 2021 in Budva on the topic "Fight against human trafficking - identification and referral of victims. The training was attended by 15 professionals who directly or indirectly deal with the issue of human trafficking from the entire territory of Montenegro.The training program is accredited by the Institute for Social and Child Protection. In the organization of ICMPD, in cooperation with the Department for Fight against Trafficking in Human Beings, on November 23-24, 2021 the "Workshop for capacity building in the fight against smuggling and human trafficking in Montenegro" was organized in Budva, with the aim of strengthening the professional capacities of entities responsible for identification and providing assistance and protection to victims of human trafficking among migrants, which was attended by representatives of competent authorities involved in fight against human trafficking - Police

	Directorate, Centers for Social Work, Ministry of Finance and Social Welfare, High State Prosecutor's Office, MoI/ Department for Fight against Trafficking in Human Beings, MoI/Directorate for Administrative Affairs, Citizenship and Foreigners, Team for Formal Identification, total 16 participants. On October 10, 2022 and May 17 and 18, 2023, the Department for Fight against Trafficking in Human Beings and the Ministry of Health, with the support of the German Organization for International Cooperation GIZ, organized trainings on the topic "Presentation of health indicators and regional standard operating procedures for the identification of victims and potential victims of human trafficking". The aforementioned trainings were attended by 35 health workers from several levels of health care from several Montenegrin municipalities. **Prosecutor's Office:** The State Prosecutor's Office participates in all trainings, organized by the competent body – Center for Training in Judiciary and the Prosecutor's Office, in connection with cases of human trafficking and improving knowledge and skills in dealing with these cases. **- Center for Training in Judiciary and the State Prosecutor's Office:** In 2022, the Center for Training in the Judiciary and the State Prosecutor's Office conducted the following trainings: - Training in the judiciary and the state prosecutor's office in 2022, and as part of the implementation of the theoretical part of the initial training program for candidates for state prosecutors, two days of online training were held as part of module XI in criminal law, the topics of which are: Human trafficking, Smuggling; Mediation in prostitution. The lecturer at the module was Ms. Seka Žižić, judge of the Appellate Court of Montenegro, and six candidates for state prosecutors attended the module. - The Center for Training in the Judiciary and the State Prosecutor's Office, in cooperation with and with the financial support of the U.S. Embassy in Podgorica, i.e. INL (Department of State Bureau

	of International Narcotics and Law Enforcement Affairs) of the permanent legal advisor program, organized/implemented a three-day training on the topic " Fight against Human Trafficking". The seminar was attended by 19 participants (5 judges, 5 state prosecutors, 2 counselors and 1 intern from the court, 3 counselors and 3 interns from the state prosecutor's offices). -June 28-30, 2022 - Budva, the United Nations Office on Drugs and Crime (UNODC) in cooperation with the Center for Training in the Judiciary and the State Prosecutor's Office organized the first of two planned three-day national multidisciplinary trainings using the mock trial methodology for the criminal offense of human trafficking. The training was conducted within the UNODC project "UN.Locking the Impunity for Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe". The aim of the mock trial was to strengthen and improve the prosecution of human trafficking and conduct successful investigations that result in legally binding convictions, that is, to strengthen the capacity of investigative authorities and courts in Montenegro and improve the position and rights of victims in criminal proceedings. Participants had the opportunity to experience in real time the challenges and opportunities in identifying and investigating human trafficking cases using the learning-by-doing methodology. In the introductory part, representatives of the Ministry of the Interior of Montenegro, the Center for Training in the Judiciary and the State Prosecutor's Office, the US Embassy in Podgorica and UNODC addressed the participants. The presenters at the training were national practitioners from the judiciary: Ms. Vesna Jovićević, former State Prosecutor and Head of the Operational Team for the Fight against Human Trafficking, Ms. Milenka-Seka Žižić, Judge of the Supreme Court of Montenegro, Ms. Tanja Čolan Deretić, State Prosecutor of the High State Prosecutor's Office in Podgorica and the Head of the Operational Team for the Fight against Human Trafficking, and Mrs. Ana Vuković, Judge of the Appellate Court of Montenegro. During the training, special attention was paid to the following topics: Challenges in the legal qualification and identification of victims of human trafficking; The position of the victim in criminal proceedings due to the criminal offense of human trafficking - challenges in protecting and supporting victims of human trafficking; Penal policy. The training was attended by 15 participants (7 judges, 7 state prosecutors and 1 adviser from the Supreme Court of Montenegro). -November 23-25, 2022 - Budva, the United Nations Office on Drugs and Crime (UNODC) in cooperation with the Center for Training in the Judiciary and the State Prosecutor's Office organized the second of the two planned three-day national multidisciplinary trainings using the

	mock trial methodology for the criminal offense of human trafficking. The training was conducted within the UNODC project "UN.Locking the Impunity for Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe". The aim of the mock trial was to strengthen and improve the prosecution of human trafficking and conduct successful investigations that result in legally binding convictions, that is, to strengthen the capacity of investigative authorities and courts in Montenegro and improve the position and rights of victims in criminal proceedings. Participants had the opportunity to experience in real time the challenges and opportunities in identifying and investigating human trafficking cases using the learning-by-doing methodology. In the introductory part, representatives of the Ministry of the Interior of Montenegro, the Center for Training in the Judiciary and the State Prosecutor's Office, the US Embassy in Podgorica and UNODC addressed the participants. The presenters at the training were national practitioners from the judiciary: Ms. Vesna Jovićević, former State Prosecutor and Head of the Operational Team for the Fight against Human Trafficking, Ms. Milenka-Seka Žižić, Judge of the Supreme Court of Montenegro, Ms. Tanja Čolan Deretić, State Prosecutor of the High State Prosecutor's Office in Podgorica and the Head of the Operational Team for the Fight against Human Trafficking, and Mrs. Ana Vuković, Judge of the Appellate Court of Montenegro.. During the training, special attention was paid to the following topics: Challenges in the legal qualification and identification of victims of human trafficking; The position of the victim in criminal proceedings due to the criminal offense of human trafficking - challenges in protecting and supporting victims of human trafficking; Penal policy. The training was attended by 16 participants (8 judges and 8 state prosecutors). Ms. Ljiljana Lakić, president of the Center's Board of Directors, attended the training in front of the Center for Training in the Judiciary and the State Prosecutor's Office. - December 6-8, 2022, Kotor, Donji Stoliv – the Center for Training in the Judiciary and State Prosecutor's Office in cooperation with the US Embassy in Podgorica, i.e. Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL Program) organized a three-day training on the topic: "Fight against Human Trafficking", as part of the Program for Continuous Training of Judges and State Prosecutors for 2022. In the introductory part, the participants were greeted by Maša Adžić, Head of the Department for Continuous Training of the Center's Secretariat, and James Arguin, Senior Legal Advisor of the INL Legal Program, US Embassy. The lecturers were: Milenka Seka Žižić, judge of the Supreme Court of Montenegro, Željka Jovović, President of the Basic Court in Podgorica, Mira Samardžić, until recently Special Prosecutor, Sanja Jovićević, Special Prosecutor and Vukas Radonjić, State Prosecutor assigned to the Special State

	Prosecutor's Office. The topics that were represented at the training were as follows*: Overview of the situation and legal framework in the field of human trafficking - Montenegro; Initial situation in the field of human trafficking from the aspect of the position of the victim; Human trafficking case study - Montenegro; The role of victims and witnesses - Interviews with victims - Investigation and preparation for trial with examples from practice; Investigative techniques in human trafficking – case study; Use of information and communication technologies as investigative techniques in cases of human trafficking; Case Study: Preparation for Trial; Exercise in groups - human trafficking or mediation in prostitution (case scenario); International cooperation, best practices, challenges and solutions. The training was attended by 17 participants (10 judges, 6 state prosecutors and the Head of the Department for Fight against Human Trafficking).* **- Ministry of Labour and Social Welfare:** Montenegro advocates that all stakeholders who come into contact with a victim are adequately informed and trained on the identification of victims of human trafficking as well as methods of prevention and countering of child begging, and accordingly the Institute for Social and Child Protection has accredited a series of trainings, namely: "Basic training of professional workers in Centers for Social Work for the prevention, detection and protection of victims of child trafficking", Montenegrin Women's Lobby "Fight against human trafficking - identification and referral of victims of human trafficking", Ministry of the Interior - Department for Fight against Trafficking in Human Beings "Basic training program for professional workers, professional associates and members of multidisciplinary teams for the prevention and countering of child arranged marriages", NGO Center for Roma Initiatives from Nikšić
13. GRETA considers that the positive results obtained by the Operation Team should be reinforced by ensuring that the work of the team is adequately and sustainably funded, and formalised	**- Prosecutor's Office:** The Operational Team for the Fight against Human Trafficking has functioned in the reporting period in the same manner as in the previous period.

14. GRETA welcomes the Montenegrin authorities' participation in international co-operation, and invites them to continue their efforts in this respect. The positive use and benefits of utilising Eurojust should be included in the training of police officers, prosecutors and judges	**- Ministry of the Interior**- Police Directorate: One of the models of international cooperation is the implementation of the Europol EMPACT project and the monitoring of the activities contained in the OAP, on the topic of the fight against human trafficking. It is also important to mention the signed agreements on mutual cooperation with several countries in the region (Albania, Macedonia, Kosovo, Slovenia). **- Prosecutor's Office:** In November 2022, the State Prosecutor's Office of Montenegro hosted the 22nd TAIEX International Forum of State Prosecutors on the fight against cross-border organized crime. Representatives of European agencies/bodies and networks, including Eurojust, participated in this Forum. At this Forum, which was also attended by Montenegrin prosecutors, cooperation mechanisms through Eurojust were presented, which contribute to efficiency in the handling of cases of international legal assistance in criminal matters. In complex cases with an international element, in which timely and immediate cooperation is needed, state prosecutors, through the liaison state prosecutor of Montenegro with Eurojust, initiate cooperation with state prosecutors of different countries. Within the Center for Training in the Judiciary and the State Prosecutor's Office, which is responsible for training judges and state prosecutors, the Program for Continuous Training of Judges and State Prosecutors for the year 2023, as a special topic for training, includes "Cooperation and provision of international legal assistance in criminal matters."
15. GRETA considers that the Montenegrin authorities should take steps to ensure child-sensitive procedures when investigating, prosecuting and adjudicating cases of THB, in line with the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice,	**- Ministry of the Interior**- Police Directorate: In accordance with the competences and actions of the Police Directorate when children are injured parties, potential victims, steps are taken in every situation that require a sensitive approach through the involvement of other authorities in the process of working with children (Center for Social Work). Efforts are also being made, through Action Plans and in connection with the National

including measures to ensure that there is a sufficient number of child-friendly interview rooms across the country.	Strategy for Combating Trafficking in Human Beings, to convert police rooms into "child friendly rooms". **- Prosecutor's Office:** For the needs of the State Prosecutor's Offices actually responsible for prosecuting the perpetrators of the criminal offense of human trafficking, rooms for hearing children have been provided in the territory of the Capital City Podgorica, in the Basic State Prosecutor's Office in Podgorica, and this room is used for the needs of hearing children in cases handled by the High State Prosecutor's Office in Podgorica and the Special State Prosecutor's Office, as well as one in the High State Prosecutor's Office in Bijelo Polje, and this room for hearing children is used by that Prosecutor's Office as the subject-matter competent authority for prosecuting perpetrators of the criminal offense of human trafficking. **- Court:** Child-friendly rooms have been provided in the Montenegrin judicial system in three Basic Courts in Montenegro as part of the sub-regional initiative "Equal access to justice for children" implemented by the Ministry of Justice, Human and Minority Rights in Montenegro in cooperation with the highest judicial institutions, with technical support of UNICEF and the financial support of the Government of the Kingdom of Norway.
16. GRETA considers that the Montenegrin authorities should strengthen engagement with the private sector, in line with the UN Guiding Principles on Business and Human Rights and Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business, with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation	**- Ministry of the Interior** - Department for Fight against Trafficking in Human Beings: The MoI/ Department for Fight against Trafficking in Human Beings with the support of the OSCE Mission to Montenegro and the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, on May 10-11, 2022, organized a two-day conference in Budva on the topic "Preventing Human Trafficking in Supply Chains". The Minister of the Interior, together with the Ambassador of the OSCE Mission to Montenegro, opened the conference, which was attended by representatives of law enforcement agencies, the judiciary, the Ministry of the

and recovery of victims, and to provide access to effective remedies.	Interior, the Ministry of Economic Development, the Chamber of Commerce, the Union of Employers, the Labour Inspectorate and representatives non-governmental organizations. The conference was held with the aim of: • raising awareness and starting a dialogue about the importance of developing and implementing policies and practices aimed at preventing human trafficking in supply chains; • mapping the current situation and taking into account the best practices and experiences from other countries in improving the institutional response; • strengthening cooperation between state institutions and the private sector in ensuring respect for human rights during the procurement process; • presenting guidelines and recommendations made by the OSCE and discussing the most effective ways of translating them into the legal and political framework that best suits the context of Montenegro. During the conference, representatives of the executive structures of the OSCE, Montenegro and other OSCE Participating States shared their experiences and vision on how current international events could be reflected and practically implemented in the context of Montenegro. The conference offered a platform for dialogue on the legal framework and policies against THB in supply chains in Montenegro. Representatives of the MoI/ Department for Fight against Trafficking in Human Beings took part in the regional meeting entitled "Human Rights Due Diligence: Taking action against human trafficking for labour exploitation in supply chains " in Skopje, on May 11, 2023, organized by the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and the OSCE Mission to Skopje in cooperation with the National Commission for the Fight against Human Trafficking of North Macedonia. Among other things, the regional conference aimed to raise awareness and continue the dialogue on the importance of developing and implementing policies and practices aimed at preventing human trafficking in supply chains, as well as mapping the current situation in the Western Balkans region and reviewing the best practices and experiences of other countries such as Germany, Norway and the USA in order to strengthen the institutional response. In addition to the representatives of the MoI/Department, representatives of the Ministry of Finance - Directorate for Public Procurement Policy, Ministry of Labor and Social Welfare, as well as the Directorate for Inspection Affairs took part in the meeting.

17. Further, GRETA considers that the Montenegrin authorities should adopt legislation integrating the prevention of THB and labour exploitation in public procurement policies and promoting transparency in supply chains, to enable scrutiny of companies' performance to prevent THB and labour exploitation	**- Ministry of Finance** - Directorate for Public Procurement Policy: Pursuant to Article 99 of the Law on Public Procurements, which prescribes mandatory requirements for participation in the Public Procurement procedure and grounds for exclusion, it is prescribed that only a business entity can participate in the Public Procurement procedure that has not been legally convicted and whose Executive Director has not been convicted by a final verdict for, among others, a criminal offense with the following characteristics: 1. human trafficking 2. trafficking in minors for the purpose of adoption and 3. establishing a servitude and transporting persons in servitude. In accordance with the above, we point out that the recommendations of GRETA have been incorporated into the legislative framework in the field of public procurement, and they relate to the prevention of human trafficking and labor exploitation. **Ministry of the Interior** - Department for Fight against Trafficking in Human Beings: The MoI/ Department for Fight against Trafficking in Human Beings with the support of the OSCE Mission to Montenegro and the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, on May 10-11, 2022, organized a two-day conference in Budva on the topic "Preventing Human Trafficking in Supply Chains". The Minister of the Interior, together with the Ambassador of the OSCE Mission to Montenegro, opened the conference, which was attended by representatives of law enforcement agencies, the judiciary, the Ministry of the Interior, the Ministry of Economic Development, the Chamber of Commerce, the Union of Employers, the Labour Inspectorate and representatives non-governmental organizations. During the conference, representatives of the executive structures of the OSCE, Montenegro and other OSCE Participating States shared their experiences and vision on how current international events could be reflected and practically implemented in the context of Montenegro. The conference offered a platform for dialogue on the legal framework and policies against THB in supply chains in Montenegro.

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18. GRETA considers the Montenegrin authorities should include measures against corruption in a THB context in the general policies against corruption, and effectively implement them	-**Agency for the Prevention of Corruption:** The Agency for the Prevention of Corruption of Montenegro is a preventive anti-corruption institution that exercises its legal competences in accordance with three anti-corruption laws: the Law on Prevention of Corruption, the Law on Lobbying and the Law on the Financing of Political Entities and Election Campaigns. Although the scope of competence of this institution is quite wide, the Agency has not had any points of reference in the context of the mentioned topic - human trafficking. However, through the work of the Department for handling reports on threats to the public interest that indicate the existence of corruption, as well as the Department for monitoring regulations and giving opinions on regulations in the field of anti-corruption, the potential action of the Agency in this domain is possible, although so far there have been no such cases. In the event that, through these two mechanisms, the Agency obtains information that points to the criminal offense of human trafficking, it will refer it to the competent institutions, i.e. the competent Prosecutor's Office.

19. GRETA reiterates its recommendation from its second report that the Montenegrin authorities should examine the possibility of establishing an independent National Rapporteur or designating another already existing mechanism as an independent organisational entity with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions and making recommendations to persons and institutions concerned (see Article 29, paragraph 4, of the Convention and paragraph 298 of the Explanatory Report).	**Ministry of the Interior:** Within the Strategy for Combating Trafficking in Human Beings for the period 2019-2024, in Chapter 19, which refers to monitoring, reporting and evaluation, it is planned to consider the possibility of introducing additional independent mechanisms for monitoring activities in the fight against human trafficking, including the possibility of establishing the National Rapporteur, until the end of the implementation period of the strategic document.
20. GRETA urges the Montenegrin authorities to: - ensure that the Labour Inspectorate has adequate human and financial resources to carry out inspections with a view to preventing and detecting cases of THB for the purpose of labour exploitation; - strengthen co-operation between labour inspectors, law enforcement officers, tax and revenue authorities, trade unions and civil society actors, with a view to collecting evidence necessary for successfully investigating and	**- Directorate for Inspection Affairs:** The Division for Labor Inspection increased the number of inspectors in the reporting period by 4 persons, and new employment and an increase in the number of personnel are planned for 2023. According to the Personnel Plan, for the year 2023, an increase in the number of employed personnel is planned for a total of 3 Labor Inspectors III for the field of labor relations and employment. Number of newly employed persons in 2023, for the period 01/01-08/05/2023 - after the legally implemented procedure, the employment relationship was established by two persons (increase by 2 persons) for the position of Labor Inspector III for the field of labor relations and employment for the municipality of Kotor with the place of work in Kotor, the employment relationship was established on 13/03/2023 and Labor Inspector III for the area of labor relations and employment for the municipalities of Berane, Petnjica and Andrijevica with the place of work in Berane, employment relationship established on 15/03/2023. The Division for Labor Inspection primarily carries out supervision in the part of detecting work without a concluded labor contract, in which case it is monitored with special care whether there

prosecuting cases of THB for the purpose of labour exploitation; - separate immigration enforcement functions from labour inspectorate roles, and ensure that labour inspectors prioritise the detection of persons working in irregular situations who are vulnerable to THB; - develop safe reporting and complaint mechanisms for cases of labour exploitation	are indicators that point to human trafficking, because it is based on the assumption that working without a concluded contract can be a consequence of human trafficking. Inspection supervisions are also carried out together with the Police Directorate - Inspectors for Foreigners, especially in the construction sector, where there is an influx of labor from other countries and where there is a possibility that there are persons who are victims of human trafficking. Inspection supervisions are also carried out based on reports from the non-governmental sector and trade unions, therefore cooperation with these entities is achieved in this way. According to the positive regulations, the Division for Labor Inspection does not have the competence to deal with immigration policy, so it is not necessary to undertake activities from the Recommendation in that area. In connection with the mechanisms of reporting and complaints for cases of labor exploitation, the Directorate for Inspection Affairs - the Division for Labor Inspection has the obligation to inform the Police Directorate in cases where it determines the existence of indicators indicating that a person is a victim of human trafficking. **- Ministry of the Interior**- Police Directorate: The Police Directorate recognizes the importance of the Labor Inspectorate when it comes to detecting cases of human trafficking and identifying victims. In this regard, the Action Plan for 2023 envisages, through its measures, the drafting of a Protocol on cooperation between the MoI-Police Directorate and the Labor Inspectorate, which would define common goals and actions in accordance with the competences of action.
21. GRETA considers that the Montenegrin authorities should introduce mechanisms for monitoring the compliance of businesses with labour standards and human rights throughout their supply chains	**- Directorate for Inspection Affairs:** The Division for Labor Inspection continuously carries out regular supervisions, as well as supervision based on initiatives, regarding the observance of all rights of employees in accordance with the Labor Law and other regulations. The inspection has the obligation to determine the existence of indicators in cases that indicate that a person is a victim of human trafficking and inform the Police Directorate thereof. See also the answer to question 16.

22. GRETA considers that the Montenegrin authorities should continue investing in social, economic and other measures for groups vulnerable to THB, including outreach work in Roma and Egyptian communities. Further efforts should be made to promote gender equality, combat violence against women and child/early/forced marriages, as well as support specific policies for the empowerment of women and girls as a means of combating the root causes of THB	**- Ministry for Human and Minority Rights**: The Government of Montenegro adopted the National Gender Equality Strategy 2021-2025 with the Action Plan for 2021-2022, with the main goal of raising the level of gender equality in Montenegro, through the improvement of the application of the existing normative framework and the implementation of measures that strengthen the capacities of institutional mechanisms for the implementation of legal provisions for protection against discrimination, establishing more efficient and effective coordination , monitoring of implementation and reporting. The measures from this Strategy also address the need for more intensive involvement of all actors in society in solving problems related to discrimination based on sex and gender and empowering women and persons with different sexual and gender identities. An instrument was created to assess the degree of gender mainstreaming of public policies, which will be used for important public policies and government strategic documents, where additional, gender-segregated statistics are necessary to assess the impact on men and women. The Strategy for Public Administration Reform for the period 2022-2026 defined the issue of horizontal inclusion of the gender perspective in all strategic goals in the public administration system and its functioning. Two campaigns were carried out with the aim of raising awareness about the problem of non-reporting of violence on the occasion of "16 Days of Activism Against Violence Against Women and Girls" and on the importance of distributing chores in the household - "We Don't Share Stereotypes, We Share Responsibilities". The aim of the campaign was to raise citizens' awareness of the importance of suppressing stereotypes and prejudices about the gender roles of men and women in Montenegrin society. The campaign follows the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW). In 2021, the Government of Montenegro adopted the "Strategy of Social Inclusion of Roma and Egyptians in Montenegro 2021 - 2025" and adopted the Action Plan for its implementation for 2021. The strategic document is based on seven basic principles that define public policies related to the social inclusion of Roma and Egyptians, including the fight against human trafficking and child arranged marriages. The "My Life" campaign was implemented from February 28, 2022 to December 31, 2022 through the project "Campaign on Child/Arranged Marriages, Domestic Violence and Begging" within the Sectoral Operational Program for Employment, Education and Social Protection (SOPESS 2015-

	2017). The project was financed by the EU with the contribution of the Government of Montenegro. The value of the project was 265,000.00 euros. The project was implemented by the public relations agency P.R.A., and the beneficiary of the project was the Ministry of Human and Minority Rights. The following activities were carried out within the mentioned project: public campaigns on early/arranged/contractual marriages, domestic violence and street begging; research was conducted on the influence of collaborators for the social inclusion of Roma and Egyptians; promotional material (brochures, posters, etc.) was designed, produced and distributed; media events; workshops for parents and children from 11 Montenegrin municipalities; workshops for representatives of public/local authorities, police, schools, centers for social work; three-day forums for RE community representatives and representatives of public/local authorities, police, schools, Centers for Social Work; a mobile application developed and available for installation in the Google Store and the iPhone App Store; Social media channels created to inform and raise awareness, such as YouTube, Instagram. Also, within the framework of the "My Life" campaign, on the occasion of November 5, the International Day of the Roma Language, the Festival of Roma Culture was held in the KIC "Budo Tomović". At the Festival of Roma Culture, the round table "Romology", the Exhibition of famous Roma in the world, the performance of the Roma folklore society "Naše igre" was performed, as well as the main program with a concert by the KAL group from Belgrade. The project implemented by the German organization HELP as part of SOPEES 2015-2017, completed on October 15, 2022. Through it, 34 collaborators were engaged for 12 months in the social inclusion of Roma and Egyptians in the field of social protection, health care and employment. The beneficiary of the project is the Ministry of Human and Minority Rights. From October 15, 2022 to December 31, 2022, the organization HELP financed 21 collaborators (out of a total of 34) and those collaborators who proved to be the best during the project. The Ministry of Human and Minority Rights was granted funds by the Law on the Budget for 2023 to engage the aforementioned collaborators (21 of them) for a maximum of one more year under a fixed-term employment contract, and the Ministry of Human and Minority Rights concluded employment contracts starting on January 1, 2023 with 21 associates and they are financed from the budget of Montenegro. Collaborators work in the same positions they worked at during the HELP project.

	The Ministry of Human and Minority Rights organized a two-day training for collaborators in the social inclusion of Roma and Egyptians on the topic: "The Fight Against Human Trafficking and Arranged Marriages" in December 2022. **- Ministry of Labor and Social Welfare:** The preparation of the National Plan for the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is underway, which deals, among other things, with the complete elimination of discrimination faced by Roma and Egyptian women when they seek protection from violence; with the appropriate distribution of human and financial resources for policies, measures and regulations aimed at preventing and combating violence against women. And in this regard, one of the basic measures is the removal of procedural obstacles and restrictions on the criminal prosecution of the crime of forced marriage, as well as the creation of conditions for the establishment of a support service for victims of arranged marriages. In addition to other activities, it is also planned to organize educational workshops for the Roma and Egyptian population on the causes, prevalence and consequences of violence, the rights of victims and institutions that provide protection, with the contacts of the institutions.
23. GRETA invites the Montenegrin authorities to continue their efforts to ensure effective access to civil registration procedures and issuance of personal documents to refugees from former Yugoslavia and persons at risk of statelessness.	**- Ministry of the Interior** - Directorate for Administrative Affairs, Citizenship and Foreigners: Through the Law on Foreigners (March 2018), Montenegro enabled displaced and internally displaced persons to acquire the status of a foreigner with long-term residence in Montenegro, under preferential conditions, as a measure for a permanent solution to their status. These persons are enabled to integrate into Montenegrin society and exercise the right to work and employment, education, professional training, recognition of diplomas and certificates, social assistance, health and pension insurance, tax benefits, access to the labor market and services, freedom of association, liaising and membership in organizations that represent the interests of workers or employers. Thus, in the period November 2009 - April 2023, displaced persons and internally displaced persons submitted a total of 15,261 applications for granting long-term residence and temporary residence

	for up to three years. Of this number, 15,146 applications have been resolved, while the procedure for 115 applications is ongoing. The Law on Montenegrin Nationality is in accordance with the principles of the European Convention on Nationality, that is, it deals with the following issues: avoiding statelessness, preventing arbitrary deprivation of nationality, preventing discrimination and the right to nationality. At the Global Event on Statelessness, Montenegro undertook obligations related to: continuing the implementation of simplified procedures for obtaining identification documents both at the national level and in cooperation with the countries of origin of persons affected by this problem, ensuring the registration of children abandoned by their mothers in the register , that is, whose mothers do not have identification documents, strengthening the procedure for determining the status of stateless persons and exchanging experience in the field of statelessness prevention with other countries from the region. By introducing a court procedure to determine the time and place of birth of persons who were born in Montenegro, outside the health system, as well as by the practice of registering in the register of persons born abandoned by their mothers or whose mothers do not have identification documents, Montenegro has fully created the conditions for registration in register of births for all persons born in its territory. Montenegro is one of the countries that established a procedure for determining the status of a stateless person, through the adoption of the new Law on Foreigners, which entered into force in March 2018, and the Rulebook, which determined the closer manner to establish the procedure, the content of the application for determining of the status of a stateless person, the content of the application for issuing a travel document for a stateless person, as well as the design and content of the travel document itself. In accordance with this Law, activities were undertaken to determine and recognize the status of stateless persons, thereby ensuring the enjoyment of fundamental human rights and freedoms while respecting the ratified conventions. In Montenegro since 2018, more precisely since the moment when the procedure for determining the status of stateless persons was established, concluding with 05/03/2023, for a total of nine

	persons, the status of a stateless person was determined, while the procedure of determining is ongoing for 17 applications, i.e. persons. Persons who submitted an application to determine the status of a stateless person were assisted through the free legal aid program, financed by the UNHCR. Local NGOs Pravni centar and Civic Alliance, as UNHCR's excellent partners in providing free legal aid to persons at risk of statelessness, regularly printed leaflets in Montenegrin, Roma and Albanian languages about the importance of registration in civil registers and the free legal aid they can get in those procedures. Leaflets were distributed in settlements where persons at risk of statelessness live. Also, through their presence in the media, mainly in the morning programs of TV stations with national coverage, persons at risk of statelessness were invited to contact these two NGOs for further assistance. The Ministry of the Interior, in cooperation with the UNHCR, organized several workshops for the training of Ministry of the Interior officials in the application of the Law on Foreigners in the part related to stateless persons, as evidence of the commitment of Montenegro to regulate this issue, in October 2021, with the support of the UNHCR A two-day international conference on statelessness was organized at which the competent authorities of Montenegro and representatives of relevant institutions and universities in France exchanged experiences in the field of statelessness. Also, the Ministry of the Interior had a representative in the consultations on the subject of good practices in the identification and protection of stateless persons in Europe, which took place in Madrid on 20-21. October 2022. The Government of Montenegro adopted the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, with an Action Plan for 2021 and 2022. This strategic document will shape the national migration policy during the next five years in accordance with the EU acquis and best practices in the field of legal migration, asylum, prevention of irregular migration, readmission, return, integration, internally displaced persons (IDPs) and statelessness.
24. GRETA urges the Montenegrin authorities to further strengthen the identification of victims of THB, including by:	- **Ministry of the Interior** - Department for Fight against Trafficking in Human Beings:

- making the SOPs for the identification of victim of THB binding and training all relevant professionals on their use, including staff working at facilities for asylum seekers and detained migrants; - involving the specialised police division for combating THB in joint inspections with the Labour Inspectorate; - ensuring that law enforcement officials, social workers, NGOs and other relevant actors adopt a more proactive approach and increase their outreach work to identify victims of human trafficking for the purpose of sexual exploitation as well as labour exploitation; - ensuring that whenever there are reasonable grounds to believe that a foreign national is a victim of THB, the person concerned has access to a recovery and reflection period; - enhancing co-ordination between the asylum procedure and the system for assisting victims of THB, in order to ensure that persons identified during the asylum procedure as vulnerable and at risk of trafficking have access both to refugee status and to	At the session on October 29, 2020, the Government adopted the National Plan for the Formal Identification of Victims of Human Trafficking (in this way, the Standard Operating Procedures for the formal identification of victims of human trafficking were adopted under a modified name). The document consists of a general and a specific part. The general part defines the basis, the international and national legal framework, the basic terms, principles and structure of the document, as well as the composition and competences of the Team for the Formal Identification of Victims. A special part of the document explains in detail the steps that must be taken in order to provide initial assistance, protection and referral of persons who are presumed to be victims of human trafficking and a well-conducted procedure for their formal identification. At the operational level, the Team for Formal Identification of Victims of Human Trafficking, which was formed by the Minister of the Interior in November 2019, is obliged to act in accordance with the National Plan as of 2020, which is an integral part of the Decision on the formation of the Team. This Team bases its work on the implementation of certain operational procedures, which provide that victim status can be granted based on the violation of human rights, and not only if the person is the subject of a criminal offense of human trafficking (so regardless of the course of criminal proceedings). In cooperation with the IOM, standard operating procedures were developed for the identification of victims of human trafficking, which are in the form of the National Plan for Formal Identification adopted by the Government (in 2020) and which the Team applies in its work, that is, according to which it conducts its analysis in relation to any person suspected of being a victim of human trafficking. The tasks of the Team are to: • coordinate the initial referral and protection of persons presumed to be victims of human trafficking; • carry out the procedure of formal identification of victims of human trafficking, • establish communication and cooperation with local partners, • visit locations where vulnerable categories are located; • quarterly inform the Minister of the Interior about the results of its work. Team members are available 24 hours a day and, in case of need, will go to the field as support in a specific case.

assistance/protection as victims of THB;
- enabling specialised NGOs with experience in identifying and assisting victims of trafficking to have regular access to facilities for asylum seekers and detained migrants in order to support identification of presumed victims of THB;
- systematically informing all asylum seekers, in a language they can understand, about their rights in the framework of the asylum procedure, and the legal rights and the services available to victims of trafficking;
- ensuring that pre-removal risk assessments prior to all forced removals from Montenegro fully assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement

Results of the Team:

2020 - The Team for Formal Identification of Victims of Human Trafficking conducted the procedure and granted the status of victims of human trafficking to 52 persons, namely: 31 males and 21 females.

Table 1: The number of victims of human trafficking identified by the Team for Formal Identification for the period from January 1, 2020 to December 31, 2020

STATUS	NUMBER/GENDER	TYPE OF EXPLOITATION	NATIONALITY
Victims	2 adult men	Labour Exploitation	PAKISTAN
Victim	1 minor girl	Conclusion of Illicit Marriage	SERBIA
Victim	1 minor girl	Conclusion of Illicit Marriage and Forced Begging	MONTENEGRO
	1 minor boy	Forced Begging	
Victims	12 adult females	Labour Exploitation	TAIWAN
	25 adult males		
Victim	1 minor female	Conclusion of Illicit Marriage	MONTENEGRO
Victim	1 minor female	Conclusion of Illicit Marriage	KOSOVO
Victim	1 minor male	Forced Begging	MONTENEGRO

Victim	1 minor female	Conclusion of Illicit Marriage	MONTENEGRO
Victims	4 minors, 2 male and 2 female	Forced Begging	MONTENEGRO IDP
Victims	2 adult females	Sexual Exploitation	SERBIA MONTENEGRO

2021 - a formal identification procedure was carried out in relation to 11 persons and 5 persons were granted the status of victim of human trafficking (4 female and 1 male). All persons who were granted the status of victim of human trafficking were minors, of that number, 2 female persons were identified as victims of human trafficking for the purpose of entering into an illicit marriage, 1 female person was a victim of human trafficking for the purpose of sexual exploitation, 2 persons (one male, one female) victim of human trafficking for the purpose of begging.

Table 2: The number of victims of human trafficking identified by the Team for Formal Identification for the period from January 1, 2021 to December 31, 2021

STATUS	NUMBER/GENDER	TYPE OF EXPLOITATION	NATIONALITY
Victim	1 minor girl	Sexual Exploitation	MONTENEGRO
Victim	1 minor girl	Conclusion of Illicit Marriage	MONTENEGRO
Victim	1 minor girl	Forced Begging	MONTENEGRO
	1 minor boy	Forced Begging	
Victim	1 minor girl	Conclusion of Illicit Marriage	SERBIA

2022 - a formal identification procedure was carried out and the status of a victim of human trafficking was granted to a total of 16 persons (13 female, 3 male). Of the total number of identified female persons, 9 were minors (7 victims of illicit marriage and 2 victims of forced begging), while 4 persons were adults (3 victims of sexual exploitation and 1 victim of illicit marriage and forced begging). All identified male persons were minors (1 victim of illicit marriage and 2 victims of forced begging).

Table 3: The number of victims of human trafficking identified by the Team for Formal Identification for the period from January 1, 2022 to December 31, 2022

STATUS	NUMBER/GENDER	TYPE OF EXPLOITATION	NATIONALITY
Victim	1 adult female	Conclusion of Illicit Marriage / Forced Begging	MONTENEGRO
Victim	7 minor girls	Conclusion of Illicit Marriage	MONTENEGRO (5) SERBIA (2)
Victim	2 minor girls	Forced Begging	MONTENEGRO
Victim	3 adult females	Sexual Exploitation	RUSSIA
Victim	1 minor boy	Conclusion of Illicit Marriage	MONTENEGRO
Victim	2 minor boys	Forced Begging	MONTENEGRO

In 2023, concluding with May 1, 2023 the Team for Formal Identification granted victim status to a total of 4 persons, of which 3 are minors (1 male - victim of forced begging and two females -

one victim of sexual exploitation, the other victim of illicit marriage and forced begging), and one adult female - victim of sexual exploitation.

Table 4: The number of victims of human trafficking identified by the Team for Formal Identification for the period from January 1, 2023 to May 1, 2023

STATUS	NUMBER/GENDER	TYPE OF EXPLOITATION	NATIONALITY
Victim	1 minor male	Forced Begging	Montenegro
Victim	1 adult female	Sexual Exploitation	Serbia
Victim	1 minor female	Sexual Exploitation	Montenegro
Victim	1 minor female	Illicit Marriage and Forced Begging	Montenegro

Below is a table in relation to the number of processed cases in the period from 2019 to May 1, 2023

Table 5: Processed cases for the criminal offence under Criminal Code of Montenegro Article 444 - police, prosecution, court

STATISTICS- crminial prosecution and convictions criminal offence THB	2019	2020	2021	2022	2023 01/01-01/05
PD	2 criminal charges against 3 persons	8 criminal charges against 10 persons	5 criminal charges against 6 persons	9 criminal charges against 13 persons	5 criminal charges filed against 7 persons

SPO	2 indictments against 3 persons	4 indictments against 4 persons	4 indictments against 6 persons	5 indictments against 12 persons	2 indictments against 2 defendants
COURT	0 0	2 verdicts against 3 persons	2 verdicts against 2 persons	0 0	0 0

State Prosecutor's Office:

In the period from January 1st to May 1st 2023, 3 orders were issued to conduct an investigation against 6 defendants, and in which proceedings involve 8 injured parties. Also, one case with the official designation "Ktn" was formed, which is in the preliminary investigation phase.

Out of the total number of verdicts, 4 are final, and currently there are 13 cases before the courts related to human trafficking.

Ministry of the Interior - Department for Fight against Trafficking in Human Beings**:**

The Department for Fight against Trafficking in Human Beings with the support of the International Organization for Migration IOM in the period May 17-18; October 24-25; November 9-10, as well as January 17-18; February 21-22; April 12-13 2023, organized trainings on the topic "Identification and referral of victims of human trafficking - implementation of the National Plan for formal identification of victims of human trafficking", for representatives of the Ministry of the Interior/Police Directorate, Ministry of Labor and Social Welfare/Centers for Social Work, Public Institutions for providing accommodation in a shelter/reception center, NGO, a total of 93 of them. The aim of the mentioned trainings was to contribute to the strengthening of national capacities towards sustainable reintegration, integration and protection of vulnerable groups in Montenegro

- Ministry of the Interior - Directorate for Administrative Affairs, Citizenship and Foreigners**:**

	In the context of an adequate response to the increased influx of migrants and foreigners seeking international protection, and from the aspect of minors as a particularly vulnerable category, standard operating procedures for dealing with children separated from their parents and unaccompanied children have been defined, with a special emphasis on proactive identification of potential and victims of human trafficking, in accordance with international standards and with the support of UNICEF. - **Ministry of Labour and Social Welfare:** In accordance with the Rulebook on closer conditions for provision and use, norms, and minimum standards of counseling-therapeutic services and social-educational services, the provider of counseling-therapy and social-educational services is obliged to provide: appropriate space; user support and empowerment and a safe environment. In addition to the above, the provider of counseling and therapy services is also obliged to provide the user with: empowerment to accept change; support in psychosocial development and preservation of potential; support in improving the quality of relations with the family, group and other persons important to the user; development of skills for recognizing and solving problems; development of communication skills and development of self-protection and decision-making skills and taking personal responsibility. In Montenegro, there are several licensed NGOs engaged in providing counseling services.
25. GRETA considers that the Montenegrin authorities should take additional steps to ensure that all assistance measures provided for in the Convention are guaranteed in practice, in particular by: - establishing a more sustainable funding for shelters, in order to ensure the range and quality of the services delivered and a sufficient number of places for all victims	**- Ministry of Labour and Social Welfare:** At the end of last year, the Ministry of Labor and Social Welfare started activities to establish a state shelter for children and youth - victims of human trafficking. In this regard, at the session held in December 2022, the Government adopted the Decision on the organization of a public institution which, among other things, will provide special accommodation for children and youth who are victims of human trafficking, and in this year, activities on the adaptation of the facility for the aforementioned purposes began. The intention of the Ministry of Labor and Social Welfare is that after the establishment of this protection service, additional efforts will be made to provide adequate accommodation in shelter also for adult victims of human trafficking.

who need safe accommodation, including men; - providing long-term assistance to victims of THB and facilitating their reintegration into society	Until the state shelter for children and youth - victims of human trafficking is established, the Ministry of Labor and Social Welfare and centers for social work undertake measures and activities within their jurisdiction to provide adequate care and protection to victims of human trafficking. Currently, available resources are used to place victims of human trafficking, and children victims of human trafficking are referred to an appropriate public institution. Also, in accordance with the assessment of centers for social work, child victims of human trafficking are referred to alternative forms of protection, in situations where there are justified reasons for this and an adequate assessment of safety. Adult victims of human trafficking are referred to the services of licensed service providers. Also, the Ministry of Labor and Social Welfare will make every effort to provide adequate accommodation in shelter for adult victims of human trafficking, until then we use available resources to accommodate victims of human trafficking, and child victims of human trafficking are referred to an appropriate public institution.
26. GRETA considers that the Montenegrin authorities should strengthen their efforts to identify child victims of THB and provide them with adequate assistance, and in particular: - ensure that child victims of THB benefit from specialised accommodation and services across the country; - ensure that proper risk assessment is conducted before returning children to their parents, taking into account the best interests of the child; - provide long-term monitoring of the social inclusion of child victims of trafficking;	**- Ministry of Labour and Social Welfare:** At the end of last year, the Ministry of Labor and Social Welfare started activities to establish a state shelter for children and youth - victims of human trafficking. In this regard, at the session held in December 2022, the Government adopted the Decision on the organization of a Public Institution, which will, among other things, provide special housing for children and youth victims of human trafficking. Therefore, in the course of 2023, a specialized shelter for child victims of human trafficking will start operating. Acting in accordance with the Family Law, as well as the Law on Social and Child Protection, Centers for Social Work are obliged to periodically (every 6 months) review the cases of protection of the best interests of children and consider further child care activities. In accordance with the conclusions, the case manager makes a decision on a possible change in the form of protection for the child, e.g. transfer from the shelter to a foster family or the return of the child to the biological family. In order to strengthen capacities, it is necessary, in cooperation with the Institute for Social and Child Protection, to carry out continuous training to strengthen the skills of professional workers. MLSW plans to, in cooperation with the Institute for Social and Child Protection, establish a training package that will be mandatory for all case managers in the Centers for Social Work. As part of the work of the Centers for Social Work, there

- ensure that the Operating Procedures for the treatment of children separated from their parents and unaccompanied children, as well as the Standard Operating Procedures on the identification of victims of THB, are effectively implemented; - provide further training and tools to stakeholders (police, prosecutors, asylum and migration authorities, service providers, NGOs, child protection authorities, social workers) on the identification of child victims of THB for different forms of exploitation	are currently no specialized jobs, i.e. professionals who only deal with the issue of human trafficking, however, when a child is on the records of the Center for Social Work, the case manager is obliged to follow the entire process: care, provision of an adequate form of protection for the child, but also the procedure of reintegration and resocialization. The case manager, in cooperation with all relevant actors (school, health institution and local self-government), draws up a service plan with planned activities and persons responsible for their implementation, all with the aim of reintegrating the child. - **Ministry of the Interior** - Department for Fight against Trafficking in Human Beings: The Ministry of the Interior/Department for Fight against Trafficking in Human Beings, in accordance with the obligations arising from the strategic documents during the reporting period, in coordination and cooperation with institutions accredited for the training of civil servants and state employees, as well as in cooperation with civil society organizations and international organizations, carried out activities that were aimed at strengthening the capacity of competent authorities related to the fight against human trafficking: -In cooperation with the Human Resources Administration and in accordance with the Action Plan for Implementing the Strategy for Combating Trafficking in Human Beings 2019-2024, training programs were organized on the following topics: - "Strengthening the skills of early identification and referral of potential cases of human trafficking in Montenegro" (4) (November 4 and 12, December 3 and 16, 2021); - "The role of health workers in the fight against human trafficking" (5) (5 and 26 November, 17 December 2021, 22 November and 1 December 2022); - "Strengthening the level of awareness about the phenomenon of human trafficking at the local level" (3) (November 19, December 9 and 24, 2021); - "Fight against human trafficking" (3) (November 24, December 23, 2021, December 22, 2022); - "The role and possibility of action of the Ministry of Foreign Affairs and diplomatic consular missions in the fight against human trafficking" (2) (December 10, 2022, May 3, 2023). These training programs were attended by a total of 136 officials, among whom were representatives of the MoI/Police Directorate, the Ministry of Labor and Social Welfare - Centers for Social Work, the Directorate for Inspection Affairs, health workers, diplomatic and consular staff, as well as representatives of local self-governments.

	The MoI Department for Fight against Trafficking in Human Beings, with the support of the OSCE Mission to Montenegro, and in accordance with the obligations from the Action Plans for the Implementation of the Strategy for Combating Human Trafficking, organized 4 one-day training sessions on the topic of combating human trafficking for the heads of the Security Centers and Departments, that is, for officers of the Police Directorate, Department for Public Order and Peace from the northern, central and southern regions of Montenegro in the period 5-8 October 2021, on the topic of the fight against human trafficking and its manifestations. A total of 18 managers and 50 officers attended the trainings. Also, the Department for Fight against Trafficking in Human Beings, with the support of the OSCE Mission to Montenegro, organized a set of trainings in the period 26-30 September 2022; 24-25 April 2023 on the topic "Application of guidelines for conducting interviews with persons suspected of being victims of human trafficking with an offered set of questions", intended primarily for police officers and social workers, which was attended by a total of 69 participants. The Department for Fight against Trafficking in Human Beings with the support of the International Organization for Migration IOM in the period May 17-18; October 24-25; November 9-10, as well as January 17-18; February 21-22; April 12-13 2023, organized trainings on the topic "Identification and referral of victims of human trafficking - implementation of the National Plan for formal identification of victims of human trafficking", for representatives of the Ministry of the Interior/Police Directorate, Ministry of Labor and Social Welfare/Centers for Social Work, Public Institutions for providing accommodation in a shelter/reception center, NGO, a total of 93 of them. The aim of the mentioned trainings was to contribute to the strengthening of national capacities towards sustainable reintegration, integration and protection of vulnerable groups in Montenegro. The Department for Fight against Trafficking in Human Beings, with the financial support of the IOM, organized a two-day training for professionals on November 28 and 29, 2021 in Budva on the topic "Fight against human trafficking - identification and referral of victims. The training was attended by 15 professionals who directly or indirectly deal with the issue of human trafficking from the entire territory of Montenegro.The training program is accredited by the Institute for Social and Child Protection.

	In the organization of ICMPD, in cooperation with the Department for Fight against Trafficking in Human Beings, on November 23-24, 2021 the "Workshop for capacity building in the fight against smuggling and human trafficking in Montenegro" was organized in Budva, with the aim of strengthening the professional capacities of entities responsible for identification and providing assistance and protection to victims of human trafficking among migrants, which was attended by representatives of competent authorities involved in fight against human trafficking - Police Directorate, Centers for Social Work, Ministry of Finance and Social Welfare, High State Prosecutor's Office, MoI/ Department for Fight against Trafficking in Human Beings, MoI/Directorate for Administrative Affairs, Citizenship and Foreigners, Team for Formal Identification, total 16 participants. On October 10, 2022 and May 17 and 18, 2023, the Department for Fight against Trafficking in Human Beings and the Ministry of Health, with the support of the German Organization for International Cooperation GIZ, organized trainings on the topic "Presentation of health indicators and regional standard operating procedures for the identification of victims and potential victims of human trafficking". The aforementioned trainings were attended by 35 health workers from several levels of health care from several Montenegrin municipalities.