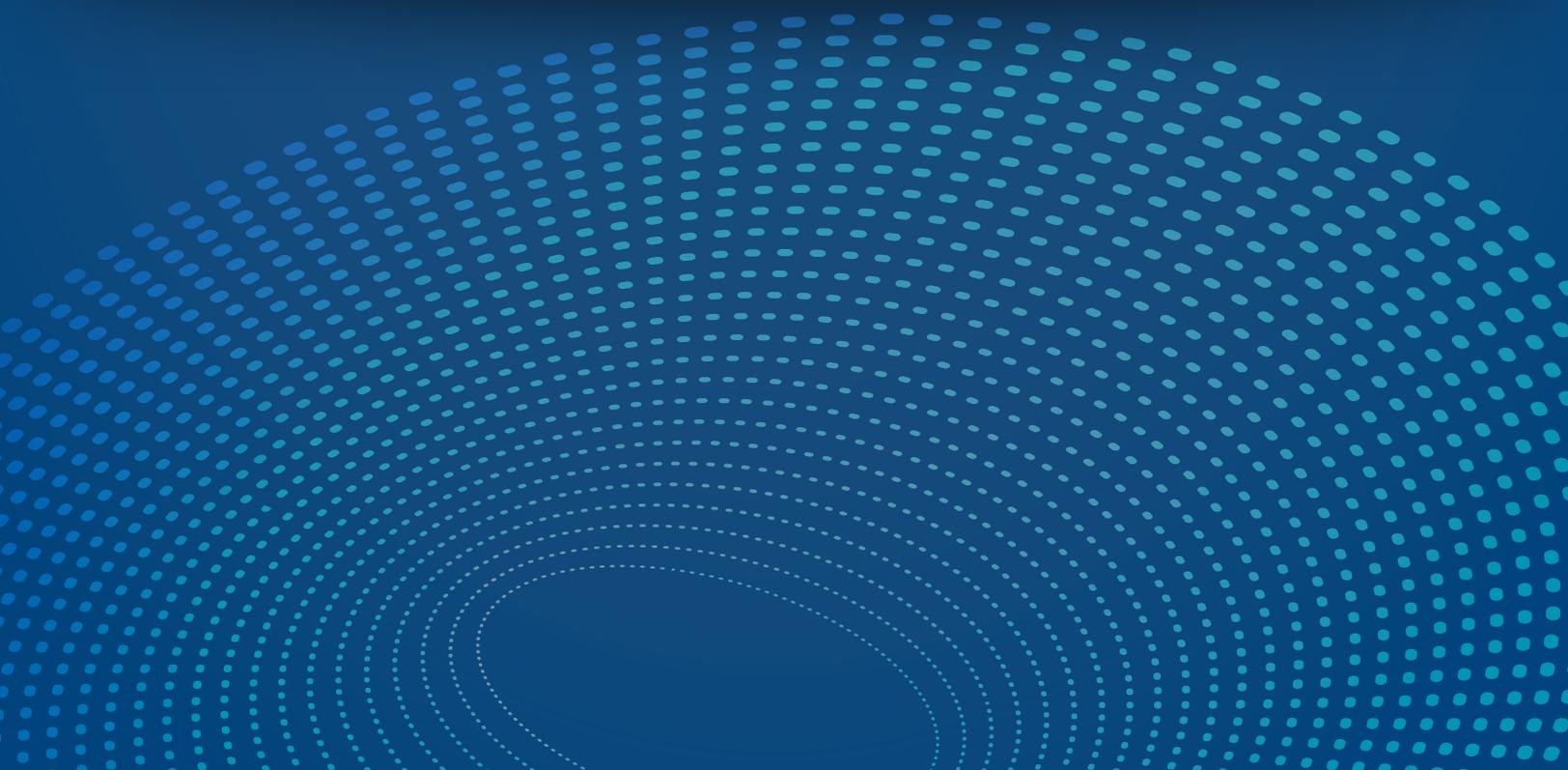
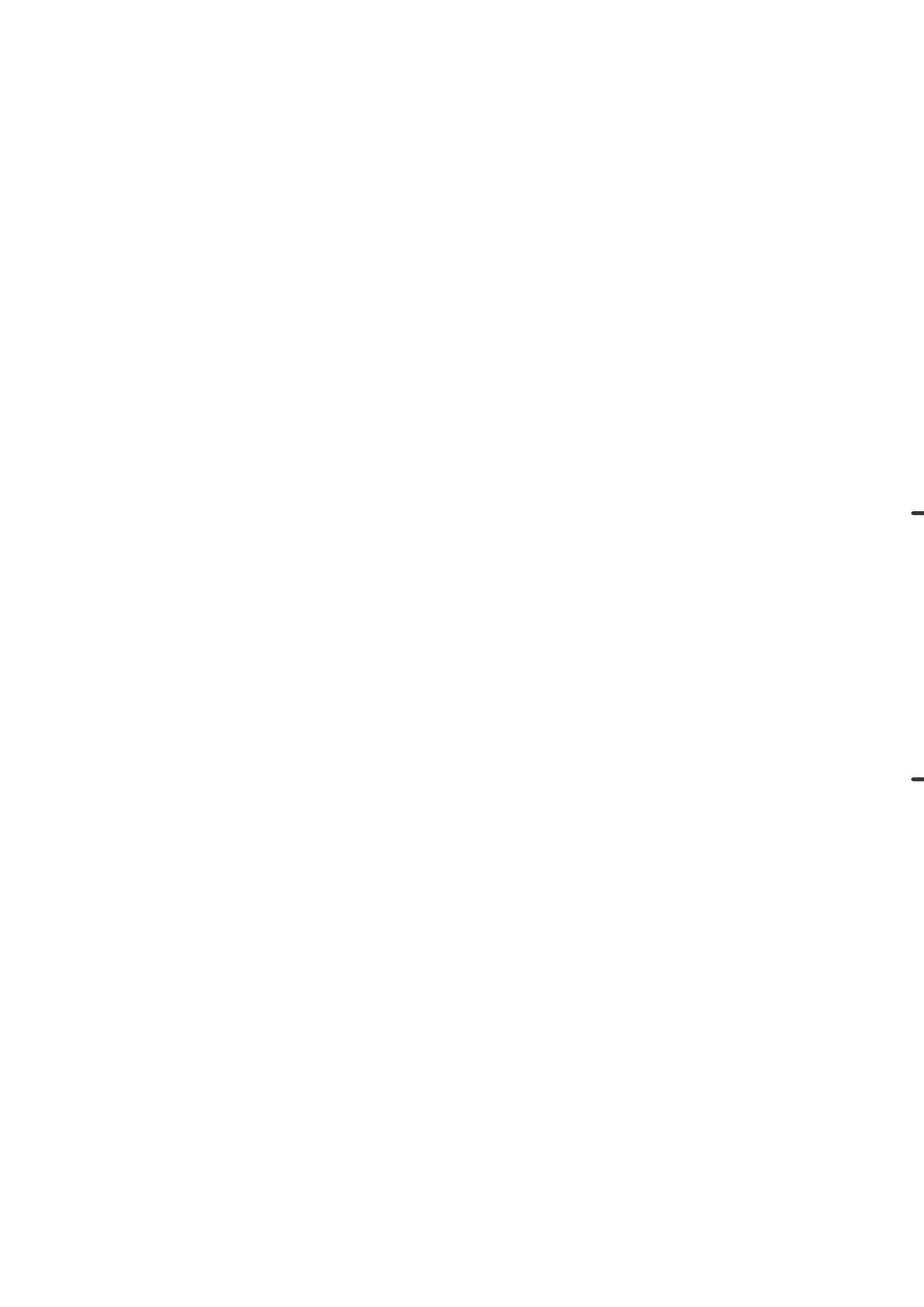
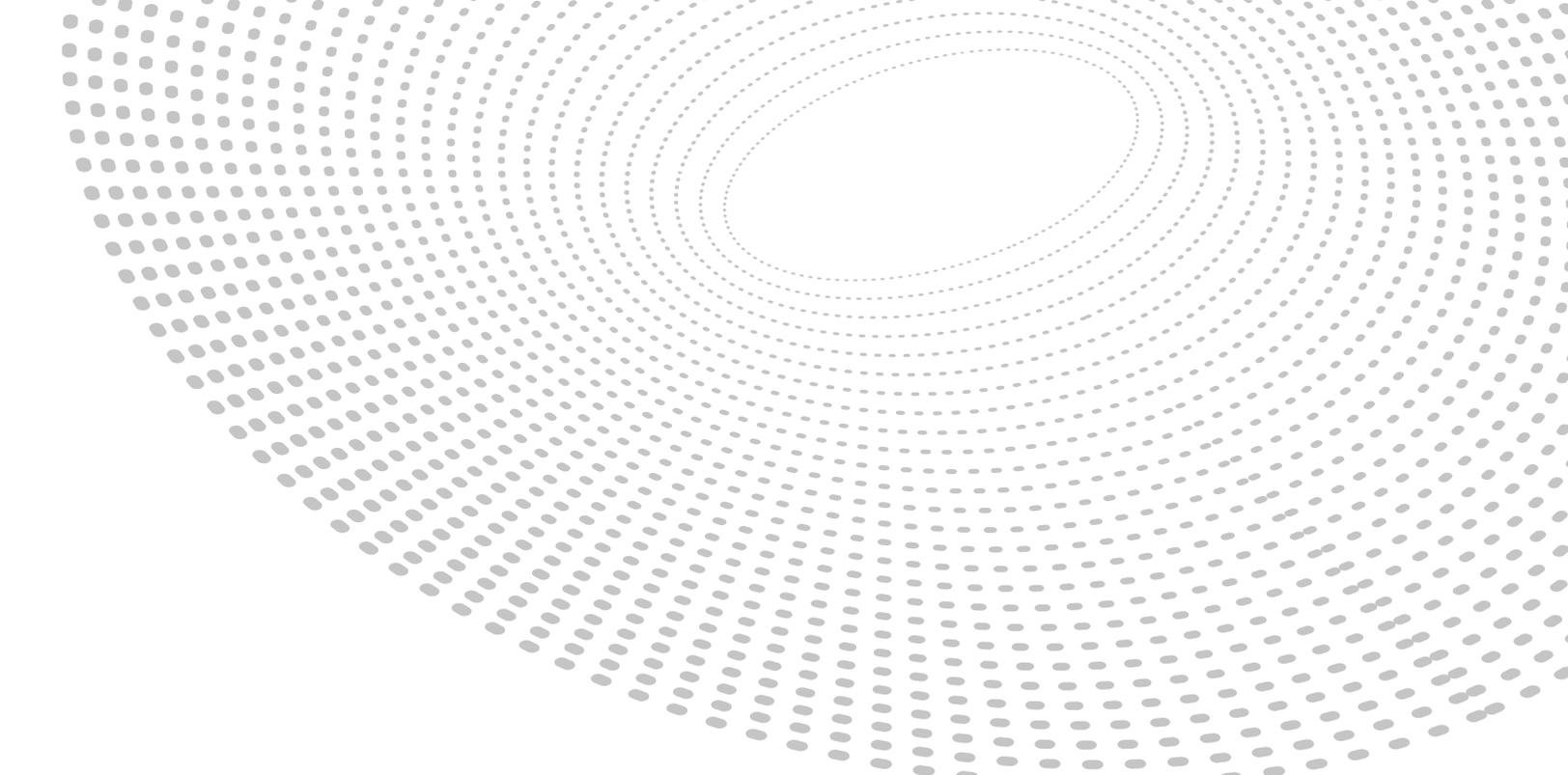




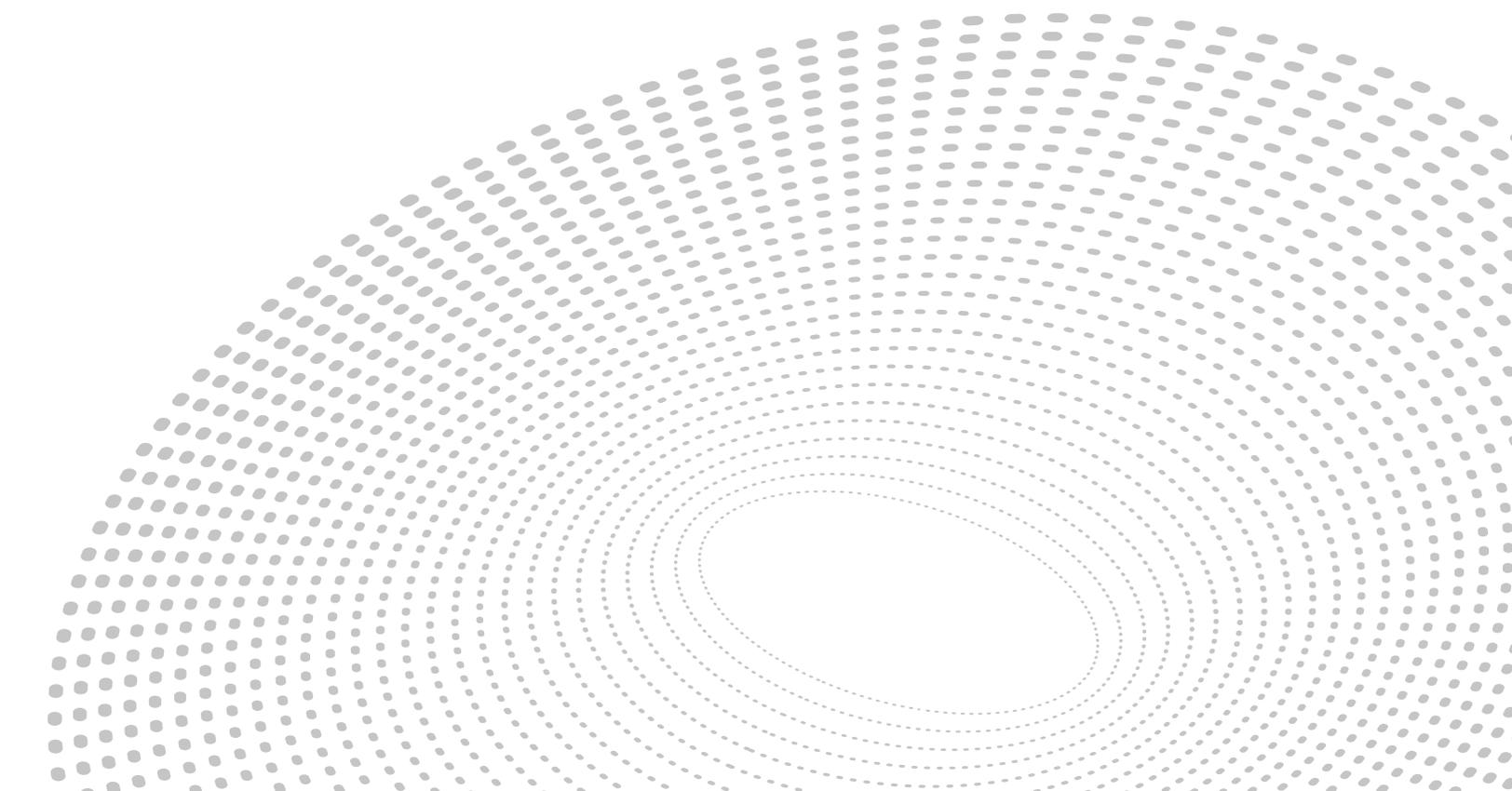
STRATEGY FOR COMBATING TRAFFICKING IN HUMAN BEINGS 2019-2024







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IN HUMAN BEINGS
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INTRODUCTION

“Human trafficking is a parasitic crime that feeds on vulnerability, thrives in times of uncertainty, and profits from inaction.”¹

Trafficking in human beings, especially women and children, is a worldwide problem affecting all countries, regardless of the social, political or economic circumstances that govern them. The enforcement of this criminal offense in a number of cases implies an organized criminal structure and several related criminal offenses (corruption, money laundering, etc.). This phenomenon, including stages of recruitment, transport and exploitation of victims, occurs in its various forms on the territory of the countries of origin, transit and final destination. Women, children and men who are victims of trafficking are subjected to various forms of abuse and exploitation that violate their fundamental human rights.

Human trafficking is a multifaceted, complex and dynamic social phenomenon characterized by concealment. It is therefore difficult to speak with precision about the numbers in terms of estimating the scope of this phenomenon, but it is very important to analyze the available data in order to comprehend trends and novelties in the ways and forms of manifesting this phenomenon and creating adequate responses.

On a global scale², over the last 13 years, there have been identified about 225 000 trafficking victims. Of this, 50% were women, 21% were men, while 29% were children (7% boys and 21% girls). Women and girls were most often identified as victims of sexual, less labor exploitation, whereas with men and boys the situation is reversed. However, other forms of exploitation, such as the exploitation of children for begging, criminal activities and the use of children in armed conflicts, are also present.

At the level of the European Union³ in the period 2015-2016 around 20 532 victims of human trafficking were registered, of which almost a quarter (23%) are children. Prevailing form of exploitation is sexual exploitation in 65%, then labour exploitation 15%, while in almost 20% of cases there were other forms of exploitation (trafficking for forced marriages, forced begging, forced crime, etc.). More and more victims are being forced into false or forced marriages with third-country nationals in order to regulate their stay. Other newly emerged phenomena include cases of pregnant women smuggling for the purpose of selling newborns, trading of human bodies parts or human tissues. Victims of traffickers are more and more people with disabilities and physical disabilities. It was noted that the migrant crisis increased the risks of trafficking in human beings.

Montenegro has very early acceded to build a system of combating human trafficking and for this purpose it has ratified the most important international documents in this field: the United Nations Convention (hereinafter: UN Convention) against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, the Protocol against the smuggling of migrants by land, sea and air, the UN Convention on the rights of the child, the Optional Protocol on the sale of children, child prostitution and child pornography, Council of Europe Convention on the prevention of trafficking in Human Beings, Council of Europe Convention on the suppression and prevention of violence against women and domestic violence (Istanbul Convention), International Convention on the Elimination of all forms of Discrimination against women (CEDAW).

On the level of the European Union, an important document is the Directive 2011/36 / EU of the European Parliament and of the Council of 5 April 2011 on the prevention and combating trafficking in human beings and the protection of trafficking victims, replacing the EU Framework Decision

1 Statement by the UNODC Executive Director, Yury Fedotov at the UN World Day against Human Trafficking – July 30, 2016.

2 Global Report on Trafficking in Human Beings, United Nations Office on Drugs and Crime, UNODC, New York, 2018 http://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf

3 Report of the European Commission on the European Parliament and the Council, Second Progress Report on Combating Trafficking in Human Beings in accordance with Article 3 of the 2011/EU Directive on Prevention and Suppression of Human Trafficking and the Protection of Victims, Brussels, December 03, 2018;

2002/629 / PUP on Trafficking in Human Beings of 19 July 2002, as well as the Strategy of the European Union 2012-2016.

In order to incorporate the provisions of these documents into the Montenegrin normative and institutional framework and practice, the Government of Montenegro has adopted and implemented two strategic documents in the field of combating trafficking in human beings with accompanying action plans:

- National Strategy for Combating Trafficking in Human Biengs 2003-2011 with accompanying Action plans and
- Strategy for Combating Trafficking in Human Beings 2012 -2018 with accompanying Action plans (2012-2013, 2014, 2015, 2016 and 2017-2018).

In order to ensure quality monitoring of the implementation of strategic documents, the Government of Montenegro has established a Working Group for monitoring the implementation of the Strategy⁴ headed by the National Coordinator for Combating Trafficking in Human Beings, consisting of representatives of all relevant administrative bodies, at the level of deputy Ministers, representatives of the judiciary bodies and non-governmental organizations, as well as representatives of key international organizations that monitor and support the implementation of the subject document as an observer. The composition of this body has been changing and expanding since its establishing several times, with the involvement of all key partners that can contribute to an effective fight against this issue.

After years of fighting against human trafficking in Montenegro, a complete system has been established, which includes activities from the moment of identification of the victim of trafficking to the full integration (ie reintegration) into society, within which a good and efficient cooperation has been maintained between competent state authorities and civil society organizations⁵.

However, the state of Montenegro has been recognized in recent years as a country of origin, transit and destination for men, women and children who were victims of trafficking.⁶ The number of potential victims identified at the risk of becoming victims of illegal marriage and sexual exploitation has increased. Challenges have also been identified regarding the need to strengthen proactive approach in identifying victims, especially among illegal migrants, foreigners seeking international protection, among begging children, seasonal workers, especially during the tourist season. In addition, the existence of large tourist resorts in Montenegro and the influx of one million tourists per year constitute potential pull factors for the development of trafficking activities. Tourist facilities, including high standing resorts, need to be proactively monitored as potential risk areas.

Therefore, it is extremely important to constantly upgrade the already established system and adapt to new trends and challenges in the manifestation of the phenomenon of trafficking in human beings.

In accordance with the obligations undertaken by Montenegro's Accession Program to the European Union 2018-2020, and according to the obligations laid down in the Program of Work of the Government and the Work Program of the Ministry of the Interior, a new Strategy document has been developed, which will define the key directions and goals of action in the fight against trafficking in human beings in the next five-year period.

Starting point for the development of the Strategy was previously made external analysis of the impact of the implementation of the Strategy for Combating Human Trafficking for 2012-2018⁷, by which are defined main achievements and recommendation in view of further upgrade of an existing system in order to find appropriate responses to the current and emerging trends manifestation of this phenomenon.

4 Decision on the establishment of a Working Group for Monitoring the Implementation of the National Strategy for Combating Trafficking in Human Beings ("Official Gazette of Montenegro" No. 34/10 and 09/1143/14, 17/15).

5 National Referral Mechanism explained in the chapter Institutional and Legislative Framework

6 Report on trafficking in human beings for Montenegro (State Department) <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282712.htm>

7 An analysis made by an international expert engaged by the MO OSCE

By detailed consideration of the key recommendations of the subject analysis, as well as data available from the previous period, along with respecting the recommendations obtained from relevant international partners, the Working Group held several meetings to prepare the Draft Strategy for Combating Trafficking in Human Beings for 2019-2024 (hereinafter Strategy), with the accompanying Action plan for 2019.

The strategy builds on existing responses and commitment to cooperation with partners in order to prevent and combat trafficking in human beings. It relies on and continues to develop on the basis of previous international and domestic experience and provides for new initiatives in response to trafficking in human beings in all its forms and segments.

Taking into account the foreign policy priority of the state of Montenegro - membership to the European Union, the objectives of the Strategy have been developed in accordance with the obligations of the Action Plan for Chapter 24, Justice, freedom and security, relating to the improvement of the fight against human trafficking in Montenegro through strengthening efforts to identify victims of trafficking harmonization of national legislation with the instruments and the acquis, in particular with Directive 2011/36 / EU and Directive 2004/81 / EC; and improving the quality, diversity, adequacy and availability of protection and support services to victims of trafficking in human beings.

Implementation of the Strategy contributes to addressing the key challenges under the provisional measures 25 and 28 of the Chapter 24 related to the need for a comprehensive approach to victims of trafficking in human beings and the development of internal and regional activities in dealing with cases of organized crime including trafficking in human beings.

The Strategy creates its objectives by drawing on the reports of the expert missions realized through the TAIEX Pre-Accession Assistance Instrument - the Technical Assistance and Information Exchange Instrument of the European Commission, with the aim of objectively examining the current situation and identifying problems and making recommendations for completing the interim benchmarks and providing final ones as soon as possible. Utterly objective analysis and recommendations from the latest EU Expert Mission (TAIEX on Preventing Trafficking in Persons: Identification, Investigation and Prosecution⁸) found its place in the context of the current situation, key achievements, and the shortcomings and challenges posed before our country. Also, identified specific priority areas for action and recommendations have been transposed to the specific objectives, as well as the measures and activities of the document in question.

The strategy also takes into account other important international documents dealing with this area, as well as reports by relevant international partners that closely monitor and analyze the efforts of countries to combat trafficking in human beings and provide useful recommendations for their improvement, of which is significant to mention NATO Anti-Trafficking Program, concluding observations of the UN Committee on the Rights of the Child and the UN Committee on the Elimination of Discrimination Against Women (CEDAW), the Committee monitoring the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Committee monitoring the application of the Council of Europe Convention on the Prevention and Suppression of Violence against Women and domestic violence - the so-called Istanbul Convention (GREVIO), annual State Department reports on trafficking in human beings, as well as recommendations from the second report of the Council of Europe Expert Group (GRETA) on the implementation of the Council of Europe Convention on the fight against human trafficking.

At the national level, the Strategy puts special emphasis on achieving the objectives and indicators from the Sustainable Development Strategy 2030 (2.1 and 2.3) relating to the elimination of trafficking in human beings, the prevention of abuse and violence against women and girls in public and private areas, including sexual and other forms of violence in Montenegro. The anticipated improvement of the system of collecting and systematizing statistical data provides the possibility of monitoring quantitative and qualitative progress in the realization of established indicators for measuring the goals set by the subject Strategy.

At the same time, a functional link with other adopted strategies and plans of importance for the fight against trafficking in human beings has been provided, of which it is significantly to mention:

8 ID: JHA IND/EXP 65477, 26-30. March 2018;

Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016-2020; Strategy for Integrated Migration Management in Montenegro 2017-2020, National Action Plan for Achieving Gender Equality in Montenegro 2017-2021, Strategy for the Prevention and Protection of Children against Violence 2017-2021; Strategy for Protection against Domestic Violence 2016-2020.

The Strategy provides an analysis of the current situation in the fight against trafficking in human beings, identifying new challenges, and also strategic goals in line with international standards and practices in this area.⁹

Strategy focuses on four key strategic areas:

- **Strategic area 1. Prevention of trafficking in human beings**
- **Strategic area 2. Protection of victims of human trafficking**
- **Strategic area 3. Criminal justice/ prosecution response**
- **Strategic area 4. Partnership, coordination and international cooperation**

Within the strategic area of protection of victims, special attention has been paid to improving the identification method by redirecting the focus from a criminal justice approach to a victim-oriented approach.

Starting from the fact that victims of human trafficking, of which the children are the most sensitive, is very difficult to be detected, but also that a quality model for their protection and reintegration should be provided, Strategy focuses on the age and gender specificities of the crime itself, providing an adequate response to their vulnerability. At the same time, special attention is paid to monitoring new trends in the manner of execution and forms of trafficking in human beings, as well as finding a better model of cooperation between investigative and judicial authorities in order to provide a better balance of the achieved results.

The vision of the Strategy is a just, humane, gender-sensitive and empowered society that protects people from all forms of trafficking.

The mission of the Strategy is Montenegro's commitment to maintaining transparent, responsible and pro-active anti-trafficking initiatives in line with international human rights standards.

The overall objective of the Strategy is to improve the efficiency and functionality of the prevention, identification, protection, assistance and monitoring of victims of trafficking in human beings with a special focus on children, as well as the effectiveness of investigations, prosecutions and adequate punishment of perpetrators of this crime in accordance with national criminal legislation and accepted international standards.

In order to better monitor the realization of the projected operational objectives, expected performance indicators up to 2024 are also defined in relation to the existing situation.

⁹ Ten Guiding Principles in Developing Action Plans and Strategies against Trafficking in Human Beings (Organization for European Security and Cooperation) that can be found in the UNODC Anti-Trafficking Package.

I KEY PRINCIPLES FOR DEVELOPMENT AND IMPLEMENTATION OF THE STRATEGY

Principles for development of the Strategy

The development of the Strategy for Combating Trafficking in Human Beings for the period 2019-2024 was based on the recommended guiding principles in designing a Strategy for Combating Trafficking in Human Beings in accordance with international standards and the guiding OSCE¹⁰ principles:

- The protection of the rights of human trafficking victims should be a priority of all anti-trafficking measures;¹¹
- The principle of 'the best interest of the child' shall be obeyed in preparing activities as well as in all decisions related to children that are issued by state authorities, agencies, institutions and bodies involved in achieving the objectives of the said National Strategy¹²;
- Preparing support and assistance for the human trafficking victims should also be gender sensitive¹³;
- Support and protection services should be available to all categories of human trafficking victims;
- The protection mechanism should include a wide range of different specialized services that respond to specific needs of each individual;
- Mechanisms for protecting victims based on human rights can help to ensure successful prosecution;
- Combating trafficking in human beings requires a multidisciplinary and cross-sectoral approach, involving all relevant actors from the Government and civil society;
- Develop a model for combating trafficking in human beings which should improve existing national capacities in order to foster a sense of responsibility and sustainability;
- Develop effective regional and international cooperation in action against trafficking in human beings and assistance to the victims;
- The principle of non-punishing a human trafficking victim should be a basis for developing further measures to combat this type of crime.

1.2. Principles for the implementation of the Strategy

Relevant government actors, judicial authorities, as well as civil society representatives on the basis of experience in applying the previous two Strategies realize that the implementation of the Strategy depends exclusively on the comprehensive and coordinated responses of all structures. It is therefore expected that the respect for the guiding principles for implementation will ensure the focus of the activities of the competent state institutions and civil society on an efficient and comprehensive fight against human trafficking¹⁴:

¹⁰ Ten guiding principles in preparing Action Plans and Strategies for Combating Human Trafficking (OSCE) that can be found in UNODC Anti-Trafficking Package

¹¹ Office of the High Commissioner for Human Rights
Recommended principles and guidelines on human rights and trafficking in human beings, the text submitted to the Economic and Social Council in addition to the report of the UN High Commissioner for Human Rights (E/2002/68/Add. 1).

¹² Ibid

¹³ European Commission survey on the gender dimension of trafficking in human beings, 2013.

¹⁴ Guidelines for the development and implementation of a comprehensive national response to human trafficking (Vienna, 2006) are available by the International Center for the Development of Migration Policy (www.icmpd.org).

- **Responsibility of the Government – responsibility for the implementation of the Strategy**¹⁵

State actors should assume full participation, obligation and liability in defining goals, implementing activities and achieving results in view of the national response in the fight against trafficking in human beings.

- **Participation of civil society**

The development and implementation of projects and measures to combat human trafficking must involve stakeholders independent from the State and outside the Government and public administration. Interested parties must play an active role in decision-making and their attitudes should be adequately reflected in the implementation of the response to trafficking in human beings.

- **Human rights-based approach**¹⁶

Responses to trafficking should be based on normative international human rights standards. The basic elements of a human rights-based approach are respect for international human rights norms and principles of non-discrimination, defining standards and responsibilities, identifying human beings, and especially victims of trafficking in human beings as subjects and holders of rights, self-organization, participation, empowerment and social inclusion of vulnerable groups and communities, including victims of trafficking in human beings, and the integration of gender, children's rights and, where applicable, ethnic perspectives.

- **Approach based on the child best interests**¹⁷

Given that most potential victims are minors, each designed activity must take into account the best interest of the child victims.

- **Interdisciplinary and cross-sectoral approach**

Efficient and effective policies must simultaneously address different aspects of trafficking in human beings. It is necessary to combine knowledge and expertise from different disciplines and their methods in order to define measures for combating trafficking in human beings.

- **The principle of the rule of law**

The rule of law in itself sublimates the realization and protection of the broadest corpus of human rights and freedoms.

¹⁵ Ibid., Guidelines for the drafting and implementation of a comprehensive national response to human trafficking state that the term 'government property' is used to describe the relationship the government should have towards the measures for combating trafficking in human beings that are applied in its country. 'Government' refers to state actors, for example, to those actors that are part of the public administration and are directly related to it (local, regional and national authorities). 'Ownership' in this context means that the government assumes full participation, obligation and liability for defining objectives, implementation of activities and achievement of the outcome of the national anti-trafficking response.

¹⁶ Report of the Expert Group on Trafficking in Human Beings (Brussels, 22 December 2004).

¹⁷ Committee on the Rights of the Child: General Comment no. 14 (2013) on the right of the child to primarily consider her/his best interests. Tamas, Ana-Maria, Helmut Sax et al., Sociological Research Handbook on Child Trafficking, Twinning Project PHARE RO/2006/ IB/JH 08, Support to Institutional Capacities to Prevent Human Trafficking in Romania, 2009, p. 42

II LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

Implementation of the Strategy for Combating Trafficking in Human Beings for the period 2012 – 2018 resulted in significant improvements to the institutional and legislative framework for combating human trafficking

2.1. Legislative framework

Human trafficking is a phenomenon with a very long history that has been highlighted as a serious international problem by numerous international actors. To date, Montenegro has adopted and incorporated into its legislative framework the most important international standards in this field.

The Constitution of Montenegro in Article 9 stipulates that the confirmed and published international treaties and generally accepted rules of international law are an integral part of the internal legal order and have a primacy over domestic legislation and are directly applicable when the relations are regulated differently from the domestic legislation. In accordance with the Constitution of Montenegro, human life is inviolable. The dignity and security of man is guaranteed and prohibits all forms of trafficking in human beings or children¹⁸.

Priorities in combating trafficking in human beings were provided by passing a set of laws in the field of justice, such as: the Criminal Code, the Code of Criminal Procedure, the Law on Compensation to Victims of Crimes of Violence, the Law on Aliens, the Law on Confiscation of Proceeds obtained from Crime, the Law on the treatment of juveniles in criminal proceedings, the Law on Health Care and the Law on Social and Child Protection, the Law on International Legal Assistance in Criminal Matters.

Criminal Code¹⁹ includes the criminal offences prescribed in Article 444 (Trafficking in Human Beings), Article 445 (Trafficking of Children for Adoption) and Article 446 (Enslavement of persons and transportation of persons in an enslaved status). The provisions of the Criminal Code on Trafficking in Human Beings have been amended several times in 2003²⁰, 2004²¹, 2006²², 2008²³, 2010²⁴, 2013²⁵, 2015²⁶ i 2017²⁷ when, inter alia, incriminated the use of services from a human trafficking victim (Paragraph 7, Article 444) with the introduction of several amendments to the Article 444 of the Criminal Code, by adding `Conclusion of unlawful marriage` and `Slavery and Acts Similar to Slavery` in the section dealing with forms of exploitation and relating to the position and retaining of the personal documents of other persons; Article 293 was expanded relating to the trade in human body organs and advertising of trafficking in human organs (293a and 293b).

A qualified form of the crime of human trafficking exists if the offense is committed against a minor or is committed by an official person in the exercise of his official duty. Moreover, the irrelevance of the victim's consent to intended exploitation is explicitly included. The scope of Article 445 of the Criminal Code (`Trafficking in Children for Adoption`) was also extended to children under 18 years of age. In Article 142, a new paragraph (11) is added, which defines the term `victim`.

18 Article 28, A dignity and safety of man shall be guaranteed; The inviolability of the physical and psychological integrity of man, his privacy and personal rights shall be guaranteed. No one shall be subjected to torture or inhuman or degrading treatment; No one shall be held in slavery or in slaved position; Article 63 prohibits forced labor. The rights of a child are dealt with in Article 74 which reads: "A child enjoys rights and freedoms appropriate to his age and maturity; The child is guaranteed special protection against psychological, physical, economic and any other exploitation or abuse.

19 `Official Gazette of Montenegro`, 044/17 of 06 07 2017

20 `Official Gazette of Montenegro`, 070/03 of 25 12 2003

21 `Official Gazette of Montenegro`, 013/04 of 26 02 2004

22 `Official Gazette of Montenegro`, 047/06 of 25 07 2006

23 `Official Gazette of Montenegro`, 040/08 of 27 06 2008

24 `Official Gazette of Montenegro`, 025/10 of 05 05 2010, and 073/10 of 10 12 2010

25 `Official Gazette of Montenegro`, 040/13 of 13 08 2013, and 056/13 of 06 12 2013

26 `Official Gazette of Montenegro`, 014/15 of 26 03 2015, 042/15 of 29 07 2015 and 058/15 of 09 10 2015

27 `Official Gazette of Montenegro`, 044/17 of 06 07 2017

A special group of criminal offenses that can be related to the criminal offense of Trafficking in Human Beings also constitute criminal acts against sexual freedom:

- Rape, Art. 204 CC MNE,
- Sexual intercourse with a child, Art. 206 CC MNE,
- Sexual intercourse by abuse of position, Art. 207 CC MNE,
- Pimping and enabling having a sexual intercourse, Art. 209 CC MNE,
- Mediation in prostitution, Art. 210 CC MNE,
- Child pornography, Art. 211 CC MNE,

Also, part of the Criminal Code relating to criminal offenses against sexual freedom has been extended to include more severe punishments under Article 210 (1) and in cases where the victims are minors, paragraph (2), and a new paragraph (4) is added regarding the mediation in prostitution.

A special group of criminal offenses that can be related to the CO Trafficking in Human Beings include criminal offenses from a group of criminal offenses against marriage and family: ‘Extramarital Community with a Minor’, Article 216 of the CC MNE, and ‘Neglecting or abusing a minor’, Article 219 of the CC MNE..

Criminal Procedure Code²⁸ sets out the rules with the aim of facilitating the fair conduct of criminal proceedings, as well as to impose a criminal sanction on the perpetrator under the conditions prescribed by the Criminal Code and on the basis of a legally conducted procedure with the respect for the presumption of innocence. As a very important for the successful prosecution of a perpetrator of a criminal offense of trafficking in human beings, witness protection is determined in two legal acts. The Code of Criminal Procedure defines the protection of witnesses in court, enabling the possibility of interrogation under pseudonym and interrogation with the help of technical devices (protective wall, voice simulators, devices for transmission of image and sound, etc.). The protection of witnesses outside the criminal procedure (out of court), in pre-criminal proceedings and upon the termination of criminal proceedings, is regulated by the provisions of the **Law on Witness Protection**²⁹. This law stipulates that besides the witness, a close person may also be protected, namely: a spouse, a relative, as well as another close person whom he as such identifies and requires his protection.

The legal system of Montenegro does not foresee in any way the influence or the enforcement of coercion on the victim in order to give evidence in the investigative procedure or testimony in the court proceedings. When drafting provisions of applicable laws in the criminal field, strictly took into account the fact that the victim of trafficking in human beings must in no way be victimized for the second time (victim of the system institutions).

The Law on Courts³⁰ regulates the establishment, organization and jurisdiction of courts, the organization of work of courts and judicial administration, as well as other issues of importance for proper and timely functioning of courts. This Law provides that the Higher Court is competent to adjudicate at first instance in criminal proceedings for criminal acts against humanity and other goods protected by international law, to which group also belongs CO Trafficking in Human Beings. Also, the Law determines the jurisdiction of the Special Department of the Higher Court in Podgorica on trial for crimes committed in an organized manner.

The Law on the State Prosecutor’s Office³¹ regulates the establishment, organization and jurisdiction of the State Prosecutor’s Office, the organization of work of the state prosecutor’s offices, the composition, the election, the mandate, organization and manner of work of the Prosecutorial Council, as well as other issues of importance to the work of the State Prosecutor’s Office and the Prosecutorial Council.

28 ‘Official Gazette of MNE’, 57/2009, 49/2010, 47/2014 - US Decision, 2/2015 – US Decision, 35/2015, 58/2015 – other act and 28/2018 – US Decision)

29 ‘Official Gazette of MNE’, 65/2004 and 31/2014.

30 ‘Official Gazette of MNE’, 11/2015 of 12 3 2015, entered into force on 20 3 2015.

31 ‘Official Gazette of MNE’, 11/2015, 42/2015, 80/2017 and 10/2018.

The Law on the Special State Prosecutor's Office³² regulates the organization and jurisdiction of the Special State Prosecutor's Office, the conditions and procedure for the election of the Chief Special Prosecutor and Special Prosecutors and the relationship with other state bodies and state administration bodies, as well as other issues of relevance to the work of the Special State Prosecutor's Office.

Law on the Centre for Training in Judiciary and State Prosecution³³ establishes the Center for Judicial Training and State Prosecution and regulates the organization, manner of work, training, financing and other issues of importance for the work of the Center. The Center organizes and conducts training of judges and state prosecutors.

The Law on International Legal Assistance in Criminal Matters³⁴ regulates the conditions and procedure for providing international legal assistance in criminal matters. International legal assistance includes the extradition of defendants and convicted persons, the transfer and takeover of criminal prosecutions, the execution of foreign court decisions in criminal matters, as well as other forms of international legal assistance prescribed by this Law.

The Law on Public Peace and Order³⁵ shall regulate offenses that violate public order and peace in a public place and prescribe penalties and protective measures for these offenses. The law prescribes misdemeanor liability for prostitution or engaging in acts that encourage prostitution, as well as for other acts of mediation in prostitution (Articles 27 and 28). Those involved in begging are also subjected to misdemeanor liability, as well as when organizing begging or to instruct or force other person into begging (Articles 30 and 31).

Of particular importance for the identification, prevention and protection of vulnerable categories of the population or victims of trafficking in human beings are the following laws:

Aliens Act³⁶ contains provisions relevant to the status of the victims of trafficking, and especially the 90-day period of recovery and reflection of the victims of human trafficking – giving the victim an opportunity to decide whether to cooperate in criminal proceedings or join the criminal prosecution or to be witness in such process (period of reflection).

The Law on International and Temporary Protection of Aliens prescribes the principles, conditions and procedure for granting temporary protection to an alien seeking international protection. The law contains provisions relevant to the situation and accommodation of victims of trafficking in human beings as vulnerable groups. In this regard, Article 15 of the Law on International and Temporary Protection of Aliens states that in the proceedings conducted in accordance with this Law, the best interests of the juvenile must be taken into account, along with the protection and safety of minors, especially if there is a possibility that they are victim of human trafficking.

The Law on confiscation of proceeds of criminal activity³⁷ aims to enable more efficient temporary and permanent seizure of the proceeds derived directly or indirectly from criminal activity.

Before the Montenegrin courts, there is a possibility that persons who have been injured by criminal acts may claim compensation for both material and non-pecuniary damages. Compensation proceedings can be carried out both in criminal and civil proceedings. Namely, the Criminal Procedure Code³⁸ prescribes the possibility of filing a property claim emerging out of the commission of a criminal offense if it would not significantly delay in the proceedings. Property claim may pertain to compensation for damages, the return of goods or the annulment of a particular legal transaction.

On the other hand, if the court refers the injured party to the realization of a property claim in a civil procedure, judicial protection is exercised before the Basic court as a truly competent court. The Law on Obligations³⁹ regulates the issues of compensation of material and non-pecuniary damage.

32 'Official Gazette of MNE', 10/2015 and 53/2016

33 'Official Gazette of MNE', 58/2015 of 9 10 2015, entered into force on 17 10 2015

34 'Official Gazette of MNE', 004/08 of 17 01 2008, 036/13 of 26 07 2013

35 'Official Gazette of MNE', 64/2011 of 29 12 2011

36 'OG of MNE', 12/2018

37 'OG of MNE', 58/2015

38 Articles 234 – 245 CPC

39 'Official Gazette of MNE', 47/2008, 4/2011 – other Act and 22/2017.

Montenegro also passed a separate **Law on Compensation of Victims of Crimes of Violence** in 2015,⁴⁰ which prescribes the possibility for victims to submit an immediate request for compensation of damage to the state. This Law regulates the conditions, manner and procedure for exercising the right to compensation for victims of crimes of violence, which includes trafficking in human beings, and its application is postponed until the date of Montenegro's entry into the European Union.

The Law on Free Legal Aid⁴¹ in Article 13 (paragraph 4) provides that victims of trafficking in human beings receive free legal aid. Furthermore, in accordance with **the Law on Social and Child Protection**⁴² and the

Law on Health Protection⁴³, potential victims and victims of trafficking in human beings are provided with access to social and child services and also free health care.

The General Law on Education⁴⁴ shall prevent trafficking in children by prohibiting physical violence and insulting the personality of children, and guarantee the right of the child (pupils) to protection against discrimination and violence.

The Family Law⁴⁵ shall establish the obligation of the state to take all necessary measures to protect the child from neglect, physical, sexual and emotional abuse, and from any kind of exploitation.

The Law on the treatment of juveniles in criminal proceedings⁴⁶ shall regulate the status and protection of children, including victims of trafficking, in criminal proceedings. Children victims of human trafficking can also be found in the role of the perpetrator of the crimes, as well as in the role of victims of acts of human trafficking. Special provisions apply to a juvenile who is injured in a criminal offense, or who is being questioned as a witness in criminal proceedings. Participants in the proceedings, authorities and institutions by which information has been sought, the reports or opinions, as well as the media, are obliged to take care of the privacy of the under-age person, including the protection of identities and data that may reveal his/her identity. The law shall also introduce a specific specialization of all actors of the criminal procedure (president of the panel, public prosecutor, investigating judge, police officer and proxy of the injured party) for dealing with juveniles.

Guidelines on non-punishment of victims serve as a good tool for police officers, state prosecutors and judges for the application of the principle of impunity to the victims of trafficking in human beings if the cause-and-effect relationship is established between the (potential) victim and performed criminal offense, or, in the case of initiation to be suspended at the earliest stage, or if the proceedings are pending before a court - to be finalized in the shortest possible time, in a manner that will result in the non-punishment of the victim.

The bases of the referral mechanism for potential victims and victims of trafficking in human beings in Montenegro are defined in the Memorandum on Cooperation between State Institutions and the Non-Governmental Sector for the purpose of co-operation in the prevention, education, reporting and prosecution of perpetrators and the protection of potential victims of trafficking in human beings with full respect for their human rights, with the aim of providing physical, psychological, health, social and child protection and facilitating their integration into a new society, or their reintegration, in case of voluntary return to the country of origin.⁴⁷ This Memorandum makes more productive cooperation among state bodies that are directly involved in human trafficking issues and in this way the defined obligations of the institutions are specified through clearly defined operational procedures that the signatories of the Memorandum implement by solving the specific case of trafficking in human beings. The Memorandum placed a special emphasis on treatment regarding women and children victims of trafficking.

40 'Official Gazette of MNE', 035/15 of 07 07 2015

41 'Official Gazette of MNE', 020/11 of 15 04 2011, 020/15 of 24 04 2015

42 'Official Gazette of MNE', 27/2013, 1/2015, 42/2015, 47/2015, 56/2016, 66/2016, 1/2017, 31/2017

43 'Official Gazette of MNE', 003/16 of 15 01 2016, 039/16 of 29 06 2016, 002/17 of 10 01 2017

44 'Official Gazette of MNE', 64/2002, 31/2005, 49/2007, 4/2008, other Act 21/2009-other Act 45/2010, 40/2011-other Act 45/211, 36/2013, US Decision 39/2013, 44/2013 and 47/2017)

45 'Official Gazette of MNE', 1/2007 and 'Official Gazette of MNE', 53/2016)

46 'Official Gazette of Montenegro', 064/11 of 29 12 2011 and 001/18 of 04 01 2018

47 Signatories to the Memorandum: The Memorandum was signed by: Supreme Court, Supreme State Prosecutor's Office, Ministry of Health, Ministry of Labor and Social Welfare, Ministry of Education, Ministry of Interior – Police Directorate, Office for Fight against Trafficking in Human Beings, Red Cross of Montenegro, PI 'Center for Children and Family Support – Bijelo Polje' and several NGOs that carry out preventive activities in their mission and provide safe accommodation, assistance and support to victims of trafficking in human beings. The text of the Memorandum is available at the following link: antitrafficking.gov.me

Responsibility for the implementation of the Memorandum on Mutual Cooperation is on the **Coordination Team** which consists of representatives of all competent institutions signatory to the Memorandum and also one representative from competent NGOs. In cases when a victim of trafficking in human beings appears, especially when it comes to a child, a Coordination Team that monitors the implementation of a pre-designed individual plan of action will gather and propose measures to achieve the best degree of victim protection particularly paying attention to the best interests of the child. An individual protection plan is made by an expert worker. The plan is made separately for each victim of trafficking in human beings, taking into account all the circumstances of the case, as well as the specificity of each individual victim, and include representatives of all the signatory institutions in the area of their competence.

The Protocol on Mutual Co-operation between the Office for Fight against Trafficking in Human Beings and the Employers' Union envisages joint activities on timely information on the phenomenon of trafficking in human beings, both employers and employees, ie persons with whom the labor contract is concluded. Also, the Protocol defines joint activities in raising the level of awareness of the entire public on the phenomenon of trafficking in human beings, with particular reference to the prevention of cases of labor exploitation. The Protocol also defines the obligation of members of the Union to enable victims of trafficking in human beings to attend training to perform appropriate jobs and also to provide priority in employment in accordance with their needs.

Institutional framework

Institutions involved in the fight against trafficking in human beings in Montenegro are: Ministry of Interior – National Office for Fight against Trafficking in Human Beings, Police Directorate, Supreme State Prosecutor's Office, Supreme Court, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Health, Ministry of Labor and Social Welfare, Ministry of Education, Ministry for Human and Minority Rights, Ministry of Culture, Administration for Inspection Affairs and the Protector of Human Rights and Freedoms of Montenegro.

Within the **Ministry of Interior**, as a separate organizational unit operates the **National Office for Fight against Trafficking in Human Beings**, headed by the National Coordinator/Head of the National Office that manages to the work of the Working Group for monitoring the implementation of the Strategy for Combating Trafficking in Human Beings and individual Action Plans, as well as to the Coordination Team for monitoring the implementation of the Memorandum on Cooperation. National Office for Fight against Trafficking in Human Beings carries out tasks related to proposing activities of competent bodies of state administration of international and non-governmental organizations; establishing relations and achieving cooperation between domestic and international entities in order to create effective mechanisms for combating trafficking in human beings; presentation of the results achieved in the fight against trafficking in human beings in Montenegro through participation in various international and domestic gatherings; the application of international regulations, conventions and agreements in the field of combating trafficking in human beings; raising initiatives to harmonize domestic legislation with international standards in this field, as well as other tasks within the scope of the Office.

Within the Criminal Police Sector to the **Police Directorate** was established a **Section for combating trafficking in human beings, smuggling and illegal migration**. Responsibilities of the Section consist in fulfilling tasks of monitoring the issues and scrutinizing the movement of the crime as well as the disclosure of criminal offenses within the scope of trafficking in human beings and illegal migration, cooperation with the competent prosecutor's office and other state administration authorities.

For the prosecution of the perpetrators of the crime of human trafficking are competent **High State Prosecutor's Offices and Special State Prosecutor's Office** when the alleged crime committed in an organized manner. The work of the High State Prosecutor's Office is managed by managers of these state prosecutor's offices and the Special State Prosecutor's Office managed by the Chief Special Prosecutor. High State Prosecutor's Office in Bijelo Polje operates before the High Court in Bijelo Polje, and the High State Prosecutor's Office in Podgorica operates before the High Court

in Podgorica. Special State Prosecutor's Office operates before the Special Department of the High Court in Podgorica. State prosecutors, special prosecutors and the heads of the aforementioned prosecution offices issuing binding orders or by direct guidance directing the actions of the police and other administrative authorities in the preliminary investigation, whereas the police and other state authorities are obliged to prior to any actions taken, except in case of emergency, notify the competent public prosecutor. Police and other government bodies responsible for the detection of criminal offenses are obliged to act upon the request of the competent public prosecutor.

In order to achieve a better balance of results achieved in the investigation and prosecution of trafficking cases, the Supreme State Prosecutor and the Director of the Police Directorate of Montenegro established the **Operational Team for Combating Trafficking in Human Beings**. This body consists of representatives of the Ministry of Interior, the Police Directorate, the High State Prosecutor's Office and the Ministry of Justice. The key tasks of the team are:

- More efficient prosecution of trafficking cases;
- Coordination of activities and harmonization of work with other participants in combating trafficking in human beings;
- Identification of victims of trafficking in THB chain, and other crimes committed by criminal groups ;
- Collecting knowledge about financial assets acquired through trafficking in human beings and other criminal offenses in order to conduct financial investigations;
- Realizing international cooperation through direct contact with police services, especially in countries in the region, as well as with other international organizations, initiatives and participation in joint investigation teams

The Supreme Court of Montenegro, as the highest court instance, aims to provide priority resolution of cases of trafficking in human beings by creating conditions for the efficient preparation and conduct of the main trial, prosecution and resolution of cases within the legal deadline. At the same time, within its jurisdiction, it focuses on providing support to witnesses / injured parties - victims of trafficking by the lower instance courts, in accordance with the law (Criminal Procedure Code and the Law on Witness Protection).

Ministry of Justice is in charge of normative framework and monitoring of regulations and international standards in the field of criminal legislation that treat this issue.

Ministry of Foreign Affairs, through diplomatic correspondence, ie. by submitting reports to the diplomatic and consular missions of Montenegro and international organizations on the measures taken by the competent public authorities in monitoring the implementation of the UN and Council of Europe Conventions on combating trafficking in human beings and the EU 'acquis communautaire' regulating this issue. It also plays an important role in communicating with Montenegrin citizens abroad in terms of first instance to which they can turn to when they are in trouble there.

The Ministry of Health provides adequate health care to victims and potential victims of trafficking through public health institutions, respecting the principles of urgency and priorities. The health protection of potential victims of trafficking in human beings includes emergency medical assistance, prevention and treatment of infectious diseases and cases of childbirth and maternity while staying in the territory of Montenegro.

Ministry of Labor and Social Welfare ensures the provision of social and child protection to the potential victims of human trafficking, the Montenegrin citizens and foreign nationals, through the Centers for Social Work, giving them priority to other cases.

Ministry of Education acts in preventive activities to raise the awareness of children and young people about the risks, manifestations and consequences of the criminal offense of Trafficking in Human Beings. They provide support to risk groups, primarily children in reducing the risk of becoming victims of trafficking through their empowerment for inclusion in the regular education system. Potential victims of trafficking in human beings, children legally residing on the territory of the country are provided with continuous education in educational institutions.

Ministry of Human and Minority Rights supports projects aimed at reducing vulnerability of groups at risk (children of RE population) in relation to trafficking in human beings.

Ministry of Culture supports adequate program contents in the media focused on raising the awareness of the entire public on the need to combat all forms of trafficking in human beings, as well as the realization of training on the role of the media and the ethics of reporting on human trafficking issues.

Section of the Labor Inspection which operates within the Sector for the protection of the labor market and the economy, gaming and public procurement to the **Administration for Inspection Affairs** has been recognized as an authority who can give appropriate contribution in the area of identifying potential victims of trafficking through labor exploitation.

In Montenegro, there are a large number of **non-governmental organizations** active in the field of combating trafficking in human beings. These organizations are in fact relevant partners to public authorities in implementing preventive programs and mitigating possible consequences of trafficking in human beings / children among the most vulnerable and most sensitive categories in society.

III BENEFIT ASSESSMENT ACHIEVED BY THE IMPLEMENTATION OF THE NATIONAL STRATEGY FOR THE PERIOD 2012-2018

In the period from 2012 to 2018, a significant number of activities were implemented, which contributed to more efficient fight against human trafficking. Activities were designed and realized in the partnership of state bodies and non-governmental organizations, but also with representatives of local self-government and private sector. Partnerships and cooperation between all relevant ministries and local self-governments have been expanded, and operational partnership with the civil society sector and the private sector has been established.

In the field of **prevention** and **education**, awareness raising campaigns on trafficking among the general population, vulnerable groups, as well as professionals working and having contact with the population at risk have been carried out. Regular updating of the website of the National Office for Fight against Trafficking in Human Beings provides for greater accessibility and transparency of information on the subject matter. Reporting on the problem of trafficking in human beings has been increased through the media, in a way that this issue is regularly present in the media. Special attention has been paid to raising the awareness of the Roman and Egyptian population about the negative consequences of illegal child marriages as a form of trafficking in children, through preventive activities by representatives of institutions in cooperation with the civil sector.

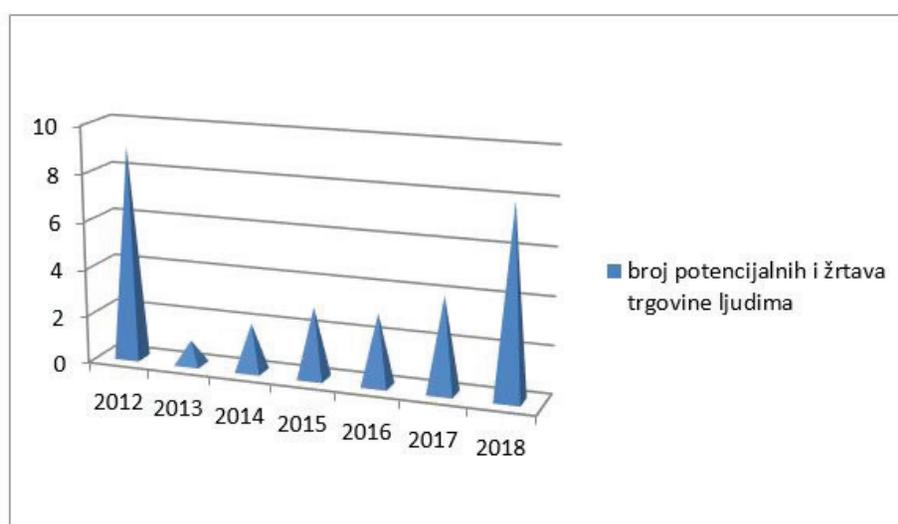
In the **education** plan, the previous Strategy has contributed to the fact that accredited training programs aimed at strengthening the capacities of representatives of the institutions in charge of the implementation of activities in the field of prevention, protection of victims, and prosecution of perpetrators of this criminal offense have been included in regular annual programs of training institutions specialized for this purpose (Center for training in the judiciary and the state prosecutor's office performs training of the personnel of the judicial system, the Human Resources Management Authority conducts trainings of civil servants and state employees, representatives of local self-governments and health workers, PI Police Academy conducts training for police officers and students of the Police Academy, the Institute for Social and Children's protection organizes and conducts trainings for professional workers in the Centers for Social Work and Institutions of Social and Child Care as well as the Bureau for Educational Services, wherein the training of teachers has been carried out). Thus, the systemically was solved the issue of personell training at the institutional level. A large number of trainings were conducted for representatives of the police, judiciary, prosecutors, military, educational, social and health workers, representatives of inspection services, as well as for other target groups (tourist workers, businessmen, students at Universities, secondary and elementary schools students, representatives of vulnerable population). Diplomatic and consular staff are annually familiarised with the situation of trafficking in human beings in Montenegro, and it is important to note that border police officers have undergone training based on the program of the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX) for trafficking in human beings. The realization of the above-mentioned training was significantly supported by the representatives of international and non-governmental partner's organizations. Advisers employed at the National Office for Fight against Trafficking in Human Beings have been certified as National trainers for human trafficking issues by international organizations: FRONTEX, UNICEF, CEPOL. Also, a number of specialized trainings were organized in the area of coordination of assistance and protection of victims of trafficking in and outside the court procedure.

Regarding the **identification of victims**, a list of indicators for early recognition of victims of trafficking was created and distributed⁴⁸, and the number of active participants who have passed the basic training program has been expanded from which a preliminary identification of potential victims of trafficking is expected. In the context of designing a high-quality response to the increasing influx of illegal migrants and asylum seekers, standard operational procedures for dealing with children separated from parents and unaccompanied are defined, with particular emphasis on proactive identification of potential victims and victims of trafficking in human beings, in accordance with international standards and supported by UNICEF⁴⁹.

Table No. 1⁵⁰: Number of identified victims and potential victims of trafficking in human beings in the period from 01 01 2012 to 31 12 2018

YEAR	NUMBER OF IDENTIFIED VICTIMS
2012	9
2013	1
2014	2
2015	3
2016	3
2017	4
2018	8
TOTAL	30

Chart No. 1⁵¹: Number of identified victims and potential victims of trafficking in human beings in the period from 01 01 2012 to 31 12 2018



48 ANNEX 1- list of indicators

49 Committee for the Rights of the Child: General Comment no. 6 on the treatment of unaccompanied or separated children outside their country of origin.

50 Unpublished data of the National Office for Fight against Trafficking in Human Beings

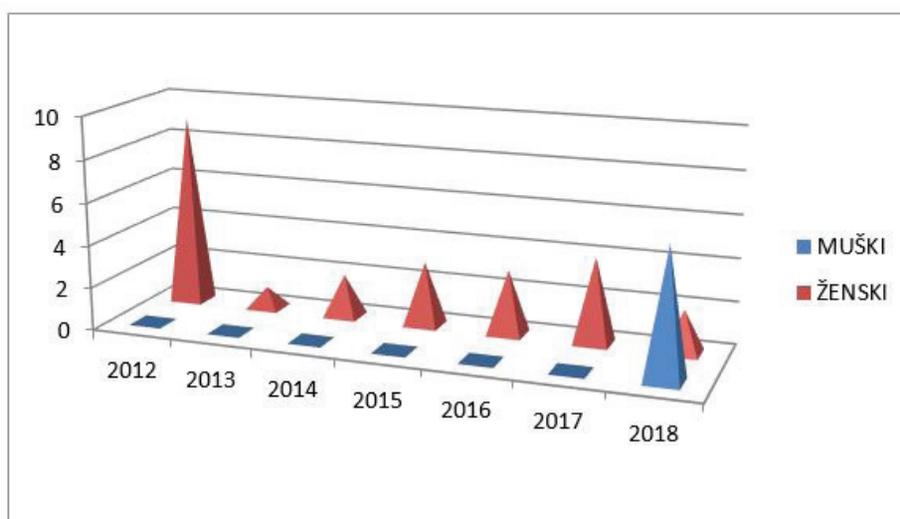
51 Ibid

Total number of identified potential victims of trafficking in human beings in the period from 01 01 2012 to 31 12 2018 is 30, of which 6 are male and 24 female (Table No 2). The Preliminary Strategy introduced a new way of providing assistance to victims which ensured that all persons whether they are potential or actual victims of trafficking in human beings have equal access to services.

Table No 2⁵²: Number of identified potential victims of trafficking in human beings in relation to gender, from 01 01 2012 to 31 12 2018;

<i>YEAR</i>	<i>MALE</i>	<i>FEMALE</i>	<i>TOTAL</i>
<i>2012.</i>	<i>0</i>	<i>9</i>	<i>9</i>
<i>2013.</i>	<i>0</i>	<i>1</i>	<i>1</i>
<i>2014.</i>	<i>0</i>	<i>2</i>	<i>2</i>
<i>2015.</i>	<i>0</i>	<i>3</i>	<i>3</i>
<i>2016.</i>	<i>0</i>	<i>3</i>	<i>3</i>
<i>2017.</i>	<i>0</i>	<i>4</i>	<i>4</i>
<i>2018</i>	<i>6</i>	<i>2</i>	<i>8</i>
<i>TOTAL</i>	<i>6</i>	<i>24</i>	<i>30</i>

Chart No 2: Number of identified potential victims of trafficking in human beings compared to gender, in the period from 01 01 2012 to 31 12 2018;

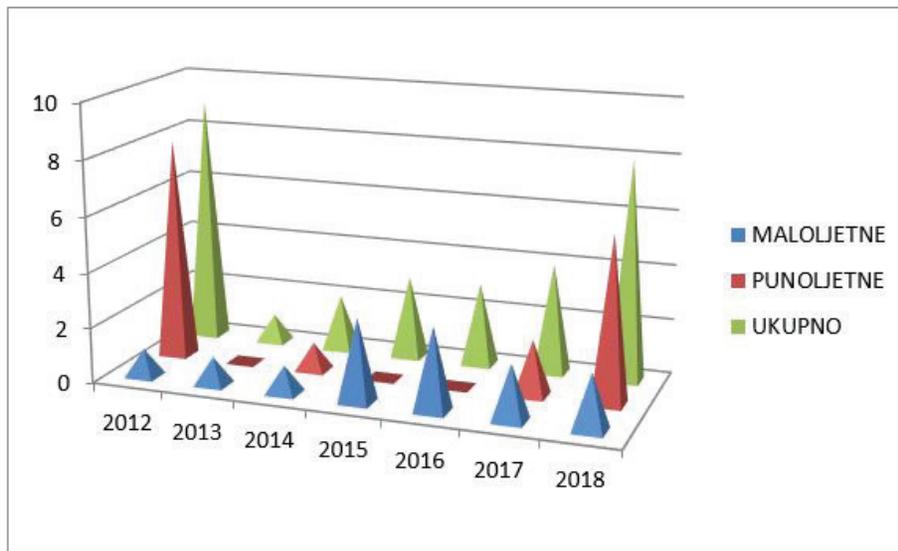


When it comes to the age of the victim, the number of identified adults (17) is higher than the number of underage victims (13). However, compared to the period before 2012, the number of identified underage victims of trafficking was increased (Table No 3). The average age of juvenile victims is 13 years.

Table No 3⁵³: The number of identified potential victims of trafficking classified into and adults in the period from 01 01 2012 to 31 12 2018

<i>YEAR</i>	<i>Juveniles</i>	<i>Adults</i>	<i>Total</i>
<i>2012.</i>	<i>1</i>	<i>8</i>	<i>9</i>
<i>2013.</i>	<i>1</i>	<i>0</i>	<i>1</i>
<i>2014.</i>	<i>1</i>	<i>1</i>	<i>2</i>
<i>2015.</i>	<i>3</i>	<i>0</i>	<i>3</i>
<i>2016.</i>	<i>3</i>	<i>0</i>	<i>3</i>
<i>2017.</i>	<i>2</i>	<i>2</i>	<i>4</i>
<i>2018</i>	<i>2</i>	<i>6</i>	<i>8</i>
<i>TOTAL</i>	<i>13</i>	<i>17</i>	<i>30</i>

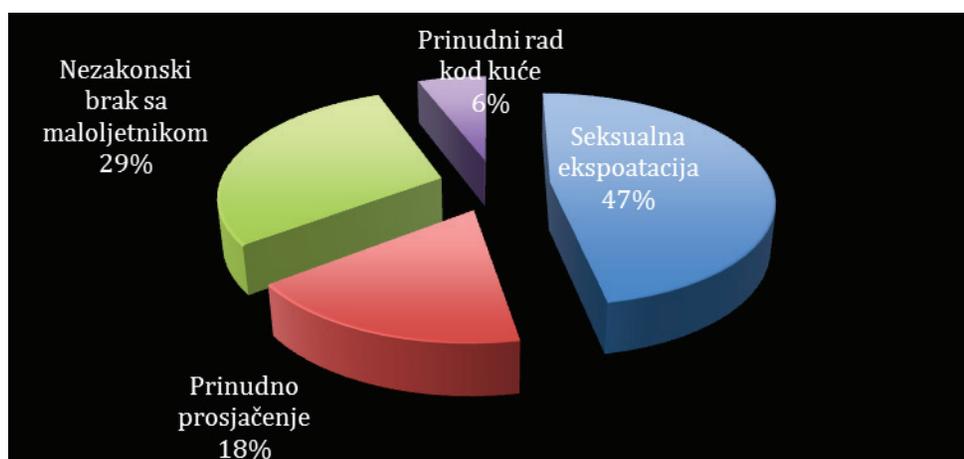
Chart No 3: The number of identified potential victims of trafficking classified into juveniles and adults in the period from 01 01 2012 to 31 12 2018



The most frequently identified cases of trafficking in human beings were forms of sexual exploitation (Chart No 4). The identification of victims of trafficking in human beings for forced begging and forced child marriages is on the rise and so far 11 cases have been identified.

When it comes to the country of origin of victims, we can say that almost half of the identified cases were about (potential) victims of Montenegrin citizens, while other countries of origin were mostly countries in the region (Serbia, Kosovo, Albania).

Chart No 4⁵⁴: The number of identified victims according to the form of exploitation in the period from 01 January 2012 to 31 December 2018



SOS phone for victims of trafficking is available 24 hours a day, 7 days a week, and is administered by NGO “Montenegrin Women’s Lobby”, which is financed from the budget resources of the National Office for Fight against Trafficking in Human Beings. The increased number of calls on the national SOS line for trafficking in human beings has been recorded. The largest number of calls was recorded in 2015, a total of 553 (Table No 4).

Calls were mainly of informative character. This speaks in favour of the fact that this SOS line has already been recognized by the general public as a service to obtain more information on human trafficking issues and possibly reporting certain suspicions about the existence of an offense. During the implementation of the previous Strategy, no human trafficking cases were identified based on the investigation of reported suspicions via the SOS line.

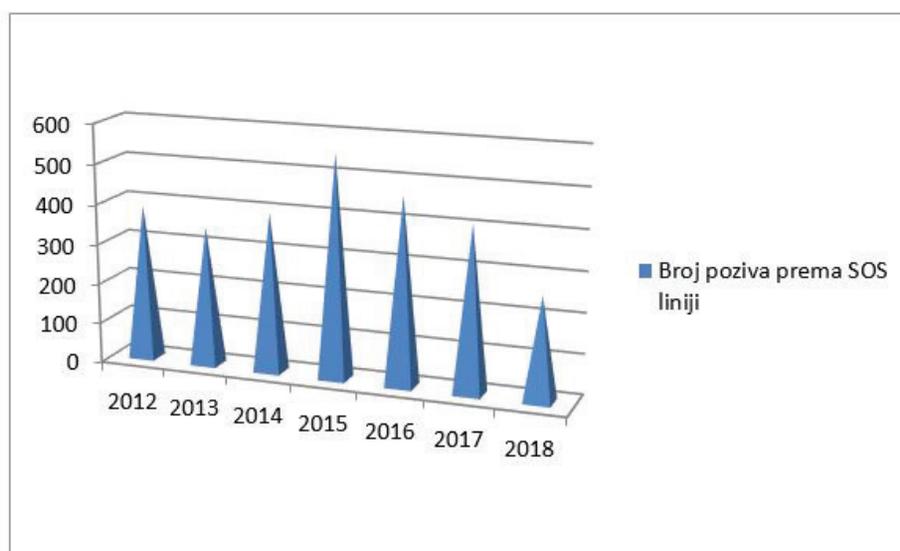
Table No 4⁵⁵: Number of calls to the national SOS line for victims of trafficking in human beings for the period 01 01 2012 to 31 12 2018

<i>YEAR</i>	<i>Number of calls to the SOS line</i>
<i>2012</i>	<i>387</i>
<i>2013</i>	<i>346</i>
<i>2014</i>	<i>395</i>
<i>2015</i>	<i>553</i>
<i>2016</i>	<i>466</i>
<i>2017</i>	<i>412</i>
<i>2018</i>	<i>256</i>
<i>TOTAL</i>	<i>2815</i>

54 Unpublished data available on the National Office for Fight against Trafficking in Human Beings.

55 Unpublished data by the National Office for Fight against Trafficking in Human Beings

Chart No 5⁵⁶: *The number of calls to the national SOS line in the period from 01 01 2012 to 31 December 2018*



Activities from the Strategy for Combating Trafficking in Human Beings for the period 2012-2018 improved the **system of protection and assistance** to the victims. The strategy has contributed to strengthening the capacity of professionals providing assistance in the protection and reintegration of victims, improving cooperation between relevant professionals and civil society organizations, while at the same time improving the services available to victims in the Shelter. Laws, by-laws, memoranda of cooperation at the national and regional level have been adopted, by which have been improved the protection, assistance and reintegration of victims, and in most of the institutions, an approach oriented on the victims has been affirmed. The shelter for victims and potential victims of human trafficking managed by NGO “Montenegrin Women’s Lobby” continued its work with the financial support of the state. Centers for Social Work are in charge of providing psychosocial assistance, appointing caregivers to create individual service plans and protecting victims in cooperation with other signatories to the Memorandum on Mutual Cooperation in the field of combating trafficking in human beings, as well as assessing the socio-economic status of the victim as the basis for the allocation of one-off money assistance, provided for by the Law on Social and Child Protection. Assistance to victims of trafficking in human beings and potential victims in the Shelter included training to carry out certain tasks that would facilitate future employment and economic independence and empowerment of victims.

In the area of **effective criminal prosecution**, the Criminal Code has been amended in accordance with international standards. Instruction has also been given to state prosecutors in the Basic State Prosecutor’s Offices that in cases with indications on the existence of trafficking in human beings could be dealt with in the specific case, so they should immediately and without delay, carefully consider and submit them to the higher State Prosecution Offices or the Special State Prosecutor’s Office .

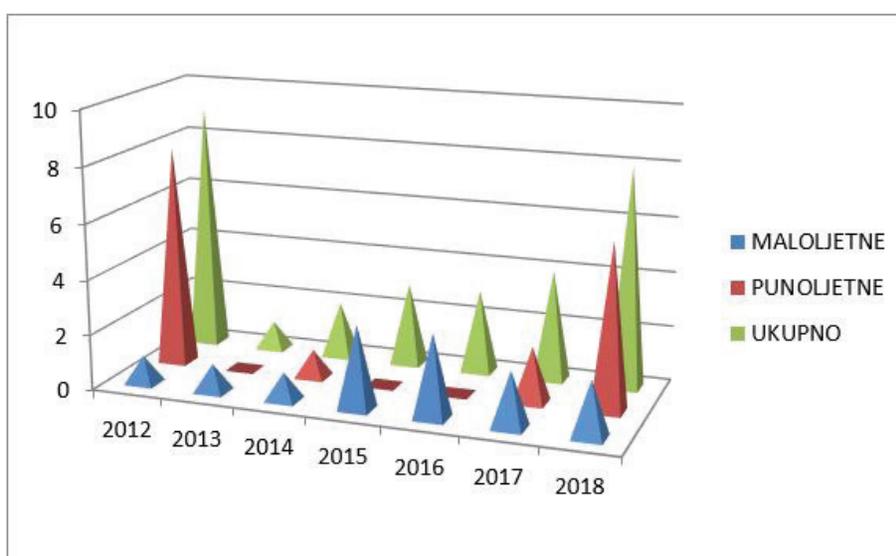
According to the Police Directorate, in the reporting period, a total of 15 investigations were conducted for the criminal offense referred to in Article 444 of the CC MNE: in 2012 - two, in 2013 - three, 2014 - four, during 2016 and 2017, one investigation in each year was conducted while in the 2018, three investigations were conducted (Table No 5).

⁵⁶ Unpublished data on the number of calls made on the basis of daily monthly and annual reports of SOS telephone activists which were submitted to the National Office for Fight against Trafficking in Human Beings.

Table No 5⁵⁷: Number of investigations and number of filed criminal charges conducted in relation to CO 444 CC MNE – Trafficking in Human Being, in the period from 01 01 2012 to 31 12 2018

YEAR	Number of conducted investigations	Number of filed criminal charges
2012.	2	2
2013.	3	0
2014.	4	2
2015.	1	0
2016.	1	0
2017.	1	0
2018	3	2
UKUPNO	15	6

Chart No 6: The number of investigations conducted in relation to CO 444 CC MNE – Trafficking in human beings, in the period from 01 01 2012 to 31 12 2018



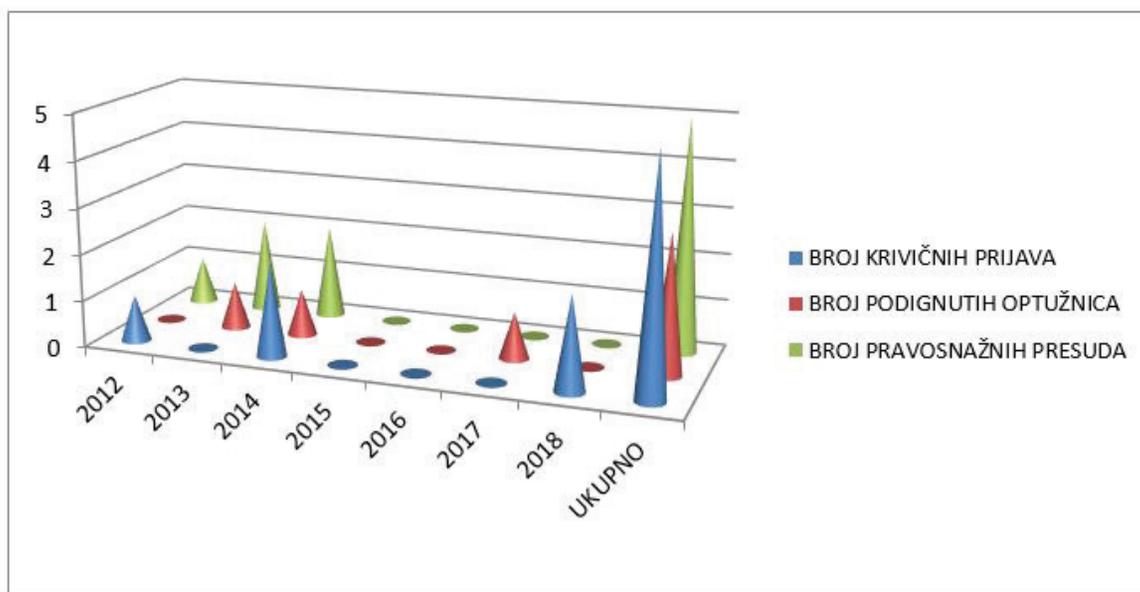
Regarding the filed criminal charges under the Art. 444 CC MNE in 2012, 1 criminal charge was filed; in 2013 no criminal charges were filed, in 2014, 2 criminal charges were filed; in 2015, 2016, and 2017 no criminal charges were filed, while in 2018, two criminal charges submitted. It is worth mentioning that one criminal charge filed by the Police Directorate for CO Rape during 2017 was re-qualified by the Prosecution and an indictment was filed for CO Trafficking in Human Beings under Article 444 of the Criminal Code of Montenegro.

Regarding the number of filed indictments on CO Trafficking in human beings. One was filed in 2013, one in 2014 and one in 2017. The competent courts issued a total of 5 final verdicts for the criminal offense of human trafficking under Article 444 of the Criminal Code of Montenegro (Table No 6). The sentences ranged from two years to six years and 10 months in prison.

Table No 6⁵⁸: Number of criminal charges, indictments and final judgments for the criminal offense of Trafficking in Human Beings 2012-2018

YEAR	Number of criminal charges filed	The number of filed indictments	Number of final judgments
2012.	1	0	1
2013.	0	1	2
2014.	2	1	2
2015.	0	0	0
2016.	0	0	0
2017.	0	1	0
2018	2	0	0
TOTAL:	5	3	5

Chart No 7⁵⁹: The number of criminal charges, indictments and final judgments for the criminal offense of Trafficking in Human Beings 2012-2018



In order to improve the balance of results achieved in the processing of cases of trafficking in human beings, within the Police Directorate, a special **Department for combating trafficking in human beings, smuggling and illegal migration** has been established. Due to observed need of multisectoral action on this plan at the end of 2018, the **Operational team for fight against human trafficking**⁶⁰ was established.

58 Unpublished data of the National Office for Fight against Trafficking in Human Beings

59 Unpublished data of the National Office for Fight against Trafficking in Human Beings

60 The composition and responsibilities of the Anti-Trafficking Department and the Operational Team for Combating Trafficking in Human Beings are explained in the chapter of the Institutional Framework.

International cooperation: The active work of the competent institutions within this strategic area has significantly improved regional and international cooperation of Montenegro, primarily by signing several Memoranda of Cooperation with the countries of the region⁶¹ and establishing close operational cooperation and joint activities between the law enforcement agencies of the countries of the region, as well as the active involvement of representatives of institutions in all regional and international initiatives that are being implemented in this plan. The establishment and regular networking of the National Coordinators for Combating Trafficking in Human Beings of the region, significantly improved the exchange of information and examples of good practice in the planning and implementation of national policies aimed at combating this phenomenon.

By introducing more detailed provisions - legal instruments in the Law on International Legal Assistance in Criminal Matters,⁶² the conditions for establishing Joint Investigation Teams were created by representatives of the Prosecutor's Office and the Police of several States, for the conduct of joint investigations, the collection of evidence and their use before the competent courts of other countries. In this way, Montenegro has shown willingness and institutional readiness to participate in the use of this instrument, but its more frequent use is expected in the forthcoming period. Cooperation with INTERPOL, EUROPOL, SELEK Center, SEEPAG and other organizations is also important.

Coordination and partnership: Coordination in the implementation of activities in the fight against trafficking in human beings has been constantly improving and contributed to more comprehensive response to the problem of trafficking in human beings. Partnerships with international organizations that have largely supported the activities of this Strategy, such as the OSCE, UNICEF, IOM, UNODC, have been greatly enhanced and promoted in practice. High quality partnerships with the civil sector and the private sector have been established.

61 Protocol on cooperation with the Republic of Albania, available at web page, stated in Annex 2;

Protocol on cooperation with the Republic of Kosovo, available at web page, stated in Annex 2;

Agreement on cooperation with the Republic of Macedonia, available at web page, stated in Annex 2;

62 'Official Gazette of MNE', 4/2008 and 36/2013.

IV REMAINING CHALLENGES AND RECOMMENDATIONS FOR FURTHER ACTIONS

In spite of a successful and dedicated implementation of the Strategy for Combating Trafficking in Human Beings 2012-2018, there are still some challenges remaining and there is room for improvement in certain areas. Please see below for the challenges and recommendations that we used as guidelines to draft the Strategy for Combating Trafficking in Human Beings 2019-2024, and the accompanying action plans too.

Prevention and Education

Prevention:

Monitoring of the regional and international trends in the manifestation of this phenomenon, and the analysis of state statistical indicators show that particularly sensitive categories from the standpoint of trafficking in human beings are: young people, especially children without parental care, children with developmental difficulties, persons with disabilities, children with behavioural disorders; children and adults due to the abuse of alcohol, drugs or other narcotics, children and adults if there is a risk they might become, or they already are victims of abuse, neglect, domestic violence or exploitation, labourers with temporary or occasional jobs, illegal migrants and asylum seekers, and particularly sensitive categories when the issue of trafficking in human beings is concerned.

Therefore, it is necessary to continue to strengthen the preventive and educational activities targeted at the above categories so as to eliminate any possibility of becoming the victims of any form of the criminal offence of trafficking in human beings. Furthermore, it is necessary to continue with the implementation of campaigns targeted at raising the public awareness about the potential beneficiaries of the victims' services. At the same time, it is required to continue with public campaigns targeted either at wider public or at specific groups with the aim to raise awareness and strengthen resilience against the trafficking in human beings, on safe use of communication on the web and social media. In addition, it is necessary to continue with campaigns targeted at Roma and Egyptian communities in terms of strengthening their resilience in relation to all forms of this criminal offense with a special emphasis on concluding unlawful marriage and children begging.

Finally, it is necessary to have campaigns on regular basis to make the SOS Hotline for victims of trafficking in human beings more visible.

Recommendations:

- To carry out a research about the level of public awareness at the beginning and the end of the implementation of the Strategy;
- To continue with public awareness campaigns, targeted at children and adolescents on topics such as - forced begging, child marriages and online sexual exploitation;
- To organise workshops for migrants, irregular migrants, asylum seekers and refugees with a focus on trafficking in human beings for the purpose of labour and sexual exploitation;
- To continue the co-operation with the Bureau for Education Services and develop the topic of safe use of internet within the programme *Prevention of Trafficking in Human Beings through Educational Activities* with the aim to prevent potential risks arising from the trafficking in human beings;
- To improve the registration of Roma children into birth registries through a stronger involvement of mobile teams;
- To monitor and analyse trends in Roma and Egyptians' community regarding child marriages;
- To empower risk groups for inclusion into mandatory educational system, and in particular children of the Roma and Egyptian population;
- To design additional trainings for the media about responsible reporting on trafficking in children and to draft a manual on media reporting and trafficking in human beings;
- To continue with the education of teachers on trafficking in human beings;
- To make an open day at schools as an opportunity for police officers, NGO representatives and the Ombudsman's Office to deliver lectures on the chosen topic on trafficking in human beings;
- To organise workshops for labourers in the tourism sector on the prevention of trafficking in human beings during the tourist seasons, and to draft and distribute promotional material along with the SOS Hotline for Victims of Trafficking in Human Beings;
- To work on campaigns to reduce demand for all forms of trafficking in human beings;
- To design and implement a campaign intended for the beneficiaries of services;

Education:

Due to the staff changes in institutions and the ever-changing trends in trafficking in human beings, it is necessary to continue with systemic trainings for representatives of all institutions involved in combating against trafficking in human beings at all times, and through several modules covering the prevention, identifying of potential victims, early referrals, protection, prosecution and reintegration.

However, it is necessary to improve both the quantitative and qualitative aspects of trainings at all times. In terms of the quantity, it is necessary to carry out periodic analyses and depending on their results, to adopt training programmes and plans. Moreover, in terms of the quality, it is necessary to constantly improve the training programmes regarding their levels (basic, advanced and professional training levels), and to adjust specific training programmes for particular groups of employees, with emphasis on some segments of the phenomenon itself, to strengthen capacities of trainers who practice in this field. At the same time, it is important that the engagement of practitioners as trainers to be more common, in order to enable practical analysis of concrete cases from practice⁶³. It is especially important to take into account the gender dimension of the trained staff⁶⁴ on equal representation of trainings at the national and local level, as well as providing exchange of experiences with professionals through participation in trainings realized at the regional and international level.

Since trainings are one of the ways to improve the balance of achieved results in the area of identification, research and prosecution of cases of trafficking in human beings, it is particularly important to design and implement joint training programs by the PI Police Academy and the Centre for Training in Judiciary and State Prosecution intended for the senior officers involved in the combat against trafficking in human beings, and the programmes would, as a mandatory segment, include the analyses of specific cases from practice by professionals who worked on them (members of the police, judiciary, prosecution, NGO, and representatives of EUROPOL, INTERPOL and EUROJUST too)⁶⁵.

Another important matter would be to enhance the programme of specialised trainings for members of the police force and prosecutors who work on cases of trafficking in human beings (advanced courses); such trainings would cover the analyses of specific cases from practice, paying special attention to the specific traumatic state of victims of trafficking in human beings, focus on all qualities of taking statements from such persons, especially when it comes to women and children⁶⁶; conduct financial investigations, confiscation of proceeds from criminal offences, by using special investigative techniques, and the indicators that a person may be a victim of such a criminal offence, the right to protection of victims, and compensation of damages too.

At the same time, it is necessary to implement targeted trainings for professionals who are expected to provide preliminary identification of victims of trafficking in human beings in relation to indicators for identification of victims, as well as to the procedures and models of referrals too (National Referral Mechanism); it is necessary to continue with the implementation of trainings for social and health workers with the aim to strengthen the National Referral Mechanism as well⁶⁷. Furthermore, since Montenegro is becoming an increasingly popular travel destination, a popular destination for tourism including high-level tourism, a desirable destination for seasonal jobs too, and as the number of illegal immigrants and asylum seekers has grown, it is necessary to focus on the training of representatives of the border police, inspection departments, local police in touristic areas, and the employees of the Shelter for foreign persons, Asylum Protection Centre, and Red Cross volunteers too.

63 Recommendations of the EU Expert Mission (TAIEX on prevention of trafficking in human beings, identification, investigation and prosecution ID: JHA IND/EXP 65477, 26-30 March 2018);

64 Ibid

65 Ibid

66 Ibid

67 Ibid

Likewise, it is important to continue with the education of the representatives of local self-governments, local parliaments, members of diplomatic and consular missions and members of Armed Forces of Montenegro who are deployed on missions abroad. A very important thing, which remained unimplemented, is the education of the general police force, because of their specific role in the society and the strong contribution to combating trafficking in human beings they could have.

Recommendations:

- To implement trainings for trainers on the topic of trafficking in human beings and to work with them on how to present their trainings, select cases, videos/movies⁶⁸;
- To continue with the education and trainings for police officers, prosecutors, judges, professionals from the Centres for Social Work, representatives of the civil sector and members of municipalities; trainings would cover the topics of impact of trafficking in human beings on human rights, the identification and criminal prosecution, and have a special focus on the importance of the multi-sectoral approach and co-operation with the civil sector in combating this phenomenon;
- To develop a plan and programme for trafficking in human beings during the initial training at the Police Academy and the Judicial Training Centre⁶⁹;
- To establish special continuous trainings on trafficking in human beings for police officers who work on cases of trafficking in human beings (advanced courses) and on specific cases⁷⁰.
- To implement trainings for the presentation of indicators for identification of the trafficking victims and to design a set of questions for a framework interview for police officers with the aim of high quality interviews of potential victims of trafficking in human beings⁷¹;
- To intensify the trainings that refer to tracing, locating, freezing, confiscating, sharing and returning of proceeds originating from the trafficking in human beings;⁷²
- To carry out trainings on the specificity of taking statements from women and children victims of trafficking;
- To develop an on-line database of training materials intended for the Police Academy and Judicial Training Centre.
- To carry out specific training on the presentation of elements of abuse of a vulnerable position, especially with minorities.
- To carry out trainings for social and health workers, and for persons who are first to assist the victims of trafficking in human beings⁷³;
- To design specific trainings for judges and prosecutors on the topic of child begging, child marriages and trafficking in human beings;
- To design specific trainings of the prevention of child marriages and trafficking in human beings for NGOs operating in the field of trafficking in human beings.

68 Ibid

69 Ibid

70 Ibid

71 Ibid

72 Ibid

73 Ibid

Identification of victims

The identification of victims of trafficking in human beings still remains a challenge given the low number of identified cases. Hence, there is a need for further improvement of mechanisms of identification of victims of trafficking in human beings.

With the aim to make room for an improved identification of potential victims of trafficking in human beings, it is necessary to carry out strengthened operational activities in investigations of child marriages, child begging, prostitution groups in touristic areas including luxury touristic resorts, and among illegal migrants and asylum seekers too. Particularly important is the strengthen control of temporary stay of foreigners, hospitality and catering facilities, control of hotel and other tourist resorts, casinos, restaurants, as well as of the establishments that hire seasonal labourers, while *imposing more rigorous sanctions to the ones that violate the rights of employees*.

Moreover, it is necessary to strengthen the multi-disciplinary quality of operational actions in the field, so that such type of activities, which comprise several segments (inspection, police etc.) would increase the likelihood to identify indicators of trafficking in human beings and improve the process of identification altogether. At the same time, this would imply the development of networking between members of the investigation teams and the civil sector on both the local and national level.

There is a need to establish a specialised multi-sectoral body for formal identification of trafficking in human beings, which will allow for the focus of identification of victims to be shifted from the criminal aspect to the human rights' aspect. Activities of this team should rely on a special procedure for identification of victims and it must include a list of indicators too⁷⁴.

Recommendations:

- To carry out detailed analyses on reasons for issues regarding the identification of victims and potential victims of trafficking in human beings;
- To carry on with the activities in the field of child begging and child marriages and pay special attention to children at streets, children from RE communities and unaccompanied minors.
- To strengthen capacities of professionals in the Centres for Social Work, members of border police and medical staff for the identification of victims of trafficking in human beings.
- To strengthen capacities of the Section for Combat against Smuggling of Migrants and Trafficking in Human Beings while paying due attention to a proportional representation of women;
- To strengthen capacities of civil society organisations operating in the field of trafficking in human beings, especially in Roma communities, as well as in the communities where illegal migrants and asylum seekers reside or stay.
- To bring formal procedures for the identification of victims based on standards of human rights;
- To expand the range of experts involved in the initial identification of victims of trafficking in human beings.

Criminal prosecution and investigation

Given that few cases were prosecuted in the past on the grounds of Article 444 of the Criminal Code of Montenegro – Trafficking in Human Beings, the expert missions⁷⁵ were initiated with the aim to get a full insight into the situation and make recommendations for the planning and implementation of concrete activities to improve the balance of results achieved when this segment of the fight against trafficking in human beings is concerned.

A need to establish a body was recognised that would act as multi-sectoral body and allow for a stronger connection of the investigative and judiciary bodies in identification and investigation of cases of trafficking in human beings. This body was established in the end of 2018 (Operational team for the combat against trafficking in human beings)⁷⁶. However, further actions should be taken with the aim to adopt a rulebook which would define in more detail the manner of work, roles and responsibilities of members of the Team. At the same time, further efforts should be directed in strengthening capacities of its members and their stronger connection with similar teams in the region.

Also, a need was established for a further professional development of prosecutors who would act in cases of trafficking in human beings and for the establishment of a stronger co-operation with the Division for Corporate Crimes that operates as a part of the Police Directorate and works in criminal and financial investigations simultaneously. It is also necessary to work on strengthening their capacities in recognizing the connection of trafficking in human beings with criminal offenses of money laundering, corruption and the extent of the possibility such a model can have in the collection of material evidence for its processing.

At the same time, it is necessary to improve the research of cases of child begging in the way that instead of the parents of children, additional attention will be focused on the identification of organized criminal groups involved in organizing and gaining profit from child exploitation.

In terms of reducing the possibility that, due to the lack of evidence, a particular event will be qualified as a criminal offense Trafficking in human beings under Article 444 of the CC MNE, it shall be qualified as a criminal offense Mediation in prostitution, Article 210 of the CC MNE; Abusing and neglecting a minor, article 215 CC MNE; Extramarital union with a minor, Article 216 of the CCCC, etc., a comparative analysis of these criminal offenses should be carried out, which would include a review of the final court verdicts and make recommendations for possible action whether in terms of certain amendments to the legislation or in creating programs to better understand existing solutions.

Recommendations:

- To introduce measures to make prosecutors and judges more sensitive about the general state of the victim, the trauma the victim has been through, and about the rights of victims, especially when it comes to children;
- To have specialised trainings for the special police unit for financial crime and for prosecutors in order to increase the financial investigations and to seize proceeds originating from criminal offences;
- To strengthen the model of co-operation of institutions that are competent for an efficient criminal prosecution of trafficking in human beings;
- To introduce measures/trainings to ensure that the criminal offence of trafficking in human beings is not qualified as a kindred criminal offence.

⁷⁵ TAIEX expert mission on prevention of trafficking in human beings: identification, investigation and criminal prosecution ID: JHA IND/EXP 65477, 26-30 March 2018), authors: Caroline Charpentier (France), judge, regional expert for prevention of trafficking in human beings and other similar activities, Thierry Pons, Vice-Prosecutor, Regional Prosecution, Bordeaux, France, Olivier-Charles Pitt lieutenant-colonel, Deputy in the Sector of Criminal Police in Lyon, France;

US embassy to Montenegro, Quick assessment of activities of law enforcement bodies in the combat against trafficking in human beings in Montenegro. Authors: INL experts Ruth Rosenberg and Heath Thomas;

⁷⁶ Composition and competences of the Operational team are presented in the Chapter Institutional Framework.

Support, protection and reintegration

Although some progress was identified in the past in the area of protection of victims of trafficking in human beings, a need for a continued work on improvement of the existing and creation of new models was noted, especially when it comes to the long-term co-operation or reintegration of victims into society. To that sense, it is necessary to intensify the co-operation with the Employment Office of Montenegro in order to increase the possibilities for the victims' employment and their economic independence. Also, it is necessary to improve special protective measures for children who are victims or potential victims of trafficking in human beings such as to provide whatever is in their best interest, while developing the services of alternative accommodation, as well as to strengthen the level of involvement of local self-governments in activities of protection of victims of trafficking in human beings.

Also, it is very important to ensure that all service providers are licenced to provide services to victims of trafficking in human beings, to ensure that victims are informed about their rights and to make sure they are not punished for any act they may have done as victims.

There is a need to strengthen the mechanism of protection of victims and witnesses during the court proceeding, especially when it comes to the use of audio-visual equipment intended for hearings. At the same time, it is necessary to work on the informing of victims about all their rights, especially about the possibility they have to request the compensation of damages in accordance with the available possibilities. Furthermore, it is necessary to train the representatives of services for assistance to victims that operate within the courts about the specifics of the state of being of a victim of such a criminal offence.

Recommendations:

- To provide for a long term plan for victims and potential victims that includes employment and accommodation;
- To provide benefits for employers for long term employment of victims of trafficking in human beings, such as the exempt from taxation;
- To improve the mechanism of monitoring of reintegrated victims, both national and international, especially if children are involved;
- To improve the capacities of the Shelter, especially in terms of making it a more child-friendly environment;
- To ensure that audio-visual equipment is used in all courts in order to prevent any re-victimisation of victims and witnesses, especially when it comes to children;
- Ensure the participation of specialized experts who are not lawyers in courts and prosecutors' offices dealing with victims (psychologist, social pedagogue, etc.).

International cooperation

It is vital to continue with the activities of establishment of procedures for an official contact with relevant persons with the aim to improve the efficiency of the process of identification, criminal prosecution of offenders and the system of data exchange with other countries, as was defined by the previous Strategy but remained not fully implemented. Also, it was identified that there is a need for a continued cooperation with countries of origin of victims of trafficking in human beings identified in Montenegro, and for further intensifying of the co-operation with the EU Member States.

Another important matter is to further work on the improvement of the co-operation between the law enforcement agencies in Montenegro and European agencies such as EUROPOL and EUROJUST with the objective to improve activities and co-operation between the police and the judiciary in accordance with the EU standards. The liaison officers make the vital resources in this area. It is necessary to work on establishment of (JIT-Joint Investigation Teams) as a very useful tool for prosecution of cross-border cases of trafficking in human beings.⁷⁷

Moreover, it is necessary to further strengthen the existing networks of co-operation between professional who work in the field of combating the trafficking in human beings in order to exchange experiences and positive practices and to actively participate in all regional and international initiatives in this field.

Recommendations:

- To continue with activities on strengthening of the co-operation with other countries with the aim to improve efficiency of the process of identification and criminal prosecution of offenders;
- To establish the data exchange system about trafficking in human beings with other countries, especially the data regarding the identification of victims, providing assistance and organisation of voluntary returns to countries of origin or to third countries, and the data exchange that are required for prosecution of the case;
- To establish a better co-operation with the most frequent countries of origin of victims of trafficking in human beings in Montenegro and to intensify the co-operation with EU countries and the international organisations that work in the area of trafficking in human beings;
- To ensure operationalization of joint investigative teams by initiating investigations and joint trainings.

⁷⁷ TAIEX expert mission on prevention of trafficking in human beings: Identification, investigation and criminal prosecution ID: JHA IND/EXP 65477, 26-30 March 2018),

Co-ordination and partnership

Given that complexity of the combat against trafficking in human beings implies involvement of a number of institutions with different competences and with invaluable mutual co-operation, it is necessary to continue with strengthening of the system of coordination and monitoring of activities of those institutions, by strengthening of a vertical co-ordination within certain services on the local and national level.

Another vital element is the constant work to keep the established partnerships and to strengthen the new ones with the civil society organisations and international organisations, in all segments of trafficking in human beings, and in the area of the design and implementation of policies and activities.

Also, it is necessary to continue with regular analysis of actions of state institutions, NGOs and international organisations in this field, and to make all the resulting data and analysis publicly available.

When it comes to the monitoring and reporting, it was noted that qualitative reporting is lacking unlike the quantitative one, so that has to improve in near future.

Recommendations:

- To improve the co-ordination among institutions with the aim to improve the identification and protection of victims and potential victims of trafficking in human beings;
- To introduce indicators of results and impacts for easier monitoring and evaluation;
- To establish a qualitative reporting that is based on fulfilment of indicators of impact and results;

V STRATEGIC GUIDELINES COVERING THE PERIOD 2019-2024

Key strategic priorities of Montenegro in the area of trafficking in human beings are reflected in the activities identified in this Strategy. Vitally important quality for the identification of priorities is that the present Strategy provides a victims-based approach, which correlates with the aim to provide an efficient criminal prosecution of offenders of the criminal offence trafficking in human beings. It is recognised too that children, victims of trafficking in human beings, require a higher level of protection due to their vulnerability, which makes another key focus of this Strategy.

Given the facts presented above, accomplishments and the remaining challenges, the Government of Montenegro, in partnership with international and non-governmental organizations, defined the vision, mission and goals for the period 2019-2024, as presented below:

Vision:

A just, humane, gender sensible and empowered society that protects people from all forms of trafficking in human beings.

Mission:

Montenegro is dedicated to maintaining transparent, responsible and proactive initiatives against trafficking in human beings in accordance with the international standards of human rights.

Goal:

By 2024, the state will improve the efficiency and functionality of the system for the purpose of prevention, identification, protection, assistance and monitoring of victims of trafficking in human beings with a special focus on children.

By 2024, the state will improve the efficiency of investigations, criminal prosecutions and adequate sanctioning in accordance with the criminal legislation of Montenegro.

VI STRATEGIC AIMS AND SPECIFIC TASKS

Strategic area 1. Prevention of trafficking in human beings

Aim 1: To improve preventive activities and involvement of all stakeholders on the state level in the implementation of such activities.

- ***Specific objective 1.1.** To improve the knowledge of all professionals and representatives of the NGO sector who are in touch/may come in touch with victims of trafficking in human beings in terms of the identification, referral and protection of victims and criminal prosecution of offenders.*
- ***Specific objective 1.2.** To continue to raise awareness of all segments of society and support efforts in reducing the demand for services of victims of trafficking in human beings.*
- ***Specific objective: 1.3.** To reduce sensitivity of vulnerable groups by supporting projects for empowerment of such groups.*
- ***Specific objective: 1.4.** To improve the data collection system, and to implement researches in change in trends in trafficking in human beings.*
- ***Specific objective: 1.5.** To improve the knowledge about risks and consequences of child pornography and other forms of sexual exploitation and from abuse of children by information and communication technologies.*

Strategic area 2. Protection of victims of trafficking in human beings

Aim 2: To improve the identification of victims of trafficking in human beings and the quality of protection and assistance provided to them during their social reintegration.

- ***Specific objective 2.1.** To improve the identification of victims and potential victims of trafficking in human beings among vulnerable groups.*
- ***Specific objective 2.2.** To ensure a more efficient functioning of mechanisms for the compensation of damages to victims.*
- ***Specific objective 2.3:** To improve the quality of protection and assistance to victims of trafficking in human beings in their social reintegration.*
- ***Specific objective 2.4:** To improve the protection of victims during the criminal proceedings with a special focus on children.*

Strategic area 3. Response by criminal judiciary/criminal prosecution

Aim 3. To strengthen the capacities of criminal prosecution bodies for the prosecution of trafficking in human beings, for the purpose of having more efficient criminal and financial investigations.

- ***Specific objective 3.1.** To ensure a more proactive approach of the police and prosecution with the aim of suppressing of all forms of trafficking in human beings.*

- **Specific objective 3.2.** *To continue with the harmonization of provisions of the national legislation in the area of combating of trafficking in human beings with the international and EU standards.*
- **Specific objective 3.3.** *Develop links between Montenegro law enforcement agencies and european agencies like Europol and Eurojust in order to develop practices of police and judicial cooperation in compliance with EU standards*
- **Specific objective 3.4.** *Ensure the operationalization of joint investigations teams through the initiation of investigations and joint training activities*
- **Specific objective 3.5.** *To strengthen capacities in the judiciary in order to have an efficient criminal prosecution and more effective identification and confiscation of proceeds originating from criminal offences.*

Strategic area 4. Partnership, co-ordination and international cooperation

Aim 4: **To strengthen the co-ordination and partnerships among numerous stakeholders in this area, from all sectors of the society on both the national and international level and to promote networking.**

- **Specific objective 4.1:** *To strengthen the co-operation and coordination of relevant institutions and organisations that are competent for the prevention and combat against trafficking in human beings and assisting and protecting victims of trafficking in human beings.*
- **Specific objective 4.2:** *To strengthen strategic partnerships and the co-operation with the civil and private sector.*
- **Specific objective 4.3:** *To strengthen strategic partnerships on both the regional and international level.*

VII INDICATORS OF IMPACT

OPERATIONAL GOAL	INDICATOR OF IMPACT	
	INITIAL STATE	INDICATOR OF IMPACT
1.Improve preventive activities and the participation of all stakeholders at the state level in their implementation	Until now, no research was conducted on the level of knowledge of the general public on the phenomenon of human trafficking.	The initial value determined at the beginning of the implementation of the Strategy and the increased knowledge of the general public on trafficking in human beings by 10% by 2024
	In the period 2012-2018, there were 2815 calls to the SOS line for victims of trafficking in human beings	Increased number of calls to the national SOS line for victims of trafficking in human beings by 10% by 2024;
	In the period from 2012 - 2018 in three cases reports of the existence of a suspicion that this is a potential victim of human trafficking has not been addressed by the Police	The number of preliminary identification and referrals of trafficked persons by representatives of non-prosecuting authorities increased by 50% of cases by 2024
2. Enhance the identification of victims of trafficking in human beings and the quality of protection and assistance in their social reintegration	At the moment in Montenegro exists one service provider licensed to perform activities of social and child care for the accommodation service at the shelter (PI Children's Home "Mladost" in Bijela). There are three licensed service providers for the SOS phone service	Service providers in the field of social and child care are licensed to perform this activity in 100% of cases.
	At present, there is no established system for formal identification of victims of trafficking in Montenegro	A system for the formal identification of victims of trafficking in human beings was established and the assignment of the status of a victim of trafficking to persons on the basis of standardized forms in 100 per cent of cases by 2024
	In the period 2012 - 2018 a total of 15 investigations were conducted for CO trafficking in human beings.	Increased number of trafficking investigations conducted by 20 per cent by 2024

3. Strengthen the capacity of prosecuting authorities for trafficking in human beings, for the purpose of more efficient conduct of criminal and financial investigations.	<p>In the period from 2012-2018 the Police Directorate filed five criminal charges for the criminal offense of Trafficking in Human Beings</p>	<p>Increased number of filed criminal charges, 20 percent by 2024</p>
	<p>In the period from 2012-2018 there were no cases of financial along with criminal investigations</p>	<p>By 2024, minimum one financial investigation was conducted along with a criminal investigation</p>
	<p>There is an established system of collecting data on the number of criminal charges, indictments, judgments, number of potential victims and victims as well as the number of traffickers.</p>	<p>Improved data collection system upgraded to the standards set in the Sustainable Development and Tourism Strategy 2030 (analyzes made in relation to gender, age, citizenship of victims, perpetrators, schooling per 1000 inhabitants).</p>
4. Strengthen coordination and partnership between many different actors in this field, from all sectors of society at national and international level, and promote networking	<p>Montenegro has signed bilateral protocols / Memoranda on cooperation in the field of combating trafficking in human beings with three countries in the region.</p>	<p>Implementation of existing and signing bilateral Memoranda on cooperation with two other countries of the region by 2024.</p>
	<p>The goals of the Strategy 2012 - 2018 are implemented from the national level, without including the goals of the Strategy in the local strategic documents.</p>	<p>Ensure that at least 10 percent of the objectives of the Strategy 2019 - 2024 are implemented through local government activities in cooperation with local civil society organizations.</p>
	<p>The Working Group for Monitoring the Implementation of the Strategy for Combating Trafficking in Human Beings 2012-2018 as a key coordinating body has expired its mandate</p>	<p>The established monitoring mechanism of the Strategy for 2019-2024 has been strengthened in relation to the previous one in terms of the level and training of its members and ensured its functioning at full capacity during the period of implementation of this document.</p>
	<p>Montenegro is currently in group 2 on the 'Watch list' of countries under control in the State Department's report on state of play in trafficking in human beings.</p> <p>The European Commission's report on Montenegro also has a negative outcome in the part relating to the results achieved in the field of the fight against human trafficking;</p> <p>Within the framework of the II Round of Evaluation of the Council of Europe Convention on Trafficking in Persons by the group of experts in charge of monitoring its implementation, GRETA Montenegro received a total of 25 recommendations.</p>	<p>Montenegro is removed from the list of surveillance countries in the State Department report and is better ranked in the European Commission report on Montenegro.</p> <p>Reduced number of recommendations in the report of the expert body GRETA for a minimum of 20 percent by 2024.</p>

VIII BUDGET

The total estimated costs for the implementation of the Strategy for Combating Trafficking in Human Beings for the entire period of its implementation from 2019 to 2024 amount to around 1,085,000.00 euros.

Budget for the implementation of the Strategy for combating trafficking in human beings for the period 2019-2024 will be provided from the following resources:

- State budget funds allocated to each institution responsible for the implementation of the National Strategy, with programming on an annual basis; and
- Funds from international donors and pre-accession IPA funds;

IX IMPLEMENTATION, MONITORING, REPORTING AND EVALUATION

The implementation, monitoring and evaluation of the Strategy will be based on the cooperation of all institutions involved in the planning and implementation of the Strategy.

Implementation of the Strategy. Strategy will be implemented by state institutions which are defined as holders of the implementation of the strategic objectives. Responsibility for coordination and implementation of the Strategy belongs to the Ministry of Interior ie. the National Office for Fight against Trafficking in Human Beings; the Ministry of Interior will, through the National Office for Fight against Trafficking in Human Beings, among other things, coordinate the activities of the relevant bodies of public administration, international and non-government organizations in order to unite all positive efforts in the fight against human trafficking in Montenegro, as envisaged by this Strategy.

Monitoring and reporting - Every institution that is defined as the holder of certain goals of the Strategy will nominate one representative each (at a high level) which will actively participate in the National Working Group for Monitoring the Implementation of the Strategy for Combating Trafficking in Human Beings 2019-2024. A representative to the non-governmental sector will be included in this body as its full member. Also, representatives of international partners who conduct missions in Montenegro and are active partners of the state in the implementation of activities in this plan will be involved in the work of this body in the capacity of the observer (OSCE, IOM, UNICEF, US Embassy, EU Delegation). This body will prepare annual monitoring reports that will present the manner in which the tasks are fulfilled taken over by the Action plans for the implementation of the National Strategy, which will be submitted to the Government for adoption. The National Office for Fight against Trafficking in Human Beings will prepare a unique reporting form for all partners also preparing the analysis of the Strategy implementation on an annual basis.

It will be considered the possibility of introducing additional independent mechanisms to oversee activities in fight against trafficking in human beings, including the possibility of establishing the National Rapporteur.

Strategy evaluation - At the end of the implementation period of the Strategy, a post-implementation evaluation will be carried out.

X TERMS USED IN THIS STRATEGY

For the purposes of this Strategy:

Trafficking in Human Beings: According to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (2000), ‘trafficking in human beings’ means the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation involves, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; Article 3(a).

Recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be deemed a ‘trafficking in persons’, even if it does not include any of the means referred to in subparagraph (a) of this Article; Article 3 (c).

Children: persons under 18 years of age; Article 3 (d)⁷⁸.

Smuggling of migrants shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident; Article 3 (a)⁷⁹.

The victim of trafficking in human beings refers to any person who is the subject of trafficking in human beings, in accordance with the above definition;

A potential victim of trafficking refers to any person who the authorities / organizations responsible for initial identification consider to have been victims of trafficking.

Exploitation shall refer to the purpose of human trafficking and include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.⁸⁰

Child marriage is a formal marriage or an informal community of persons under 18 years⁸¹

Gender refers to the differences between women and men within and between cultures that are socially and culturally constructed and change over time. These differences are reflected in roles, responsibilities, access to resources, constraints, opportunities, needs, perceptions, views, etc. of women and men. Therefore, gender is not synonymous with women, but it also applies to women and men and their mutual relations⁸².

78 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime (2000), [Article 3 (a)]

79 UN Protocol against the Smuggling of Migrants by Land, Sea or Air, amending the UN Convention against Transnational Organized Crime(2000).

80 Directive 2011/36/EU.

81 UNICEF, Ending child marriage, progress and prospects

82 Caroline Moser, Gender planning and development: Theory, Practice and Training, 1993.

ANNEX 1

LIST OF INDICATORS TO IDENTIFY VICTIM OF TRAFICKING (VOTs) ⁸³

Investigators should have access to a simple handbook with these indicators and a checking column with a “yes” or “no” answer. It must be added as a piece of investigative procedure when given to the prosecutor. It will enable justice to check that victims of THB have been really examined.

Each identification interview must include relevant informations such as:

Indicators of victims of trafficking common to all forms of exploitation:

- the age
- the accomodation habits (where do they live, where do they eat, how do they pay?)
- Needy condition for various reasons (economic, family, discrimination)
- Deception about working and/or living conditions
- Specific methods of transport and arrival (in group and without knowing each other, following pre-established routes, having different reference persons in the various phases, etc.)
- Subjugation to traffickers (for trust, fear of threats and/or physical or psychological violence)
- Deprivation of self-determination capacity (in terms of movement, working conditions and hours, choice of accommodation, interpersonal relations, ability to turn to authorities, etc.)
- Isolation as regards communication (taking away/deprivation of means of communication)
- Unavailability of identity documents (due to lack/deprivation) or availability of forged documents
- Total or partial withholding of the money earned (debt bondage)
- Reticence and/or inconsistent/contradictory statements
- Vulnerability and exploitation linked to irregular presence on the national territory concerned
- Vulnerability through not knowing the language and the laws of the country of destination
- Vulnerability and exploitation following threats of retaliation against the victim’s relatives, also in the event of reporting to the authorities
- False statements of legal age to avoid measures to protect minors
- Availability of counterfeit documents
- Obligation to lodge in a given place
- Deprivation of freedom of movement throughout the working day, with impossibility of leaving the work place
- Continuous monitoring during the working day (also through video-surveillance systems) and leisure time_

⁸³ TAIEX Expert Mission on Prevention of Trafficking in Human Beings: Identification, Investigation and Prosecution ID: JHA IND / EXP 65477, 26-30 March 2018)

Indicators of victims of trafficking for sexual exploitation

- Trauma
- Cultural conditioning
- Isolation, uprooting
- Being convinced of being unable to abandon prostitution for various personal or social reasons
- Impossibility of avoiding prostitution even if in unfavourable physical conditions (pregnancy, illness, unprotected sex)
- Existence of a loving relationship with the trafficker
- Recurring reports of minors prostituting themselves
- Availability of counterfeit documents proving the existence of (fictitious) kinship relations between victims and traffickers
- Forced marriages and marriages of convenience with citizens of the destination States

Indicators of victims of trafficking for labour exploitation

- Large number of immigrants in the place of accommodation
- Large numbers living at the place of work
- Obligation to lodge in a given place
- Deprivation of freedom of movement throughout the working day, with impossibility of leaving the work place
- Continuous monitoring during the working day (also through video-surveillance systems) and leisure time
- Impossibility of exercising fundamental freedoms, including trade-union freedoms, in the workplace, and of benefiting from the envisaged welfare and social security guarantees
- Not knowing the identity of employers/guards and knowing only their fictitious names
- Frequent transfers in the national territory
- Legal and economic working conditions considerably below the minimum standards laid down by legal contractual rules
- Forced labour in seriously unsafe/unhealthy places, impossible/difficult access to health services
- Impossibility of choosing an employer and negotiating working conditions and wages
- Partial deprivation of wages (due to unreasonable deductions, failure to comply with collective agreements, payment of the “debt bondage”)
- Acceptance of work arrangements enforced by means of violence, threat or intimidation
- Possible punishment at work, including the use of violence
- Possible (sexual or non-sexual) violence for the purpose of subjugation and control
- Fictitious possession of bank accounts which are used by the traffickers
- Obligation to pay the employer or pay for work permit to get the job

Indicators of victim of trafficking for other types of exploitation (begging, perpetration of criminal activities, trafficking in organs)

- Daily forced employment in criminal activities (bag-snatching, pickpocketing, burglary, vehicle theft, shoplifting, drug pushing) for several hours during the day
- Forced hospitalisation
- Forced cohabitation, sometimes also paying
- Impossibility of living and moving autonomously
- Presence of a “controller”
- Forced begging for several hours each day, inter alia to pay the debt bondage for the travel
- Vulnerability due to disability or other psychological or physical condition of inferiority (for instance, pregnancy) for the purpose of begging
- Vulnerability for being a member of a minority for the purpose of begging and/or perpetrating illegal activities
- Reports of non-compliance with compulsory education laws for under-age victims
- Recurring reports of minors involved in begging and/or illegal activities
- Illegal international adoption of foreign minors
- Extreme poverty or conditions of need

ANNEX 2

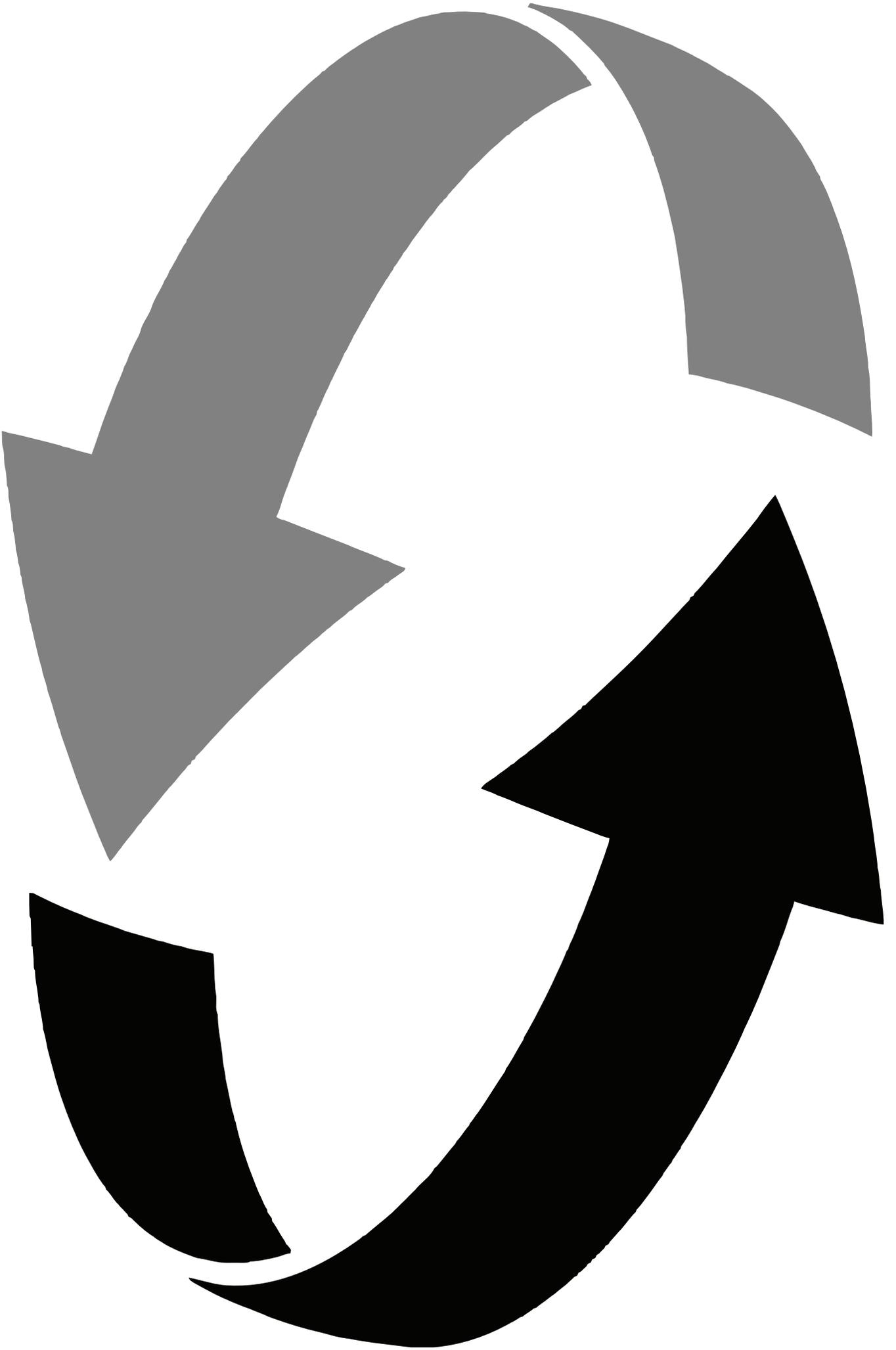
Signed bilateral agreements and protocols on combating trafficking in human beings and smuggling of illegal migrants

1. Memorandum between the Government of Montenegro and the Government of the Republic of Macedonia on Cooperation in the Field of Fight against Trafficking in Human Beings, signed on July 20, 2018⁸⁴.
2. The Protocol between the General Secretariat of the Government / Office for Fight against Trafficking in Human Beings and the Ministry of Interior of the Republic of Albania on strengthening cooperation in the fight against human trafficking and enhanced identification, reporting, referral and voluntary assisted return of victims / potential victims of human trafficking, signed December 9 2014.⁸⁵
3. Protocol between the General Secretariat of the Government of Montenegro, the Office for Fight against Trafficking in Human Beings and the Ministry of the Interior of the Republic of Kosovo - the Office of the National Coordinator for Combating Trafficking in Human Beings on cooperation in the fight against human trafficking⁸⁶
4. Memorandum between the Government of Montenegro and the Government of the Republic of Cyprus on Cooperation in the Fields of Combating Terrorism, Organized Crime, Unauthorized Sale of Narcotic Drugs, Psychotropic Substances and Precursors, Illegal Migration and Other Crimes, signed on March 20, 2015
5. Memorandum between the Government of Montenegro and the Government of the Republic of Slovenia on cooperation in the fight against organized crime, human trafficking and illegal migration, trafficking of illicit drugs and precursors, terrorism and other forms of crime, signed on October 13, 2006.
6. Memorandum between the Government of the Republic of Montenegro and the Council of Ministers of Bosnia and Herzegovina on cooperation in the fight against terrorism, organized crime, illegal trafficking in narcotic drugs, psychotropic substances and precursors, illegal migration and other criminal offenses, signed on September 7, 2007.
7. Memorandum between Montenegro and the Republic of Macedonia in the field of cooperation in the fight against terrorism, organized crime, illegal trafficking in narcotic drugs, psychotropic substances and precursors, illegal migration and other criminal offenses, signed June 10, 2003.

84 The text of the Memorandum is available at: <http://www.antitrafficking.gov.me/kancelarija/projekti/195643/Sporazum-o-saradnji-u-oblasti-borbe-protiv-trgovine-ljudima-Crna-Gora-Makedonija.html>

85 The text of the Protocol is available at: <http://www.antitrafficking.gov.me/kancelarija/projekti/195644/Protokol-o-saradnji-u-borbi-protiv-trgovine-ljudima-Crna-Gora-Albanija.html>

86 The text of the Agreement is available at: <http://www.antitrafficking.gov.me/kancelarija/projekti/195642/Protokol-o-saradnji-u-borbi-protiv-trgovine-ljudima.html>





ACTION PLAN FOR THE IMPLEMENTATION OF THE STRATEGY FOR COMBATING TRAFFICKING IN HUMAN BEINGS FOR THE PERIOD 2019

Podgorica, February 2019.

I Strategic area

1. Prevention of Human Trafficking

Key measure: 1 Improve preventive activities and involvement of all actors at the state level in their implementation

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
1.1.1. Accredite the program and organize training for teachers in relation to the prevention of human trafficking with a focus on recruiting phase, as well as possible forms of exploitation	Ministry of Education-Bureau for Education Services, MOI-National Office for Fight against Trafficking in Human Beings	IV quarter	-accredited Training of teachers Programme for 2019; -One one-day training at time realized for teachers from the North, Central and South region	2,000.00 € (Budget)
1.1.2. Accredite the Program and organize training of teachers on topic "Fight against early and arranged marriages, human trafficking and forced begging" with the Bureau for Education Services	Ministry of Education, Bureau for Education Services, MOI-National Office for Fight against Trafficking in Human Beings	IV quarter	-accredited program for 2019; -two two-day trainings for teachers from the Northern, Central and South region were realized -realized activities aimed at strengthening the resistance of the student population in relation to trafficking in human beings	2,000.00 € (Budget)
1.1.3. Revise the program and implement training for the Officers of the Criminal Police Sector in charge of combating human trafficking which will be based on analysis of concrete cases from practice	MOI-Police Directorate	IV quarter	Revised and adopted Program Four trainings realized	2,000.00 € (Budget)

<p>1.1.4. Organize trainings for police representatives in view of proactive identification of trafficking cases, as well as of victims referral to appropriate services for assistance</p>	<p>Ministry of Interior, Police Directorate</p>	<p>IV quarter</p>	<p>A harmonized training program for Police representatives with the Police Academy intended for:</p> <ul style="list-style-type: none"> - Officials of the Border Police Sector (4 trainings) - Officials of the General Jurisdiction Sector (4 trainings); - Officials of the Personal and Property Security Sector (4 trainings) 	<p>6,000.00 € (Budget)</p>
<p>1.1.5. Realize practical tuition for Police Academy students on human trafficking</p>	<p>Ministry of Education -Police Academy</p>	<p>I quarter</p>	<p>20 classes for students realized;</p>	<p>500.00 € (Budget)</p>
<p>1.1.6. Innovate and implement the joint Police, Prosecution and Judiciary Training Program which will be based on work with specific cases from practice</p>	<p>The Centre for Training in Judiciary and State Prosecution</p>	<p>II quarter IV quarter</p>	<ul style="list-style-type: none"> - An innovative training program - One advanced training course realized 	<p>2,000.00 € (Budget)</p>
<p>1.1.7. Develop and implement a training program for conducting financial investigations for police officers and prosecutors</p>	<p>Center for Training in Judiciary and State Prosecution ; Supreme State Prosecution Office, Police Directorate</p>	<p>II quarter IV quarter</p>	<ul style="list-style-type: none"> -Developed training program for conducting financial investigations for police officers and prosecutors -Two training sessions were carried out 	<p>5,000.00 € (1,000–budget, 4,000-funds defined at EU level for managing the problem of human trafficking and conducting activities in the fight against trafficking in human beings</p>

1.1.8. Implement multisectoral training of representatives of different institutions on possibility of identification and referral of victims of human trafficking	Human Resources Management Authority, MOI-National Office for Fight against Trafficking in Human Beings	II and IV quarter	-Three multisectoral training sessions realized bringing together representatives of all institutions involved in identification and protection of human trafficking victims (for north, central and south region)	1,500.00 € (Budget)
1.1.9. Conduct training for the representatives of the Ministry of Foreign Affairs (officers referring to DCR) on the role of the Diplomatic Consular Representation in fight against human trafficking	Human Resources Management Authority, Ministry of Foreign Affairs, MOI-National Office for Fight against Trafficking in Human Beings	II quarter	-One one-day training sessions realized for representatives to the Ministry of Foreign Affairs who are referring to the duties of Montenegro DCR around the world.	200.00 € (Budget)
1.1.10. Train Healthcare representatives on the topic 'Role of Healthcare workers in the fight against human trafficking'	Ministry of Health, Human Resources Management Authority and MOI- National Office for Fight against Trafficking in Human Beings	IV quarter	-Six trainings realized: two for northern, two for central and two for south region	3,000.00 € (Budget)
1.1.11. Realize training for representatives to the local parliaments on topic 'Strengthening awareness on human trafficking at local level'	Human Resources Management Authority, MOI-National Office for Fight against Trafficking in Human Beings	II quarter	Three one-day training sessions realized for representatives to the local parliaments from central, north and south region	1,500.00 € (Budget)
1.1.12. Realize training for representatives of military forces of the Army of Montenegro referring to the peacekeeping missions	Ministry of Defence and MOI-National Office for Fight against Trafficking in Human Beings	I and III quarter	-Two trainings realized for representatives of armed forces referring to peacekeeping missions abroad.	500.00 € (Budget)
1.1.13. Conduct trainings on topic 'Fight against early and arranged marriages, human trafficking and forced begging' intended for professionals employed in Centers for Social Work	Institute for Social and Child Protection	III quarter	-Number of conducted trainings for social workers	4,000.00 (Budget)

Key measure 1.2: Continue raising awareness in all segments of society and support efforts to reduce demand for victims of trafficking services

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
1.2.1. Organize a meeting with media representatives on the role of media in the fight against human trafficking	Ministry of Culture, MOI-National Office for Fight against Trafficking in Human Beings	Once a year	-Realized meeting with media representatives	300.00 € (Budget)
1.2.2. Conduct educational and informative campaigns through RE population settlements on the issue of trafficking in human beings/children, arranged child marriages and begging	Ministry of Human and Minority Rights	III and IV quarter	-Lectures held and propaganda material distributed for representatives of the RE population in 10 municipalities	3,000.00 € (Budget)
1.2.3. Design and conduct campaign to reduce demand for victim services and promote SOS Hot-line to assist potential victims and victims of human trafficking	MOI-National Office for Fight against Trafficking in Human Beings	III quarter	-Campaign conducted on the territory of the whole country	1,500.00 € (Budget)
1.2.4. Organize and carry out research on the level of knowledge of school age children on the phenomenon of trafficking through student survey 1.2.5. Organize and carry out research on the level of knowledge of the general public on the phenomenon of trafficking through the survey of a general population	Ministry of Education, Bureau for Education Services MOI-National Office for Fight against Trafficking in Human Beings	I quarter I quarter	-Conducted survey of primary, and secondary school students on the level of knowledge about the phenomenon of trafficking in human beings; -An analysis of obtained data was performed -Conducted survey of general population on the level of knowledge about the phenomenon of trafficking in human beings; -An analysis of obtained data was performed	1,500.00 € (Budget) 1,500.00 € (Budget)

Key measure 1.3: Reduce the sensitivity of vulnerable groups through support projects for their empowerment

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
1.3.1. Creating multilingual materials on rights and available assistance services for human trafficking victims	Ministry of Interior, Ministry of Labor and Social Welfare, Ministry of Human and Minority Rights, Supreme Court, Supreme State Prosecution	IV quarter	Developed and distributed material	1,000.00 € (Budget)
1.3.2. Realize workshops with asylum seekers and illegal migrants on the risks and mechanisms of protection in relation to human trafficking	MOI – National Office for Fight against Trafficking in Human Beings, Red Cross of Montenegro	Continually,/as needed	-Number of realized workshops	2,000.00 € (Donation)
1.3.3. Design and implement the project for training the Roma mediators and peer educators on the risks of sexual and economic exploitation	Ministry of Education, Ministry of Human and Minority Rights	Continually	- Realized Project / Trained Roma mediators and peer educators on the risks of sexual and economic exploitation	5,000.00 € (Budget)

Key measure 1.4: Improving the data collection system as well as conducting research on changing trends in human trafficking

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
1.4.1. Continuous monitoring and analysis of phone calls to the SOS hot-line for victims of trafficking	MOI-National Office for Fight against Trafficking in Human Beings	Continually	-On a daily basis, the SOS call registration to the SOS hot-line by structure and number; -semi-annual analysis prepared in terms of graphical representation to the number and structure of the calls, etc.	No additional budgetary resources are needed

Key measure 1.5: Improve knowledge on the risks and consequences of child pornography and other forms of sexual exploitation as well as child abuse through information and communication technologies.

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
1.5.1. Organize information sessions in schools for students about the risks of child pornography and other forms of sexual exploitation as well as child abuse through information and communication technologies.	Ministry of Education, Ministry of Interior, Ombudsman	Continually	Number of organized information sessions	1,500.00 € (Budget)

Strategic area 2. Protection of Human Trafficking Victims

Operational objective 2: Improve the identification of victims of trafficking in human beings and the quality of protection and assistance in the social reintegration

Key measure 2.1: Improve identification of victims and potential victims of trafficking among vulnerable groups

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
2.1.1. The staffing of the Department for suppressing human trafficking, smuggling and illegal migration with special emphasis on the women representation. 2.1.2. Establish a Team for the Formal Identification of Trafficking Victims	Police Directorate Ministry of Interior, Ministry of Labour and Social Welfare, Police Directorate	Continually I quarter	-Number of a newly employed persons -Team was established	20,000.00 € (Budget) No financial resources are required
2.1.3. Develop and organize training to strengthen the capacity of a professional team for the formal identification of victims of trafficking	Ministry of Interior (MOI) –National Office for Fight against Trafficking in Human Beings, Police Directorate	IV quarter	-Number of organized trainings	3,000.00 € (Donations)
2.1.4. Carry out operational actions to identify potential victims of trafficking	Police Directorate	Continually	-Number of realized controls, -number of established cases, -number of identified potential victims	No financial resources are required
2.1.5. Inspection control in the field of labor, on the suppression of illegal work and human trafficking for the purpose of labor exploitation	Administration for Inspection Affairs	Continually	-Number of performed inspection controls; -number of identified (potential) victims	No financial resources are required
2.1.6. Conduct joint police controls and inspection services intensifying them during the summer tourist season	Police Directorate, Administration for Inspection Affairs	Continually	-Number of realized joint controls -number of identified potential victims	No financial resources are required

Key measure 2.3: Improve the quality of protection and assistance to the victims of trafficking in their social reintegration

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
2.3.1. Sign the Agreement on Mutual Cooperation with the Employment Agency	Employment Agency of Montenegro, MOI- National Office for Fight against Trafficking in Human Beings	II quarter	-Agreement on Mutual Cooperation signed	Financial resources are not required
2.3.2. Develop sustainable models of improving the reintegration programs for victims of trafficking	MOI-National Office for Fight against Trafficking in Human Beings	III quarter	-five reintegration models that could be implemented in our country have been determined	4,000.00 € (Donations)
2.3.3. Continue financing of the Shelter for victims of trafficking in accordance with the Law on social and child protection	MOI-National Office for Fight against Trafficking in Human Beings	Continually	-Amount of allocated funds and smooth operation of the Shelter guaranteed	39,000.00 € (Budget)
2.3.4. Participate in financing of a licensed Shelter for victims of trafficking in human beings	Ministry of Labor and Social Welfare	Continually	Number of victims –Shelter service recipients	4,000.00 € (Budget)

Key measure 2.4: Improve the protection of victims during criminal proceedings with special emphasis on children

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
<p>2.4.1. Realize training for representatives to the services for support of damaged parties established within Courts and Prosecution Offices dealing with human trafficking cases, on the manner and models for providing support, specific needs and condition of the victims</p> <p>2.4.2. Identify Security Centres, Security Departments, Prosecutor's Offices and Courts that need Child/Friendly Rooms for Child Victims of Trafficking in Human Beings and raise an initiative for the projects related to those room equipping</p>	<p>Supreme Court, Supreme State Prosecution Office, Centre for Training in Judiciary and State Prosecution</p> <p>Supreme Court, Supreme State Prosecution Office, Police Directorate</p>	<p>Once a year</p> <p>III quarter</p>	<p>-Specific training realized for all appointed members of witness support services, damaged and victims of human trafficking</p> <p>-Identified number of Security Centres, Security Departments, Prosecutor's Offices and Courts for establishing 'child friendly rooms', and commenced negotiations with partners for their realizations</p>	<p>5,000.00 € (Donation)</p> <p>3,000.00 € (Donation)</p>

Strategic area 3. Response of the criminal justice / criminal prosecution

Operational objective 3: Strengthen capacities of the criminal prosecution bodies in human trafficking to efficient criminal and financial investigation

Key measure 3.1: Provide a more proactive approach to police and prosecutorial action to combat all forms of human trafficking

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
3.1.1. Strengthen surveillance of the security interest objects and persons in relation to sexual exploitation through raids, checks and other operational activities	Police Directorate, Supreme State Prosecution Office	Continuously	Number of conducted raids, controls and other operational actions and prepared reports	5,000.00 euros (Budget)
3.1.2. Increase the number of conducted actions of suppressing begging	Police Directorate	Continuously	Number of relized actions in comparison to the previous year	Financial resources are not required
3.1.3. Enhanced border control in relation to the potential victims of human trafficking through regular police work	Police Directorate	Continuously	Number of carried-out controls and number of identified potential victims of trafficking during performed controls	Financial resources are not required
3.1.4. Conduct trainings for representatives of the Operational Team for investigation and prosecution of the trafficking cases	Center for Training in Judiciary and State Prosecution	III quarter	Specialized training was conducted for the representatives of the Operational team for the investigation and processing of cases of trafficking in human beings	2,000.00 euros (Donation)

Key measure 3.2. Develop links between Montenegro law enforcement agencies and european agencies like Europol and Eurojust in order to develop practices of police and judicial cooperation in compliance with EU standards

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
3.2.1. Taking part in the international and regional projects with the focus on identification of human trafficking victims and suppression all forms of human trafficking.	Police Directorate	Continuously	Number and type of international and regional projects Number of common actions	1,000.00 euros (Budget)

Specific objective 3.3: Ensure the operationalization of joint investigations teams through the initiation of investigations and joint training activities

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
3.3.1. To conduct joint investigations with the countries of origin, transit and destinations by establishing joint investigation teams when the legal requirements are met	Police Directorate, State Prosecution Office	Continuously	Number of conducted joint investigations/ number of identified victims	1,000.00 euros (Budget)

Key measure 3.4. Strengthen capacities of the judiciary in order to achieve effective criminal prosecution and more effective identification and confiscation of assets acquired by criminal activity

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
3.4.1. Analysis of court practice in cases of human trafficking	Supreme Court	IV quarter	-Case analysis and recommendations defined	2,500.00 euros (Budget)

Strategic area 4. Partnership, coordination and international cooperation

Operational objective 4 : Strengthen coordination, and partnership among numerous and various actors in this field, from all sectors of society at national and international level and promote networking

Key measure 4.1.: Strengthen cooperation and coordination of relevant institutions and organizations in charge of prevention and combating trafficking in human beings and providing assistance and protection to victims of human trafficking

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
<p>4.1.1. Re-appointment of the composition of the Working group for monitoring the Strategy for combating trafficking in human beings 2019 -2024.</p> <p>4.1.2. Amend the Rules of Procedure of the Working Group for monitoring Strategy for combating trafficking in human beings 2019 -2024.</p> <p>4.1.3. Hold regular meetings of the Working Group for monitoring implementation of the Strategy for combating trafficking in human beings</p>	<p>MOI-National Office for Fight against Trafficking in Human Beings</p> <p>Working Group for monitoring implementation of the Strategy for combating trafficking in human beings</p> <p>MOI – National Office for Fight against Trafficking in Human Beings, and other implementers of Strategic objectives</p>	<p>I quarter</p> <p>I quarter</p> <p>Quarterly</p>	<p>Adopted decision on establishing of the Working Group for monitoring the implementation of the Strategy</p> <p>Adopted amended Rules of Procedure of the Working Group</p> <p>Held quarterly meetings of the Working group</p>	<p>Financial resources are not required</p> <p>Financial resources are not required</p> <p>Financial resources are not required</p>
<p>4.1.4. Revise the Memorandum on mutual cooperation between institutions and NGOs in combating trafficking in human beings</p> <p>4.1.5. To hold meetings of the Coordination Team for the protection of the victims</p>	<p>MOI-National Office for Fight against Trafficking in Human Beings</p> <p>Coordination Team for the protection of the victims of human trafficking</p>	<p>IV quarter</p> <p>Semi-annually, and if necessary</p>	<p>-Revized and signed Memorandum on mutual cooperation</p> <p>Number of held meetings of the Coordination Team for monitoring the implementation of the Memorandum on mutual cooperation</p>	<p>Financial resources are not required</p> <p>Financial resources are not required</p>

Key measure 4.2: Strengthening strategic partnerships and cooperation with private and civil sector

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
4.2.1. Conducting joint activities on raising public awareness	MOI-National Office for Fight against Trafficking in Human Beings, NGOs and International Organizations	Continually	-Number of preventive activities realized in cooperation with NGOs and International organizations	1,500.00 euros (Budget)
4.2.2. Provide funds from line ministries for funding NGOs within which focus is the fight against trafficking in human beings	All stakeholders	Continually	-Number, description and amount of funds allocated for NGO projects dealing with trafficking in human beings	5,500.00 euros (Budget)
4.2.3. Raise initiative with a local government to create opportunities for granting small grants to local NGOs for the implementation of projects related to the fight against trafficking in human beings	MOI-National Office for Fight against Trafficking in Human Beings, local self-governments		-Initiative directed to the local governments	Financial resources are not required
4.2.4. Organize workshops for representatives of companies active in tourism industry on the application of the Code of Conduct for the Protection of Children against Sexual Exploitation in Travel and Tourism	Ministry of Sustainable Development and Tourism, MOI-National Office for Fight against Trafficking in Human Beings	Continually II quarter	-conducted three one-day workshops for tourist workers on protection of children from sexual exploitation in travel and tourism	1,500.00 euros (Budget)
4.2.5. Organize meetings with hotel management in order to better apply the Code of Conduct for the Protection of Children against Sexual Exploitation in Travel and Tourism	Ministry of Sustainable Development and Tourism, MOI - National Office for Fight against Trafficking in Human Beings	Continually	- Number of meetings held for the northern, central and southern regions	Financial resources are not required

Key measure 4.3: Strengthening strategic partnerships at the regional and international level

Activity	Responsible Authorities	Implementation Period	Indicator of success	Financial assessment
4.3.1. Conducting joint campaign for four countries in the region (Montenegro, Albania, Kosovo and Macedonia) to raising awareness of the general public on the phenomenon of trafficking in human beings	MOI-National Office for Fight against Trafficking in Human Beings	IV quarter	-Realized campaign	3,000.00 € (Donation)
4.3.2. Active participation of all implementers of Strategic activities at regional and international meetings	All implementers	Continuously	-Number of concluded Memoranda on cooperation in the field of fight against trafficking in human beings -number of realized joint projects -number of representatives -number of participation in international meetings -increased awareness among the international public of the activities of Montenegro that are investing in the fight against human trafficking	20,000.00 € (Budget)
4.3.3. Carry out activities to ensure the quality implementation of signed bilateral protocols / memoranda on cooperation (Kosovo, Macedonia, Albania)	MOI-National Office for Fight against Trafficking in Human Beings	IV quarter	-number and type of realized activities	2,000.00 € (1,000. budget,1,000 donation)

