



REPUBLIC OF SERBIA
PROTECTOR OF CITIZENS
Belgrade



Protector of Citizens
Ombudsman

1ST REPORT OF THE PROTECTOR OF CITIZENS
- NATIONAL RAPPORTEUR
ON HUMAN TRAFFICKING FOR 2023

Belgrade, 30th July 2024

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1. FOREWORD

To whom it may concern,

The Protector of Citizens of the Republic of Serbia presents the 1ST Report of the National Rapporteur on Human Trafficking. According to the Law on the Protector of Citizens¹, this independent state authority of constitutional rank is also recognized as the National Rapporteur on Human Trafficking².

Human trafficking is a serious global problem that requires coordinated efforts at the national, regional and international levels, and it is clear why the legislator recognized the institutional capacity and credibility of the Protector of Citizens, assigning this independent state body the competence of the National Rapporteur.

The 1ST Report of the National Rapporteur provides an overview of the activities of all relevant actors in the area of human trafficking, that is, it maps the situation and challenges in this area³. As the proactive approach of the National Rapporteur is of key importance for the further improvement of the situation in the area of Human Trafficking, this report also contains recommendations for improving the situation. The recommendations are aimed, primarily, at strengthening the capacity and improving the practice and actions of the competent authorities in order to achieve a more effective protection of victims of human trafficking, raise awareness of the general and professional public about the seriousness of the problem of human trafficking, inform the victims of human trafficking about their rights, available protection mechanisms and services, as well as to strengthen the coordination and cooperation between different actors in the area of human trafficking. At the same time, we recognized that the largest number of victims of human trafficking are children, both at the international level and in the Republic of Serbia, who are still the most vulnerable and sensitive victim category.

¹ "Official Gazette of RS", No. 105/2021.

² Hereinafter, the National Rapporteur.

³ The Protector of Citizens is not responsible for the accuracy of the data specified in the report, which were submitted by stakeholders to whom the act with the National Rapporteur's questionnaire was sent in order to collect data for the preparation of the report. At the same time, the views of the stakeholders presented in the report do not necessarily represent the views of the Protector of Citizens.

Combating human trafficking requires joint work and coordination of all relevant actors. The national rapporteur has proved to be a necessary interlocutor and constructive authority in this dynamic and challenging process. The opinion of the national rapporteur is that through cooperation with state authorities, associations and international organizations, it is possible to achieve concrete results in the suppression of human trafficking, either as a criminal offence or as a general social and humanitarian danger that destroys individuals, families and society as a whole.

The cooperation of the National Rapporteur with the Government of the Republic of Serbia and the judiciary is an essential element in successfully combating this crime. A multidisciplinary approach enables comprehensive systemic problem solving, starting from identification, through providing support and protection to victims, all the way to criminal prosecution, prosecution of perpetrators and the creation of more effective prevention policies.

The establishment of the National Rapporteur, together with the appointment of the members of the Council for Combating Trafficking in Human Beings and the appointment of the National Coordinator, represents significant progress in the institutional response of the Republic of Serbia to this global challenge.

The activities and initiatives undertaken in the Republic of Serbia show determination and commitment to combating human trafficking, but also remind us of the importance of adapting to current challenges and needs. Despite the progress achieved by all relevant stakeholders in the area of human trafficking in the Republic of Serbia during 2023, it is necessary to further engage in strengthening the legal and institutional framework, above all in terms of passing a systemic law that will comprehensively regulate the area of human trafficking.

Zoran Pašalić, MSc
Protector of Citizens

2. INTRODUCTION

During 2023, specific activities were undertaken in the Republic of Serbia with the aim of strengthening the institutional and legal framework in the area of Human Trafficking. A Decision on amendments to the Decision on the establishment of the Council for Combating Trafficking in Human Beings was adopted, new members of the Council for Combating Trafficking in Human Beings were appointed and the first session since 2019 was held. The coordination of activities in the fight against human trafficking was additionally improved by the appointment of a national coordinator for combating human trafficking, but the issues related to its competences, the manner of functioning, obligations and other aspects were not further regulated. Work has begun on the adoption of a new planning document in the area of combating human trafficking with an accompanying action plan, which was adopted after the reporting period.

During the reporting period, the Ministry of Interior discovered 21 criminal acts of human trafficking under Article 388 of the Criminal Code and 37 perpetrators of the criminal act. All 37 perpetrators are citizens of the Republic of Serbia. 39 victims of the crime of human trafficking were discovered, of which 36 are citizens of the Republic of Serbia, and three are foreign citizens. The fact that minor victims make up 50% of the total number of detected cases is worrying, and this number is twice as high compared to 2022.

In 2023, the competent public prosecutor's offices received reports against 52 persons for the criminal act of human trafficking. The order to conduct the investigation was issued against 37 persons, and 33 persons were indicted. According to information from the General Public Prosecution, a total of 37 persons were injured by the criminal act of human trafficking, and the status of particularly vulnerable witness was granted to 30 persons.

Higher public prosecutor's offices indicate that better technical conditions would contribute to more efficient prosecution of this criminal offence, as well as a greater number of specialized public prosecutors. It is necessary to continue improving the practice regarding the right of the victim to obtain compensation for damages in criminal proceedings and the application of the provision on non-punishment of victims for their participation in illegal activities, in accordance with Article 26 of the Convention on Action against Trafficking in Human Beings of the Council of Europe⁴.

⁴ Law on the Ratification of the Convention on Action against Trafficking in Human Beings ("Official Gazette of RS - International Agreements", No. 19/09).

In 2023, competent courts received 82 cases related to the criminal act of human trafficking. The total number of accused persons in 2023 is 98, and a total of 75 cases have been resolved.

During 2023, the Centre for Human Trafficking Victims' Protection formally identified 66 victims of human trafficking, of which 57 victims were exploited on the territory of the Republic of Serbia. The Republic of Serbia is the country of origin of 60 victims identified by the Centre for Human Trafficking Victims' Protection. The Centre's data on formally identified victims is also alarming, bearing in mind that 62% of the identified victims are children, of which 44% were exploited while attending school, and 15 of them did not attend compulsory elementary education during the period of exploitation. During 2023, the Centre for Human Trafficking Victims' Protection received a total of 168 reports, and the identification procedure was initiated for 137 cases.

The largest number of formally identified victims of human trafficking were exploited in the form of forced begging, followed by sexual exploitation and labour exploitation. The victims were repeatedly exploited, they were forced to marry and to commit criminal acts. The vast majority of victims are persons without real estate, without employment and any regular income, most often with acquired elementary education. During 2023, a total of 14 beneficiaries used the services of the Shelter for Victims of Human Trafficking, which is the largest number of beneficiaries since the establishment of the Shelter.

In the reporting period, relevant associations were included in the support for 32 victims of human trafficking, with the consent of the victims. The associations provided support through the provision of material support, translators, legal assistance, psychotherapeutic assistance, accommodation, support for inclusion in the labour market.

During 2023, relevant actors in the area of human trafficking undertook activities aimed at preventing human trafficking, and further strengthening of their capacities continued. A large number of workshops, trainings, seminars and gatherings were organized at the national and international level. In a large number of cases, these activities were realized in cooperation with international organizations and relevant associations as active partners.

Activities were also undertaken by a small number of active local teams for combating human trafficking. The concrete activities of the local teams in Novi Sad, Subotica, Sremska Mitrovica and Pančevo show their readiness and engagement in combating human trafficking.

The topic of human trafficking during 2023 was not sufficiently represented in the media, except when reporting on the commemoration of certain events.

3. INSTITUTIONAL FRAMEWORK IN THE AREA OF HUMAN TRAFFICKING IN THE REPUBLIC OF SERBIA

The Council for Combating Trafficking in Human Beings, as an expert advisory body of the Government of the Republic of Serbia, was established to coordinate national and international activities in combating human trafficking, to consider the reports of relevant authorities of the international community on human trafficking, take positions and propose measures for the implementation of recommendations by international authorities in combating human trafficking, to monitor and evaluate progress in the implementation of national strategic documents in the area of combating human trafficking, to harmonize the actions of competent state institutions that are of importance for combating human trafficking and to propose measures for solving the identified problems and engaging the necessary resources. The Minister of Interior was appointed to the Council as the President of the Council, and the Minister of Finance, the Minister of Labour, Employment, Veteran and Social Affairs, the Minister of Health, the Minister of Justice and the Minister for European Integration were appointed as members.

The Protector of Citizens carries out the tasks of the National Rapporteur on Human Trafficking in accordance with the Law on the Protector of Citizens⁵. Pursuant to Article 29, item 4 of the Law on the Ratification of the Convention on Action against Trafficking in Human Beings of the Council of Europe⁶, the National Rapporteur is a mechanism for monitoring the activities of government agencies in combating trafficking in human beings and the implementation of requirements set by the national legislation.

The National Coordinator for combating trafficking in human beings was appointed by the decision of the Government of the Republic of Serbia, and at the same time, it carries out the tasks of the head of the Office for the Coordination of Activities in Combating Trafficking in Human Beings within the Bureau of the Police Director, Police Directorate of the Ministry of Interior.

⁵ Article 2, paragraph 3 of the Law on the Protector of Citizens, "Official Gazette of RS", No. 105/21.

⁶ "Official Gazette of RS – International Agreements", No. 19/09.

The Office for the Coordination of Activities in Combating Trafficking in Human Beings was established within the Bureau of the Police Director, Police Directorate of the Ministry of Interior. The office carries out professional tasks related to combating human trafficking for the needs of the Council for Combating Trafficking in Human Beings. It also directly participates, implements and monitors the activities in combating human trafficking stipulated in the strategic documents. It monitors, coordinates, supervises and directs the implementation of measures and actions aimed at combating human trafficking, monitors the implementation of international agreements, legal and other regulations, initiates their amendments or supplements and participates in their development in the area of combating human trafficking. Also, the Office coordinates the work of organizational units of the Police Directorate with state authorities, associations, partners and international organizations, in connection with monitoring the situation and combating human trafficking. The Office monitors, directs and, if necessary, works directly on the collection of data in the area of combating human trafficking and analyses the collected data, manages data collections and exchanges data within its scope of actions. Also, the Office coordinates the collection, processing and analysis of materials submitted by all relevant state authorities and organizations and prepares responses at the national level to international reports in the area of human trafficking in the Republic of Serbia.

In 2019, the Ministry of Interior transferred the responsibility for investigations in the area of human trafficking from the Border Police Directorate to the Criminal Police Directorate. Within the Ministry of Interior, the Police Directorate, Criminal Police Directorate, Counter-Organized Crime Service, the Department for the Suppression of Human Trafficking and Human Smuggling was established, which carries out the tasks of prevention, detection and suppression of all forms of the criminal act of human trafficking by organized criminal groups, criminal groups and individuals, as well as for the coordination, analysis and prevention of human trafficking. The Department includes the Division for Coordination, Analysis and Prevention of Trafficking in Human Beings, the Division for Suppression of Trafficking in Human Beings and the Division for Suppression of Human Smuggling. Also, in 27 regional police departments, police officers are assigned to carry out the tasks of combating human trafficking.

The Centre for Human Trafficking Victims' Protection⁷ carries out its ac-

⁷ The Centre for Human Trafficking Victims' Protection was established by the Decision of the Government of the Republic of Serbia ("Official Gazette of the RS", number 35/12) as a social protection institution. In accordance with the aforementioned decision, the Centre provides accommodation services for victims of human trafficking (emergency accommodation), provides assessment and planning services for victims of human trafficking, provides advisory-therapeutic and social educational services for victims of human trafficking and carries out

tivities within two organizational units, the Office for Coordination of Trafficking Victims' Protection and the Shelter for Victims of Human Trafficking. Professional workers of the Centre carry out formal identification of victims of human trafficking independently of the criminal prosecution procedure. At the same time, the Centre's experts work on the development of individual service and protection plans for victims of human trafficking, monitor their implementation and outcome, and undertake coordination activities when providing social protection services to victims of human trafficking. In the Republic of Serbia, the coordination of protection of victims of human trafficking is carried out by the Centre, from the moment when the identification procedure is carried out, and as long as there is a need for it. Alleged victims of human trafficking during the identification procedure exercise all rights in the Republic of Serbia, as well as identified victims of human trafficking. The Centre created a protection plan, which includes social welfare institutions, relevant associations, healthcare institutions, educational institutions, and the police. According to the work plan of the Centre, each beneficiary is informed about their rights, institutions and organizations that can provide different types of assistance, beneficiaries are given contacts, recommendations and advice. Adult beneficiaries decide for themselves which type of support they will accept and from which relevant actor.

Higher public prosecutor's offices prosecute perpetrators of the criminal act of human trafficking under Article 388 of the Criminal Code⁸ and are responsible for conducting investigations, filing indictments and representing the prosecution before higher courts. The Public Prosecutor's Office for Organized Crime is a specialized public prosecutor's office that deals with the most complex forms of organized crime, including human trafficking. According to the general mandatory instruction of the Republic (now Supreme) Public Prosecutor, from 23rd June 2021, in all appellate and higher public prosecutor's offices, public prosecutors – contact persons for criminal acts of human trafficking and trafficking of minors have been designated, for the purpose of adoption. The public prosecutor – contact person is in charge of acting in criminal cases pertaining to the criminal act of human trafficking and trafficking of minors for the purpose of adoption, monitoring the actions of other public prosecutor's offices in order to standardize practice, contact with the victim in accordance with the Standard Operating

other tasks in accordance with the law and other regulations. Considering that the Law on Social Protection ("Official Gazette of the RS", no. 24/11 and 117/22 – CC decision) was adopted before the decision of the Government of the Republic of Serbia, the Centre is not recognized in the law as a social protection institution. However, before its foundation, the Centre was recognized in the Decree on the Network of Social Welfare Institutions ("Official Gazette of RS", no. 16/12 and 12/13) as a social welfare institution.

⁸ "Official Gazette of of RS", No. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 118/14, 94/16 and 35/19.

Procedures, contact with competent police officers, the Centre for Human Trafficking Victims' Protection, relevant associations that provide support to victims of human trafficking, attending specialist trainings and other activities aimed at improving the efficiency of criminal prosecution and protection of victims of this criminal act, in accordance with international standards.

3.1. ACTIVITIES OF THE NATIONAL RAPPOREUR ON HUMAN TRAFFICKING ON STRENGTHENING THE INSTITUTIONAL FRAMEWORK

In the period from 1st June 2023 to 31st December 2023, the National Rapporteur undertook a series of activities aimed at strengthening the institutional framework of the Republic of Serbia in the area of human trafficking, familiarizing the relevant state authorities and organizations with the role of the National Rapporteur and establishing even better cooperation between the relevant actors in this area.

The Group of Experts on Action against Trafficking in Human Beings (GRETA), which was formed in accordance with Article 36 of the Convention on Action against Trafficking in Human Beings of the Council of Europe and which is responsible for monitoring the implementation of the Convention by the contracting parties, as well as for the preparation of reports evaluating the measures undertaken by each contracting party, published the Evaluation Report for the Republic of Serbia in the third evaluation round in June 2023. GRETA decided that the third evaluation round should focus on access to justice and effective legal protection of victims of human trafficking. Bearing in mind the above, the National Rapporteur also used the activities and meetings with relevant actors in the area of human trafficking to acquaint them with the allegations from the relevant international report and the recommendations addressed to the Republic of Serbia.

At a meeting in July 2023, with representatives of the foreign policy team of the then Prime Minister of the Republic of Serbia, which was attended by representatives of the National Rapporteur and the Office for the Coordination of Activities in Combating Trafficking in Human Beings, planning and organizational shortcomings in the area of human trafficking were pointed out. The representatives of the National Rapporteur indicated the necessity of appointing the Council for Combating Trafficking in Human Beings, the need to undertake activities aimed at adopting a new planning document for the area of combating human trafficking and the accompanying action plan and the appointment of a working group, as well as the need to appoint a national coordinator for combating human trafficking.

After the mentioned meeting, the Government of the Republic of Serbia adopted the Decision on amendments to the Decision on the establishment of the Council for Combating Trafficking in Human Beings⁹. On 25th December 2023, a session of the Council for Combating Trafficking in Human Beings was held, where it was emphasized that the Republic of Serbia is improving its capacities in order to conduct proactive investigations related to human trafficking.

At the Council session, conclusions were reached with the aim of establishing and strengthening operational capacities for the systemic response of society to the problem of human trafficking. Members of the Council provided full support for the development and adoption of a new planning document in the area of combating human trafficking with an accompanying action plan, as well as the development of a special law that would systematically regulate this matter.

After the meeting held with the representatives of the foreign policy team of the then Prime Minister of the Republic of Serbia, by Decision of the Government of the Republic of Serbia¹⁰, on 6th September 2023, Nenad Simić, head of the Office for the Coordination of Activities in Combating Trafficking in Human Beings at the Police Directorate of the Ministry of Interior of the Republic of Serbia, was appointed as the national coordinator for combating human trafficking. The Decision of the Government of the Republic of Serbia, apart from appointing a person as the national coordinator, does not specify any additional information about the competences, manner of functioning, obligations and other aspects of work of the National Coordinator. These issues were not regulated, nor were subsequent decisions and internal acts adopted in the reporting period.

Also, after the meeting with representatives of the Government of the Republic of Serbia, on 14th August 2023, the Minister of Interior issued a Decision on the establishment of a Working Group for the preparation of a planning document in the area of combating human trafficking. The task of the Working Group was to prepare the text of the proposal for a planning document in the area of combating human trafficking. The preparation of the new planning document in the area of combating human trafficking was supported by the International Organization for Migration¹¹. The President of the Working Group was the head of the Office for the Coordination of Activities in Combating Trafficking in Human Beings, while a representative of

⁹ "Official Gazette of RS", No. 92/17 and 60/23.

¹⁰ "Official Gazette of RS", No 77/23.

¹¹ Through the project "Support instrument for capacity building for the Western Balkans integrated border management" and "Western Balkans Joint Actions against Smuggling of Migrants and Trafficking in Human Beings".

the Protector of Citizens was appointed as a member of the Working Group and a deputy member of the working group was also appointed from the Protector of Citizens.



The first session of the Working Group for the development of the Plan Document and the accompanying Anti-trafficking Action plan

In the period from 11th September to 20th October 2023, four thematic workshops were held with the aim of preparing a planning document with an accompanying action plan, which were monitored and actively participated in by representatives of the Protector of Citizens. The topics of the held workshops were "Criminal investigation and prosecution", "Protection and assistance to victims". The third workshop had two topics, "Prevention" and "Labour exploitation and labour migration", while the topic of the fourth workshop was "Partnership and coordination".

On 22nd December 2023, at the meeting of the Working Group, the Draft Program for Combating Trafficking in Human Beings in the Republic of Serbia for the period 2024-2029 and the Draft Action Plan were adopted. The draft program for combating human trafficking for the period 2024 - 2029 and the Draft Action Plan for the period 2024 - 2026 were adopted by the Working Group.

During the reporting period, the Centre employed four new workers, two professional associates in the Service for Coordination of Protection of Victims of Trafficking in Human Beings, and one professional worker and one associate in the Shelter, thereby strengthening the capacities.

During the reporting period, the National Rapporteur held meetings with representatives of the Ministry of Justice. The subject of the meeting was the

consideration of the recommendations of the GRETA evaluation report from the third round of evaluations, which relate to informing the victims of human trafficking, free legal aid, international cooperation and compensation for victims of human trafficking.

During the reporting period, the National Rapporteur held a meeting with the General Public Prosecution, where it was concluded that the General Public Prosecution, through contact persons for human trafficking and public prosecutors, can undertake activities aimed at activating local teams for combating human trafficking. The National Rapporteur was informed during the meeting that the data stated in the international reports in the area of combating human trafficking in the Republic of Serbia, in the part related to the number of filed criminal reports, differ from the data available to the General Public Prosecution. It was concluded that the National Rapporteur must be recognized by all subjects and actors in the area of human trafficking as the only competent institution that will collect and publish all relevant data in the area of human trafficking. The National Rapporteur proposed to increase the number of contact persons in all competent public prosecutor's offices and to increase the number of educations for public prosecutors in the area of combating human trafficking.

During the reporting period, representatives of the National Rapporteur held a meeting with the Chief Public Prosecutor of the General Public Prosecution Office in Belgrade and representatives of the General Public Prosecution Office in Belgrade, where they presented the role of the National Rapporteur and introduced them to the allegations and recommendations from the reports of international and regional bodies on combating human trafficking in the Republic of Serbia. At the meeting, it was concluded that the Chief Public Prosecutor of the General Public Prosecution Office in Belgrade will form a strike group to combat human trafficking, which she will personally lead. At the same time, it was agreed that the General Public Prosecution Office in Belgrade will organize trainings for public prosecutors that are part of this specific group and undertake activities with the Judicial Academy in order to organize specific trainings. On 25th September 2023, the Chief Public Prosecutor of the General Public Prosecution Office in Belgrade appointed two public prosecutors as contact points for combating human trafficking, with the aim of speeding up the work process, discovering the perpetrators of crimes in this area, as well as conducting proactive investigations in cooperation with police officers.

At the invitation of the Chief Public Prosecutor of the General Public Prosecution Office in Belgrade, the National Rapporteur visited the General Public Prosecution Office in Belgrade and toured the premises intended for particularly vulnerable witnesses and victim support. During the visit, the

Chief Public Prosecutor of the General Public Prosecution Office in Belgrade informed the National Rapporteur about all the activities and plans that this prosecutor's office undertakes in order to combat human trafficking.

With the representatives of the General Public Prosecution Office in Belgrade and representatives of the Misdemeanour Court in Belgrade, during the reporting period, a mechanism for action was discussed, for the judges of misdemeanour courts to stop the misdemeanour proceedings at the moment when, using indicators, they suspect human trafficking, and contact the competent public prosecutor's office in order not to make a wrong classification of the act.

During the reporting period, representatives of the National Rapporteur gave a presentation at the annual meeting of local teams for combating human trafficking, marking 10 years since the establishment of the first local teams for combating human trafficking in the Republic of Serbia.

In the process of drafting the report, the National Rapporteur sent an act of cooperation with a questionnaire to collect information on the activities undertaken during 2023 to the addresses of 16 local teams for combating human trafficking. Responses were submitted by eight local teams, within which four teams informed the National Rapporteur that they did not have any activities during the reporting period.



Annual meeting of the local anti-trafficking teams and marking of the 10th anniversary of the first local teams

4. METHODOLOGY

The preparation of the report and report methodology of the National Rapporteur was supported by the International Organization for Migration through the provision of consultative and technical support. Eefje de Walder from the Netherlands, one of the founders and a team member at IMPACT: Centre Against Human Trafficking and Sexual Violence in Conflict, provided consulting and advisory services in the process of drafting the report. She also works at CoMensha, an organization that identifies victims of human trafficking in the Netherlands and coordinates help and support.

During the reporting period, the National Rapporteur first established a trial mechanism with the Office for the Coordination of Activities in Combating Trafficking in Human Beings for the collection of information and data from the area of human trafficking, necessary for the work of the National Rapporteur. The established mechanism provides that the National Rapporteur is to obtain statistical data and information on activities in the area of human trafficking from state authorities and organizations through the Office. In this regard, in accordance with Article 2, paragraph 3 and Article 24, paragraph 1 of the Law on the Protector of Citizens, the Office was requested to submit to the National Rapporteur data and information on the activities undertaken by the Office in the period from 1st January 2023 to 30th June 2023, as well as statistical data related to the area of human trafficking in the relevant period. In accordance with the aforementioned, the requested data of state authorities and organizations in the area of human trafficking were submitted to the National Rapporteur.

On 6th December 2023, a workshop was held: "Strengthening the anti-trafficking response: the mandate, role and functioning of the National Rapporteur in the area of trafficking in human beings"¹², which was attended by representatives of the National Rapporteur, a representative of the Dutch National Rapporteur on human trafficking and sexual violence against children, the national coordinator for combating human trafficking of the Republic of Serbia and representatives of the Office for the Coordination of Activities in Combating Trafficking in Human Beings of the Ministry of Interior.

¹² Within the project "Strengthening anti-trafficking action in Serbia" organized by the Office of the Council of Europe in Belgrade.

After the joint workshop and the shared experiences of the representative of the Dutch National Rapporteur on human trafficking and sexual violence against children, it was decided that the National Rapporteur shall collect information and data for the preparation of reports on human trafficking in the Republic of Serbia directly from actors in the area of human trafficking.

In this regard, a questionnaire was created with questions for collecting information on the activities that relevant actors in the area of human trafficking undertook during 2023. The questions were divided into four areas: prevention (11 questions); identification and protection of victims (15 questions); investigation, criminal prosecution and processing (11 questions); partnership, cooperation, coordination (12 questions)¹³.

In order to prepare and publish the report of the National Rapporteur in 2023, and in order to comprehensively review all relevant facts and circumstances related to this area, on 9th January 2024, an act was sent to the addresses of all actors (101). The act requested information on all activities they undertook in the period from 1st January 2023 to 31st December 2023 in the area of human trafficking and statistical data. At the same time, specific questions from the questionnaire prepared by the National Rapporteur for the purpose of gathering information were also listed in the act.

Acts sent by the National Rapporteur to the authorities (35) that the Protector of Citizens is competent to control in accordance with the Law on the Protector of Citizens, were sent in accordance with Article 2, paragraph 3 and Article 24, paragraph 1 of the Law on the Protector of Citizens. Also, acts sent by the National Rapporteur to actors (66), which the Protector of Citizens is not competent to control in accordance with the Law on the Protector of Citizens, were sent in accordance with Article 2, paragraph 3 of the Law, so that the National Rapporteur could comprehensively review all relevant facts and circumstances in connection with the area of human trafficking in the Republic of Serbia.

80 actors responded to the specific act and questionnaire of the National Rapporteur, and 21 actors did not respond. Of the authorities that the Protector of Citizens is competent to control, the Ministry of Health did not submit a response.

Answers to the National Rapporteur were submitted by all international organizations to which the questionnaire was submitted, except UNODC and UNHCR.

¹³ Responses collected for questions from the area of prevention and the area of partnership, cooperation, coordination in this report are combined in the chapter Prevention, partnership and cooperation.

When it comes to the relevant associations, the response to the National Rapporteur was submitted by the associations Citizens' association ASTRA and Group 484.

The National Rapporteur submitted the questionnaire to the Supreme Court, the General Public Prosecution, all higher public prosecutor's offices in the Republic of Serbia, the Misdemeanour Appellate Court and the Misdemeanour Court in Belgrade. The questionnaire was also submitted to the Government of the Republic of Serbia.

The questionnaire was delivered to the addresses of 16 local anti-trafficking teams. Responses were submitted to the National Rapporteur by eight local teams, within which four teams responded that they had no activities during the reporting period.¹⁴

Data were also collected directly through meetings with relevant actors in the area of human trafficking.

¹⁴Before drafting the Questionnaire, the National Rapporteur had information that 17 local anti-trafficking teams had been formed in the Republic of Serbia. However, after learning that the Local Team in Prokuplje is not active and that the Office for the Coordination of Activities in Combating Trafficking in Human Beings does not have contact information for this Team, the National Rapporteur sent the acts to the addresses of 16 local teams.

5. INVESTIGATION, CRIMINAL PROSECUTION AND PROCESSING

The part of the Annual Report of the National Rapporteur on Human Trafficking for 2023, which refers to the investigation, criminal prosecution and processing of the criminal act of human trafficking, provides a comprehensive overview of the activities and results achieved by the relevant state authorities in this area. This section of the report focuses on an overview of activities and the analysis of data that illustrate the efforts and successes in combating human trafficking.

Investigation, criminal prosecution and processing in cases of human trafficking in the Republic of Serbia represent key components in combating this criminal offence. An effective investigation involves a thorough collection of evidence, identification of suspects and determination of all facts that may lead to the filing of an indictment. Prosecution is of essential importance for ensuring that perpetrators are adequately punished, thereby achieving justice for victims and sending a strong message that such acts are unacceptable.

The prosecution of persons suspected of the criminal act of human trafficking involves the conduct of court proceedings, which not only contributes to justice for the victims, but also strengthens public confidence in the justice system. In addition, completed criminal proceedings and convictions have a preventive effect, deterring potential perpetrators from engaging in human trafficking.

5.1. RECOMMENDATIONS FOR IMPROVING THE SITUATION IN THE AREA

In order to improve the situation in the area, the National Rapporteur issues the following recommendations to the competent authorities¹⁵:

¹⁵ Although according to Article 19, paragraph 2 of the Law on the Protector of Citizens, the Protector of Citizens is not authorized to control the work of the National Assembly, the President of the Republic, the Government, the Constitutional Court, courts and public prosecutor's

- It is necessary to ensure continuous education and specialization of police officers for work with presumed victims of human trafficking, which should include regular trainings in the area of child rights and criminal protection of minors, in order to ensure more efficient identification of victims and collection of evidence for the successful conduct of criminal proceedings;
- It is necessary to continue with the implementation of specialized trainings for judges, public prosecutors and police officers, in order to improve the understanding of the elements of the criminal act of human trafficking and be able to properly distinguish it from other criminal offences with similar characteristics;
- It is necessary to introduce mandatory continuous education programs that will include new methods and techniques for recognizing and investigating cases of human trafficking;
- It is necessary to increase the number of public prosecutors who deal with the investigation and prosecution of the criminal act of human trafficking;
- It is necessary to ensure that all higher public prosecutor's offices are equipped with technology that enables victims of human trafficking to testify from special rooms via video link and that they use them for these purposes;
- It is necessary to establish a systematic and regular exchange of information between the courts and the competent public prosecutor's offices with the Centre for Human Trafficking Victims' Protection, so that the Centre is always informed about the outcomes of proceedings involving victims of human trafficking;
- It is necessary to develop and implement effective programs for the protection of victims of human trafficking in order to ensure their greater safety and encourage their participation in criminal proceedings.

offices, the Protector of Citizens believes that it would be useful for the aforementioned authorities to consider its recommendations, in the spirit of good cooperation.

5.2. INVESTIGATION AND CRIMINAL PROSECUTION

In this part of the report, the focus is on the investigation and criminal prosecution, and the statistical data obtained from the relevant actors are presented, which are of key importance for understanding the situation in this area, that is, they enable the monitoring of trends and the identification of problems.

During the reporting period, police officers submitted a total of 20 criminal complaints for the criminal act of human trafficking under Article 388 of the Criminal Code, of which 19 criminal complaints were submitted to higher public prosecutors' offices and one criminal complaint to the Public Prosecutor's Office for Organized Crime. This is a slight increase compared to the 18 criminal complaints filed in 2022.¹⁶

In 2023, a total of 21 criminal acts of human trafficking under Article 388 of the Criminal Code and 37 perpetrators of the criminal act were discovered. As in the case of submitted criminal complaints, during the reporting period, there was a slight increase in the number of detected criminal acts and perpetrators compared to the 18 detected criminal acts in 2022¹⁷.

According to the records of the Ministry of Interior, the number of persons injured by the criminal act of human trafficking under Article 388 of the Criminal Code (hereinafter: injured persons) was 39 in 2023¹⁸, which is more than the 24 injured persons in 2022.¹⁹

Criminal act	Number of discovered acts	Number of perpetrators	Number of injured persons
Human Trafficking (Article 388 of the Criminal Code)	21	37	39

According to the information that the National Rapporteur received from the Ministry of Interior, the Police Department for the City of Belgrade discovered six criminal acts, 11 perpetrators of the criminal act and seven

¹⁶ According to the statistics of the Ministry of Interior, the number of criminal complaints filed for the criminal act of human trafficking in 2021 was 23, and in 2022, 18 criminal complaints were filed.

¹⁷ According to the statistics of the Ministry of Interior, the number of detected criminal acts of human trafficking in 2021 was 27, and in 2022, 18. The number of perpetrators of the criminal act in 2021 was 43, and in 2022, 32.

¹⁸ The mentioned number refers to persons injured by the criminal act of human trafficking according to the records of the Ministry of Interior.

¹⁹ The aforementioned 39 persons injured by the criminal act of human trafficking were discovered by the Ministry of Interior and criminal complaints were filed in those cases.

injured persons. Five criminal complaints were filed, one of which was filed for an act committed against a minor²⁰.

During the reporting period, the Police Department in Novi Sad discovered three criminal acts of human trafficking, four perpetrators and six injured persons. Three criminal complaints were filed, one of which was for an act committed against a minor, and two for engaging in the commission of this criminal act or the commission of the act by a group²¹.

The Criminal Police Directorate, Counter-Organized Crime Service of the Ministry of Interior, discovered three criminal acts of human trafficking, eight perpetrators of the criminal act and 13 injured persons. Three criminal complaints were filed, two of which were for engaging in the commission of this criminal act or the commission of the act by a group, and one for the commission of the act by an organized criminal group²².

The Police Department in Jagodina discovered two criminal acts of human trafficking, five perpetrators of the criminal act and two injured persons. Two criminal complaints were filed, one of which was for an act committed against a minor²³.

During the reporting period, the Police Department in Požarevac discovered two criminal acts, two perpetrators of the criminal act and four injured persons. Two criminal complaints were filed, for an act committed against a minor²⁴.

The Police Department in Subotica discovered two criminal acts of human trafficking, three perpetrators of the criminal act and four injured persons. Two criminal complaints were filed, one of which was for an act committed against a minor²⁵.

The Police Department in Kruševac discovered one criminal act of human trafficking, two perpetrators of the criminal act and one injured person. One criminal complaint was filed for an act committed against a minor²⁶.

The Police Department in Šabac discovered one criminal act of human

²⁰ Article 388, paragraph 3 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

²¹ Article 388, paragraph 6 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

²² Article 388, paragraph 7 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

²³ Article 388, paragraph 2 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

²⁴ Article 388, paragraph 3 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

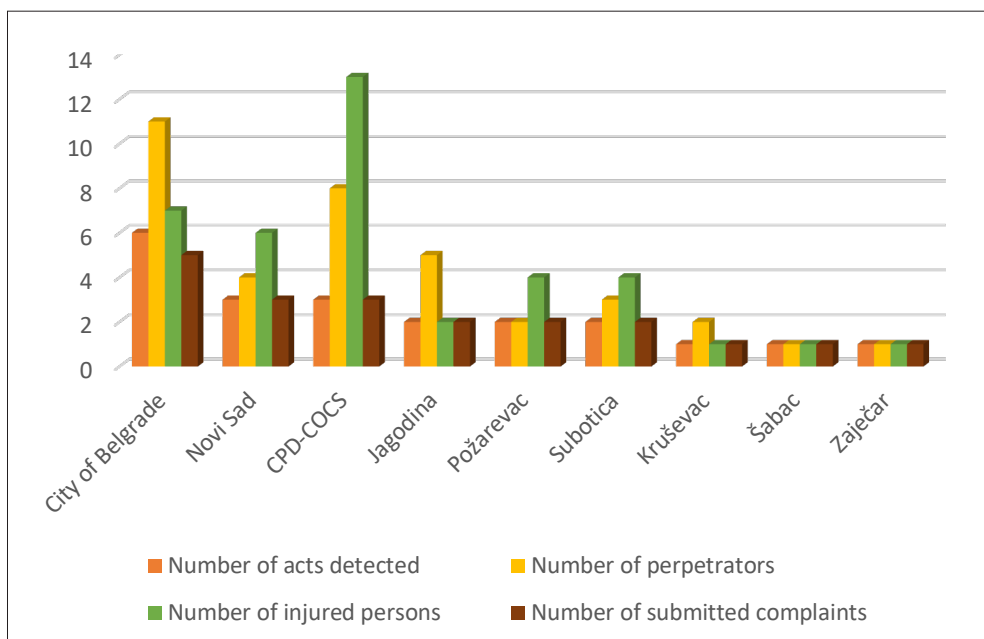
²⁵ Article 388, paragraph 3 of the Criminal Code ("Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

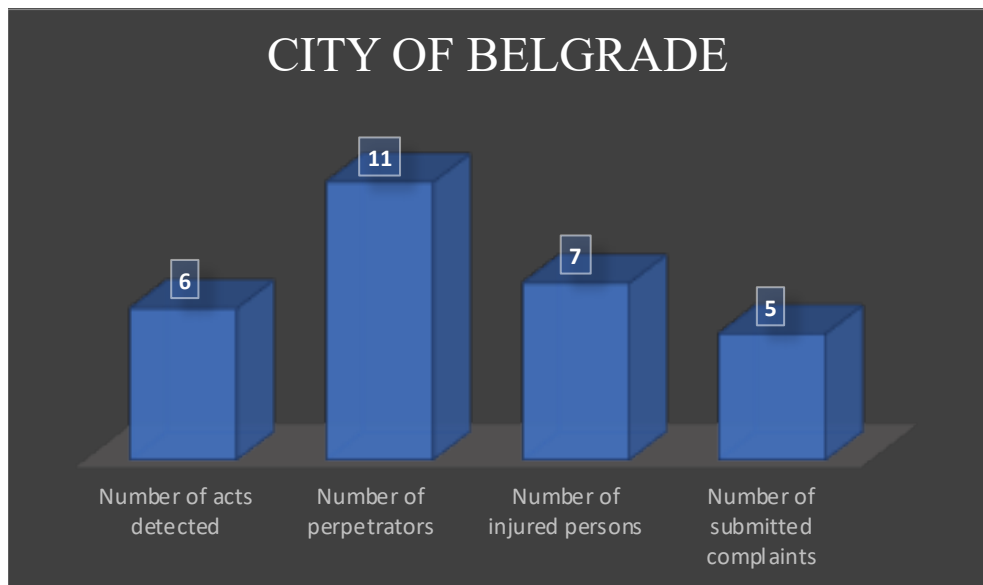
²⁶ Article 388, paragraph 3 of the Criminal Code, "Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19.

trafficking, one perpetrator of the criminal act and one injured person. One criminal complaint was filed.

The Police Department in Zaječar discovered one criminal act of human trafficking, one perpetrator of the criminal act and one injured person. One criminal complaint was filed.

Police Department	Number of criminal acts detected	Number of submitted complaints	Number of perpetrators	Number of injured persons
City of Belgrade	6	5	11	7
Novi Sad	3	3	4	6
CPD-COCS	3	3	8	13
Jagodina	2	2	5	2
Požarevac	2	2	2	4
Subotica	2	2	3	4
Kruševac	1	1	2	1
Šabac	1	1	1	1
Zaječar	1	1	1	1



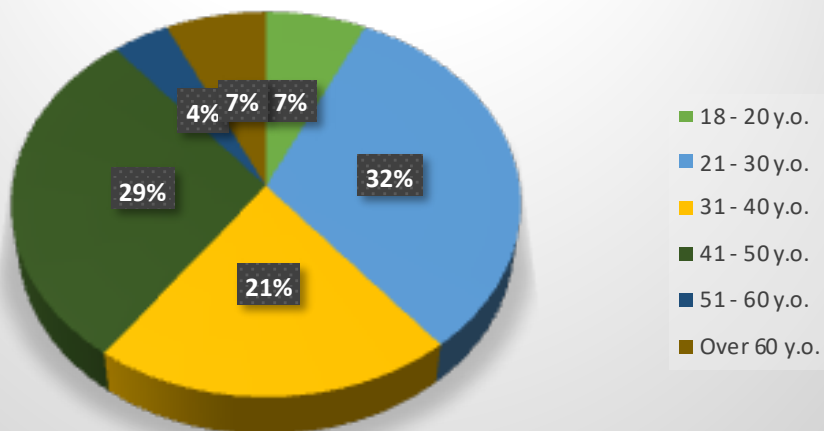


The Ministry of Interior informed the National Rapporteur that all 37 discovered perpetrators of the criminal act of human trafficking in the Republic of Serbia during 2023 are citizens of the Republic of Serbia. Of that number, 28 perpetrators are male and nine are female. According to the age structure, three perpetrators are between 18 and 20 years old (one female), 13 perpetrators are between 21 and 30 years old (four female), nine perpetrators are between 31 and 40 years old (three female), eight perpetrators are between 41 and 50 years old, two perpetrators are between 51 to 60 years old (one female), while two perpetrators of this criminal act are over 60 years old.

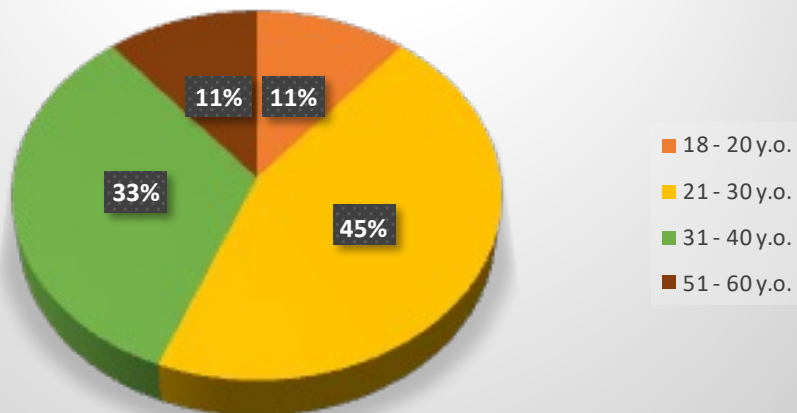
From the submitted data, it can be concluded that in 2023, there were no juvenile offenders, unlike in 2022, when there were two, and in 2021, when there was one juvenile offender.

Age structure	Perpetrators (male)	Perpetrators (female)
18 - 20 years old	2	1
21 - 30 years old	9	4
31 - 40 years old	6	3
41 - 50 years old	8	0
51 - 60 years old	1	1
Over 60 years old	2	0
Total	28	9

Perpetrators (male)



Perpetrators (female)

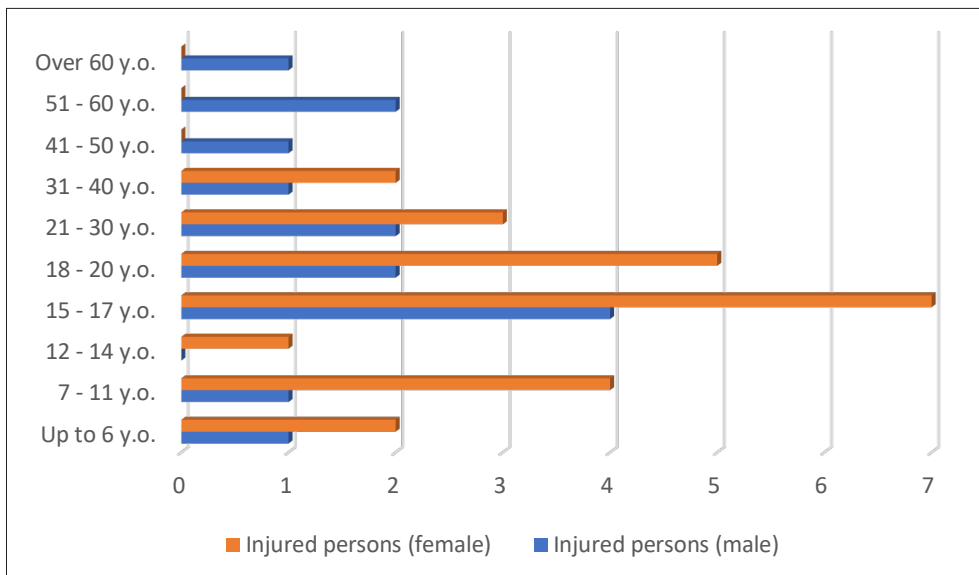


The Ministry of Interior informed the National Rapporteur that out of 39 injured persons discovered, 36 persons are citizens of the Republic of Serbia, two persons are citizens of India, while one person is a citizen of Ukraine.

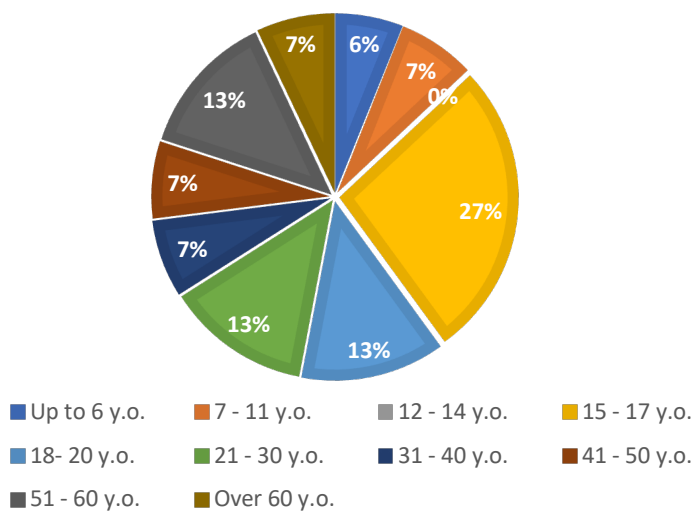
Citizenship	Number of injured persons
Republic of Serbia	36
India	2
Ukraine	1

According to the age structure of the injured persons, three injured persons are under the age of six (two female), five injured persons are aged between seven and 11 (four female), one female injured person is between the age of 12 and 14, 11 injured persons are aged between 15 and 17 (seven female), seven injured persons are aged between 18 and 20 (five female). According to the records of the Ministry of Interior, five injured persons are aged between 21 and 30 (three female), three persons are aged between 31 and 40 (two female), one person is between the age of 41 and 50, two persons are aged between 51 and 60 and one person is over 60 years old.

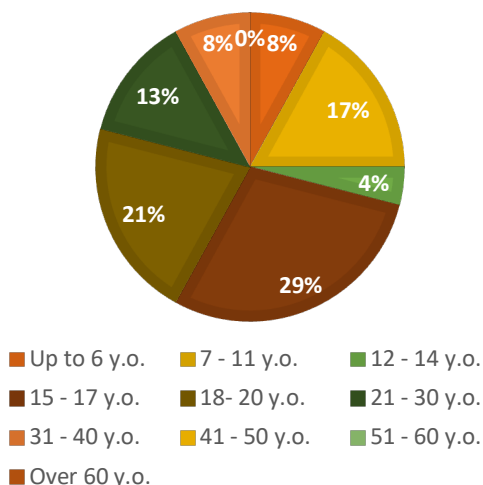
Age structure	Injured persons (male)	Injured persons (female)	Total
Up to 6 years old	1	2	3
7 - 11 years old	1	4	5
12 - 14 years old	0	1	1
15 - 17 years old	4	7	11
18 - 20 years old	2	5	7
21 - 30 years old	2	3	5
31 - 40 years old	1	2	3
41 - 50 years old	1	0	1
51 - 60 years old	2	0	2
Over 60 years old	1	0	1
Total	15	24	39



MALE INJURED PERSONS

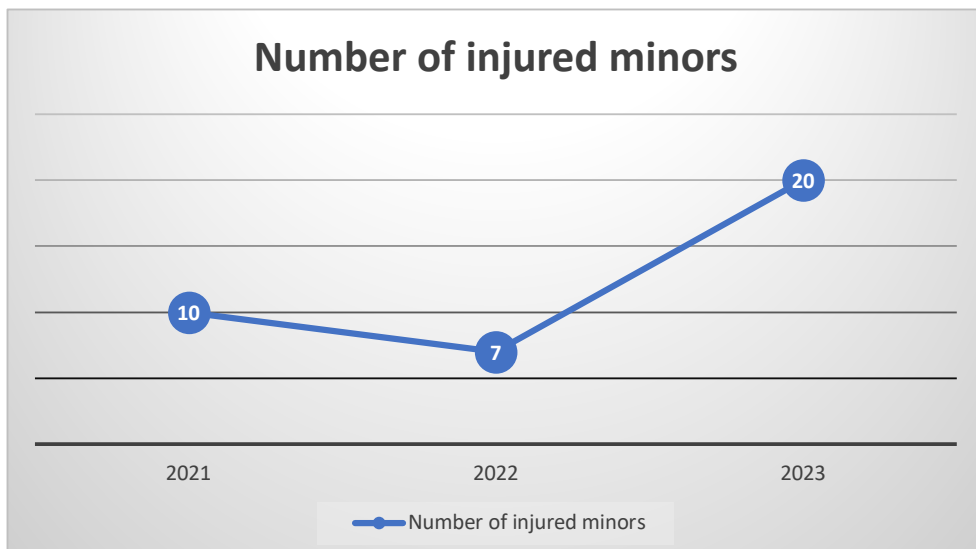


FEMALE INJURED PERSONS



Of particular concern is the fact that the number of injured minors in 2023 is significantly higher compared to the number of injured minors in 2021 and 2022. In 2023, there were a total of 20 injured minors, while in 2021 that number was 10 and in 2022 seven injured minors. Minors account for 50% of the total number of injured persons detected in 2023. Of the 20 minors, 14 are female and six are male.

Number of injured minors



When it comes to the type of exploitation of injured persons, 11 persons were sexually exploited. All 11 persons are female, of which four persons are minors, aged between 14 and 18.

Two female minors were exploited through forced marriage, of which one person is under 14 years old.

Seven injured persons were exploited in the form of begging, of which four were minors. Of the four minors, three are under the age of 14 and all three are female.

During 2023, three injured persons were exploited by coercion to commit criminal acts. All three persons are minors, aged between 14 and 18, male.

A total of five persons were repeatedly exploited – begging and coercion to commit a criminal act. Of the five injured persons, four persons are minors, and three are under the age of 14 (two females).

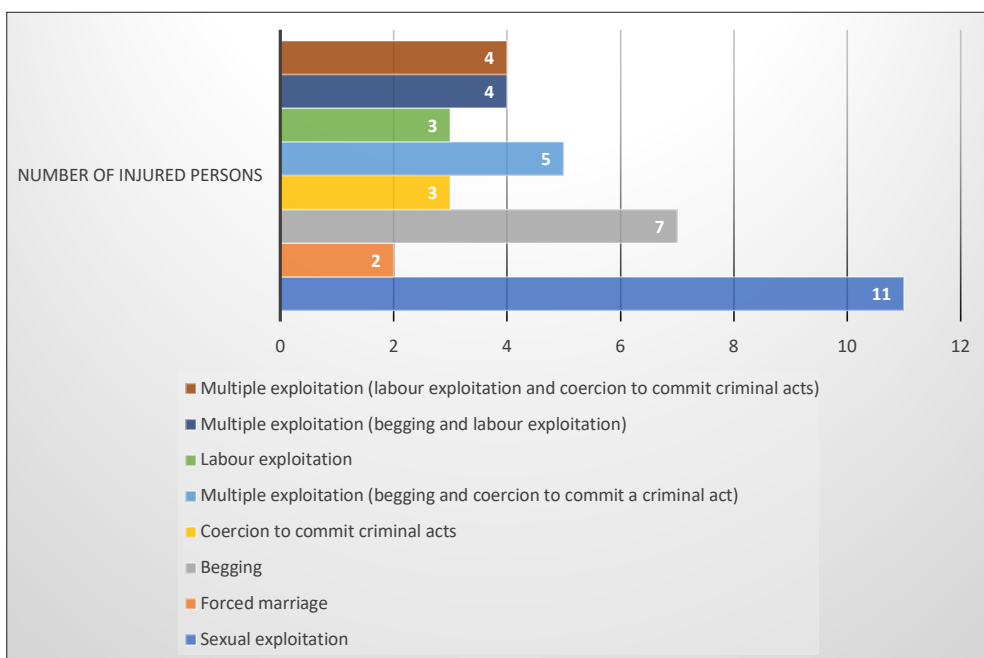
Three male persons were exploited in the form of labour exploitation, and there were four persons who were repeatedly exploited – begging and labour exploitation, of which three are minors, with two persons under the age of 14 (one female). Four male persons were repeatedly exploited through labour exploitation and coercion to commit criminal acts.

For the criminal act of human trafficking, in the reporting period, the Ministry of Interior discovered more forms of exploitation in relation to 2021 and 2022. In relation to 2022, the types of exploitation were forced marriage, multiple exploitation through begging and coercion to commit criminal acts, multiple exploitation through begging and labour exploitation, multiple exploitation through labour exploitation and coercion to commit criminal acts.

During 2023, the Ministry of Interior discovered that three injured persons were exploited through labour exploitation, while in 2021 and 2022, two injured persons were discovered who were exploited through labour exploitation. However, during 2023, eight persons were also exploited through labour exploitation as part of multiple exploitation, of which 3 persons are minors, and two persons are under the age of 14 (one female). This number of 11 injured persons indicates a more proactive detection of the criminal act of human trafficking for the purpose of labour exploitation, however, the fact that minors under the age of 14 were also exploited in the form of labour exploitation is worrying.

The place of exploitation of 34 injured persons is the territory of the Republic of Serbia, while five persons were exploited both in the Republic of Serbia and abroad, of which one injured person was found to have been exploited in the territory of several countries: the Republic of Serbia, the Republic of France and the Federal Republic of Germany. A total of 16 minors were exploited on the territory of the Republic of Serbia, of which six (five female) are under the age of 14, and 10 (six female) are between the ages of 14 and 18.

Type of exploitation	Number of injured persons
Sexual exploitation	11
Forced marriage	2
Begging	7
Coercion to commit criminal acts	3
Multiple exploitation (begging and coercion to commit a criminal act)	5
Labour exploitation	3
Multiple exploitation (begging and labour exploitation)	4
Multiple exploitation (labour exploitation and coercion to commit criminal acts)	4



In 2023, there were no recorded crimes under Article 389 of the Criminal Code – Trafficking in Minors for Adoption.

During both proactive and reactive investigations, police officers who are specially trained to work with presumed victims of human trafficking encounter difficulties, both when conducting interviews with presumed victims, where the problem of cooperation with victims who do not recognize themselves as victims appears, and during the recognition by the prosecution, and later the qualification of the criminal act.

In the reporting period, according to information from the General Public Prosecution, 52 persons were reported for the criminal act of human trafficking under Article 388 of the Criminal Code. There were also pending complaints against 71 persons in work, while complaints against 14 persons were rejected.

The order to conduct an investigation was issued against 37 persons, and in 2022 against 36 persons, and there were also pending investigations from the previous period against 46 persons.

A total of 33 persons were indicted for the criminal act of human trafficking under Article 388 of the Criminal Code (for comparison, 29 persons were indicted in 2022). First-instance guilty verdicts were passed against 13 persons, 10 of whom were sentenced to prison, while five persons were acquitted. In relation to the 65 persons against whom indictments were submitted in the earlier period, no first-instance decisions were passed.

For the criminal act of human trafficking under Article 388 of the Criminal Code, during 2023, plea agreements were concluded with three persons.

Criminal complaints were filed against nine persons for the criminal act of trafficking in minors for adoption under Article 389 of the Criminal Code, and all complaints were dismissed after carrying out the evidence collecting procedures.

During 2023, a total of 37 persons were injured by the criminal act of human trafficking. Of that number, the status of a particularly vulnerable witness was granted to 30 persons.

The General Public Prosecution informed the National Rapporteur that, based on the analysis²⁷ of selected cases dealing with the criminal act of human trafficking, certain challenges were observed in relation to adequate criminal prosecution, in terms of proper understanding of the elements of the criminal act and, in this regard, in distinguishing it from other criminal acts with similar features, especially regarding sexual and labour exploitation, the lack of proactive actions and the necessity of improving the practice regarding the victim's right to obtain compensation for damages in criminal proceedings. Based on the perceived challenges, a training program was created which was implemented in several workshops during 2023.

One of the activities for improving the efficiency of investigations and criminal prosecution is foreseen in the Draft Action Plan for the implementation of the Program for Combating Trafficking in Human Beings for the period 2024-2026, in the form of an increase in the number of prosecutors, contact persons for handling cases regarding the criminal act of human trafficking.

²⁷ Implemented within the project of the United Nations Office on Drugs and Crime "UN. Locking Impunity of Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe".



First workshop for the development of the Plan document and the Anti-trafficking Action plan on "Investigation and Criminal Prosecution"

The Higher Public Prosecutor's Office in Belgrade informed the National Rapporteur that in the period from 1st January to 31st October 2023, complaints were filed against 24 persons for the criminal act of human trafficking under Article 388 of the Criminal Code. Evidence collecting procedures were conducted in two cases, and investigation in seven cases. There were eight indictments and four dismissals in the specified period. In one case, a guilty verdict was reached.

The Support Service for Victims and Witnesses of Gender-Based Violence of the Higher Public Prosecutor's Office in Belgrade has also created a special room for examining particularly vulnerable witnesses, where victims of human trafficking also give their statements, which is very important for the victims to feel safe and protected during the criminal proceedings. At the invitation of the Chief Public Prosecutor of the Higher Public Prosecutor's Office in Belgrade, the National Rapporteur visited these premises in September 2023.

As challenges in its work, the Higher Public Prosecutor's Office in Belgrade points out inadequate technical conditions, lack of office space, insufficient number of public prosecutor's assistants, recorders, registrars and other public prosecutor's staff. In addition, the effectiveness of activities in the area of human trafficking would be far more significant if the number of public prosecutors specialized in this area increased.

The National Rapporteur welcomes the activities of the Higher Public Prosecutor's Office in Belgrade, during the reporting period, and the personal commitment of the Chief Public Prosecutor, who showed determination and

readiness for cooperation and the application of all international standards in combating human trafficking.

In the reporting period, the Higher Public Prosecutor's Office in Novi Sad issued orders to conduct investigations against a total of four persons on suspicion of having committed the criminal act of human trafficking, to the detriment of a total of four injured persons, three of whom are minors. During the investigation, all victims were assigned the status of particularly vulnerable witnesses and their questioning was carried out in special rooms equipped with image and sound transmission devices, without the presence of other participants in the proceedings in the mentioned room. In the same period of time, a total of five persons were indicted on reasonable suspicion that they committed the criminal act of human trafficking under Article 388 of the Criminal Code, among which there were suspects in relation to whom an investigation was initiated in the previous reporting period. When it comes to the investigations launched in the reporting year 2023, the investigation was suspended for one person due to the lack of evidence for the indictment, the investigation was ongoing against two persons during the reporting period, and for one person, the investigation was completed and a plea agreement was concluded for the mediation in the practice of prostitution under Article 184, paragraph 1 of the Criminal Code and for the criminal act of Endangerment of Safety under Article 138, paragraph 1 of the Criminal Code, where a guilty verdict was also reached.

A total of five persons were indicted for the criminal act of human trafficking under Article 388 of the Criminal Code, and with three defendants, plea agreements were concluded, which also included compensation for damages for a total of four victims of human trafficking, and guilty verdicts were pronounced against the defendants. In addition to the stated number of convicted persons, after the conclusion of the main hearing, two more persons were convicted for the criminal act of human trafficking under Article 388 of the Criminal Code, and one convicted person was also obliged to compensate the victim of human trafficking. There were no verdicts of release or of abandonment. In the proceedings for the criminal act of human trafficking, and based on the proposal of the Higher Public Prosecutor's Office in Novi Sad, the public was excluded in order to protect the interests and privacy of the victims, so the prosecution did not issue any press releases in relation to the cases of human trafficking.

The Higher Public Prosecutor's Office in Zrenjanin conducted an investigation against one person for the criminal act of human trafficking, after which an indictment was filed. In the same period, the Higher Public Prosecutor's Office in Zrenjanin filed another indictment against five persons for the aforementioned criminal act, which was preceded by certain evidence

collecting procedures. The victims were granted the status of particularly vulnerable witnesses in the proceedings. The Higher Public Prosecutor's Office in Zrenjanin made contact with victims of human trafficking, as well as persons injured by the criminal act of human trafficking, during their interrogation as witnesses in the criminal proceedings. Cooperation was achieved through the Centre for Human Trafficking Victims' Protection, whose officers provided assistance, support and other services to victims of human trafficking. Representatives of the Centre ensured the arrival of the victims in order to testify in the criminal proceedings.

The Higher Public Prosecutor's Office in Kragujevac conducted and concluded an investigation in one case from 2022. An indictment was filed on 4th July 2023, and the main hearing was still ongoing during the reporting period. In this specific case, cooperation was achieved with the Centre for Human Trafficking Victims' Protection and assistance was provided related to the testimony of the victim, via video link, at the main hearing before the High Court in Kragujevac. The Higher Public Prosecutor's Office in Kragujevac points out the challenges related to securing witnesses, their presence at the main hearing and preventing changes to the testimonies given in the investigation.

The Higher Public Prosecutor's Office in Negotin conducted an investigation against one person for the criminal act of human trafficking under Article 388, paragraph 3, in connection with paragraph 1 of the Criminal Code. After the investigation was completed, the competent court was submitted a proposal for the imposition of a security measure of mandatory psychiatric treatment, given that during the proceedings, it was established that the perpetrator was mentally incapacitated during the critical period. The relevant association made it possible for the injured party to hire an attorney during the criminal proceedings, and the injured party was granted the status of a particularly vulnerable witness. The senior public prosecutor in Negotin made contact with the presumed victim of human trafficking in the pre-investigation proceedings, in order for the injured party to become aware of the fact that she was a presumed victim of human trafficking for the purpose of sexual exploitation. Acting senior public prosecutor also participated in the identification procedure in this specific case and made contact with the Centre for Human Trafficking Victims' Protection.

In the Higher Public Prosecutor's Office in Pančevo, there were no criminal complaints filed for the criminal act of human trafficking under Article 388 of the Criminal Code. At the same time, regarding one criminal complaint received by this prosecutor's office in 2022, after the completion of the investigation in 2023, one indictment was filed with two injured persons, against one person for the criminal act of human trafficking under Article

388, paragraph 1 of the Criminal Code. Also, regarding one criminal complaint that was received in 2021 for the criminal act of human trafficking under Article 388, paragraph 1 of the Criminal Code, the investigation against one person, which was suspended, was continued.

An investigation was conducted in the Higher Public Prosecutor's Office in Smederevo, according to the order to conduct an investigation for the criminal act of human trafficking under Article 388, paragraph 3, in connection with paragraph 1 of the Criminal Code, where during 2023, the defendants were questioned, as well as the injured party and multiple witnesses. Within this investigation, cooperation was achieved with the Centre for Human Trafficking Victims' Protection, in connection with the psychiatric and psychological expertise of the victims. In the cases handled by the Higher Public Prosecutor's Office of Smederevo, no verdicts were reached, and the victims of this crime were not granted the status of particularly vulnerable witnesses.

During the reporting period, the Higher Public Prosecutor's Office in Smederevo made contact with the presumed victim of human trafficking, when she was examined, for the purpose of conducting the evidence collecting procedure of examining the witness, that is, the victim, in the investigation phase. The Higher Public Prosecutor's Office in Smederevo provided support to the presumed victim of human trafficking by presenting the rights that she has as a participant in the proceedings, and in this particular case there was no need to involve the Information and Support Service for Victims and Witnesses in Proceedings related to the criminal act of human trafficking under Article 388 of the Criminal Code.

The Higher Public Prosecutor's Office in Sremska Mitrovica conducted an investigation in two cases, in relation to a total of five victims of human trafficking. After the completion of the investigation, one person was prosecuted for the criminal act of human trafficking under Article 388, paragraph 6 of the Criminal Code, where three people were injured. In another case, in which there were two injured persons, and in relation to the second person, the procedure ended with reclassification into a criminal act under Article 163 of the Criminal Code, and a plea agreement was concluded.

According to the information received by the National Rapporteur from the Higher Public Prosecutor's Office in Sremska Mitrovica, in connection with the investigations, criminal prosecution and processing of the criminal act of human trafficking, it is necessary to increase the number of public prosecutors of the Higher Public Prosecutor's Office in Sremska Mitrovica and provide financial resources for obtaining the technical and spatial resources to ensure adequate conditions for the application of Article 104, paragraph 2 of the Criminal Procedure Code, when examining victims of the

criminal act of human trafficking under Article 388 of the Criminal Code as particularly vulnerable witnesses.

The Police Department in Prokuplje informed the Higher Public Prosecutor's Office in Prokuplje about the suspicion of forced marriage of persons on the territory of this local self-government unit. According to the allegations from the reports of the relevant association, the mother forced her daughter to marry an unknown person for a fee of 200 euros, which led to the daughter's relocation. The Police Department Prokuplje submitted a report to the Higher Public Prosecutor's Office in Prokuplje, which states that the person was a victim of human trafficking in Montenegro during the first half of 2023, where she was forced into prostitution. The Police Department in Prokuplje determined that criminal proceedings for human trafficking are being conducted in Montenegro, in which this specific person is the victim. However, the Higher Public Prosecutor's Office in Prokuplje concluded that there was no forced marriage, which was soon dissolved (common-law marriage). The case was submitted to the Higher Public Prosecutor's Office in Niš and the Higher Public Prosecutor's Office in Smederevo for further processing.

The Higher Public Prosecutor's Office in Vranje pointed out to the National Rapporteur that, in the reporting period, there were no criminal complaints filed, and therefore no criminal proceedings for the criminal act of human trafficking. At the same time, it was pointed out that there is a noticeable lack of trained members of the Police Department in Vranje, bearing in mind that several persons have acquired the condition for old-age pension, which is reflected in the absence of activities in the field of proactive investigation and detection of perpetrators of the criminal act of trafficking in human beings and victims.

During the reporting period, the Higher Public Prosecutor's Office in Zaječar issued an order to conduct an investigation against one person. After the investigation was completed, an indictment was filed in front of the higher court for the criminal act of human trafficking under Article 388, Paragraph 3, in connection with paragraph 1 of the Criminal Code. Thanks to the cooperation with the Centre for Social Work in Zaječar, the victim of human trafficking, a minor, was moved from her family to a foster family. The minor victim continued her regular education, under the supervision of the expert team of the Centre for Social Work.

During the reporting period, the Higher Public Prosecutor's Office in Jagodina issued an order to conduct investigations in two cases of human trafficking under Article 388 of the Criminal Code. An order was issued²⁸ by the

²⁸ On 16th August 2023.

Higher Public Prosecutor's Office in Jagodina to conduct an investigation against a female suspect, due to the existence of grounds for suspicion that she committed the criminal act of human trafficking under Article 388, paragraph 1 of the Criminal Code, to the detriment of a female person, in such way that she recruited her for the purpose of prostitution. On the same day, the acting public prosecutor of the Higher Public Prosecutor's Office in Jagodina heard the suspect and examined the victim and other witnesses. Also, the findings and the opinion of the Centre for Human Trafficking Victims' Protection were reviewed. The investigation was still ongoing during the reporting period. An order was issued²⁹ to conduct an investigation against four persons, of whom three persons are male and one female, due to the existence of grounds for suspicion that they committed the criminal act of human trafficking under Article 388, paragraph 6, in relation to paragraph 3, in relation to paragraph 1 of the Criminal Code as co-perpetrators, to the detriment of two female persons, one of whom is a minor, by recruiting them for the purpose of prostitution. During the investigation, the acting public prosecutor heard the suspects, examined the witnesses, reviewed the transcripts and audio material provided by the Police Department in Jagodina. Also, the report of the Centre for Human Trafficking Victims' Protection was reviewed. The investigation was still ongoing during the reporting period. In the Higher Public Prosecutor's Office in Jagodina, the Information and Support Service for Victims and Witnesses in Public Prosecutor's Offices was organized, which in the mentioned cases of investigation provided the necessary information to victims and witnesses on their participation in the proceedings and the manner of exercising their rights, as well as on providing support for their participation in the proceedings.

During the reporting period, the Higher Public Prosecutor's Office in Subotica issued an order to conduct an investigation in four cases against six adults for the criminal act of human trafficking under Article 388 of the Criminal Code. One case was concluded by decision of the High Court in Subotica, by which the defendant was sentenced to mandatory psychiatric treatment and custody in a health institution for the criminal act of human trafficking, while investigative procedures are ongoing in three cases. During the reporting period, three pre-investigation proceedings were initiated before the Higher Public Prosecutor's Office in Subotica following the complaints from the Centre for Human Trafficking Victims' Protection, the Centre for Social Work in Subotica and the citizens, on suspicion that a criminal act of human trafficking under Article 388 of the Criminal Code was committed. During the investigative procedures, the suspects were questioned,

²⁹ On 22nd August 2023.

injured witnesses were examined, forensic evaluations were ordered. Within the aforementioned cases, during the reporting period, the necessary information was collected³⁰ for the purpose of making a decision on whether there are grounds for suspicion that the criminal act of human trafficking under Article 388 of the Criminal Code or another criminal act prosecuted ex officio has been committed.

During the reporting period, the Higher Public Prosecutor's Office in Subotica provided protection to victims of human trafficking in criminal proceedings in the form of awarding them the status of particularly vulnerable witnesses and appointing them an ex officio attorney. Minor victims of human trafficking and one adult victim were examined as witnesses by means of image and sound transmission. Also, in relation to the suspects, measures were determined to secure their presence in the proceedings, in order to protect the injured parties, namely measures of detention, measures of prohibition of approaching, meeting or communicating with a certain person and visiting certain places based on the Criminal Procedure Code. Representatives of the Centre for Human Trafficking Victims' Protection attended the examination of the victims, and a psychologist and case manager attended the questioning of the minor victims. In the reporting period, cooperation was achieved with the Centre for Social Work in Kanjiža and the Centre for Human Trafficking Victims' Protection in order to provide care and protection to the minor victim who was displaced from the primary family, bearing in mind that the parents are being investigated for the criminal act of human trafficking as co-perpetrators. The minor victim was first placed in a foster family, then in two shelters. During the reporting period, two case conferences were held, which were attended by representatives of the competent centre for social work and the Centre for Human Trafficking Victims' Protection, in order to consider the most effective model of care and protection for minor victims of human trafficking.

During the reporting period, the Higher Public Prosecutor's Office in Šabac investigated three cases of human trafficking, with an indictment filed in one case in 2023. One criminal complaint for the criminal act of human trafficking in 2023 was transferred to the jurisdiction of the Public Prosecutor's Office for Organized Crime. In connection with the aforementioned investigation procedures, intensive cooperation was achieved with the Centre for Human Trafficking Victims' Protection, the Centre for Social

³⁰ During the preliminary and investigative proceedings, cooperation is achieved with the regional police departments in order to collect the necessary information, that is, to collect evidence about the criminal act and the perpetrator, as well as cooperation with the competent centres for social work and the Centre for Human Trafficking Victims' Protection in order to provide care and assistance and support to victims of human trafficking.

Work in Šabac, and the Centre for Social Work in Loznica. In the investigation procedures, the victims of human trafficking were granted the status of particularly vulnerable witnesses and an attorney was appointed, the victims were examined using the technical image and sound transmission means in special rooms of the High Court in Šabac, and the examination was preceded by familiarizing the victims with the proceedings being conducted and their rights during the proceedings. Victims were appointed a representative, an attorney, in order to protect their interests in the proceedings. In two cases, the Higher Public Prosecutor's Office in Šabac applied the provisions on non-punishment of victims for their participation in illegal activities in accordance with Article 26 of the Convention of the Council of Europe. The Higher Public Prosecutor's Office in Šabac points out that the technical image and sound transmission means, i.e. the video conference equipment and the specially equipped room for this type of interrogation, would contribute to a more efficient prosecution of the criminal act of human trafficking. In connection with the provision of assistance and support to accommodation services for victims of human trafficking, cooperation with the relevant association was achieved.

During the reporting period, the Higher Public Prosecutor's Office in Požarevac established contact with victims of human trafficking in one case, with two injured persons, whereby the contact was achieved through the Centre for Social Work in Požarevac, in cooperation with the Centre for Human Trafficking Victims' Protection. In this specific case, the Higher Public Prosecutor's Office in Požarevac undertook activities related to the identification of the victims. At the same time, this prosecutor's office undertook activities to ensure the safety of the victims by first imposing a detention measure on the perpetrator of the crime in the course of the criminal proceedings in the aforementioned case, and after the termination of the reason for the detention, the measure of prohibition of approaching and communicating with the victim was imposed, in accordance with Article 197 of the Criminal Procedure Code, which continued until the end of the reporting period, as the procedure was not legally concluded by then.

During the reporting period, according to the indictment of the Higher Public Prosecutor's Office in Novi Pazar, the High Court in Novi Pazar issued a verdict in which the accused was found guilty of the criminal act of human trafficking under Article 388, paragraph 1, in connection with Article 33 of the Criminal Code and sentenced to imprisonment for three years. The verdict in this case is final.

5.3. PROCESSING

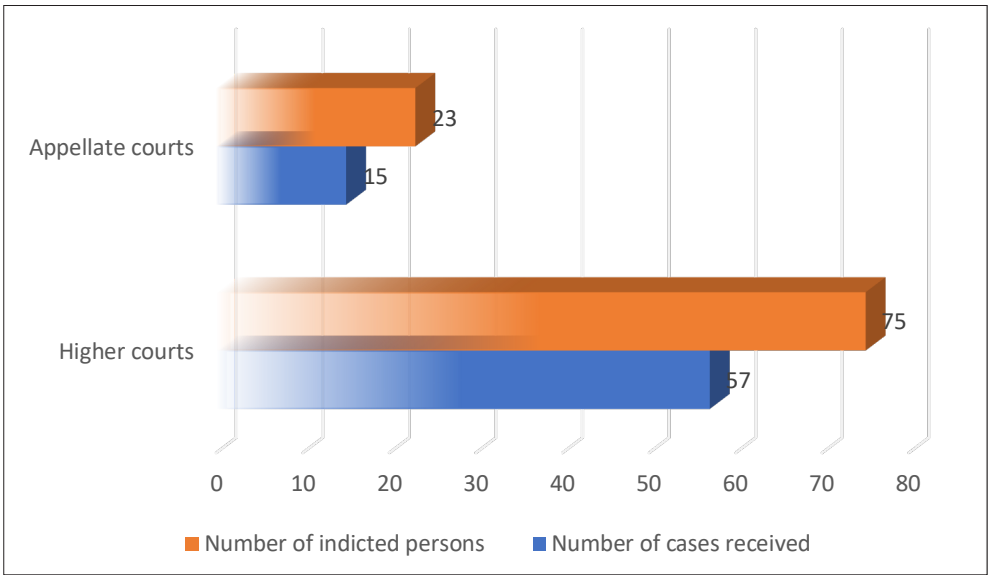
The Supreme Court of Serbia informed the National Rapporteur that in its annual reports on the work of the courts, it should separately show statistical data on received and completed cases in the first and second instance in relation to the criminal act 388. Human Trafficking.

At the beginning of 2023, the higher courts had a total of 39 pending cases related to the criminal act under Article 388 of the Criminal Code, of which five were old cases according to the date of the initial act. A total of 56 persons were indicted in those cases.

During 2023, a total of 82 cases of the criminal act under Article 388 of the Criminal Code were received, of which 15 cases were received by appellate courts, and 67 cases by higher courts.

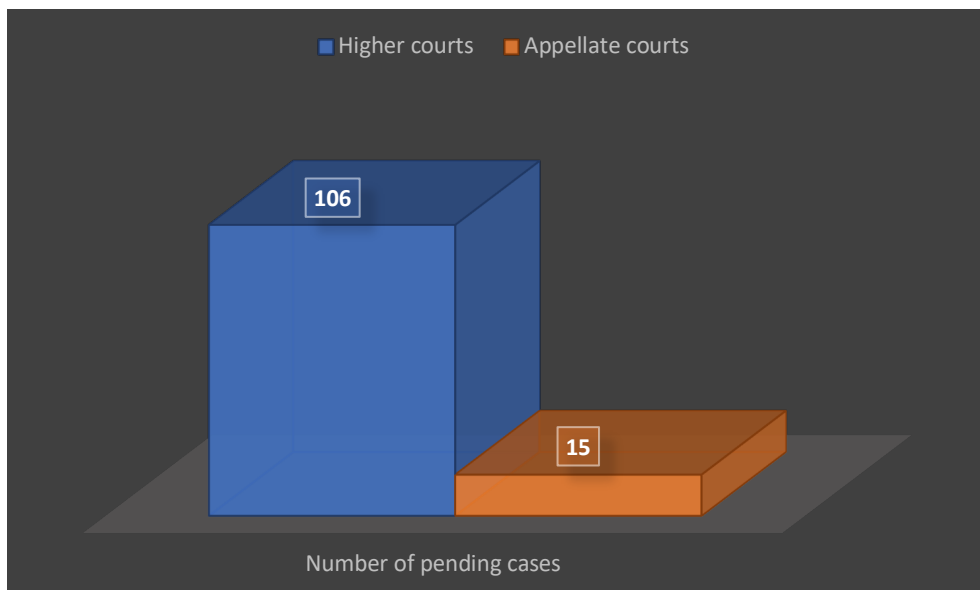
The total number of indicted persons in 2023 is 98, of which 23 persons in cases before appellate courts, and 75 persons in cases before higher courts.

Type of court	Number of cases received	Number of indicted persons
Higher courts	67	75
Appellate courts	15	23
Total	82	98



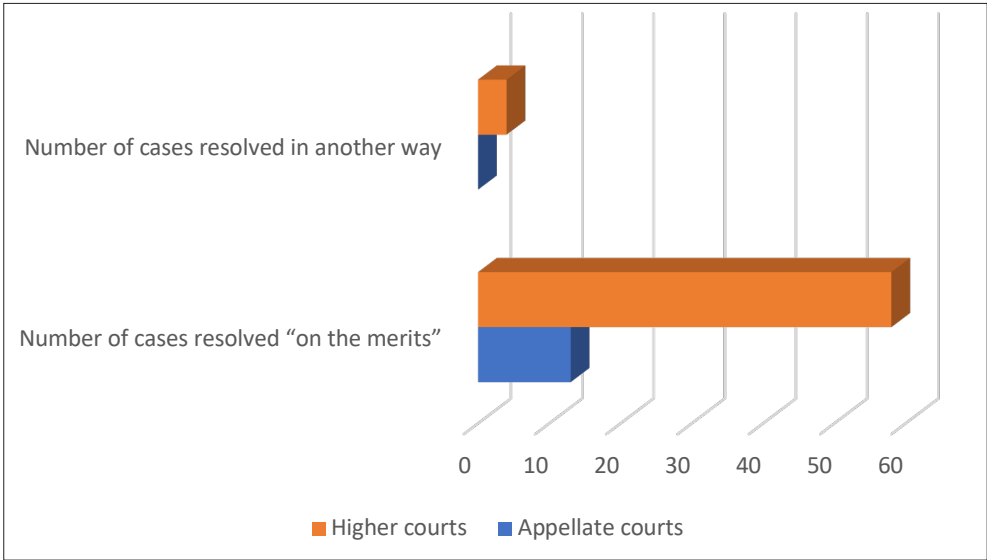
In 2023, a total of 121 cases were pending, of which 15 before the appellate courts, and 106 before the higher courts. The total number of indicted persons in all pending cases during 2023 was 154.

Type of court	Number of pending cases
Higher courts	106
Appellate courts	15
Total	121



During the reporting period, a total of 71 cases were resolved “on the merits”, of which 13 were before appellate courts, and 58 before higher courts. Four cases before higher courts were resolved in another way. In this regard, during the year 2023, a total of 75 cases of criminal acts under Article 388 were resolved. During the reporting period, five old cases were resolved according to the date of the initial act.

Type of court	Number of cases resolved “on the merits”	Number of cases resolved in another way
Appellate courts	13	0
Higher courts	58	4
Total	71	4



In 2023, 46 cases remained pending, of which two cases before appellate courts, and 44 cases before higher courts.

Type of court	Number of pending cases
Appellate courts	2
Higher courts	44
Total	46

5.4. PARTNERSHIP AND COOPERATION

In order to coordinate the work of the organizational units of the Ministry of Interior, Police Directorate with other state authorities, in October 2023, the National Coordinator for Combating Trafficking in Human Beings provided support for an operation, during which five members of an international organized crime group were arrested due to well-founded suspicion that for a long period of time they were engaged in the commission of the criminal act of human trafficking. During the arrest operation, in several locations, six children aged five to 11 were found, who were taken care of through the cooperation of the National Coordinator for Combating Trafficking in Human Beings, the Centre for Human Trafficking Victims' Protection and the Centre for Social Work in Loznica.

The Criminal Police Directorate of the Ministry of Interior organized an interdisciplinary workshop to analyse the results of pre-investigative actions in cases of human trafficking, which led to prosecution, i.e. the filing of a

criminal complaint that resulted in an indictment or the completion of criminal proceedings, with the aim of improving the criminal proceedings in the area of proactive action in discovering the perpetrators of the criminal act of human trafficking and the victims of the mentioned criminal act³¹.

During the reporting period, a Guide was prepared for writing the findings and opinions in order to acquaint judicial authorities with the method of effectively using the findings of the Centre for Human Trafficking Victims' Protection in judicial proceedings, as well as to give guidelines to the Centre's expert workers on how to write those findings so that they are as useful as possible for the prosecution of the criminal act of human trafficking³².

The Centre pointed out to the National Rapporteur that it does not always receive information about the outcomes of proceedings. One of the good examples of judicial practice during the 2023 reporting period was when the Appellate Court in Novi Sad confirmed the verdict of the High Court, which sentenced the perpetrator to prison for the criminal act of human trafficking. In the decision of the Appellate Court, among other things, it is stated that this court took into account the findings and opinion of the Centre for Human Trafficking Victims' Protection, in which it was stated that the injured party was identified as a victim of human trafficking by an expert in the relevant field of expertise and that it is necessary to assign her the status of a particularly vulnerable witness.

However, the Centre points out that victims of human trafficking are often unwilling to participate in the proceedings, because they do not feel safe. As the Centre informed the National Rapporteur, the position of the victims is that there are no developed effective programs for their protection and no one can really guarantee their safety.

According to the experience of the Centre, their participation in these proceedings is extremely stressful and, in many cases, leads to re-traumatization. Although the status of a particularly vulnerable witness is granted in a large number of cases, many prosecutor's offices do not have the equipment for testifying from a special room, so the victims face and meet the people who abused them for years and are forced to listen to their slurs and insults. The attorneys

³¹ In addition to representatives of the Ministry of Interior, the workshop was also attended by representatives of higher public prosecutor's offices from Belgrade, Novi Sad and Niš and the Public Prosecutor's Office for Organized Crime, as well as representatives of the Centre for Human Trafficking Victims' Protection, the International Organization for Migration and relevant associations.

³² The Guide was created with the support of the Council of Europe, the Centre formed an expert group consisting of representatives of the Supreme Court of Cassation, the Republic Public Prosecutor's Office, higher public prosecutor's offices and the Centre, which was led by a professor from the Police Academy. The Guide was presented to all higher public prosecutor's offices in the Republic of Serbia.

of the accused also often discredit and disparage them, which all makes the victims withdraw from the proceedings or change their testimony, and it is precisely on their statements and testimony that the verdicts largely depend.

The General Public Prosecution has signed a Protocol on cooperation for the purpose of improving cooperation with the Ministry of Interior and the Ministry of Labour, Employment, Veteran and Social Affairs for the purpose of more successfully combating human trafficking and better protecting the human trafficking victims. Key provisions of the protocol include information exchange, coordination of activities and joint trainings. Competent public prosecutor's offices cooperate directly with the Centre for Human Trafficking Victims' Protection, in accordance with the signed Protocol, but also through direct contacts in order to provide assistance and support to victims of human trafficking, in accordance with their competence.

The General Public Prosecution points out that an example of good cooperation between the Centre for Human Trafficking Victims' Protection and the Public Prosecutor's Office is the preparation of the Guidelines for improving the quality of findings and opinions of the Centre for Human Trafficking Victims' Protection, which were developed with the support of the Council of Europe³³ within the project "Strengthening anti-trafficking action in the Republic of Serbia". In accordance with the signed memoranda of cooperation, the General Public Prosecution continued to cooperate with relevant associations, in terms of data collection and information exchange in cases of human trafficking, to carry out activities in the area of prevention, as well as to improve the rights of victims of human trafficking. The result of such cooperation is the effective application of the principle of non-punishment of victims of human trafficking, in accordance with Article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings.

The Ministry of Justice informed the National Rapporteur that in connection with cases of international legal assistance for the criminal act of human trafficking, one extradition was carried out from the Republic of Croatia to the Republic of Serbia during the reporting period.

5.5. INTERNATIONAL COOPERATION

As the National Rapporteur was informed by the Ministry of Justice, during the reporting period, there was a total of one case of international legal assistance from the Republic of Serbia for the criminal act of human trafficking, namely for Bosnia and Herzegovina. At the same time, the Republic of Serbia had eight cases of general international legal assistance for the

³³ Within the project "Strengthening anti-trafficking action in the Republic of Serbia".

criminal act of human trafficking in the Republic of Serbia, namely four cases from Switzerland, one case from Croatia, one case from Turkey, one case from Slovenia and one case from Spain. Also, in the reporting period, there was one case of recognition in the Republic of Serbia and enforcement of a foreign criminal judgment in connection with the criminal act of human trafficking, this case being from the Republic of Hungary.

During the reporting period, police officers cooperated with international competent police authorities through EUROPOL, as well as through liaison officers at embassies in Belgrade, with the aim of exchanging information and collecting relevant evidence for the successful conduct of investigations.

During the reporting period, the Border Police Directorate of the Ministry of Interior participated in the further development of international operational police cooperation through the implementation of the European Union Policy Cycle, through participation in EMPACT³⁴ activities related to combating human trafficking and migrant smuggling.

The Border Police Directorate was the host of the EMPACT action "Joint Action Days Danube 8", organized by FRONTEX³⁵, which was related to the suppression of all forms of cross-border crime, especially migrant smuggling, human trafficking and the detection of forged documents.

At the invitation of the Criminal Police Directorate, the Border Police Directorate took part in the following actions:

- EMPACT OA 3.5 Joint Action Days – Human trafficking – Chain³⁶
- EMPACT OA 8.1 OAP Firearms – JAD SEE 2023³⁷

During the reporting period, international actions were also carried out at the invitation of other international organizations³⁸.

As the National Rapporteur was informed by the General Public Prosecution³⁹, contact points for issues of international legal assistance in criminal

³⁴ European Multidisciplinary Platform Against Criminal Threats.

³⁵ Implemented in the period from 23rd June to 3rd July 2023.

³⁶ Refers to combating human trafficking, as well as obtaining relevant data on places where exploitation of victims of human trafficking can occur, identification of perpetrators of the criminal offence of human trafficking, strengthening measures for the protection of potential victims, strengthening cooperation in the area of prevention of human trafficking at the international level, enhanced control at border crossings. It was realized in the period from 9th May to 12th May 2023.

³⁷ Refers to the suppression of illegal arms trade, illegal drug trade, human trafficking and smuggling of migrants. It was realized in the period from 13th November 2023 to 18th November 2023.

³⁸ DCAF (Geneva Centre for Security Sector Governance); RAILPOL (Railway Police); AQUA-POL (Police on Europe's waterways); INTERPOL (International Criminal Police Organization); SELEC (Southeast European Law Enforcement Centre).

³⁹ In accordance with the Mandatory Instruction of the Republic Public Prosecutor from 2016, during the reporting period, specialization was carried out in the area of mutual legal assistance in criminal matters.

matters have been designated in the higher public prosecutor's offices, who have attended specialized trainings in this area. Bearing in mind the importance of these institutes for improving the efficiency of international legal assistance in cross-border cases of human trafficking, the aim of the training is, in addition to encouraging the use of classic forms of international legal assistance, to encourage cooperation through innovative means such as joint investigation teams and the use of the so-called institutes of spontaneous exchange of information in the sense of Article 98 of the Law on Mutual Legal Assistance in Criminal Matters and Article 11 of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, i.e. direct exchange of data obtained as part of investigations, i.e. data that refer to criminal acts and perpetrators, without the need to send a formal letter rogatory, in cases where there is a connection with other countries.

In addition, the General Public Prosecution pointed out that cooperation between the Republic of Serbia and the Public Prosecutor's Office of the Republic of Serbia with Eurojust is of particular importance for improving the efficiency of international legal assistance, especially with the member states of the European Union. In 2019, the Republic of Serbia concluded a Cooperation Agreement with Eurojust, and in 2020, the Office of the Liaison Prosecutor of the Republic of Serbia was opened at the headquarters of Eurojust, which gave Serbia its own liaison officer within this EU Agency⁴⁰.

With regard to international cooperation in connection with human trafficking investigations, the Public Prosecutor's Office of the Canton of Bern, Swiss Confederation, in the case of the criminal act of human trafficking under Article 182 of the Criminal Code of Switzerland, in 2021, submitted a request for international legal assistance in the investigation against three citizens of Serbia for labour exploitation in Switzerland. The subject of their request was the provision of data on the bank accounts of the defendants. After their initial request was fulfilled, three additional requests were submitted during 2023, the last one in August 2023, for the examination of 15 injured persons as witnesses, female citizens of Serbia. The Higher Public

⁴⁰ The presence of the Liaison Prosecutor of the Republic of Serbia at Eurojust enables the further improvement and acceleration of international legal assistance procedures, for crimes that fall under the jurisdiction of Eurojust, which includes the criminal offence of human trafficking. Through Eurojust, it is possible to facilitate and speed up the execution of foreign letters rogatory and improve international coordination of investigations and prosecutions with Eurojust member states. In addition, the liaison prosecutor facilitates communication and mediates the exchange of data between competent authorities in the process of preparing, sending and executing letters rogatory, has the possibility to initiate coordination meetings between competent authorities and the formation of joint investigative teams, monitors the development of legislation and practice in relevant areas, including the area of judicial cooperation in connection with the criminal offence of human trafficking, and forwards relevant reports to the competent authorities in the Republic of Serbia, including the Eurojust report on human trafficking.

Prosecutor's Office in Valjevo is responsible for handling this procedure and by the end of the reporting period, 13 injured persons were heard.

Contact point for the criminal act of human trafficking under Article 388 of the Criminal Code, the public prosecutor of the Higher Public Prosecutor's Office in Sremska Mitrovica, has achieved international cooperation in connection with the investigation and prosecution of persons suspected of this criminal offence with the competent judicial authority of the Republic of Italy, more precisely the Public Prosecutor's Office at the court in Bologna, in order to obtain and deliver letters, documents and evidentiary material, upon a letter rogatory of this public prosecutor's office. In the reporting period, the aforementioned judicial authorities of the Republic of Italy fully complied with the request of the Higher Public Prosecutor's Office in Sremska Mitrovica and submitted the required evidentiary materials necessary for the adoption of the public prosecutor's decision on criminal prosecution.

Thanks to the support of the International Organization for Migration, the capacities of the Department for the Suppression of Human Trafficking and Human Smuggling of the Criminal Police Directorate of the Ministry of Interior were strengthened by a donation of specialized tactical equipment for 30 officers.

During the reporting period, the International Organization for Migration achieved international cooperation in connection with investigations, criminal prosecution or processing of the criminal act of human trafficking through the organization of regional operational meetings and conferences⁴¹.

During the reporting period, one joint investigation by the police and prosecutor's offices of Bosnia and Herzegovina and Serbia resulted in an arrest, as a direct result of the cooperation established at the regional conference organized by the International Organization for Migration in February 2023.

In the period from 24th to 28th April 2023, a study visit was organized to the Criminal Intelligence Service of Austria, the Anti-Trafficking Unit in Vienna, for three representatives of the Ministry of Interior of the Republic of Serbia⁴², with a special focus on the topic of sexual exploitation, identification

⁴¹ Regional conference "Combating human trafficking and migrant smuggling in the Western Balkans" – Budva; Regional meeting of representatives of key actors/strike groups for combating migrant smuggling and human trafficking, Budva; Second Bilateral Meeting on the Implementation of the Agreement on Cooperation in the Area of Combating Human Trafficking and the Agreement on Cooperation in the Area of Combating Migrant Smuggling (signed in 2019) between the Republic of Serbia and the Republic of North Macedonia, Skopje; Study visit to Switzerland for officials of the Ministry of Interior of the Republic of Serbia – Bern, Zurich; Study visit to Greece for officials of the Ministry of Interior of the Republic of Serbia, Athens, Thessaloniki.

⁴² Within the provision of operational support and strengthening the capacity of partner institutions for the duration of the CSC WB project, and in connection with the activities that are

of victims, special investigative techniques, including examples of good practice and aspects and possibilities of international police cooperation.

A small logistical contribution was also made for the trip to The Hague for members of the Ministry of Interior to participate in the Annual Conference on the topic of human trafficking and migrant smuggling organized by the European Centre for (Combating) Migrant Smuggling at EUROPOL on 9th June 2023.

The described type of support, when it comes to cooperation at the operational and strategic level with the member states of the European Union, as well as with its agencies and platforms, and countries in the region, will also be implemented within the project financed from the funds of the European Union, with a special with a focus on combating human trafficking and migrant smuggling.

During 6th and 7th June 2023, the International Organization for Migration organized a regional conference in Budva "Combating human trafficking and migrant smuggling in the Western Balkans"⁴³. The topic of the conference was the exchange of good practices and knowledge at the regional, European and international level regarding the latest modalities and trends in the area of human trafficking and human smuggling, with the aim of providing a joint response to the common challenges that especially impose themselves in the era of digitalization. At the aforementioned conference, the German Agency for International Cooperation ensured the participation of experts in the area of combating human trafficking and migrant smuggling from European Union countries, who shared their experiences and acquired knowledge with representatives of public prosecutor's offices and law enforcement authorities from the Western Balkans region, including the Republic Serbia.

The organization Citizens' association Astra, in cooperation with relevant international actors, organized for a victim to participate in criminal proceedings. After she received a summons to testify in Vienna against people accused of organizing the sexual exploitation of women from Serbia, Romania and Ukraine, they organized her safe departure and return, and were in contact with all relevant actors so that she could participate in the criminal proceedings in the capacity of a witness. The organization with which this association cooperates provided her with legal representation, and they exchanged all the necessary information with the relevant actors in a timely manner.

carried out and coordinated under the auspices of the above-mentioned EMPACT, with the help of the German Agency for International Cooperation.

⁴³ Within the WBJAST project, and in cooperation with the German Agency for International Cooperation through activities carried out within the CSC WB project.

6. IDENTIFICATION AND PROTECTION OF VICTIMS OF HUMAN TRAFFICKING

The effective fight against human trafficking depends not only on timely investigations and prosecution of perpetrators, but also on timely and comprehensive identification and protection of victims. Identification of victims of human trafficking is of crucial importance for their safety, access to justice and the provision of the necessary help and support. Without adequate identification, victims remain invisible and exposed to further exploitation and abuse.

This part of the report provides an overview of the activities and measures taken to identify and protect victims of human trafficking during the reporting period. We present key data and trends that illustrate the activities and efforts of competent authorities and organizations, as well as the challenges they face in this process.

6.1. RECOMMENDATIONS FOR IMPROVING THE SITUATION IN THE AREA

In order to improve the situation in the area, the National Rapporteur issues the following recommendations to the competent authorities⁴⁴:

- **It is necessary to urgently continue and intensify the professional training of educators for the preliminary identification of victims of human trafficking in the education system;**
- **It is necessary to ensure the education of healthcare workers for the preliminary identification and recognition of indicators of human trafficking;**

⁴⁴ Although according to Article 19, paragraph 2 of the Law on the Protector of Citizens, the Protector of Citizens is not authorized to control the work of the National Assembly, the President of the Republic, the Government, the Constitutional Court, courts and public prosecutor's offices, the Protector of Citizens believes that it would be useful for the aforementioned authorities to consider its recommendations, in the spirit of good cooperation.

- It is necessary to intensify the education of employees in social welfare institutions who work with families and children, in order to improve early identification and prevention of long-term exploitation of victims of human trafficking;
- It is necessary to intensify the proactive action of labour inspectors in detecting cases of human trafficking;
- It is necessary to include misdemeanour courts in the preliminary identification of victims of human trafficking and ensure trainings for judges so that they are able to recognize victims and respond adequately in situations where there are indications of the existence of human trafficking;
- It is necessary to ensure regular communication and informing of victims of human trafficking about the steps taken against the suspects;
- It is necessary to establish a network of translators for rare languages in order to enable the identification and protection of victims of human trafficking and to conduct trainings for translators in order to sensitize them to the problem of human trafficking;
- It is necessary to simplify the procedure for accessing free legal aid through local self-government units and to provide specialized trainings for lawyers in order to provide legal support to victims of human trafficking;
- It is necessary to ensure the systematic provision of information to presumed and identified victims of human trafficking, regarding their rights, available services and ways to access them, and to ensure the production of informative brochures and materials, which would increase the availability of specific information;
- It is necessary to ensure that all victims of human trafficking are informed in detail about their right to compensation for damages, as well as about the procedure for exercising this right and the competent authorities before which they may exercise this right;
- It is necessary to increase the existing accommodation facilities for victims of human trafficking and develop specialized accommodation facilities for men, victims of human trafficking;
- It is necessary to determine the exact number of foster families in the Republic of Serbia and to conduct trainings for foster parents for working with child victims of human trafficking, so that the children are placed, in accordance with their needs, in the most family-like environments;

- **It is necessary to train police officers and prosecutors for non-suggestive and non-invasive interrogation of victims of human trafficking, in order to ensure respect for their dignity, avoid re-traumatization and provide legal and psychological support to victims.**

6.2. IDENTIFICATION OF VICTIMS

Identification of victims of human trafficking represents one of the basic elements in combating human trafficking, which prevents further exploitation and abuse of victims and enables them to be protected. The data collected during the process of identification is critical to understanding the extent and the nature of human trafficking, as well as to creating responses to this global problem.

Centre for Human Trafficking Victims' Protection

In accordance with the Standard Operating Procedures for dealing with victims of human trafficking⁴⁵, anyone who has knowledge of a presumed victim of human trafficking, as well as victims themselves, can inform the Centre, the Public Prosecutor's Office, the Ministry of Interior and the locally competent Centre for Social Work. The Centre initiates the procedure of formal identification of a victim of human trafficking⁴⁶ upon a complaint, or without a complaint, when during the course of its official tasks, it learns that a person is a presumed victim of human trafficking, and the presumed

⁴⁵ The Standard Operating Procedures for dealing with victims of human trafficking were adopted in 2018, they are guidelines for action and their application is not binding. They contain an overview of activities related to the identification, referral, support and protection of victims of human trafficking, including assistance and support to victims of human trafficking in criminal proceedings and the realization of property claims, i.e. in the provision of assistance in civil proceedings for compensation of damages, as well as the voluntary return of victims and actions by which those activities are realized. In accordance with the Standard Operating Procedures, the monitoring and evaluation of the implementation of these Procedures is carried out by the Office for the Coordination of Activities in Combating Trafficking in Human Beings within the Police Directorate of the Ministry of Interior and the National Coordinator for Combating Trafficking in Human Beings.

⁴⁶ In identification procedures, the Centre implements professional procedures in accordance with defined standards, based on the use of existing professional knowledge, international and domestic regulations and existing indicators for identification (indicators of the International Labour Organization, the United Nations Office on Drugs and Crime, the International Organization for Migration, specifically created indicators within the Centre, List of indicators for rapid screening of the risk of human trafficking for refugee/migrant children in mixed migrations), while respecting the principle of victim protection. From 2021, lists of indicators for formal identification, specially created for the needs of the Centre, are also used.

victim agrees to this. In this way, any suspicion of human trafficking is reported to the Centre, which gives the Centre the opportunity to interview a large number of presumed victims and collect data.

From 2023, the Centre consults the Guide for writing findings and opinions when identifying victims. The procedure carried out by the Centre is based on an extensive identification interview, analysis of data collected from several sources and expert assessment. Identification represents an individualized procedure, which the professional worker shapes according to the possibilities and needs of the victim with whom he establishes contact for the purpose of identification. Therefore, in some cases, the identification interview is carried out immediately after meeting the victim, and in others after a few days or weeks, depending on the condition of the victim and his ability to cooperate without causing re-traumatization⁴⁷.

The Centre emphasizes that examples of good practice are those in which the Centre's experts attend the giving of statements by the victims to the police or public prosecutor's offices, which enables them to use the occasion to provide them with support, as well as to obtain important data. Later, if necessary, they forward their reports to other institutions, such as the centre for social work, thus preventing the re-examination of the victim about the same events.

From 2023, the Centre has a team approach in all identification procedures. In such cases, a team of professional workers, which always includes one psychologist and one social worker, makes an assessment and makes a decision. In addition, the principle of special urgency was introduced when it comes to presumed child victims, as well as migrants, and in the case of the latter category, a special expert is appointed to monitor the identification and coordination of protection.

During the reporting period, the Centre received 168 new complaints. For 137 cases, the identification procedure was initiated, which means that in those cases, during the entire identification procedure, the presumed victims are provided with the same support as the formally identified victims of human trafficking. The stated number of 168 complaints represents an increase compared to 127 complaints in 2021 and 138 complaints in 2022. The increase in the number of complaints may be the result of the work of the Centre on raising awareness among officials and professional workers who come into

⁴⁷ The Centre informed the National Rapporteur that the process of identification, as well as preliminary identification, is carried out in such a way so as to respect the rights of the victims and respect the right to a period for reflection, through consultation and coordination with other participants in each specific case. Special attention is paid to minimizing re-traumatization, and the expert workers of the Centre try to get as much information as possible about traumatic events from other authorities, such as the police or the public prosecutor's office, so that victims do not have to talk about it multiple times.

contact with persons at risk.⁴⁸ The Centre had the largest increase in complaints from the police system (65%) and the social protection system (53%).

Year	Number of complaints received by the Centre
2020	130
2021	127
2022	138
2023	168

During 2023, the Centre formally identified 66 victims of human trafficking, which represents an increase of 6.5% compared to the previous year, or 43.5% compared to 2021. This is the largest number of formally identified victims of human trafficking in the last five years in the Republic of Serbia⁴⁹. Most of the identified victims are women, as many as 72%.

Year	Number of victims identified by the Centre
2021	46
2022	62
2023	66



⁴⁸ As the Centre informed the National Rapporteur, in the last three years the Centre participated in trainings for almost 1000 professionals in the area of social protection, judiciary, police, health, education, non-governmental sector. In the area of social protection alone, 300 professional workers were trained in this period for preliminary identification and work with victims of human trafficking.

⁴⁹ According to information from the Centre for Human Trafficking Victims' Protection in the Republic of Serbia, 40 victims of human trafficking were formally identified in 2019, 57 victims in 2020, 46 victims in 2021, and 62 victims in 2022.

During the reporting period, the Centre also acted proactively, so 7% of investigations were initiated on the basis of information obtained by working on other cases or from media publications, as well as from conversations with the participants of their forums and at expert meetings. At the same time, in own-initiative investigations, without a prior complaint, the Centre discovered 12 persons who were suspected of being victims of human trafficking.

During the reporting period, the Centre identified the largest number of victims on police complaints. In 2023, 51.5% of police complaints resulted in formal identification, in 29% of cases the procedure is ongoing, and in 19.5% of cases it was assessed that it was not a matter of a victim of human trafficking or the procedure was interrupted, suspended, or the complaint was rejected. During the reporting period, the number of complaints from social welfare institutions on the basis of which victims were identified increased, however, in 55% of cases, they were not victims of human trafficking. It is similar with the relevant associations, where in 43% of cases it was established that it was not a case of human trafficking. The Centre sees the increase in the number of complaints, as well as the number of identified victims upon complaints, as a result of the trainings on preliminary identification it conducted in the previous period.

Based on the reports of the Protector of Citizens and the control investigations into the legality and regularity of work launched by the Protector of Citizens within its competences, the Centre identified five child victims of human trafficking during 2023.

Source of complaint to the Centre for Human Trafficking Victims' Protection	Number of complaints
Mol	66
Social protection system	43
Relevant associations	16
Centre for Human Trafficking Victims' Protection ⁵⁰	12
Education system	9
Protector of Citizens	6
Judicial system	5
Relative	4
International organizations	3
The presumed victim in person	2
Commissariat for Refugees and Migration	1
Other natural person	1
Total	168

⁵⁰ Proceedings initiated ex officio.

The Centre emphasizes that from 2022, the education system began to participate more actively in the preliminary identification, after the revision of the indicators, which continued in 2023. However, no complaint from the education system in 2023 resulted in the identification of a victim, and it is necessary to continue work on the education of educational workers, especially bearing in mind that in 2023, 62% of identified victims were children, that 44% of children were exploited while attended school, and that 15 children did not attend compulsory elementary education during the period of exploitation. According to information from the Centre, the period of exploitation, in cases where children were identified as victims, was longer than three years. In this regard, it is necessary to urgently engage the education system and continue the trainings of employees in this system on preliminary identification.

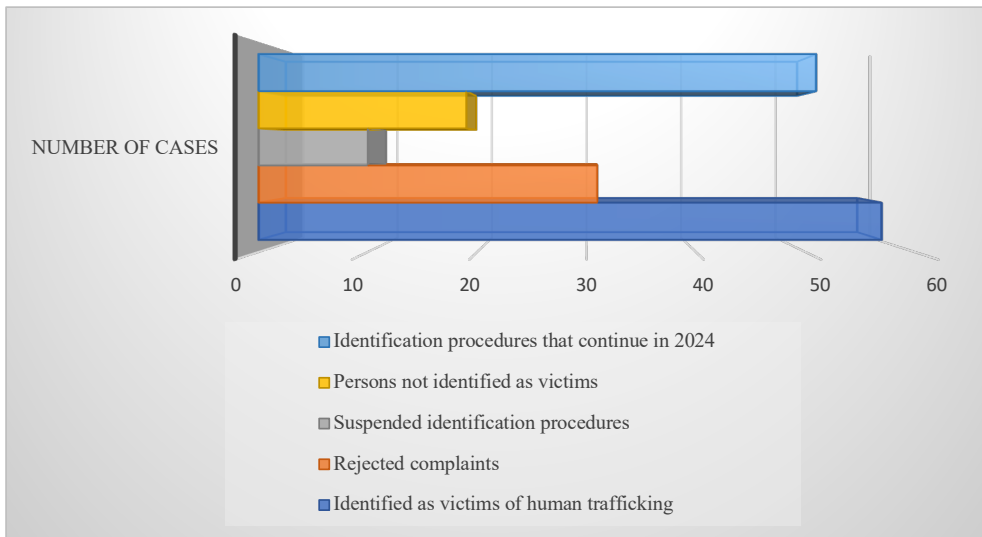
During the reporting period, the Centre did not have a single complaint from the healthcare system, which is worrying considering that activities were undertaken to develop regional health indicators for identifying cases of human trafficking. According to the information of the Centre, during the period of exploitation, a large percentage of victims went to the doctor and had specific injuries and illnesses, which indicates that health workers were potentially in a position to recognize indicators of human trafficking.

As the Centre informed the National Rapporteur, during the reporting period, the largest number of complaints⁵¹ came from Belgrade, followed by Novi Sad, Niš and Subotica.

Out of 168 reports received in 2023, 57 victims of human trafficking were identified. 31 complaints were rejected, 10 identification procedures were suspended, 19 persons were not assessed to be victims of human trafficking, and for 51 persons the identification procedure continues in 2024.

Category	Number of cases upon complaints in 2023
Identified as victims of human trafficking	57
Rejected complaints	31
Suspended identification procedures	10
Persons not identified as victims	19
Identification procedures that continue in 2024	51
Total complaints in 2023	168

⁵¹ The Centre receives complaints via e-mail, calls to the emergency line or by post, and a significant number of complaints were sent by associates from other institutions and organizations who came into contact with the Centre's professional workers with whom they previously collaborated.



The Centre states that the most common reason for rejecting complaints is that human trafficking indicators are not recognized, that is, that after supplementing the data from the complaint, no elements of human trafficking are found (80% of cases). In 15% of cases, complaints were rejected because even after supplementing the data, the Centre did not obtain information about who the presumed victim was. In the other cases, after a check, it was established that the person who was supposed to be the victim did not exist, that is, the supposed victim died before the complaint was submitted.

Reasons for rejecting complaints	Percentage (%)
Indicators not recognized/no elements of human trafficking	80%
No information found on who the presumed victim is	15%
The presumed victim does not exist/is deceased	5%

The most common reason for the termination of the identification procedure is the impossibility to get in contact with the presumed victim, while there are no other relevant sources of information on the basis of which the identification could be carried out. In two cases, the procedure was terminated because it could not be carried out due to the health condition of the presumed victims, and in two cases, the presumed victims refused to cooperate with the Centre. The Centre states that in such situations, the procedure continues when the conditions are met.

The National Rapporteur was informed by the Centre that in situations where, based on the conducted identification procedure, it cannot be determined that a person is a victim of human trafficking, it is usually a case of

some other form of abuse, that is, a victim of some other criminal act. During the reporting period, in 35% of such cases it was a matter of neglect of children who spent time on the street, among other things, begging, in 29% of the cases it was about child marriage, which also implies abuse and neglect, and the other cases were related to sexual abuse, establishing a common law marriage with a minor, domestic violence and prostitution. In such situations, the expert workers of the Centre also prepare reports and send them to the competent institutions. At the same time, the expert workers of the Centre provide advices to the victims and refer them to organizations and institutions that specialize in providing assistance. The police and the competent public prosecutor's office are notified of any suspicion of the criminal offence.

Based on the information provided by the Centre to the National Rapporteur, it can be concluded that during the reporting period, the largest number of formally identified victims of human trafficking were exploited by being forced to beg, that is, 17 victims. Of particular concern is the fact that in all 17 cases, victims were under the age of 18, of which 12 were female and five were male. There were 13 female victims of sexual exploitation, of which five victims were under the age of 18. During the reporting period, there were 11 victims of human trafficking for the purpose of labour exploitation, of which three were female victims under the age of 18. 10 victims were repeatedly exploited, of which six victims (four female) were under the age of 18. Eight victims were exploited by coercion into marriage, all of them female, of which five victims were under the age of 18, while seven victims were exploited by coercion to commit criminal acts (five male victims under the age of 18).

Type of exploitation of formally identified victims of human trafficking during 2023	up to 18 years old		over 18 years old		Total
	F	M	F	M	
Sexual	5		8		13
Forced marriage	5		3		8
Labour	3		3	5	11
Forced begging	12	5			17
Multiple	4	2	3	1	10
Coercion to commit criminal acts		5	1	1	7
Total	29	12	18	7	66

The Centre points out that when cases of multiple exploitation are broken down and presented in general statistics, the most common form of exploitation is forced begging with a share of 29.3%, the second most frequent is

labour exploitation 22.6%, sexual exploitation occurs in 20% of cases, coercion into marriage in 14.6%, and coercion to commit criminal acts in 13.5% of cases⁵².

Labour exploitation in 22.2% of cases meant industrial labour, in 22.2% domestic labour, in 16.6% agricultural labour, in 16.6% labour in the street and in 22.2% of cases it meant other forms of labour.

Type of labour exploitation	Percentage (%)
Industrial labour	22.2%
Domestic labour	22.2%
Agricultural labour	16.6%
Labour in the street	16.6%
Other forms	22.2%

Sexual exploitation in 87% of cases meant commercial sexual exploitation through coercion to provide sexual services for money, and in 13% of cases non-commercial sexual exploitation.

Type of sexual exploitation	Percentage (%)
Commercial sexual exploitation	87%
Non-commercial sexual exploitation	13%

In 45% of cases in which victims were forced to commit criminal acts, they were forced to commit theft, in 18% of cases they had to participate in the smuggling of migrants, in 10% of cases they were forced to sell narcotics, and 27% of cases consisted of other types of criminal acts. Exploitation through forced begging was carried out by parents, that is, guardians of the victims, in 83% of cases. They were often the ones who sold the victims for marriage, in 73% of the cases of discovered forced marriages.

Of the 66 victims of human trafficking identified in 2023, the Republic of Serbia is the country of origin of 60 identified victims. Of that number, 52 victims were exploited in the Republic of Serbia, three in Montenegro, two

⁵² As the Centre informed the Protector of Citizens, this change is the product of several different factors. To a large extent, it is a consequence of the police actions that were carried out at the end of the year and that were planned in cooperation with the Centre in the part that concerns the care of the victims. In addition, the change in the structure of forms of exploitation among identified victims is partly a product of changes in the method of identification, new instructions and the application of new indicators for the formal identification of victims of human trafficking. The Centre states that if we compare the data from 2021, we will see that the number of identified victims has increased by 43.5%, and that the biggest increase is in the areas of labour exploitation and forced begging.

in Israel, one each in Italy, Switzerland and Thailand. In 2023, India was the country of origin of three victims, of which two victims were exploited in the Republic of Serbia, and one in India. The countries of origin of the remaining three victims who were identified in 2023 by the Centre and who were exploited on the territory of the Republic of Serbia are Ukraine, Iran and Pakistan.

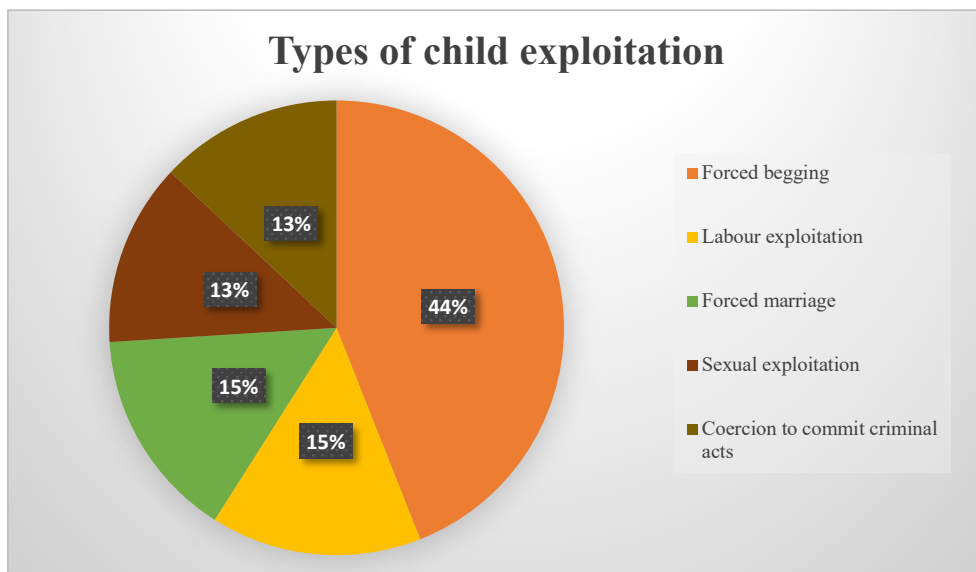
During the reporting period, the average age of the identified victims was 19.5, which is lower than in 2022, when it was 24.5. According to information from the Centre, the youngest victims of forced begging are those whose average age is 11, while the highest average age among victims of labour exploitation is 27. The average age of victims of forced marriage is 15.5, of victims of coercion to commit criminal acts 19.4, and of victims of sexual exploitation 21. The average age of male victims of human trafficking is 22, and the average age of female victims is 18.5. The average age of the identified children is 12. At the time of exploitation, the youngest victim was not a full year old, while the oldest identified victim was 63 years old.

Category	Average age (years old)
Men	22
Women	18.5
Children	12

Of particular concern is the fact that the percentage of children among the identified victims of human trafficking is significantly higher than in the previous years and amounts to 62%. That percentage is significantly higher than in 2022, when it amounted to 40%, and especially in 2021, when there were 37% of children among the identified victims. Children are most often exploited through forced begging in 44% of cases, labour exploitation in 15% of cases, forced marriages in 15% of cases, sexual exploitation in 13% of cases, coercion to commit criminal acts in 13% of cases.

Year	Percentage of children among the victims (%)
2023	62%
2022	40%
2021	37%

Type of child exploitation	Percentage (%)
Forced begging	44%
Labour exploitation	15%
Forced marriages	15%
Sexual exploitation	13%
Coercion to commit criminal acts	13%

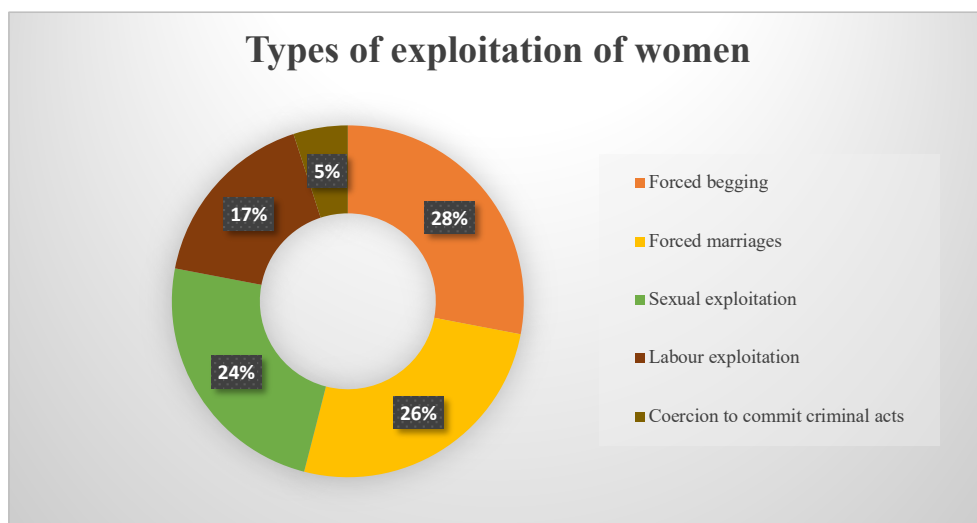


Children without parental care are particularly vulnerable. During the reporting period, the Centre identified three children who were exploited while they were housed in a social protection institution, and it was determined that the exploitation did not take place in the institution itself.

When it comes to the education of child victims, during the period of exploitation 50% of boys attended school and 50% did not, while 38% of girls attended school and 62% did not. From the foregoing, it can be concluded that a large number of children (44%) were exploited during the period when they attended school, which indicates the urgent need to further strengthen activities aimed at including the education system in the preliminary identification of victims. Also, the fact that 15 children of primary school age did not attend school at the time of exploitation is worrying, which indicates the need for greater attention and interventions to ensure that all children are included in the education system and protected from exploitation.

The gender structure of the victims has not changed significantly in recent years. The percentage of women among the identified victims is still extremely high and in 2023 amounts to 72%. They are most often victims of sexual exploitation and forced marriages, but they are also affected by all other forms of human trafficking. The most common forms of exploitation of women are forced begging 28%, forced marriages 26%, sexual exploitation 24%, labour exploitation 17% and coercion to commit criminal acts 5%.

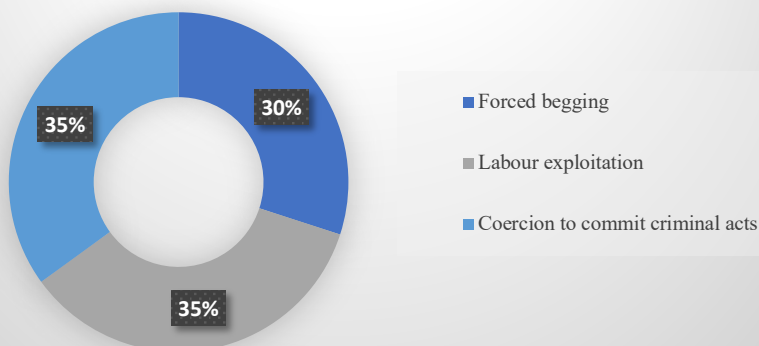
Type of exploitation of women	Percentage (%)
Forced begging	28%
Forced marriages	26%
Sexual exploitation	24%
Labour exploitation	17%
Coercion to commit criminal acts	5%



The structure of the form of exploitation of men during the reporting period, according to the information from the Centre, is different than in the case of women. Men were labour exploited in 35% of cases, through forced begging in 30% of cases and through coercion to commit criminal acts in 35% of cases.

Type of exploitation of men	Percentage (%)
Labour exploitation	35%
Forced begging	30%
Coercion to commit criminal acts	35%

Types of exploitation of men



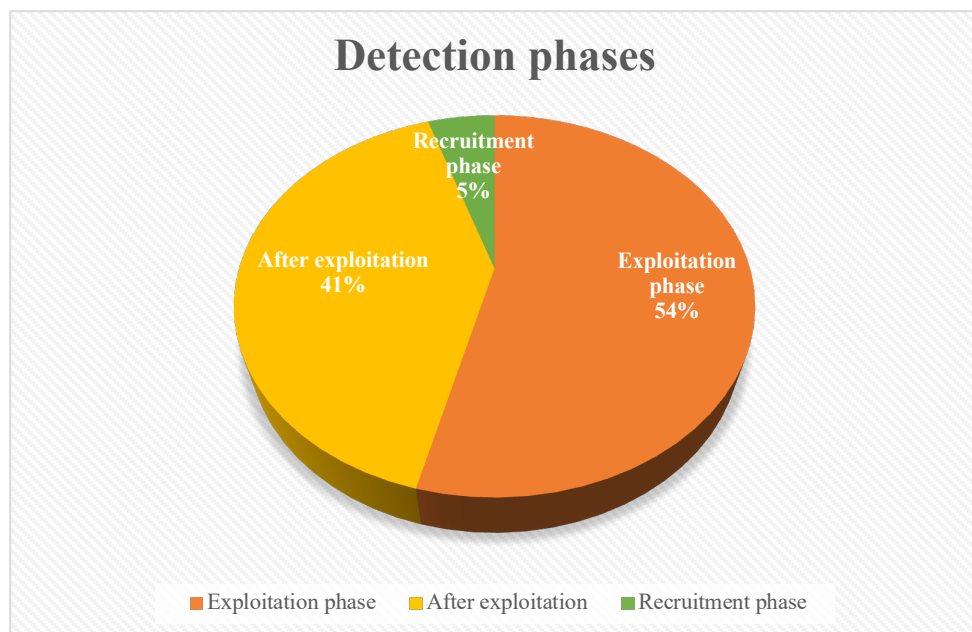
In the largest number of discovered cases, exploitation took place in the territory of Belgrade (21%), Loznica (21%), Novi Sad (9%), Subotica (6%), Požarevac (6%) and Niš (3%). Nine victims were exploited outside the borders of the Republic of Serbia.

During the reporting period, the Centre most often detected cases of human trafficking in the exploitation phase or after it, and only in a small number in the recruitment phase.

In most cases, the exploitation lasted over three years, and then up to three months after that. The exploitation of children by their parents lasted the longest. In such situations, the perpetrators had a high degree of control over the victims. It is particularly worrying that concrete cases were not noticed by institutions from different systems that worked with these families, which speaks of the need for further education of professionals who come into contact with children.

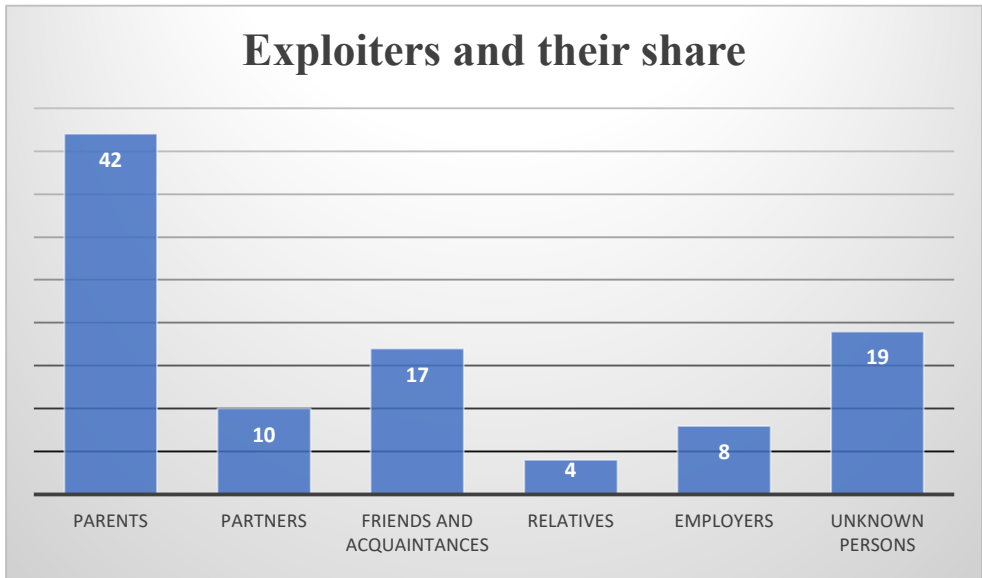
54% of cases were detected in the exploitation phase, 41% in the post-exploitation phase, while only 5% of human trafficking cases were detected in the recruitment phase.

Detection phase	Percentage of cases
Exploitation phase	54%
After exploitation	41%
Recruitment phase	5%



In most cases, the exploiters are persons who were previously known to the victims. These are their parents in 42% of cases, partners in 10%, friends and acquaintances in 17%, relatives in 4% and employers in 8% of cases. In 19% of cases, the exploiters were unknown persons. The high percentage of perpetrators of human trafficking, from the immediate environment of the victims, is even more pronounced when the victims are children. In 63% of cases, traffickers are the parents of the victims.

Exploiters	Percentage (%)
Parents	42%
Partners	10%
Friends and acquaintances	17%
Relatives	4%
Employers	8%
Unknown persons	19%



Based on the conducted formal victim identification procedures, it was determined that during the reporting period, traffickers recruited victims most often with job offers, through friendship, courtship, and marriage offers. Job offers are most often used as a recruitment method for labour exploitation in 53% of cases. They were also used for recruitment for the purpose of sexual exploitation in 25% of cases. False friendship and courtship are the most common methods of recruitment for sexual exploitation in 31% and 25% of cases, respectively. As a frequent tool for recruiting victims, there are also loans that are suddenly increased by loan shark methods without grounds and beyond the original agreement. This is how exploiters recruited 33% of victims of coercion to commit criminal acts and 12% of victims of sexual exploitation. The exploiters most often recruited children by pretending to be their friends and through emotional manipulation, and adults with job offers.

The most common control mechanisms were the abuse of parental authority, threats and the use of physical violence. There were rare cases where victims were locked and tied, but there were also cases where freedom of movement was restricted by confiscation of passports. There are also frequent cases of using fake debt, and there were also situations in which traffickers abused the disability of the victim, mostly victims with intellectual disabilities. For blackmail, they used explicit videos and forced the victims to provide sexual services so that they would not publish or send them to their family members, and the threats were mostly about physically harming them or their family members. There were also cases of emotional conditioning

that were most often used by close people, asking the victims to do what the traffickers want in the name of their supposed love or other type of relationship that implies loyalty and sacrifice.

Abuse of parental authority is a mechanism used by parents or guardians in relation to child victims. It is a powerful mechanism that causes victims to defend their exploiters.

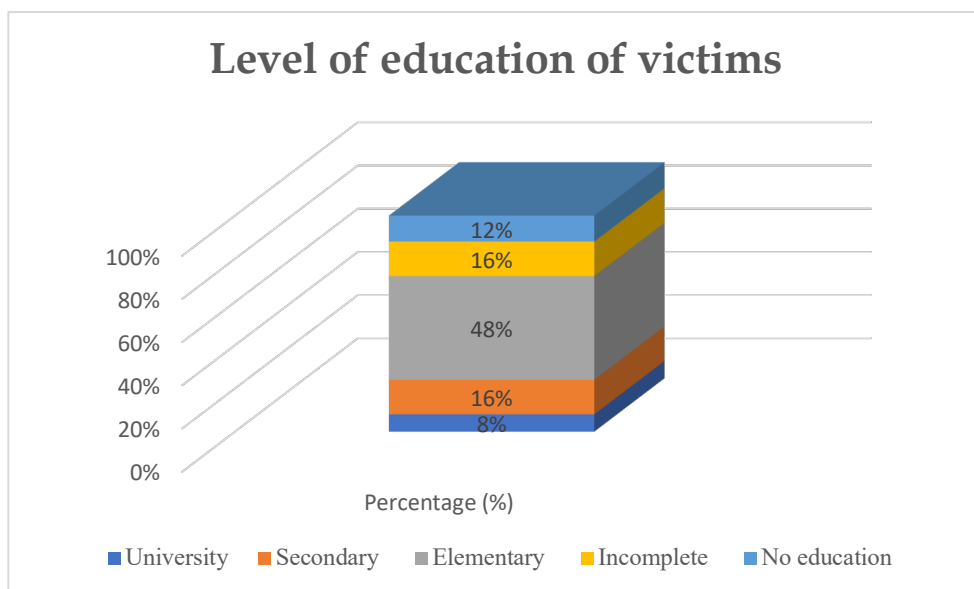
This mechanism is most often used in cases of forced marriage and begging. In cases of sexual exploitation, physical (46%) and sexual violence (100%), threats and blackmail (76%) were used most often, as well as abuse of narcotics and false debts in 25% of cases. During labour exploitation, traffickers used threats and blackmail in 81% of cases, confiscation of passports in 25% and physical violence in 18% of cases. Abuse of parental authority was used as a control mechanism in 85% of forced begging cases and 70% of forced marriage cases. In the case of forced begging, physical violence was also often used, in 69% of cases.

During the reporting period, the abuse of various internet platforms and social networks was often used for recruitment, but also for the exploitation of victims. The Centre states that traffickers recruit victims through false job advertisements or court them through various means of electronic communication. Later, most often in cases of sexual exploitation, in 80% of cases they use social networks and advertising websites to promote the services provided by the victims. These tools are used more and more often, so in 2022 they were observed in 25% of cases, and in 2023 in 39% of cases. The Centre indicates that these mechanisms are also used during recruitment for labour exploitation as well as forced marriage.

When it comes to the socioeconomic status of the identified victims, the vast majority are people without real estate, without employment and any regular income, most often with an acquired elementary education. None of the women among the identified victims had income or a house or apartment. These data refer to the period immediately before the start of exploitation.

The level of education among the identified victims of human trafficking is university education in 8% of cases, secondary education in 16% of cases, elementary education in 48% of cases, incomplete education in 16% of cases and 12% with no education, of which all are women.

Level of education of victims	Total	% of men by level of education	% of women by level of education
University education	8%	16%	6%
Secondary education	16%	28%	11%
Elementary education	48%	28%	55%
Incomplete education	16%	28%	11%
No education	12%	0%	12%

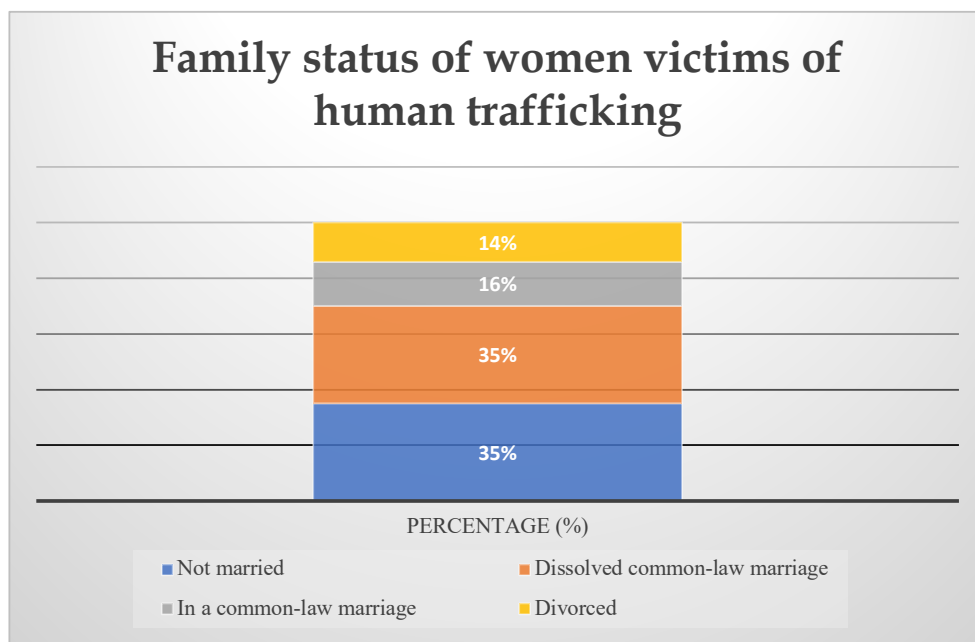


The largest percentage of victims of human trafficking among adults are persons who are not married, nor in a common-law marriage and whose relations with family members are dysfunctional. These people are in a particularly vulnerable position because they are socially isolated and have no support from their environment.

During the reporting period, two minor girls who had children at the time of exploitation were also identified as victims of human trafficking.

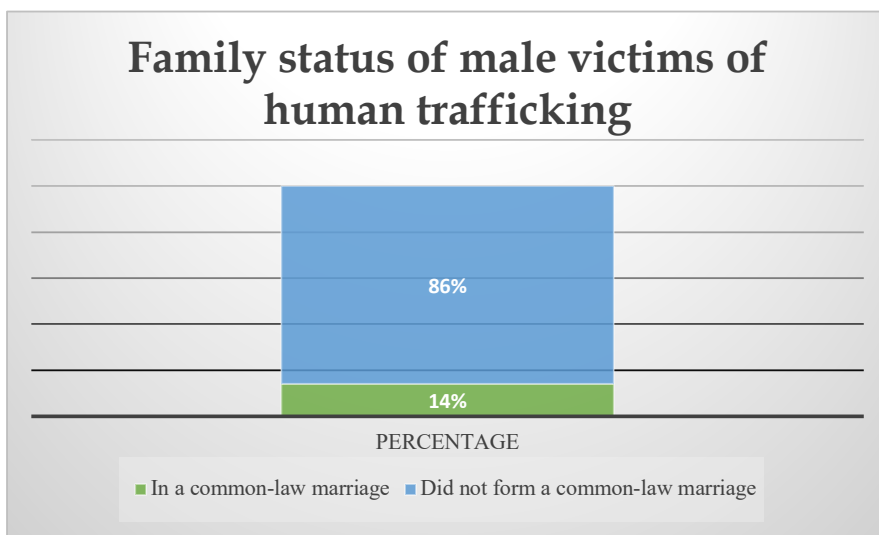
When it comes to the family status of women identified as victims of human trafficking, in 35% of cases the victims were not married, in 35% of cases the common-law marriage was dissolved, in 16% of cases they were in a common-law marriage, and 14% of the victims were divorced.

Family status of women victims of human trafficking	Percentage (%)
Not married	35%
Dissolved common-law marriage	35%
In a common-law marriage	16%
Divorced	14%



Regarding the family status of male victims of human trafficking, 14% of victims were in a common-law marriage, and 86% did not form a marital union.

Family status of male victims of human trafficking	Percentage
In a common-law marriage	14%
Did not form a common-law marriage	86%



The number of identified foreign citizens from mixed migrations in the reporting period is six. Although progress was made in 2022 compared to 2021, in terms of identified victims among migrants, there are still many difficulties in this area. They relate to the short stay of migrants in Serbia, frequent changes of place of residence and stay in illegal camps, lack of translators, absence of self-identification and insufficiently effective preliminary identification, i.e. a relatively small number of complaints. Based on the conversations of experts of the Centre with migrants, the conclusion is that a large percentage are at risk of human trafficking and that greater efforts must be made and better systemic solutions must be found in order to identify them and provide them with assistance.

Ministry of Interior

During the reporting period, officers of the Asylum Office of the Border Police Directorate of the Ministry of Interior made contact with an asylum seeker, a citizen of India, who was subsequently identified as a victim of human trafficking on the basis of labour and sexual exploitation in the country of origin. The contact with the asylum seeker was made during the implementation of the procedure for the submitted asylum application in the Republic of Serbia, where during the official hearing of the parties in accordance with Article 37 of the Law on Asylum and Temporary Protection, the asylum seeker presented circumstances that indicated the possibility of this being a case of a presumed victim of human trafficking. After the findings obtained during the implementation of the proceedings, and in coordination

with the Centre for Human Trafficking Victims' Protection, the Indian citizen was identified as a victim of human trafficking on the basis of multiple exploitation in the country of origin (labour and sexual exploitation).

Officials of the Asylum Office carried out monitoring during the submission of applications for asylum, the hearing of asylum seekers and the adoption of first-instance decisions. Even though the asylum procedure leads to the identification of presumed victims of human trafficking, the victims often give up the asylum procedure, and as a result, the final outcome of identification does not occur. With the entry into force of the Law on Asylum and Temporary Protection, Article 17, special procedural and acceptance guarantees were prescribed for categories of persons such as minors, persons with mental disorders and victims of human trafficking⁵³. When it comes to presumed victims of human trafficking, the process of identification of this category of persons is carried out continuously by the Asylum Office, at the earliest after the expressed intention to submit an application for asylum in the Republic of Serbia at the border or in the transit area. Cooperation has been established with the Centre for Human Trafficking Victims' Protection, which the Asylum Office informs as soon as possible about the information it has obtained during the submission of asylum applications or hearings, which relate to obvious victims of human trafficking.

Labour inspection

Despite the fact that, according to information from the Centre for Human Trafficking Victims' Protection, in 2023 labour exploitation of identified victims of human trafficking was in second place in terms of frequency (22.6% compared to other forms of exploitation), the National Rapporteur observes the absence of more proactive actions of the labour inspector. This is also indicated by the absence of complaints to the Centre on suspicion of human trafficking by the labour inspectors.

⁵³ Article 17 of the Law on Asylum and Temporary Protection stipulates that the asylum procedure takes into account the specific situation of persons who need special procedural or acceptance guarantees, such as minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, seriously ill persons, persons with mental disorders, as well as persons who have been tortured, raped or exposed to other serious forms of psychological, physical or sexual violence, such as female victims of genital mutilation. With the special procedural and acceptance guarantees, appropriate assistance is provided to the asylum seeker who, given his personal circumstances, is not capable of realizing the rights and obligations from this law without appropriate assistance. The process of identifying the personal circumstances of the person referred to in paragraph 1 of this Article is carried out by the competent authorities continuously, and at the earliest within a reasonable time after the initiation of the asylum procedure, i.e. after the expression of intention to submit an application for asylum at the border or in the transit area.

As the National Rapporteur was informed by the Labour Inspectorate of the Ministry of Labour, Employment, Veteran and Social Affairs regarding the process of identification of victims of human trafficking, acting labour inspectors made contact with presumed victims of human trafficking in two conducted inspection supervisions. In the case of an agricultural employer who hired seasonal workers from Uzbekistan, labour inspectors directly spoke with the hired foreign citizen who, according to him, was the only one who speaks and understands English, since labour inspectors do not have the possibility of hiring a translator. During the interview, the employee's statements regarding the manner of employment, possession of personal documents, working conditions, living conditions, working hours, calculation and payment of work allowances, etc. were recorded. Also, at an employer in the catering industry that employs workers from the Philippines, labour inspectors directly spoke with several hired foreign nationals who, according to their own statements, speak and understand English, since labour inspectors do not have the possibility of hiring a translator. During the interview, the statements of the employees regarding the manner of employment, possession of personal documents, working conditions, living conditions, working hours, calculation and payment of work allowances, etc. were recorded.

Commissariat for Refugees and Migration

In exercising its competences, the Commissariat for Refugees and Migration comes into contact with presumed victims of human trafficking. During the reporting period, eight presumed victims of human trafficking were identified in asylum centres and reception centres, of which one person was identified as a victim of human trafficking.

The Commissariat informed the National Rapporteur that, in accordance with the regulations and rules of the profession, the continuous screening and identification of vulnerable categories, including the presumed victims of human trafficking, is mandatory. Identification is carried out from the moment of reception, and during the entire stay. In dealing with asylum seekers, the Commissariat applies a tool which was developed by the European Union Agency for Asylum, one of the modules of which is related to the identification of victims of human trafficking. In addition, through the regular holding of educational workshops, in cooperation with associations, during the reporting period, efforts were made to empower the presumed victims in order to identify the actual victims more easily. The trainings organized for employees during the reporting period, primarily in cooperation with the Centre for Human Trafficking Victims' Protection, can contribute to the improvement of skills for the preliminary identification of victims of human trafficking.

After conducting preliminary identifications of presumed victims of human trafficking, the Commissariat for Refugees and Migration informed all authorities in accordance with the Standard Operating Procedures for human trafficking, the police, the National Coordinator for Combating Trafficking in Human Beings, the competent public prosecutor's office, the Centre for Human Trafficking Victims' Protection and the Centre for Social Work. In accordance with the best interests of the presumed victim, after the assessment of the competent services, the Commissariat for Refugees and Migration participated in activities such as relocation to other facilities, support during translation, or other actions in accordance with the protection plan. Among other things, the Commissariat for Refugees and Migrations provided transportation and the potentially needed accommodation services.

The cooperation of the Commissariat for Refugees and Migration with relevant associations during the reporting period was reflected in the relocation of victims and presumed victims to accommodation facilities available to them. In addition to providing support through translation and transportation for presumed victims, in situations where it is determined that persons are not presumed victims of human trafficking, the Commissariat provides accommodation and other conditions necessary for acceptance.

The presumed victims during the identification process, as well as identified victims, were moved from the centres of the Commissariat.

The Commissariat for Refugees and Migration does not provide legal aid services, and in the centres of the Commissariat, especially those where families and children are accommodated, psychosocial support services are provided by relevant associations, with which the Commissariat has signed a memorandum of cooperation.

The biggest challenges for the identification and protection of victims of human trafficking in asylum centres and reception centres are the language barrier (lack of translators for rare languages), cultural differences, short stay in the centres, as the average stay in the centres during the reporting period was 12 days, as well as the employee outflow.

Misdemeanour Appellate Court and Misdemeanour Court in Belgrade

Despite the fact that the National Rapporteur was informed by the Misdemeanour Appellate Court and the Misdemeanour Court in Belgrade⁵⁴ that during the reporting period there was no contact with victims of human

⁵⁴ Representatives of the Misdemeanour Court in Belgrade participated as participants and as lecturers in several workshops, trainings and seminars, among others: First and Second the-

trafficking, on several occasions there were potential victims, according to the assessment of the acting judges, who were instructed about their rights and possibilities, but they did not want any further actions in that direction. Due to the existence of a well-founded suspicion that someone is or may be a victim of human trafficking, during hearings in the capacity of the defendant⁵⁵, the acting judges, on several occasions, presented to persons whom they assessed could be at risk that they were victims of human trafficking, but no further proceedings were carried out, because those persons declared that they were not victims of human trafficking, and that such a thing should not be entered in the minutes of the hearing. The problem is that these persons are not aware that they are victims, or they do not want to accept it. The reasons for this, the misdemeanour courts see in the fear of such persons, or in the lack of confidence that the system will provide them with adequate protection.

The statements of the misdemeanour courts, that during the proceedings the judges sometimes suspect that a person is a victim of human trafficking, indicate the necessity to include the misdemeanour courts in the preliminary identification of victims and to implement trainings for judges more intensively.

Citizens' association Astra

During the reporting period, the Citizens' association Astra participated in the identification of 29 victims of human trafficking: 19 women (including six female minors) and 10 men (including one male minor). Complaints were received from associations, international organizations (11), institutions (14), and in four cases, the persons themselves initiated contact. The victims were exposed to different forms of exploitation: eight were exposed to sexual exploitation, 11 to labour exploitation, one to forced marriage, three to forced begging and six to multiple exploitation. The largest number of victims were domestic citizens (22), while there were seven foreign citizens (from India, Uzbekistan, Burundi, Pakistan and Montenegro). Foreign citizens were exploited in Serbia (six) and Montenegro (one). The largest number of Serbian

matic meeting for dialogue on migration management in the Republic of Serbia, Vrdnik 19-20th September 2023; Thematic meeting on migration management: "Establishment of a national independent mechanism for border control", 6-7th November 2023; "Safety of people and borders – combating smuggling of migrants and protection of smuggled migrants on the Western Balkan route", 26-27th October 2023 in Belgrade; training "Protection of victims of human trafficking in criminal proceedings", which was attended by four judges of the Misdemeanour Court in Belgrade.

⁵⁵ Cases in the area of public order and peace, the Law on Foreigners, the Law on Prevention of Domestic Violence.

citizens were exploited in Serbia (14), Germany (three), Switzerland (three), the Netherlands (one) and Laos (one).

6.3. PROTECTION AND ASSISTANCE TO VICTIMS

During the reporting period, the Centre for Human Trafficking Victims' Protection, in addition to the identified victims from 2023, also worked with victims identified in previous years, as well as with presumed victims of human trafficking.

In 2023, the Centre provided help and support, sometimes through twenty-four-hour work in the Shelter, sometimes through organizing continuous duty in the Service for Coordination of Protection of Victims of Trafficking in Human Beings. Workers of this Service had 574 interventions outside of working hours. The interventions were of different intensity and degree of involvement, from phone calls and advisory conversations, to field trips and the organization of accommodation.

During the reporting period, the Centre provided support to 373 beneficiaries. In addition to the 66 identified victims in 2023, support was also provided to 70 persons who were not identified as victims, but were assessed as being at risk. The remaining number of 237 beneficiaries includes victims of human trafficking who were identified in previous years. According to the information from the Centre, during the reporting period, the Centre undertook 852 activities in order to provide beneficiaries with information on their rights, criminal offences, court proceedings, possible types of support, service providers and other relevant information.

In accordance with the recommendation of the Protector of Citizens, the Centre introduced the practice of convening a case conference at the beginning of work for all suspected minor victims of human trafficking. During 2023, 357 meetings and case conferences were organized, which were mostly organized electronically. In addition to the expert workers of the Centre and the beneficiaries, representatives of social protection institutions, the police, the judiciary, representatives of education and training institutions, as well as representatives of relevant associations, usually participate in the case conferences and meetings. Centres for social work were involved in all cases where the victims were minors.

Regarding the involvement of centres for social work in cases where the victims are adults, the situation is different because the victims themselves decide whether the centres will be engaged in providing support. During the reporting period, centres for social work were involved only in nine cases where the beneficiaries wanted it. As the Centre for Human Trafficking

Victims' Protection states, the reason for such a small number of cases in which centres for social work are involved in providing support is the fear of beneficiaries that in the small towns in which they live, people will learn what happened to them.

Relevant associations were included in the support for 32 victims of human trafficking during 2023, with the consent of the victims. Relevant associations provided support in terms of material support, accommodation, support for inclusion in the labour market, psychotherapeutic assistance and others. Part of the relevant associations was involved in the process of providing translators and as legal support in the processes of obtaining asylum.

In March 2002, the citizens' association Astra organization launched an SOS telephone line for support and assistance to victims of human trafficking and persons at risk. By the end of December 2023, they received 4,808 calls and provided information and/or assistance to 413 beneficiaries. The SOS telephone line of this organization is the only licensed SOS line in the Republic of Serbia, specialized in the problem of human trafficking. Services available to victims and their families include advisory services and support in the process of search, identification, recovery and reintegration, as well as medical, psychological and legal assistance.

Contacts were made through the organization's SOS telephone, personally when the beneficiaries arrived at the association (43) or in the field (120) – during visits, during monitoring in contact with institutions for the purpose of exercising rights, as well as through the provision of direct support (legal, psychological, medical, urgent etc.). Field associates (10) also provided information, support and organized the provision of various types of assistance through direct contacts in the field (130). Depending on the individual service plan, victims are provided with the services they deem necessary, taking into account the priority of needs. Existential needs such as safety, health, food and shelter are met first.

6.4. SAFETY OF VICTIMS

The safety of the victims implies the undertaking of cooperation activities between the relevant actors and the police, regular and urgent notification of the police, as well as the development of security strategies and advisory work with the victims.

Regarding the safety of beneficiaries of the Centre for Human Trafficking Victims' Protection, during the reporting period, activities were undertaken in cooperation with the competent organizational units of the Ministry of Interior. The representatives of the police were regularly informed and their

involvement was requested, and in cooperation with the Centre, advisory work was carried out with the beneficiaries.

The police officers of the Asylum Office, after carrying out activities, and after the Report submitted by the Centre for Human Trafficking Victims' Protection, granted protection on the aforementioned basis in the form of an approved right to asylum in the Republic of Serbia to an asylum seeker, an Indian citizen, who was identified as a victim of human trafficking. Also, in this specific case, special procedural and acceptance guarantees were applied in relation to the identified victim of human trafficking, so he was granted residence at a private address by the Decision of the Asylum Office, taking into account the sensitivity and mental state of the asylum seeker, all with the aim of psychological recovery, empowerment and integration into regular social activities.

During 2023, in order to enable recovery and eliminate possible further impact on the presumed victim, two requests were submitted for the approval of temporary residence for foreigners who were assumed to be victims of human trafficking under Article 62 of the Law on Foreigners⁵⁶. The persons gave up their requests, and the requests were suspended. One temporary stay for a presumed victim and one for a victim of human trafficking, which were approved in 2022, expired in 2023, and no requests for the extension of stay were submitted for those persons.

The National Rapporteur was informed by the Higher Public Prosecutor's Office in Belgrade that during the reporting period, regarding the safety of presumed victims and victims of human trafficking, continuous communication was achieved with specialized departments of the Ministry of Interior, primarily with the Public Order and Peace Department at the Police Directorate, as well as with the Third Department of the Criminal Police Directorate, which has a division specialized in dealing with human trafficking.

During the reporting period, the citizens' association Astra undertook various activities aimed at ensuring the safety of victims and presumed victims of human trafficking during the identification process and after its completion. In six cases, the authorities responsible for providing protection and ensuring the safety of the victims were contacted, including the police and the public prosecutor's office. These activities included addresses by phone and written requests in order to determine the situation and provide immediate protection to the victims. In three cases, there was an attempt to influence the witness, and in two cases there was a direct physical attack on the victim. This organization, in cooperation with the competent authorities, provided adequate and safe accommodation for the victims.

⁵⁶ "Official Gazette of RS", 24/18, 31/19, 62/23.

6.5. ACCESS TO JUSTICE, LEGAL AID AND THE RIGHT TO INFORMATION

Access to justice for victims of human trafficking includes the activities of engaging an attorney, proceedings before the competent judicial authorities and the determination of the status of a particularly vulnerable witness, which represents an additional form of protection of victims.

During the reporting period, for all 66 victims of human trafficking identified by the Centre for Human Trafficking Victims' Protection, the Centre requested the status of a particularly vulnerable witness. However, the Centre does not always receive a notification from the judicial authorities about the proceedings conducted before them. Victims accept legal support from the Centre in the majority of cases, so they receive information about the course of the proceedings from the victims themselves, that is, from legal representatives hired by the Centre, or some other institution, organization or the relevant association. In addition, the Centre emphasizes that it does not have the complete data on all procedures for the act of human trafficking in which the beneficiaries of the Centre participate.

The status of particularly vulnerable witnesses, according to the experiences of the Centre, is extremely significant and practice has shown that victims who have to give statements in front of judicial authorities in the presence of traffickers, are exposed to an extremely high degree of re-traumatization, they exhibit strong reactions to the trauma and are less willing to testify about their experiences. The Centre states that not all public prosecutor's offices and courts have the necessary equipment for taking statements via video link, and some do not use this equipment even though they have it, so it happens that victims, despite having the status of particularly vulnerable witnesses, have to testify in the presence of the accused and their attorneys, in small rooms, often with different pressures.

During the reporting period, for all the beneficiaries, male and female, who participated in judicial proceedings as injured parties, and who wanted it, the Centre provided an escort during the testimonies and the taking of statements, and in cooperation with the judicial authorities and the police, it organized their arrival safely and without meetings with the traffickers, that is, with the suspects. The escort and support services were provided mostly by expert workers of the Centre, and in a smaller number of cases, by representatives of centres for social work and relevant associations. During the reporting period, there were 46 situations in which experts from the Centre accompanied the victims who gave statements and testified in higher public prosecutor's offices and courts.

Regarding the provision of legal assistance, the Centre for Human Trafficking Victims' Protection provided an attorney for each minor victim who participated in the proceedings. Attorneys are also provided for adult victims of human trafficking. During the reporting period, the Centre provided attorneys for 25 victims. In addition to the Centre, attorneys were also provided by relevant associations, and they were also assigned *ex officio*. According to the information from the Centre, no victim used the free legal aid services through local self-government units, and the reason for this, according to the Centre, is the complicated procedure and the lack of specialized attorneys to work with victims of human trafficking.

In order to become familiar with the recommendations of GRETA from the third round of evaluation, which refer to legal advice and free legal aid, the National Rapporteur held meetings with representatives of the Ministry of Justice. On that occasion, the National Rapporteur was informed that the Ministry of Justice will undertake activities aimed at increasing the degree of knowledge on free legal aid and legal advice and its availability, in accordance with the Law on Free Legal Aid. At the same time, regarding the recommendations of GRETA that the costs of free legal aid and legal advice provided to victims of human trafficking by the relevant associations and the attorneys they hire should be reimbursed from the state budget, it was pointed out that victims of human trafficking, as a particularly vulnerable category, have the right to free legal aid in accordance with the Law on Free Legal Aid, but that only attorneys or legal aid services of local self-government units, in accordance with the Constitution, can provide such assistance. Associations may have legal standing⁵⁷ in the proceedings⁵⁸, but they cannot represent victims in proceedings or provide them with free legal assistance or legal advice.

The national Rapporteur is also aware that the Ministry of Justice will encourage bar associations to get involved in organizing trainings and specialization of attorneys to provide legal assistance to victims of human trafficking.

⁵⁷ A legal standing in court proceedings refers to the party's right to initiate proceedings before a court and to participate in them. It is an essential condition for the submitter of a request to be recognized as a plaintiff in court proceedings. A person must have a direct interest in examining or resolving a particular legal question or dispute. In other words, in order for someone to have a legal standing, he must prove that he has a legal interest, that is, that his right or legal interest has been violated or that there is an immediate danger of such violation. A person having a standing is essentially the one who has a legal basis to seek judicial protection and to present his case to the court. According to the aforementioned two laws, a legal standing is provided for only in civil proceedings or in administrative disputes, but not in criminal proceedings for the criminal offence of human trafficking.

⁵⁸ For example, the Law on Prohibition of Discrimination, Article 46, Paragraph 1, and the Law on Asylum and Temporary Protection, Article 56, Paragraph 4.

At the same time, the Ministry will organize trainings for legal aid services at local self-government units. The Ministry of Justice also indicated that it will consider how it can organize a larger number of rooms and adequate equipment for the questioning of particularly vulnerable witnesses.

At the same time, specific meetings with the Ministry of Justice were also used to discuss the problem of availability of information to victims of human trafficking.

The National Rapporteur was informed by the Ministry of Justice of the steps taken to improve legal aid and the availability of translation services for victims of human trafficking. In the reporting period, the Ministry of Justice published public calls for the appointment of permanent court interpreters, which represents an important step forward in providing legal protection to victims. For the Arabic language, four court interpreters were appointed for the High Court in Pirot. For the Russian language, 16 interpreters were appointed for the higher courts in Čačak, Užice and Novi Pazar. Also, 15 permanent interpreters for English and four for French have been appointed at the High Court in Šabac.

These measures are of importance for ensuring justice and effective communication with victims of human trafficking who often do not speak the language in which court proceedings are conducted. The availability of qualified interpreters contributes to a better understanding of procedures and victims' rights, as well as their active participation in legal proceedings.

In connection with the systematic provision of oral and written information to presumed and formally identified victims of human trafficking regarding their rights, available services and ways to access them, the Ministry of Justice expresses its readiness to produce informative brochures and materials that would increase the availability of specific information. The production of those materials can be realized through the activities foreseen in the Action Plan for the implementation of the National Strategy for the realization of the rights of victims and witnesses of criminal acts in the Republic of Serbia for the period 2020-2025. These activities could be carried out in relation to higher public prosecutor's offices and local self-government units. As for the courts, taking into account Article 52, paragraph 2 of the Law on Organization of Courts, in the judicial administration of the higher court as well as of another court designated by the High Court Council, a Service for providing support and assistance to injured parties and witnesses shall be organized. The contact point for information shall be appointed in the primary courts and in any other court determined by the High Court Council. The work of the Service for providing support and the actions of the contact point, are regulated in more detail by an act of the High Court Council.

According to the information that the National Rapporteur received from

the General Public Prosecution, in accordance with the Criminal Procedure Code and international standards, the competent public prosecutor's offices consistently apply measures to protect victims of human trafficking, who in all cases, when the legal requirements are met, are assigned the status of a particularly vulnerable witness, in order to prevent re-traumatization. Determination of the status of a particularly vulnerable witness is the basis for the appointment of an attorney, which represents an additional form of protection for victims, for reducing the possibility of confronting the defendant and for the special rules of interrogation.

According to information from the General Public Prosecution, a total of 37 persons were injured by the criminal act of human trafficking in 2023. Of that number, the status of particularly vulnerable witness was granted to 30 persons. During the reporting period, six particularly vulnerable witnesses were examined using technical means for image and sound transmission in the investigative procedure, 13 particularly vulnerable witnesses were examined with the help of a psychologist, a social worker or other expert, while no particularly vulnerable witnesses, according to the General Public Prosecution, were confronted with the defendant during the proceedings before the public prosecutor's office.

During the reporting period, the Higher Public Prosecutor's Office in Belgrade started using the following practice where, in cooperation with the Centre for Human Trafficking Victims' Protection, in situations where there is suspicion of the existence of elements of the criminal act of human trafficking, the Centre conducts an interview with the presumed victim and takes measures within its competence. In cooperation with the Centre, the Prosecutor's Office checks whether human trafficking really exists, and if through the assessment and the analysis of the set indicators, it is determined that it is not a matter of a serious criminal offence, then the Prosecutor's Office conducts prosecution for a minor criminal offence.

According to information from the Higher Public Prosecutor's Office in Belgrade, during the reporting period, a total of seven victims visited the Support Service for Victims and Witnesses of Gender-Based Violence, from which they received general support, and were then referred to specialized support provided by the Centre for Human Trafficking Victims' Protection and other organizations and relevant associations⁵⁹.

⁵⁹ Through the aforementioned Service, injured persons, i.e. victims, receive timely information, they are informed about what criminal proceedings look like, the manner in which they can exercise their rights, primarily the right to be awarded the status of a particularly vulnerable witness and to an attorney at the expense of the state. Victims are also given information about who the parties in the proceedings are, what the individual stages look like, legal terms are explained to them, as well as which organizations they can contact if they need

At the invitation of the Chief Public Prosecutor of the Higher Public Prosecutor's Office in Belgrade, the National Rapporteur visited the Higher Public Prosecutor's Office in Belgrade and toured the premises intended for particularly vulnerable witnesses and victim support. In this room, conversations are held with victims and presumed victims of human trafficking, to whom a psychotherapist may be available. If the victims or presumed victims of human trafficking receive the status of a particularly vulnerable witness during the proceedings, the interrogation is carried out in this room with special care, trying to avoid possible harmful consequences of the proceedings for the personality, physical and mental state of the witness. The room is equipped with modern equipment and it is possible to use the technical means for image and sound transmission, all with the aim of preventing the re-traumatization of victims in criminal proceedings.

With regard to informing the public about specific criminal proceedings concerning the criminal act of human trafficking, the National Rapporteur was informed by the Higher Public Prosecutor's Office in Belgrade that this prosecutor's office takes care not to reveal the identity of the victims in its press releases and takes into account the extent to which it will make available to the public data concerning the commission of the criminal act itself. This is especially true when it comes to minor victims, who are given special attention. In this sense, the actions of the criminal act are not described in detail, as in some other cases, but instead, it is briefly stated why the perpetrator was accused of the criminal act of human trafficking under Article 388 of the Criminal Code. No initials, no age, or anything else related to their identity is given for the minor victims. Given that the Higher Public Prosecutor's Office in Belgrade is a state authority that prosecutes perpetrators of criminal offences *ex officio*, the only legal assistance that could be provided to the injured parties is an attorney at the expense of the state, which the injured parties were informed about and which they used.

As part of the direct assistance program, the citizens' association Astra has developed a network of 30 attorneys specialized in representing victims of human trafficking in court. During the reporting period, this organization initiated two lawsuits for the improvement of the position of victims of human trafficking in accessing justice. The first case refers to a returnee, an

psychosocial support, without discrimination on any grounds. The goal of this procedure is to make it easier for each victim to participate in the proceedings and, in addition to providing the necessary information about the procedure itself, to recognize whether the victim needs further support from one of the relevant associations or centres for social work, and then to refer them to one of them. Also, this type of support is important in order for the person who suffered some form of violence to be strengthened and to persevere in the further course of the criminal proceedings.

identified victim of human trafficking, who was repeatedly exploited. The second case refers to the submission of a constitutional initiative to the Constitutional Court with a proposal to determine the unconstitutionality and illegality of provisions in the Standard Operating Procedures for dealing with victims of human trafficking.

The principle of non-refoulement

During the reporting period, at the initiative of the National Coordinator for Combating Trafficking in Human Beings, in order to apply the principle of non-refoulement of victims, by decision of the Basic Court in Loznica, the acting public prosecutor of the Higher Public Prosecutor's Office in Šabac suspended the proceedings due to the commission of a criminal act of theft under Article 203 of the Criminal Code against an identified victim of human trafficking, a citizen of Ukraine, in accordance with Article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings (Non-refoulement of victims of human trafficking).

Psychological and advisory support for the victims

In terms of providing psychological and advisory support to victims, the Centre for Human Trafficking Victims' Protection provided this type of support for all presumed victims and victims of human trafficking through healthcare institutions. The Centre pointed out that the beneficiaries in the Shelter were treated according to a special program of intensive support, which involves three phases – the adaptation phase, the recovery phase and the independence phase. This program was created during 2023. Psychotherapeutic support is provided for all beneficiaries of the Shelter through the project "Mental health of victims of human trafficking and service providers", which was implemented with the support of the German Agency for International Cooperation. Psychotherapeutic treatment was provided by the Centre with the support of relevant associations.

The citizens' association Astra has developed a network of 20 psychotherapists of various orientations trained to work with the trauma of human trafficking.

Access to employment and professional development

Regarding access to employment for victims of human trafficking, the Centre for Human Trafficking Victims' Protection has signed a Memorandum of Cooperation with the National Employment Service. Victims of human

trafficking have the status of a hard-to-employ category, which allows them priority in employment and participation in active job search and self-employment programs.

The Law on Amendments to the Law on Employment of Foreign Citizens⁶⁰ and the Law on Amendments to the Law on Foreigners⁶¹ introduced a single permit, which includes a permit for temporary residence and employment, which is issued as a single act in the process of hiring foreign citizens. Among other things, the mentioned legal amendments stipulate that the right to work in the Republic of Serbia, without the single permit, shall be exercised by a foreigner who, in accordance with the law, has been granted temporary residence on the basis of the status of a presumed victim of human trafficking or victim of human trafficking. Therefore, the mentioned amendments made it possible for this category of foreigners to have the right to employment only on the basis of their regulated status in the Republic of Serbia, i.e. the approved temporary residence, without the obligation to obtain additional permits.

In accordance with the provisions of the Law on Employment and Unemployment Insurance and strategic documents in the area of employment⁶², the National Employment Service implemented active employment policy measures during 2023. According to data obtained by the National Employment Service⁶³, five persons with the status of victims of human trafficking were registered in the Register of the Unemployed, of which four are women. In the reporting period, employment advisors conducted 12 individual interviews with persons who were given the status of victims of human trafficking. During individual interviews, 12 employability assessments were carried out, taking into account all relevant characteristics of each person⁶⁴, as well as the situation in the labour market. In accordance with the assessments carried out, the following was determined: 12 individual employment plans, with basic guidelines for active search for employment, activities aimed at finding employment, professions in which the person will be assisted by mediation, as well as measures of active employment policy in which the person will be involved.

During the reporting period, victims of human trafficking were included in measures of active employment policy, namely the employment fair⁶⁵, motivational and activation training for persons without qualifications and

⁶⁰ "Official Gazette of RS", number 62/23 dated 27th July 2023.

⁶¹ "Official Gazette of RS", number 62/23 dated 27th July 2023.

⁶² Employment Strategy in the Republic of Serbia for the period from 2021 to 2026 and Action Plan for the period from 2021 to 2023 for the implementation of the Employment Strategy.

⁶³ As of 31st December 2023.

⁶⁴ Level and type of qualifications, work experience, additional knowledge and skills, etc.

⁶⁵ Three victims of human trafficking, two of whom are women.

low-skilled persons⁶⁶, informational and advisory services in the business centre⁶⁷ and the psychological assessment of candidates for employment needs⁶⁸.

At the same time, during the reporting period, the Higher Public Prosecutor's Office in Belgrade held an initial meeting⁶⁹ on the topic of economic empowerment of victims of human trafficking, according to the existing model of employment of victims of domestic violence in the territory of the city of Belgrade.

The citizens' association Astra provides its beneficiaries with reintegration and economic empowerment services with the aim of making victims of human trafficking stronger and more independent for a stable and carefree life. These services include the provision of courses, trainings, education, various work tools, assistance in finding employment and meeting all other needs. Also, the organization organizes workshops for the groups of beneficiaries, where through an interactive approach they are informed about human trafficking and ways of protection, especially in the context of a secure search for business offers and employment. The workshops also include practical parts such as writing a work resume and the first job interview. The participants were young people between the ages of 18 and 25.

Accommodation of victims of human trafficking

The Centre for Human Trafficking Victims' Protection informed the National Rapporteur that providing accommodation for victims is one of the most challenging tasks this institution faces. The reason for this is the small and inadequate capacities, as well as the fact that there are no specialized accommodations for all categories, primarily men and children.

The position of the Centre for Human Trafficking Victims' Protection is that children who are victims of human trafficking should be accommodated in the most family-like environments. However, the problems that arise are the insufficient number of foster families in Serbia, as well as the fact that many foster parents do not want to accept children who are victims of

⁶⁶ One female victim of human trafficking.

⁶⁷ One victim of human trafficking.

⁶⁸ One female victim of human trafficking.

⁶⁹ The meeting was attended by representatives of the National Employment Service, representatives of the Centre for Human Trafficking Victims' Protection, representatives of the City Centre for Social Work in Belgrade, Čukarica Department, and representatives of relevant associations. The topic of the meeting was the economic empowerment of victims of human trafficking, that is, the implementation of the employment model in relation to victims of human trafficking in accordance with Article 25, paragraph 4, in connection with Article 4, paragraph 1, item 17 of the Law on Prevention of Domestic Violence.

human trafficking because they believe that they are not competent to help them. In this regard, it is necessary to determine the exact number of foster families and undertake activities aimed at strengthening the skills of foster parents to work with child victims of human trafficking. The Centre states that placement in institutions is particularly stressful for children, that children are already traumatized, and that the possibility of working with child victims of human trafficking under an intensive program is questionable.

The Centre has identified three children who were exploited while they were housed in a social welfare institution (the exploitation did not take place in the institution itself). In the reporting period, identification procedures were still ongoing for six more children in accommodation, and the Centre also provides support to children who were not exploited, but for whom the risk was recognized. In such situations, it is necessary to relocate the children from the institution, which is complicated due to the lack of accommodation capacity. The Centre emphasizes that during the reporting period, as in the previous years, it had a large number of rejected requests for the placement of child victims in institutions and foster families, and for six children, requests from ten or more homes and centres for family placement were rejected.

According to the data from the Centre, nine beneficiaries were placed in shelters for children, 12 in homes for children without parental care, one child in a penal correctional institution, 10 in foster families, 10 in other forms of accommodation such as housing with support for victims of human trafficking, provided by a relevant association, three in a boarding school for students and three beneficiaries in a maternity home.

A special problem is the accommodation of men for whom there are no suitable accommodation services and facilities. In one case, a man was placed in a foster family, in three cases relevant associations paid for commercial accommodation, in two cases it was done by the Red Cross.

The Centre advocates for the development of specialized foster care. This initiative was recognized through the proposal of an action plan for the implementation of a program document in combating human trafficking. Through this document, the development of a service for the accommodation of men was also initiated, and the Centre expects that by expanding the capacity of the Shelter, conditions will be created for the reception of children.

In cooperation between the Centre for Human Trafficking Victims' Protection and the Red Cross of Serbia, procedures were established for the distribution of humanitarian aid for victims of human trafficking, and it is carried out based on the Centre's requests. It is very important that the Red Cross of Serbia managed to establish such a distribution of aid that respects the protection of the victim's identity, and in agreement with the

donors makes the aid available to the victims, not only in the moment of urgent care and the satisfaction of basic needs, but also in the process of their reintegration, leaving the shelter and starting an independent life. In cooperation with the Centre for Human Trafficking Victims' Protection, and within the projects supported by the Swiss Red Cross and the International Federation of Red Cross and Red Crescent Societies, the Red Cross of Serbia provides assistance to identified victims of human trafficking, as well as to migrants who are in a state of urgent need, and who are at risk of human trafficking⁷⁰.

Shelter for Victims of Human Trafficking

The Shelter for Victims of Human Trafficking is an organizational unit of the Centre for Human Trafficking Victims' Protection, which was opened in February 2019. It is intended for women and girls over the age of 16 who have been identified as victims of human trafficking or are in the process of being identified, whose security is highly compromised and who need a safe place for recovery. The Shelter's accommodation service was licensed in February 2022⁷¹.

Representatives of the National Rapporteur visited the Shelter for victims of human trafficking in June 2023. At the time of the visit, a 16-year-old female was housed in the shelter with her minor child, one year and six months old. The beneficiary was in the process of identification at that moment.

Multi-layered and high-level security of the facility is provided in the Shelter. It is located at a secret address, has video surveillance that is connected to the police, as well as staff on duty 24 hours a day, seven days a week. At the same time, professional help and support from psychologists and social workers is provided 24/7. After an expert assessment of the Shelter's beneficiaries, primarily regarding their condition and degree of independence, a decision is made on further steps, i.e. whether the victim shall return to the family or another type of accommodation is needed. Another type of accommodation, which is more independent in relation to the Shelter, is housing with support, which is generally provided by the relevant association. There is also the possibility of accommodation in the Maternity Home at the Centre for the Protection of Infants, Children and Youth in Zvečanska.

⁷⁰ Cooperation between the Red Cross of Serbia and the Centre for Human Trafficking Victims' Protection, based on the Memorandum on Business and Technical Cooperation signed on 1st December 2022, continued in 2023.

⁷¹ License of the Ministry of Labour, Employment, Veteran and Social Affairs number 022-02-00181/2020-19 for 5 years.

The Shelter's beneficiary accommodation service is defined in accordance with Article 25 of the Rulebook on closer conditions and standards for the provision of social protection services⁷².

Beneficiaries who use the shelter's accommodation service are provided with it for a maximum of six months, with the possibility of extension for another six months in accordance with the assessed needs, the degree of traumatization and the need to ensure safety⁷³. Within the accommodation service, a special area for employees is provided in the Shelter, as well as an area for beneficiaries, an area for the implementation of program activities, preparation and serving of food and an area for documenting information on beneficiaries.

The National Rapporteur is aware that during the reporting period, the Centre had difficulties in organizing its work, which were primarily the result of an insufficient budget. The Centre indicates that it did not have enough funds for food or ongoing repairs, but with the help of various partners, it managed to overcome these problems and ensure that the needs of the beneficiaries were met.

During 2023, a total of 14 beneficiaries used the service of the Shelter for Victims of Human Trafficking, which is the largest number of beneficiaries since its establishment. One of the beneficiaries was accommodated in 2022, and she left the Shelter in 2023. There were 15 cases of accommodation in total, where two beneficiaries were accommodated twice during the year. Out of the total number, five beneficiaries were under the age of 18 (35.71%), of which two were under the age of 15. There were also nine beneficiaries who reached the age of majority at the time of placement (64.29%). Two beneficiaries were accommodated with their children, up to three years old. Except for one beneficiary who was a citizen of Ukraine, all other beneficiaries were citizens of the Republic of Serbia.

⁷² In accordance with Article 25, paragraph 1, item 2 of the aforementioned Rulebook, the service of accommodation in the Shelter within the Centre for Human Trafficking Victims' Protection is provided to young female persons over the age of 16, female adults, mothers with child/children, who are identified as victims of human trafficking or are in the process of identification. Accommodation can be provided to female migrants, as well as to all female persons for whom an assessment of the need for accommodation in the Shelter has been carried out, i.e. to persons whose security is highly threatened and who need to be provided with a safe place for recovery.

⁷³ The main goal of the service is the recovery of victims from the experience of trauma caused by human trafficking to the extent that allows them to assume responsibility and use other services necessary in the process of integration into the community, in a safe and secure physical and psychological environment. The method of work and the support provided to the beneficiaries is aimed at ensuring their physical safety and acquiring basic psychological safety, which are necessary for their further recovery. The service is of a temporary nature and should enable the victim to use other, less restrictive services after leaving the Shelter.

All the beneficiaries who used the accommodation service were identified as victims of human trafficking before or during the accommodation in the Shelter, except for one beneficiary for whom the identification process was not completed until the end of the stay. Among the identified beneficiaries of accommodation, during 2023 the dominant form of exploitation was sexual exploitation in eight cases (three victims under the age of 18), then multiple exploitation in two cases (both victims under the age of 18), forced begging, forced marriage, coercion to commit criminal acts in one case.

During placement, an assessment of strengths, needs and risks was made for each beneficiary, as well as an individual protection plan in accordance with the plan of the professional worker of the Coordination Service and the authority to which the beneficiary is referred⁷⁴.

According to the Centre's information, all beneficiaries of the Shelter received the necessary healthcare services, including basic gynaecological and psychiatric examinations, as well as others, in accordance with their health conditions and needs. Some beneficiaries also had psychological disorders, and some of them also had serious health problems. They regularly went to scheduled psychiatric check-ups and received appropriate therapy, which was regularly given to them in the presence of employees. Out of the total number of beneficiaries, eight of them (57.14%) stated that they abused psychoactive substances during the period of exploitation. During the reporting period, the beneficiaries had 301 examinations in healthcare institutions (medical assistance and specialist examinations).

All beneficiaries who participated in judicial proceedings were provided with a legal representative, preparation for their testimony was organized in the Shelter, and they were provided with the escort and support of expert workers during the giving of statements.

Of the total number of beneficiaries who stayed in the Shelter during 2023, 11 beneficiaries left the accommodation, while three continued to use the accommodation service in 2024.

⁷⁴ According to the individual plan, and based on an assessment, priority goals and activities are determined for each beneficiary and expected outcomes are planned. The priority goals for each beneficiary were safety and compliance with security procedures, health care, provision of personal documents and assistance in exercising rights from the social protection system, and in addition, the development of the potential and skills of the beneficiaries for independent living, as well as the stabilization of their psychological functioning through the provision of psycho-social support.

6.6. PARTNERSHIP, COOPERATION AND CAPACITY BUILDING OF RELEVANT ACTORS

During the reporting period, relevant actors in the area of human trafficking achieved interdepartmental and multilateral cooperation in the area of identification, assistance and protection of victims of human trafficking. At the same time, activities were undertaken in order to strengthen the capacities and the response of actors to challenges in this area.

In the period from May to October 2023, four one-day seminars were held in Novi Sad, Belgrade, Niš and Kragujevac, which were attended by 22 public prosecutors and six assistant prosecutors, while two three-day workshops were held in July and November in Vrdnik and Vrnjačka Banja, which were attended by seven public prosecutors. One of the topics of the mentioned trainings was the application of the principle of non-punishment of victims of human trafficking.⁷⁵

Representatives of the Centre for Human Trafficking Victims' Protection, together with representatives of the Counter-Organized Crime Service of the Ministry of Interior, were involved in three cases that resulted in the arrest of suspects of human trafficking. In these cases, the Centre organized support and accommodation for victims who were found on the spot.

In order to prevent trafficking of children who are housed in social welfare institutions, during the reporting period, the Centre initiated cooperation with the Institute for Education of Children and Youth in Belgrade and, together with the Ministry of Interior, held a workshop for their wards. On that occasion, contact was established with the children, which resulted in one child being identified as a victim and special support was organized for him. The Centre emphasizes that traffickers are aware of the vulnerability of children without parental care, which is why a more proactive approach is necessary.

During the reporting period, the Centre for Human Trafficking Victims' Protection carried out four assisted voluntary returns for citizens of the Republic of Serbia who were suspected of being exploited abroad – from North Macedonia, Montenegro, Belgium and Switzerland. These procedures were implemented with the support of the Ministry of Interior, and in two cases the support was provided by the International Organization for Migration.

⁷⁵ The aforementioned trainings were carried out within the project "Justice and dignity for human trafficking victims in criminal proceedings", organized by the Judicial Academy, the relevant association and the Government of the United States of America, as well as within the project of the United Nations Office on Drugs and Crime, "Supporting justice for human trafficking victims in Southeast Europe" organized by the Judicial Academy.

The mission of the International Organization for Migration in Serbia participated in the preparation and realization of the voluntary return of two victims of human trafficking, identified in Belgium and Switzerland. The preparation and implementation of the return in both cases was carried out in cooperation with the IOM missions in the victims' countries of residence⁷⁶ and competent institutions in their countries of residence and in the country of origin, the Republic of Serbia.

In cooperation with the Centre for Human Trafficking Victims' Protection, the International Organization for Migration in Serbia assists with the reception of victims at the airport and transport to the final destination in Serbia. Further direct contact with the victims continues through the implementation of the reintegration assistance package upon return. During the process of implementing reintegration assistance, the victims are provided with continuous psychological support and advisory services by the case manager of this organization, in order to facilitate the process of resocialization and reintegration of the victims in the communities to which they returned. Also, during the reporting period, the International Organization for Migration was able to support the victims, several times, who were accommodated in the shelter, when it came to some urgent needs, such as food and medicine.

After receiving the initial announcement of the voluntary return of the victims by the aforementioned missions, in accordance with its regular procedure when it comes to the voluntary return of victims of human trafficking, the International Organization for Migration informs the Centre for Human Trafficking Victims' Protection in the Republic of Serbia thereof. In the return and reintegration of victims of trafficking to the Republic of Serbia, the International Organization for Migration closely cooperates with the Centre for Human Trafficking Victims' Protection and, if necessary, with the relevant associations involved in the case. There is regular cooperation with the Ministry of Interior of the Republic of Serbia, as well as with the competent public prosecutor's offices.

During the reporting period, in addition to cooperation with the Centre for Human Trafficking Victims' Protection in the case of one beneficiary, the International Organization for Migration in Serbia also achieved close cooperation with the relevant association. The cooperation implied cooperation in providing advisory services to the beneficiary, so that the beneficiary would use the available reintegration assistance in the best possible way and in accordance with her current needs. Regular cooperation was established during regional and national events, meetings, gatherings.

During the reporting period, the Council of Europe Office in Belgrade

⁷⁶ Missions of the International Organization for Migration in Belgium and Switzerland.

provided support to the Centre for Human Trafficking Victims' Protection by strengthening cooperation with key actors in combating human trafficking. An expert consultative meeting was held between representatives of the prosecution, the Supreme Court of Cassation and representatives of the Centre for Human Trafficking Victims' Protection, with the aim of improving the Centre's expert findings and opinions, in order to use them more efficiently during investigative, prosecutorial and judicial proceedings. Based on the exchanged information, examples from practice and conclusions, the local consultant drafted a guide for improving the findings and opinions.

In order to strengthen protection and access to justice for victims of human trafficking, 26 prosecutors and contact persons for combating human trafficking, representatives of the Centre for Human Trafficking Victims' Protection and relevant associations met and discussed the improvement of the Centre's expert findings and opinions.

During the reporting period, the German Organization for International Cooperation undertook activities aimed at establishing and strengthening the capacities of local teams for combating human trafficking in Zaječar, Kragujevac, Pirot and Bor.⁷⁷ This organization also provided project support to the Centre for Human Trafficking Victims' Protection until June 2023 for the support and improvement of the mental health and professional capacities of the Centre's employees, as well as for the improvement of psychosocial support for victims.

In terms of international cooperation, during the reporting period, the Ministry of Foreign Affairs of the Republic of Serbia, through the Consulate General of the Republic of Serbia in Milan, continued to actively monitor and take measures within its competence in the case of a minor, a citizen of the Republic of Serbia. During 2021, the Ministry of Labour, Employment, Veteran and Social Affairs and the Centre for Human Trafficking Victims' Protection pointed out this specific case to this Ministry. On that occasion, it was requested that, in contact with the Italian authorities and institutions, checks be made in connection with the possible trafficking of a minor. According to the information of the Consulate General of the Republic of Serbia in Milan, obtained in December 2023 from an Italian local centre for

⁷⁷ Team meetings were also organized during the reporting period until May 2023. Within the PaCT project, in the Republic of Serbia, trainings for healthcare workers were organized at two locations in Belgrade and Niš. Indicators for early identification of victims and potential victims of human trafficking, as well as Standard Operating Procedures for further action in case of identification, were presented at the trainings. The trainings were attended by healthcare workers from the area of Belgrade and southern Serbia (Niš). These events were organized in cooperation with the Ministry of Health and the Office for the Coordination of Activities in Combating Trafficking in Human Beings within the Ministry of Interior.

social work, department for minors, this minor is in a safe house and is in the process of returning to the Republic of Serbia. In the Republic of Serbia, a guardian was appointed for this person, bearing in mind that the person was sold by his parents. The mentioned case is monitored by the competent Ministry of Family Welfare and Demography.

The Ministry of Foreign Affairs undertook activities in the case of another minor, also through the Consulate General of the Republic of Serbia in Milan, at the request of this minor. In connection with this case, the Consulate General of the Republic of Serbia in Milan is in contact with the competent Italian social protection service and has successfully mediated in organizing a meeting between the parents and the minor. In this specific case, the circumstances under which the minor found himself in the territory of the Republic of Italy are examined, i.e. whether this person is a victim of human trafficking.

The Council of Europe organized a round table on the topic of participation of victims of human trafficking in activities for combating human trafficking in Bosnia and Herzegovina, on 19th June 2023, in the Parliamentary Assembly of Bosnia and Herzegovina. In cooperation with the project "Strengthening anti-trafficking action in Bosnia and Herzegovina", a round table was held on the topic of the participation of victims of human trafficking in activities to combat human trafficking. In addition to representatives of the National Rapporteur, the round table was attended by representatives of the Office for the Coordination of Activities in Combating Trafficking in Human Beings, the Centre for Human Trafficking Victims' Protection, and representatives of relevant associations. The aim of the round table was to open a discussion on ways to empower survivors of human trafficking, to involve the persons who have survived human trafficking in decision-making and to ensure their active participation in combating human trafficking, in accordance with the standards of the Council of Europe, GRETA and the Council of Europe Convention on Action against Trafficking in Human Beings.

7. PREVENTION, PARTNERSHIP AND COOPERATION

During 2023, the relevant state authorities of the Republic of Serbia in the area of human trafficking undertook activities aimed at preventing human trafficking and improving cooperation. Activities aimed at raising public awareness of human trafficking were carried out, and the organization of various types of trainings continued in order to strengthen the capacities of relevant actors in this area. Initiatives at the local level mainly included the activities of a small number of active local anti-trafficking teams that contributed to the spread of these activities at the local level. Activities were also undertaken with the aim of preventing child trafficking and human trafficking among vulnerable categories.

To a significant extent, these activities were realized in cooperation with international organizations and relevant associations, which contributed to greater efficiency and coordination.

Bearing in mind the importance of the prevention of human trafficking and the improvement of cooperation and coordination of all relevant actors in this area, it is necessary to continue, improve and expand the activities of actors by providing continuous support to all involved actors in order to achieve lasting and sustainable results.

7.1. RECOMMENDATIONS FOR IMPROVING THE SITUATION IN THE AREA

In order to improve the situation in the area, the National Rapporteur issues the following recommendations to the competent authorities⁷⁸:

⁷⁸ Although according to Article 19, paragraph 2 of the Law on the Protector of Citizens, the Protector of Citizens is not authorized to control the work of the National Assembly, the President of the Republic, the Government, the Constitutional Court, courts and public prosecutor's offices, the Protector of Citizens believes that it would be useful for the aforementioned authorities to consider its recommendations, in the spirit of good cooperation.

- It is necessary to intensify supervision and education about the misuse of internet platforms and social networks for the recruitment and exploitation of victims of human trafficking, with a special focus on false job advertisements, courtship through electronic means of communication and advertising of sexual services;
- It is necessary to continue and improve efforts to increase awareness of human trafficking among young people in the Republic of Serbia, because informed young people can better recognize risks and avoid dangerous situations, contributing to the creation of a society more sensitive to the problem of human trafficking;
- It is necessary to include the media in the coordinated and comprehensive measures to prevent and combat human trafficking, through responsible and educational media campaigns, which inform the public about the seriousness of this problem and raise awareness of ways to recognize and respond to risks, avoiding sensationalism and re-traumatization of victims;
- It is necessary to ensure that the topic of prevention and combating human trafficking continues to be among the priority topics of the competitions for the co-financing of media projects in order to encourage greater interest and engagement of the media in this area;
- It is necessary, within the budget for the co-financing of media content production projects that achieve public interest, to provide a budget dedicated to the prevention of human trafficking;
- It is necessary to implement accredited training programs in the area of human trafficking, which are registered in the Republic Institute for Social Protection, in order to improve the capacity of professionals in combating human trafficking;
- It is necessary to continue with the active inclusion of relevant associations in the institutional framework, in the area of human trafficking, in order to ensure the sustainability of support services for victims of human trafficking;
- It is necessary to ensure the work and greater engagement of the existing local teams for combating human trafficking, and in particular to take measures to form new teams, especially the local team for the City of Belgrade.

7.2. RAISING AWARENESS OF THE PUBLIC AND PROFESSIONALS ON HUMAN TRAFFICKING

During the reporting period, activities related to raising awareness of human trafficking were mainly limited to the celebration of the World Day Against Trafficking in Persons and the European Anti-Trafficking Day, on 30th July and 18th October 2023, respectively.

On the initiative of the National Coordinator for Combating Trafficking in Human Beings and the Office for the Coordination of Activities in Combating Trafficking in Human Beings of the Ministry of Interior, the Annual Meeting of the local teams for combating human trafficking was held on 17th October 2023 in Niš, marking 10 years since establishment of the first local teams for combating human trafficking in the Republic of Serbia. The meeting was organized in light of the celebration of the European Anti-Trafficking Day⁷⁹, on 18th October. The meeting enabled the exchange of important information and examples of good practice on current events and challenges in preventing and combating human trafficking. Also, the meeting was an opportunity to exchange experiences and strengthen cross-border cooperation with the multidisciplinary team from the Republic of North Macedonia.

During the reporting period, representatives of the Centre for Human Trafficking Victims' Protection participated in 69 expert meetings. Of that number, the employees of the Centre played the role of active participants, lecturers or educators at 41 gatherings and participated in the education of over 300 experts from various fields.⁸⁰

The Centre for Human Trafficking Victims' Protection and the Red Cross of Serbia organized an expert meeting on the occasion of the World Day Against Trafficking in Persons, which was attended by representatives of the judiciary, the police, the social protection system, international organizations, embassies, associations and the National Rapporteur. At the gathering, the Centre presented its statistical report, and contemporary trends and challenges in combating human trafficking were presented. Information about the meeting and the World Day Against Trafficking in Persons was transmitted by the public media service and other electronic media.

⁷⁹ The meeting was organized within the framework of the "Migration Partnership Switzerland – Serbia 2020-2023", the project "Improving Protection – Management of Protection-Sensitive Migrations in the Republic of Serbia" in which the Ministry of Interior participates, and is implemented by the International Organization for Migration.

⁸⁰ Available at: <https://centarzztlj.rs/%d0%b8%d0%b7%d0%b2%d0%b5%d1%88%d1%82%d0%b0%d1%98-%d0%be-%d1%80%d0%b0%d0%b4%d1%83-%d1%86%d0%b5%d0%bd%d1%82%d1%80%d0%b0-%d0%b7%d0%b0-2023-%d0%b3%d0%be%d0%b4%d0%b8%d0%bd%d1%83/>.

During the reporting period, the Centre also organized the final meeting within the project “Mental health of victims of human trafficking and service providers”, which the Centre conducted with the support of the German Agency for International Cooperation. A short documentary film “Road to Recovery” was also presented at the meeting, which showed the recovery of the victims in the Shelter. The gathering was attended by representatives of various institutions and organizations that provide assistance to victims of human trafficking.

The Ministry of Education, in cooperation with the Institute for the Improvement of Education, implemented three online trainings⁸¹ for employees in educational institutions on the application of the Rulebook on the Institutional Response to Violence, Abuse and Neglect and in order to improve the work of advisors on the SOS line for reporting violence in schools. 360 school employees attended the trainings.

The Ministry of Labour, Employment Veteran and Social Affairs informed the National Rapporteur that in the Register of Accredited Training Programs managed by the Republic Institute for Social Protection, there are four training programs related to the area of human trafficking⁸². However, none of the mentioned programs were implemented during the reporting period.

The local team of the city of Novi Sad for combating human trafficking carried out informative activities with the aim of raising the awareness of the general population of the problem of human trafficking during the celebration of the World and European Anti-Trafficking Day, by having the Team members hand out informative materials to citizens at stands, in busy places in Novi Sad, realizing educational games for the youngest and by talking with stand visitors about the risks of human trafficking. The aforementioned activities were carried out with the aim of universal prevention of human trafficking, which includes activities intended for the general population, regardless of the presence of risk factors.

Red Cross organizations throughout Serbia marked the World and European Anti-Trafficking Day in accordance with the instructions of the Red Cross of Serbia.

⁸¹ All three programs contain modules directly related to the area of human trafficking, handling procedures and the familiarization with the revised list of indicators.

⁸² Support for victims of human trafficking in the social protection system – detection, assessment of needs and planning of support; Identification, assistance and protection of male victims of human trafficking; Centre for social work in the protection of victims of human trafficking; Instructions for working on the SOS telephone line for victims of human trafficking.

7.3. RAISING AWARENESS OF YOUNG PEOPLE ON HUMAN TRAFFICKING

The Ministry of Tourism and Youth recognized the importance of combating human trafficking in the Youth Strategy of the Republic of Serbia for the period from 2023 to 2030, and every year it supports programs and projects to implement the Strategy's goals⁸³.

During 2023, the Red Cross of Serbia implemented the Program for Combating Human Trafficking in 126 local self-government units in the Republic of Serbia. The network of peer educators of the Red Cross conducted 1,780 information-providing workshops in schools and places where children and young people gather, conveying the message about the need for protection and precautions against human trafficking to 36,388 people, especially children and young people from vulnerable groups.

According to the adopted standards for the implementation of trainings for volunteers in the Program for work with various particularly vulnerable target groups, the Red Cross of Serbia organized national specialized training attended by 35 participants. During the reporting period, Red Cross organizations in several cities and municipalities⁸⁴ organized the training of new peer educators. With this, 352 new educators acquired the skills to conduct informative workshops in working with peers.

During the reporting period, 18 candidates from Red Cross organizations successfully completed the exam for obtaining a license for the "Trainer" certification level. Licensing of trainers ensures the implementation of Program activities according to the set standards and has a positive effect on motivating and retaining volunteers. Standardization of activities facilitates coordination and allows volunteers to continue their work after changing the environment. Relicensing ensures that trainers stay up to date with all Program improvements and the adequate implementation of all modules according to the set goals, contributing to the retention of volunteers and their continuous development.

In order to mark the European Anti-Trafficking Day, the Red Cross of Serbia, at the invitation of the Faculty of Political Sciences of the University of Belgrade, held a lecture on the problem and consequences of human

⁸³ In cooperation with the Ministry of Education, the Ministry of Labour, Employment, Veteran and Social Affairs and the Commissariat for Refugees and Migration of the Republic of Serbia, the Ministry of Tourism and Youth is a partner in the program "Making Migration Work for Sustainable Development - phase III".

⁸⁴ Palilula, Aleksandrovac, Arandelovac, Babušnica, Boljevac, Čičevac, Kladovo, Kragujevac, Kraljevo, Kruševac, Loznica, Niš, Valjevo, Vranje, Kosovska Mitrovica, Zubin Potok, Bačka Topola, Kikinda, Kovin, Novi Sad, Pančevo and Vršac.

trafficking for students of the third and fourth year of undergraduate studies. A significant segment of the lecture was devoted to the response of social workers and the need for their adequate response. Representatives of the Centre for Human Trafficking Victims' Protection also participated in the lecture.

Representatives of the Centre also participated in three trainings for Serbian Red Cross activists, as well as in the capacity of educators, at the training "Role and networking of actors in recognizing, providing support and preventing re-traumatization of victims of human trafficking and other vulnerable groups", which enabled better coordination and networking among different actors involved in these activities.

As part of the Legal Clinic, the Centre for Human Trafficking Victims' Protection held a lecture for students of the Faculty of Law of the University of Belgrade on access to justice for victims of human trafficking. 40 students attended the lecture. The lecture was held in order to increase students' awareness of the complexity and challenges faced by victims.

From the aforementioned activities, it can be concluded that, through various activities and programs, work is being done to increase awareness of human trafficking among young people in the Republic of Serbia. However, it is necessary to continue and improve these efforts. Informed young people can better recognize risks and avoid dangerous situations, thereby reducing the number of potential victims. Also, education about the rights and ways to support victims contributes to the creation of a society that is more sensitive to the problem of human trafficking and encourages the active role of young people in combating this phenomenon. Further work on raising awareness, improving education and strengthening cooperation between all involved parties remains crucial for the successful fight against human trafficking and the protection of young people.

7.4. MEDIA COVERAGE OF HUMAN TRAFFICKING

Human trafficking requires coordinated and comprehensive prevention and combat measures, in which the media also play a significant role. Media campaigns and reporting on the subject of human trafficking not only inform the public about the seriousness of this problem, but also contribute to raising awareness of the ways in which individuals and communities can recognize and respond to the risks. However, unprofessional and sensationalist reporting can lead to re-traumatization of victims and endangering their identity. Therefore, it is of particular importance to include the media in preventive activities, in a responsible and educational manner.

The National Rapporteur is aware that the media regularly report on the organized expert meetings of the Centre for Human Trafficking Victims' Protection. In statements to the media, representatives of the Centre indicate the dangers of human trafficking and ways of responding to risks. Through media appearances, representatives of the Centre informed the public about how to report cases of human trafficking.

During the reporting period, at competitions in the area of public information, the Ministry of Information and Telecommunications supported the implementation of three projects on the topic of prevention and combating human trafficking⁸⁵. The Ministry highlights the disinterest of the media in the implementation of projects on this topic as the biggest challenge during the reporting period. Attempts are being made to overcome this challenge by including the topic of prevention and combating human trafficking in the priority topics of the competitions, which, in the reporting period, encouraged the media to apply for competitions with this topic. The activities are co-financed from the budget of the Republic of Serbia, and the Ministry does not have a specific budget dedicated exclusively to the prevention of human trafficking, but has a specific budget for co-financing projects for the production of media content in order to achieve public interest in the area of public information.

Every year, the Ministry of Culture of the Republic of Serbia announces tenders for the co-financing of projects in culture, in all areas of creativity. Although the program budget of the Ministry does not allocate funds for combating human trafficking, the tender procedure implies the possibility of co-financing this type of project. The application form in all competition areas contains a question about the project's contribution to realizing the rights of socially vulnerable groups and gender equality.

The Ministry of Culture informed the National Rapporteur that the competition commissions regularly paid special attention to projects related to combating human trafficking and tried to support their implementation in 2023. At a competition for children's cultural activities and for children and young people, only one project applied, which provided for a lecture on combating human trafficking and the recording of a television show, but there was no content in the area of culture, so the commission had no basis to recommend it for receiving support.

⁸⁵ Radio Television Vranje doo Vranje with the project "Don't look away, people smuggling is all around us", which was realized on Radio Television Vranje; Radio Rubin doo Kruševac with the project "Together against human trafficking", which was realized at Radio Rubin from Kruševac; Association "Be active 16" with the project "Problems of others concern us too", which was realized on Radio Preševo.

7.5. INITIATIVES AT THE LOCAL LEVEL

Initiatives at the local level for the prevention of human trafficking contribute to raising awareness of human trafficking in local communities, enabling citizens to recognize cases of potential human trafficking and respond to them. In addition, these initiatives often offer direct support to victims as well as educational programs for young people, thus encouraging the active role of all members of society in the prevention of human trafficking.

The bearers of initiatives at the local level during the reporting period were individual local teams for combating human trafficking.

The activities of the Local Team of the city of Novi Sad for combating human trafficking, with the aim of preventing human trafficking, during the reporting period, related to regular monthly meetings of representatives of the Higher Public Prosecutor's Office-prosecutor in charge of cases of human trafficking, the Police Department Novi Sad and the Centre for Social work. The meetings were devoted to the analysis of cases in which some of the risk indicators of human trafficking are determined.

Also, meetings are organized and attended by representatives of the Centre for Social Work of the city of Novi Sad (includes the departments in Beočin and Sremski Karlovci), centres for social work from Žabalj (includes the municipality of Titel), Bačka Palanka, Bač, Bački Petrovac and Temerin. The meetings are held on a biweekly basis, in the premises of the Centre for Social Work, and are aimed at consultations between the representatives of the aforementioned actors in order to consider each individual case of a person at risk of human trafficking which the case managers of the Centres for Social Work have knowledge of⁸⁶.

Team members of the city of Novi Sad for combating human trafficking participated as speakers at the 11th annual conference on human trafficking, entitled "Freedom has no price". The meeting had an educational character

⁸⁶ The permanent members are: a deputy from the Higher Public Prosecutor's Office, a police officer from the aforementioned Department of the Police Department Novi Sad, heads of the Service for the Protection of Children and Youth, Service for the Protection of Adults and the Elderly, Safe Women's House, Safe House for children and the Shelter for Children and Youth of the Centre for Social Work of the City of Novi Sad. Case managers and supervisors from the Centre for Social Work Novi Sad and from other centres for social work attend meetings when they have a case to be discussed at the meetings, which they present to those present. The experts participating in the consultative meetings concluded that this method of work is multifaceted because the detailed consideration of each individual case simultaneously from the point of view of the police, the prosecution and social protection contributes to a better and more precise detection of cases of human trafficking, timely and effective prevention and intervention and protection of victims and other persons at risk of human trafficking or the related social pathology phenomena.

and, above all, was intended for young people, students and future professionals who will encounter the problem of human trafficking in their work. Team members realized workshops for students of psychology, pedagogy and law on the importance of preliminary identification of human trafficking.

In November 2023, representatives of the Local Team of the City of Novi Sad for combating human trafficking held an internal advisory meeting, i.e. informal training, of newly employed professional workers in the Centre for Social Work of the City of Novi Sad for the application of indicators for the preliminary identification of victims of human trafficking.

During the reporting period, the Local Team in Subotica realized 93 workshops for 1,964 children of preschool, elementary and secondary school age on the topic of prevention of human trafficking, and the activity was carried out by peer educators from the Red Cross City Organization of Subotica. Also, 16 workshops were held for 1,300 elementary and secondary school students and five workshops for 400 parents on the topic of internet safety, peer violence and human trafficking. The bearer of the activity was the relevant association.

In cooperation with the relevant association, the Local Team in Subotica organized an annual meeting with a special focus on the prevention of human trafficking, sexual exploitation and prostitution. The work of the Local Team was not budgeted by the city budget, and the Local Team received support for certain activities from the relevant association.

In 2023, the Local Team in Sremska Mitrovica marked the World and European Anti-Trafficking Day with a lecture on the subject of human trafficking in the premises of the Red Cross Sremska Mitrovica. During the reporting period, a meeting was organized with the relevant association on the topic of prevention of sexual exploitation and prostitution. Through its activities as a member of the Team, the Red Cross holds workshops for new volunteers on the topic of human trafficking.

The Local Team in Pančevo pointed out that a member of the Local Team dealing with preventive activities, Red Cross Pančevo, had numerous activities during 2023. 20 lectures were held, which included 465 children and young people (190 men and 275 women), including 110 preschoolers, 262 elementary school students and 93 secondary school students. Street activities were organized and the presence on social networks was increased on the occasion of the World and European Anti-Trafficking Day. Also, during the reporting period, a standardized training for educators in the area of combating human trafficking was organized, where 11 secondary school students were trained. Red Cross Pančevo, as a member of the Local Team, cooperated with various educational institutions, including preschools and elementary and secondary schools, in order to raise awareness of the problem

of human trafficking. Three appearances were made on local radio and TV stations, as well as 14 announcements on social networks. The city of Pančevo finances the preventive activities of the Red Cross with 500,000 dinars per year, which covers the organization of trainings, events, work meetings and the creation of promotional material.

The activities of local teams in Novi Sad, Subotica, Sremska Mitrovica and Pančevo show their engagement in combating human trafficking. They regularly organize workshops, trainings and educational events, which confirms that there is a systematic approach in combating human trafficking.

The National Rapporteur is only aware of the activities of specific local teams, and reminds that 17 local teams for combating human trafficking have been formed in the Republic of Serbia.

7.6. CHILD TRAFFICKING PREVENTIVE MEASURES

At the beginning of the 2022/2023 school year, the Ministry of Education introduced all educational institutions with the new revised list of indicators for the preliminary identification of victims of human trafficking for the education system⁸⁷ and the Guide for their application⁸⁸, and during 2023, trainings were also held in order for the employees to familiarize themselves with the revised indicators and procedures in protection against human trafficking. The mentioned list of indicators for the education system was revised in order to strengthen the capacities of the education system for early recognition and assessment of the risk that a student is a presumed victim of human trafficking.

During 2023, 19 trainings were held for the planning, implementation and monitoring of measures to prevent student dropout for 482 participants from 47 schools. The trainings are accredited as a program of public interest and are planned with the budget of the Ministry of Education.

In cooperation with the relevant association, three trainings were held⁸⁹ under the title "Trafficking in human beings (children) – prevention and education for employees in educational institutions". Nearly 70 employees attended the training.

⁸⁷ Available at: <https://prosveta.gov.rs/wp-content/uploads/2022/06/Finalna-verzija-liste-indikatora-za-preliminarnu-identifikaciju-trgovine-ljudima-jun-2022..pdf>.

⁸⁸ Available at: <https://prosveta.gov.rs/wp-content/uploads/2022/03/Vodic-za-primenu-revidiranih-indikatora-za-potencijalne-zrtve-trgovine-ljudima-1.pdf>.

⁸⁹ Trainings were carried out with the aim of pointing out the importance of early recognition and response, as well as familiarization with the revised indicators for the system of education and upbringing and the procedures to be followed if they suspect or find out that a student is a potential victim of human trafficking.

The Government of the Republic of Serbia, with the technical support of the Office for Information Technologies and eGovernment, launched a project to establish a national platform for the prevention and suppression of violence involving children, called “Čuvam te” (I’m watching you)⁹⁰.

The training on the role of educational institutions in combating human trafficking, prepared by employees of the Ministry of Education, was posted on the National Platform “Čuvam te”. The training was attended by close to 15,300 employees in educational institutions who had the opportunity to familiarize themselves with the revised list of indicators, guidelines for dealing with situations of suspicion or knowledge that a student is a presumed victim of human trafficking, as well as with ways of implementing preventive activities in schools for students, with the involvement of parents.

During the reporting period, 15 trainings for employees, students and parents were uploaded on the National Platform, the content of which refers to the area of protection against all forms of violence, procedures and methods of implementing preventive activities and providing support. During 2023, 8,200 employees, 7,900 students and 3,000 parents attended the trainings.

The Ministry of Education actively participates in the work of the National Coalition to End Child Marriage in Serbia. As part of this initiative, which is led by the Coordination Body for Gender Equality of the Government of the Republic of Serbia and UNICEF, a media campaign was implemented to raise awareness about the harmfulness of traditional practices of child and minor marriages.

By monitoring the number of consultation calls made and direct reports sent to the Centre for Human Trafficking Victims’ Protection by educational institutions, the Ministry of Education states that it monitors the application of revised indicators and clearly defined guidelines for dealing with

⁹⁰ The platform integrates all necessary aspects of thorough prevention and tools to combat violence involving children in one place. Within the information segment, information can be found on forms of violence, recognition and actions in cases of violence, abuse and neglect in accordance with the official procedures of the competent departments. The national platform aims to coordinate and strengthen intersectoral cooperation of all competent institutions in combating all forms of violence involving children. In addition to peer violence, which is the focus of this platform, it is also a tool that will help in combating violence towards all employees in educational institutions throughout Serbia. On the National Platform “Čuvam te” there are also segments related to information and education, and educational materials in the area of prevention and protection from violence are continuously published. On this platform, there is an online course “The role of educational institutions in combating human trafficking” intended for educators, teachers and professionals in order to introduce them to the List of indicators for the preliminary identification of students who are potential victims of human trafficking, the successful implementation of preventive measures and the protection of students from human trafficking, and to develop competencies and skills for providing support to schoolgirls/children who are victims of human trafficking.

situations when school employees have knowledge or suspicion that a student is a presumed victim of human trafficking.

As a result of the revision of the indicators for the preliminary identification of victims of human trafficking for the education system, as well as the implemented trainings, according to the data of the Centre for Human Trafficking Victims' Protection for 2023, there is an increase in reports of suspicion of potential human trafficking, which came from educational institutions. In the previous period, the Centre received nine complaints from the education system, and about 12 consultation phone calls were made by employees in educational institutions. The abovementioned number represents an increase, bearing in mind that during 2021 and 2022, the Centre for Human Trafficking Victims' Protection did not receive any complaints from the education system.

The National Rapporteur is concerned by the fact that during 2023, no complaints from the education system resulted in the identification of a victim, and during 2023, 62% of identified victims were children, almost half of whom were exploited while going to school, and some also did not attend compulsory elementary education. In this regard, the National Rapporteur reiterates that it is necessary to urgently engage the system of education and upbringing in raising awareness of human trafficking and to continue the training of employees in this system for preliminary identification.

According to the Rulebook on the Institutional Response⁹¹, human trafficking is defined as one of the forms of violence in which the educational institution is obliged to act, if it has suspicions or knowledge that a student is a presumed victim of human trafficking. In such situations, there is an obligation of the school to involve, that is, inform other competent institutions, primarily the social protection institutions, the Centre for Human Trafficking Victims' Protection, the police and the competent public prosecutor's office. Also, legal acts prescribe the obligation of educational institutions to implement preventive activities, through mandatory annual programs for protection against violence, abuse and neglect, programs for the prevention of discrimination and programs for the prevention of risky behaviours. As part of the mentioned plans, activities aimed at preventing human trafficking are implemented with students, with the involvement of parents.

On the basis of the Regulation on the Safety and Protection of Children using Information and Communication Technologies⁹² at the then Ministry of Trade, Tourism and Telecommunications, the National Contact Centre for

⁹¹ Which precisely defines the preventive and intervention activities of employees in the area of protection against violence from 2019.

⁹² "Official Gazette of the Republic of Serbia", number 61/16.

the safety of children on the Internet was established in 2017, which represents a unique place for providing advice regarding the safety of children on the Internet. The National Contact Centre also handles reports on harmful, inappropriate or illegal content and behaviour on the Internet⁹³.

The National Contact Centre is the first and, for now, the only institutional mechanism in the region that deals with the prevention and response to child endangerment in the digital environment, offering citizens the opportunity to contact the phone number 19833 for free or via the “Smart and Safe” online platform.

Considering that digital violence can be used as an instrument for blackmailing the victim and for various forms of pressure and manipulation, which as a final consequence can have entry into the chain of human trafficking, with the aim of protection against the risky and dangerous effects of using the Internet, i.e. information and communication technology, educators of the National Contact Centre realized 120 presentations of the prevention program throughout the Republic of Serbia during the reporting period, which were attended by 7,803 children, that is, students and 1,097 parents. Successful cooperation with children’s sports camps continued. A total of 415 camp participants attended educational programs presented by educators of the National Contact Centre.

The “digital expedition”⁹⁴ continued, a caravan of digital literacy and security skills, which visited several cities in Serbia in a period of three months⁹⁵ in 2023. 690 students attended these activities in five Serbian cities and three Belgrade municipalities.

On the occasion of Safer Internet Day, which was celebrated on 7th February 2023, the Ministry of Information and Telecommunications and the National Contact Centre for the safety of children on the Internet organized the

⁹³ Based on each complaint, a case is formed, which is filed in the National Contact Centre or, if necessary, forwarded to the competent institutions. Based on the Law on Ministries, during the reporting period, the National Contact Centre exercised its scope of competence within the Sector for Information Society and Information Security at the Ministry of Information and Telecommunications.

⁹⁴ On the initiative of the Cabinet of the then Prime Minister of the Republic of Serbia and in partnership with the United Nations Development Program, the US Agency for International Development and Propulsion, and with the support of the Ministry of Information and Telecommunications, the Ministry of Labour, Employment, Veteran and Social Affairs, the Office for Information Technologies and eGovernment.

⁹⁵ Educators of the National Contact Centre for the safety of children on the Internet, in addition to presenting the program for the safe use of information and communication technologies for children, also had the opportunity to give advice and recommendations in direct communication with citizens, on how to use digital technologies wisely and safely, all with the aim of raising awareness of citizens of information security.

conference “Safer Internet Day 2023 – together for a better Internet”⁹⁶. 70 students aged 10 to 13 from 12 schools, 133 pedagogues, psychologists and teachers from 52 elementary and secondary schools attended the presentation of the program, skills and knowledge necessary for the safe use of the Internet and communication on social networks.

Associates of the National Contact Centre regularly participated in all activities for the preparation of the implementation of phase 1 and phase 2 related to the activation of the platform “Čuvam te” during 2023. The Centre’s educators, together with the members of the “Čuvam te” team, also actively participated in the preparation and implementation of the training program for elementary school principals and employees in centres for social work, with the aim of effectively using the platform.

During 2023, the National Contact Centre, as part of the triage team, within the National Platform for the prevention of violence, which also includes “Čuvam te” children, received and acted on complaints related to all forms of digital violence on a daily basis.

Educators of the National Contact Centre participated in the 31st Children’s Fair, in a forum on “Safety of Children on the Internet” which was held at the Faculty of Political Sciences of the University of Belgrade, as well as in the webinar “Take it down” on the topic of protection of children from the possible misuse of their intimate photos and child pornography.

As a continuous activity, the Centre implements a media campaign⁹⁷ that was created in cooperation of the Ministry of Information and Telecommunications with the public media service, the aim of which was to encourage digital literacy and the safety of children and young people.

During 2023, the Centre for Human Trafficking Victims’ Protection held two forums for children of elementary schools in Belgrade and their parents, which were attended by about 100 participants in total, and a forum for parents in one elementary school, which was attended by 20 participants. Representatives of the Centre participated as lecturers in the forum on the prevention of human trafficking, organized by the Nova Pazova Red Cross, which was attended by about 20 citizens. The Centre also participated in the work of the Coalition to End Child Marriage, together with a large number of city associations.

⁹⁶ The event was realized with the support of the Ministry of Education and UNICEF.

⁹⁷ The campaign has been implemented since October 2023 in the form of animated and informative videos and is broadcast every weekday at 7:15 pm on the first program of the Public Media Service.

7.7. PREVENTIVE MEASURES AIMED AT THE ROMA POPULATION AND LEGALLY INVISIBLE PERSONS

As one of the forms of prevention of human trafficking and prevention of human trafficking among the Roma population, during the reporting period, the affirmative enrolment of students of the Roma national minority who do not have the necessary documents in preschool institutions and elementary schools continued. Affirmative measures represent an important aspect in combating human trafficking and in the protection of rights of this vulnerable group. In the 2023/2024 school year, 2,511 students of Roma nationality were enrolled in the first grade of secondary school, by affirmative measure, of which 1,356 were boys and 1,155 were girls.

Through the support measure of providing scholarships for the pre-university education of the Roma, in the 2022/2023 school year, 1,120 scholarships were approved from the budget of the Ministry of Education for secondary school students in the Republic of Serbia, who are members of the Roma national minority, and for the 2023/2024 school year, 1,084 student scholarships. Out of the total number of scholarships awarded, 59% of scholarships were received by girls.

In total, 271 pedagogical assistants were hired in the system⁹⁸, as a support measure, of which 231 were in elementary schools, eight in secondary schools and 32 in preschool institutions. In the previous three years, the Ministry of Education hired 47 new pedagogical assistants, and during the 2023/2024 school year, 12 new pedagogical assistants were hired.

In connection with the program of free textbooks, as a support measure, the Ministry of Education estimates that a significant part of this measure represents support for students from Roma families.⁹⁹

In cooperation with UNICEF, the Ministry of Education is implementing the project "Bridging the Digital Divide" for the most vulnerable students, as one of the projects whose results significantly improve the availability and quality of education for students who are at a higher risk of dropping out.¹⁰⁰

⁹⁸ All pedagogical assistants are provided with free distance training funded by the Ministry of Education entitled "Training for pedagogical assistants for children and students of Roma nationality who need additional support in education". In cooperation with UNICEF, IT equipment, computers for schools and laptops for assistants were provided to support their work in the field.

⁹⁹ During the 2023/2024 school year, 777,466 textbooks were provided, of which 72,357 were in the languages of national minorities and 2,313 textbook units adapted for students with developmental delays and disabilities.

¹⁰⁰ The project includes 30 elementary schools that have the most students of the Roma nationality, and on average, 50% of Roma girls are in each school. Through the project, schools received

During the reporting period, in relation to students who were returned under the Readmission Agreement, the Ministry of Education established a series of systemic measures. Individual educational plans are created as a measure of support, free textbooks are provided, and there is also the work of Roma pedagogical assistants with students and families, as well as increased cooperation between the school and the returnee family, advisory work in small groups and the mediation of the relevant school administration in the process of recognition of certificates.

The Ministry of Public Administration and Local Self-Government points out that in order to prevent human trafficking in the Republic of Serbia, activities were continued which enable the realization of the right of every person to be registered in the birth register. Special attention is paid to the registration of children in the birth register and the identification of parents in that procedure. By applying the standard of identification in the procedures in which children's rights are decided on, a protection mechanism is provided in order to prevent any possible type of abuse, including human trafficking.

Within the framework of the concluded agreements on understanding¹⁰¹, in cooperation with the Protector of Citizens, the United Nations High Commissioner for Refugees in the Republic of Serbia and other relevant authorities, the Ministry of Public Administration and Local Self-Government is implementing activities to resolve the issue of legal invisibility. In the reporting period, three information campaigns were conducted for representatives of the Roma community which is at the highest risk of statelessness. Information campaigns were conducted on 30th May 2023 in Niš, 23rd November 2023 in Novi Pazar and 21st December 2023 in Subotica¹⁰². About 70 participants took part in these information campaigns.

On 31st May 2023 in Niš, a round table was held for registrars, police officers, officers of centres for social work and providers of free legal aid (a

digital equipment, 1,890 tablets and 60 laptops, and the concept of digital technology libraries was developed. A total of 3,111 students were included, and psychosocial services were provided to 3,000 students. Accredited training for providing psychosocial support, created within the project, was attended by 142 professional associates (school psychologists and pedagogues). The implementation of school psychosocial support plans is underway, and this also applies to 10 new local networks of school psychologists and pedagogues in 10 selected municipalities.

¹⁰¹ Activities to resolve the issue of legal invisibility began in 2012 with the conclusion of the first Memorandum of Understanding between the Ministry of Public Administration and Local Self-Government, the Protector of Citizens and the United Nations High Commissioner for Refugees. By the end of the reporting period, activities were undertaken as part of the third Memorandum of Understanding concluded on 10th February 2022.

¹⁰² In Novi Pazar and Subotica, registrars, police officers and officers of the centre for social work were also included in the information campaigns, and the networking of service beneficiaries and public administration officials made it possible to more effectively realize the rights of citizens.

total of 92 participants) with the aim of effective implementation of the Instructions for handling cases of birth of children whose parents do not have personal documents, in order to enable their registration in the birth register immediately after their birth, regardless of the status of their parents.

Also, the Ministry points out that a guide has been prepared with basic information on how to obtain personal documents, that is, how to exercise the right to be entered in the birth register. This type of support is aimed at future mothers in the event that they do not have identification documents or are not registered in the birth register, and they can use it during pregnancy, i.e. before the birth of the child.

All the above-mentioned activities are carried out through interdepartmental cooperation within the Operational Group¹⁰³ which undertakes activities to resolve the remaining individual cases of persons who have not yet exercised the right to be entered in the birth register, as well as to prevent the occurrence of new cases.

7.8. PREVENTIVE MEASURES AIMED AT THE MIGRANT POPULATION AND REFUGEES

The Centre for Human Trafficking Victims' Protection, in cooperation with the International Organization for Migration, organized training for recognizing cases of human trafficking among the migrant population. The training was held in Sjenica, for representatives of the social protection system and the Commissariat for Refugees and Migration of the Republic of Serbia, and 25 professionals participated in it.

The Centre also conducted two trainings on the subject of preliminary identification and provision of support to victims from the migrant population, in which 60 representatives from the social protection system and employees of the Commissariat for Refugees and Migration of the Republic of Serbia participated.¹⁰⁴ These trainings are important due to the assessment that a large number of cases of human trafficking, among migrants, go unnoticed and that these persons remain without protection.

In cooperation with the organization Church World Service, the Centre held two trainings "Identification and protection of refugees and migrants

¹⁰³ The Operational Group consists of the Ministry of Public Administration and Local Self-Government, the Protector of Citizens, UNHCR, the Ministry of Interior, the Ministry of Justice, the Ministry of Family Welfare and Demography, the Ministry of Health, etc.

¹⁰⁴ Held as part of the "Enhancing Rights-based and Survivor-centered Response to TIP" project, which is implemented by the International Organization for Migration and financed by the State Department.

victims of human trafficking", for 12 representatives of associations that work with migrants, as well as for 20 representatives of international organizations, associations, centres for social work and the Department for Foreigners.

Professional workers of the Centre participated in the implementation of three trainings "Practitioners in the fight against human trafficking with a special focus on migration", which were attended by 75 participants from different local systems, in Belgrade, Bujanovac and Sombor.

In order to build and strengthen the capacities of Red Cross employees, in activities related to the prevention of risks faced by refugees and migrants, in relation to human trafficking and the necessary preliminary identification of presumed victims, an international training for associates in the prevention and response to human trafficking was held in Belgrade.¹⁰⁵ A significant segment of the meeting was devoted to indicators of preliminary identification of presumed victims of human trafficking.

In the reporting period, the Commissariat for Refugees and Migration continued, in cooperation with the relevant association, to conduct educational workshops on the topic of human trafficking prevention, which are intended for beneficiaries staying in asylum centres and reception centres. A total of 105 workshops¹⁰⁶ were held, attended by a total of 324 beneficiaries accommodated in the centres, of which 26 were minors. At these workshops, beneficiaries learned about the risks they may come into contact with, how to recognize human trafficking, and the protection system available in the Republic of Serbia for presumed and identified victims of human trafficking was presented to them. The criterion for choosing the centres was that families, that is, women and children, were accommodated in the centre.

In the period from April to October 2023, the Red Cross of Subotica, in cooperation with the Tracing Service of the Red Cross of Serbia, organized workshops once a week with migrants at the Reception Centre in Subotica, which included the topic of human trafficking.

¹⁰⁵ This international training gathered participants from Bosnia and Herzegovina, Montenegro, Croatia, North Macedonia and Slovenia, as well as from Red Cross organizations from Serbia. The training allowed participants to share experiences in responding to human trafficking in working with refugees and migrants. An important aspect of the training was related to the empowerment of associates and the provision of adequate knowledge and skills for further work with the migrant and refugee population by lecturers from the Office for the Coordination of Activities in Combating Trafficking in Human Beings, the Centre for Human Trafficking Victims' Protection, the Commissariat for Refugees and Migration of the Republic of Serbia and the relevant association. The lecturers emphasized the need for everyone who has contact with migrants and refugees in their work to be well informed about their languages, culture and world views.

¹⁰⁶ 44 in the Asylum Centre in Krnjača, 16 in the Reception Centre in Šid, 14 in the Reception Centre in Bosilegrad, 31 in the Reception Centre in Bujanovac.

7.9. STRENGTHENING THE CAPACITIES OF ACTORS IN COMBATING HUMAN TRAFFICKING

Strengthening the capacities of actors and organizing various forms of trainings for actors in combating human trafficking enables the acquisition of the necessary knowledge and skills for more effective recognition and response to cases of human trafficking, which results in better protection of victims and prosecution of perpetrators. At the same time, better intersectoral cooperation between different actors is encouraged, which is of essential importance for a comprehensive approach to combating human trafficking.

By raising the awareness of actors of the problems of human trafficking, efforts in prevention and early detection of cases are increased, which can significantly reduce the number of victims. Actors who are adequately trained can provide better and more comprehensive support to victims, including psychosocial assistance, legal support and reintegration into society. Also, the trainings contribute to bringing national efforts in combating human trafficking into line with international standards and good practices.

The Centre for Human Trafficking Victims' Protection conducted four trainings entitled "The role of centres for social work in the preliminary identification and support to human trafficking victims", in which 100 professional workers from the area of social protection participated, who are employed in local centres for social work, shelters for old people and shelters for children.¹⁰⁷

Together with the International Organization for Migration, the Centre started work on the development of an application for the early recognition of cases of human trafficking, intended for the social protection system.

The Higher Public Prosecutor's Office in Novi Sad, in cooperation with the Centre for Social Work of the city of Novi Sad and the Safe Women's House in Novi Sad, participated in the implementation of a training for professionals at the Centre for Social Work in order to increase professional capacities in the application of human trafficking indicators.

During 2023, the Chamber of Social Protection organized, in cooperation with the relevant association, eight educations¹⁰⁸ without a knowledge test,

¹⁰⁷ The holding of these trainings started at the end of 2021, with the support of the OSCE Mission in Serbia, and so far, 12 trainings have been implemented for around 300 professional workers. The Centre states that the participants rated the educations very well, and their effect is best seen through a significant increase in the number of complaints from the social protection system (53% compared to 2022). The Mission also trained employees at the Centre to conduct trainings.

¹⁰⁸ "Strengthening the process of reintegration of (potential) victims of human trafficking", number of participants 13; "Practitioners in combating human trafficking with special refer-

on the subject of professional development of professional workers in social protection, in which 132 participants participated.

During the reporting period, the Chamber of Social Protection also organized three forums¹⁰⁹, and the number of participants at these expert gatherings was 69.

In 2023, the Chamber of Social Protection organized an international conference entitled "Support to victims and prevention of victimization: challenges and perspectives". There was a total of 12 expert meetings on the subject of human trafficking, in which 213 experts from social protection institutions participated.

During the reporting period, employees of the Asylum Office at the Border Police Directorate of the Ministry of Interior in Sombor participated in a training on the topic of "Practitioners in combating gender-based violence and human trafficking with a special focus on migration".¹¹⁰

During the reporting period, representatives of the National Employment Service participated in three trainings¹¹¹ related to the topic of human traf-

ence to migration", number of participants 24; "Practitioners in combating human trafficking with a special focus on migration", number of participants nine; "Practitioners in combating human trafficking with a special focus on migration", number of participants 13; "Improving the protection of women and girls victims of violence and human trafficking", number of participants 10; "Specificity of case management in the context of mixed migration", number of participants 24; "Support to victims of human trafficking at risk on the migration route", number of participants 15; "Preliminary identification of victims of human trafficking among the migrant population", number of participants 24.

¹⁰⁹ "The importance of prevention in combating human trafficking", number of participants 15; "Improving the knowledge about human trafficking for effective intervention", number of participants 30; "Positive changes in the identification of victims of human trafficking from vulnerable categories", number of participants 24

¹¹⁰ The training was organized by the relevant association, and a police officer from the Asylum Office, together with the coordinator for combating gender-based violence in the Higher Public Prosecutor's Office and an advisor in the Commissariat for Refugees and Migration, held a training for representatives of the Safe House in Sombor, the Centre for Social Work, the association "Sombor Educational Centre", for Doctors Without Borders and representatives of the City Administration – Department for Social Activities. During the training, the representative of the Asylum Office introduced the participants to the work of the organizational unit and the asylum procedure in the Republic of Serbia, especially in cases where asylum seekers are identified as victims of human trafficking and gender-based violence. Examples from practice were presented that show that many asylum seekers are not immediately recognized as victims, but are identified by police officers during the asylum procedure.

¹¹¹ Support training for returnees and victims of human trafficking entitled "The role and networking of actors in recognizing, providing support and preventing re-traumatization of victims of human trafficking and other vulnerable groups", as part of the project of the German Agency for International Cooperation; Workshop "Due diligence and responsibility in the supply chain in the context of combating human trafficking and labour exploitation", organized by the relevant association; Workshop "Protection and assistance to victims", with the aim of creating a new planning document in the area of combating human trafficking.

ficking, with the aim of strengthening effective access to the labour market for victims and their economic and social inclusion.

The Labour Inspectorate periodically organized internal workshops for inspectors to remind them of risk factors, indicators, risky activities and vulnerable categories of persons who could potentially become victims of human trafficking.¹¹² A total of 27 labour inspectors participated in seminars dedicated to the prevention and combating human trafficking for the purpose of labour exploitation. In the reporting period, newly employed labour inspectors received training on the topic of detection and preliminary identification of victims of human trafficking. Two trainings were conducted, "Prevention and suppression of human trafficking for the purpose of labour exploitation"¹¹³, the participants of which were 46 newly employed labour inspectors from different cities in Serbia, representatives of the Ministry of Interior, the Centre for Human Trafficking Victims' Protection, the relevant association¹¹⁴.

Good practices from Belgium regarding the role of the Labour Inspectorate in the prevention and combating human trafficking were presented, as well as the legal standards, the differences between violations of the Labour Law and the criminal act of human trafficking, the roles and responsibilities of different actors. Also, the recently adopted Recommendations of the Committee of Ministers of the Council of Europe on preventing and combating human trafficking for the purpose of labour exploitation and of the study "Human trafficking for the purpose of labour exploitation in Serbia: risk factors, trends and challenges", were presented.

During the reporting period, various trainings were organized for employees of the Commissariat for Refugees and Migration: eight employees

¹¹² Labour inspectors actively participated in gatherings dedicated to human trafficking in order to spread knowledge and establish contacts with relevant actors. The inspectors transferred the acquired knowledge to the representatives of employees at employers so that they too could contribute to improving the position of employed persons and reduce the risk of human trafficking. Special attention was paid to controlling the employment of vulnerable categories, such as women, young people, foreign nationals and persons engaged through agencies, as well as risky activities such as construction, agriculture, catering, the entertainment industry and services.

¹¹³ Training conducted within the third phase of the joint program of the European Union and the Council of Europe "Horizontal Facility for the Western Balkans and Turkey" and the project "Strengthening anti-trafficking action in Serbia".

¹¹⁴ The goals of the training were to increase the knowledge of labour inspectors about the legal and strategic framework for combating human trafficking in Serbia, the functioning of the national referral mechanism, indicators for the detection and preliminary identification of victims of human trafficking, as well as available services for the provision of assistance and support to victims of human trafficking for the purpose of labour exploitation. Participants had the opportunity to exchange experiences through group work and case studies, to analyse cases from different professional perspectives, and practice the use of indicators for detecting human trafficking.

received training on gender-based violence and human trafficking¹¹⁵; seven employees received training on the use of indicators to identify victims of human trafficking¹¹⁶; 69 employees were trained for mandatory identification of vulnerable categories in asylum centres¹¹⁷; two employees attended a training on children on the move in the Western Balkans¹¹⁸; two employees attended a training on the position of LGBTI persons, refugees, asylum seekers and persons on the move¹¹⁹.

The representative of the Commissariat was a guest lecturer at the international training on human trafficking¹²⁰. The Centre for Human Trafficking Victims' Protection organized five trainings in different cities, in which 42 employees of the Commissariat participated¹²¹.

During the reporting period, with the help of the International Organization for Migration, a workshop was organized to improve the practice of criminal proceedings based on the analysis of pre-investigation procedures in human trafficking cases in 2021 and 2022.¹²²

For participants from the key institutions of Bosnia and Herzegovina, Montenegro and Serbia in the area of human trafficking, with observer participants from North Macedonia, the International Organization for Migration organized a regional training based on simulations of real situations¹²³. Also, with the support of the International Organization for Migration, a two-day specialized training was organized: "Empowering professionals in the area of

¹¹⁵ The training "Practitioners in combating gender-based violence and human trafficking with a special focus on migration" was conducted by the Centre for Human Trafficking Victims' Protection in cooperation with the relevant citizens' association.

¹¹⁶ The training "Use of indicators for preliminary identification of victims of human trafficking and providing support to persons at risk" was conducted by the Centre for Human Trafficking Victims' Protection with the support of the International Organization for Migration. This training will continue in 2024 as well.

¹¹⁷ Training for the conduct of employees in asylum centres and other facilities, which includes mandatory identification of vulnerable categories.

¹¹⁸ Training "Children on the move in the Western Balkans".

¹¹⁹ Training "Situation of LGBTI persons, refugees, asylum seekers and persons on the move".

¹²⁰ The representative of the Commissariat participated as a guest lecturer in the international training "Trafficking in human beings – challenges on the path of migration", organized by the Red Cross of Serbia for its employees.

¹²¹ The Centre for Human Trafficking Victims' Protection organized trainings as part of a project supported by the State Department and implemented by the International Organization for Migration in Serbia.

¹²² The participants of the workshop were representatives of the police departments of Belgrade, Novi Sad, Niš, Kikinda, Subotica, Smederevo, Kragujevac, the Criminal Police Department, the Counter-Organized Crime Service, the Department for the Suppression of Human Trafficking and Human Smuggling.

¹²³ Desktop exercise in investigations of human trafficking and human smuggling and assistance and protection of victims of human trafficking in the Western Balkans.

combating human trafficking in Serbia", "Improving digital investigations and victim-oriented interviewing techniques", for prosecutors and police officers.

The International Organization for Migration is actively working on the development of an application for the preliminary identification of victims of human trafficking, which will be available on the website of the Centre for Human Trafficking Victims' Protection, as well as an application for mobile phones. It will primarily be intended for the Commissariat for Refugees and Migration and centres for social work.

The Judicial Academy of the Republic of Serbia organized a seminar¹²⁴ on the topic of "Protection of victims of human trafficking during criminal proceedings".¹²⁵

A total of four one-day seminars were held in Belgrade, Novi Sad, Niš and Kragujevac, attended by 17 judges, 22 public prosecutors, nine assistant judges, six assistant prosecutors, four lawyers and others, a total of 65 participants.

Within the United Nations Office on Drugs and Crime project "Supporting justice for victims of human trafficking in Southeastern Europe", a workshop was organized on the topic "Prevention and suppression of human trafficking for the purpose of labour exploitation and forced labour – a multisectoral approach". The target group of the workshop were judges, public prosecutors, police officers, independent participants, and the lecture/case study methodology was applied¹²⁶. In total, two three-day workshops were held for 26 participants.

¹²⁴ Within the project "Justice and Dignity for Human Trafficking Victims in Criminal Proceedings", in cooperation with the relevant association and the Government of the United States of America.

¹²⁵ The target group of the seminar were appellate court judges who handle cases with elements of the criminal act of human trafficking, judges of higher courts who handle cases with elements of the criminal act of human trafficking, public prosecutors in appellate public prosecutor's offices who handle cases with elements of the criminal act of human trafficking (contact points in public prosecutor's offices), public prosecutors in higher public prosecutor's offices who act in cases with elements of the criminal act of human trafficking (contact points in public prosecutor's offices), attorneys who represent victims and injured parties in cases with elements of the criminal act of human trafficking, judicial and prosecutorial associates, initial training beneficiaries. The goal of the seminar was to improve the theoretical and practical knowledge of judges, public prosecutors, judicial and prosecutorial associates and attorneys about the procedural and material aspects of the criminal act of human trafficking. Sensitization of participants for proactive response, understanding of trauma, support and protection of victims of human trafficking.

¹²⁶ The goal of the workshop was to strengthen the capacities of representatives of the police, prosecution and courts in combating human trafficking for the purpose of labour exploitation and forced labour, while relying on the results of activities undertaken in this regard by representatives of other state authorities, primarily the Ministry of Labour, Employment, Veteran and Social Affairs (Labour Inspectorate, Centre for Human Trafficking Victims' Protection), relevant international organizations and associations.

The Judicial Academy organized a seminar on the topic of “Harmonization of judicial practice in cases of suppression of human trafficking”. The target group of the seminar were judges of appellate and higher courts who handle cases with elements of the criminal act of human trafficking¹²⁷. In total, three one-day training sessions were held at the Judicial Academy in Niš, the Judicial Academy in Belgrade and the Judicial Academy in Kragujevac. A total of 43 judges were present.

The National Academy of Public Administration, during the reporting period, implemented two trainings from the general professional development program for civil servants for 2023 on the topic “Improving the prevention and suppression of human trafficking at the national level”. The total number of participants in the trainings was 81.

During the reporting period, the National Academy of Public Administration cooperated with the Office for the Coordination of Activities in Combating Trafficking in Human Beings of the Police Directorate of the Ministry of Interior, and a meeting was held on 20th July 2023, after which the Office participated in the preparation of a training program, improvement of prevention and suppression of human trafficking, both at the national and local level, within the general training programs for 2024.

At the meetings of the Network of Schools¹²⁸, a body for improving the cooperation of institutions whose scope includes capacity building and professional training in state and other authorities, an idea was initiated and agreed with the representatives of the Ministry of Interior, who are members of the Network, to have experts as guests at the trainings which are related to human trafficking conducted by the Academy as a model of intersectoral cooperation in the area of professional training, who would talk on the topic of the improvement of prevention and suppression of human trafficking. As part of the annual program of the Network of Schools for 2024, as the first activity related to training programs, the training “Improving the prevention and suppression of human trafficking at the national level” is planned. The target group of this training is civil servants, employees of local self-government units, judges and judicial assistants. The partner of the National Academy of Public Administration in the implementation of this activity, i.e. training, will be the Ministry of Interior and the Judicial Academy.

¹²⁷ The aim of the seminar was to improve the theoretical and practical knowledge of judges on the harmonization of judicial practice in cases of suppression of human trafficking. During the seminar, there was talk about the harmonization of judicial practice in cases of suppression of human trafficking in relation to the perpetrators and the harmonization of judicial practice in cases of suppression of human trafficking in relation to the protection of victims.

¹²⁸ Formed in accordance with Article 8 of the Agreement on cooperation in the promotion and encouragement of interdepartmental professional development in state and other bodies from July 13, 2023.

The activities aimed at preventing human trafficking of the Ministry of Domestic and Foreign Trade, during the reporting period, are reflected in the initiatives for inspection supervision. The market inspection sector carried out preventive inspection supervisions in 10 cases¹²⁹.

The citizens' association Astra, during the reporting period, conducted a certain number of trainings at the invitation of the Council of Europe, which focused on the prevention of human trafficking for the purpose of labour exploitation. During 2023, this association undertook activities with the aim of increasing capacity, especially in the area of combating human trafficking for the purpose of labour exploitation and issues of responsibility in supply chains and due diligence in company operations.

Association Group 484 participates in the implementation of a regional project¹³⁰ that aims to strengthen the capacities of associations and independent institutions in order to contribute to the process of adopting policies, promoting and protecting the human rights of foreigners and their inclusion in the sustainable social and economic development of the Western Balkans. In the reporting period, the capacity mapping of associations was done in terms of their competencies, previous experience, institutional and human capacities.

¹²⁹ In one case, the inspectors found that from the end of 2022 to the beginning of 2023, a company advertised and carried out the employment of nurses and doctors in Germany without a license. Decisions on banning the advertisement were made and permission was ordered to be obtained. A request was submitted for misdemeanour proceedings that resulted in fines. Another case involved a company that performed similar activities without a license. Similar decisions were made and misdemeanour proceedings were initiated, which were still ongoing in the reporting period. The inspectors also established that one company advertised and carried out mediation in the employment of foreign workers without a license from June 2022 to April 2023. Decisions on the ban on advertising were made and a permit was ordered to be obtained, and misdemeanour proceedings were initiated. Based on searches on the Internet, it was discovered that a presentation for employment of workers in Germany was scheduled for March 2023 in Germany, organized by two unlicensed individuals. A request for misdemeanour proceedings was initiated and fines were imposed. The market inspection sector also carried out supervision following a report on potential human trafficking for the purpose of labour exploitation. It was established that two business entities employ workers from Uzbekistan without the need for a permit, because they employ them directly at their home. Upon the complaint of the relevant association, a supervision was carried out over the business entity that employed workers from Sri Lanka. It was established that the subject hires workers directly and does not mediate for other employers.

¹³⁰ Inclusion in the social flows of foreign citizens in the Western Balkans – access to social and economic rights" (FOSTER).

7.10. COOPERATION AND COORDINATION IN THE PREVENTION OF HUMAN TRAFFICKING

Given the complexity and different forms of human trafficking, cooperation between different institutions and organizations enables a more effective approach in combating human trafficking.

Interdepartmental cooperation should enable quick and accurate exchange of information, which is crucial for timely detection and prevention of human trafficking. Human trafficking is a multidisciplinary problem that requires the participation of the police, healthcare and social institutions, the judiciary, educational institutions and associations. Cooperation should enable a comprehensive approach that includes all aspects of prevention and assistance to victims.

In recent years, in the Republic of Serbia, many actors in the area of human trafficking have formalized cooperation through the signing of protocols, agreements and memoranda on cooperation. The coordination of activities in combating human trafficking, which was strengthened by the establishment of the Office for the Coordination of Activities in Combating Trafficking in Human Beings in the Bureau of the Police Director, Police Directorate of the Ministry of Interior, was additionally improved by the appointment of a national coordinator for combating human trafficking.

During the reporting period, the relevant actors in the area of human trafficking achieved cooperation at all levels, which was reflected in the exchange of information and joint activities in the prevention and combating human trafficking.

Activities of the Office for the Coordination of Activities in Combating Trafficking in Human Beings

In order to provide a systemic response in the area of combating human trafficking and the improvement of inter-institutional cooperation¹³¹, the Office for the Coordination of Activities in Combating Trafficking in Human Beings initiated the designation of contact persons in the relevant state authorities and associations, as well as in the Confederation of Autonomous Trade Unions of Serbia, the Serbian Association of Employers, the Red Cross of Serbia and Chamber of Commerce of Serbia.

¹³¹ In order to realize periodic meetings, plan joint activities and implement the recommendations of international authorities such as the European Commission, GRETA and the State Department's Office for Combating Trafficking in Human Beings.

Cooperation was established with the representatives of the Confederation of Autonomous Trade Unions of Serbia, the Serbian Association of Employers and the Chamber of Commerce of Serbia in order to improve the prevention of human trafficking for the purpose of labour exploitation. Three meetings were held with the aim of defining the activities and the bearers within the new planning document in the area of combating human trafficking, including cooperation with the Judicial Academy.

In July 2023, a meeting was held with representatives of the National Academy of Public Administration regarding the training program for human trafficking at the national and local level.

The office established continuous cooperation with the Cabinet of the then Prime Minister of the Republic of Serbia in order to coordinate activities in combating human trafficking. In the reporting period, seven meetings were held at which specific issues were discussed, such as improving the capacity of the Centre for Human Trafficking Victims' Protection and establishing procedures for allocating space for the accommodation of victims.

In accordance with the Memorandum of Cooperation signed between the Ministry of Interior and relevant associations, three meetings were held, attended by representatives of the Centre for Human Trafficking Victims' Protection. These meetings made it possible to solve specific problems and strengthen cooperation.

The Office exchanges information and cooperates with the organizational units of the Police Directorate and with other lines of work of the Ministry of Interior daily. Periodically, meetings are held with police officers from various units, as well as with representatives of the Centre for Human Trafficking Victims' Protection and other relevant organizations.

During 2023, the police officers of the Office participated in a total of 56 international activities, including meetings, workshops, trainings and conferences. About 60 meetings with representatives of state authorities and about 40 internal meetings with representatives of organizational units of the Ministry of Interior were held.

In order to prevent human trafficking and familiarize the public with this problem, the Office participated in the creation of two media contents on this topic.

Within the project "Prevention and combating human trafficking in the Western Balkans"¹³² numerous activities were carried out. An external assessment of the implementation of the Strategy for the Prevention and Suppression of Trafficking in Human Beings for the period 2017-2022 was

¹³² The project is implemented by the German Agency for International Cooperation and the German Ministry for Economic Cooperation and Development.

prepared. Workshops for healthcare workers were held in Belgrade and Niš on how to identify and refer potential victims. Also, a regional conference was organized in Skopje in cooperation with the MARRI initiative.

The project “Improving Protection – Management of Protection-Sensitive Migrations in the Republic of Serbia” was implemented, financed by the Swiss Confederation and implemented by the International Organization for Migration.¹³³ During this period, numerous meetings were held, including a study visit to Switzerland in order to strengthen strategic police cooperation. A workshop was organized in Sokobanja on the topic of improving criminal proceedings in cases of human trafficking. The annual meeting of local anti-trafficking teams was held in Niš, marking 10 years since the establishment of the first teams in Serbia. In December, a meeting was held with representatives of the Embassy of Switzerland to define the continuation of cooperation for the period 2024-2029.

The office also participated in the project “Preventing impunity for human traffickers and supporting victims of human trafficking in Southeast Europe”, of the United Nations Office on Drugs and Crime. This project included regional conferences and workshops on topics such as sexual exploitation and work online. A conference dedicated to improving the response to human trafficking was held in Dubrovnik, and a workshop on labour exploitation and forced labour was held in Vrnjačka Banja.

The International Organization for Migration implemented the “Support Instrument for Capacity Building for Integrated Border Management in the Western Balkans” project. As part of this project, six working meetings were held and an independent expert was hired to prepare a new planning document in the area of combating human trafficking. Four thematic workshops were also held.

The project “Western Balkans Joint Action Against Smuggling of Migrants and Trafficking in Human Beings”¹³⁴ included a regional conference in Budva and a training for conducting digital investigations. A regional round table was held in Sarajevo on the topic of strengthening the judicial response to human trafficking.

As part of the “Countering Serious Crime in the Western Balkans – IPA 2019” project, implemented by the German Agency for International Cooperation, a study visit to the Austrian police was organized on the topic of combating human trafficking. Also, the project “EU support to strengthen the fight against migrant smuggling and trafficking in human beings in the Western Balkans” included a meeting with coordinators to define activities for 2024.

¹³³ Within the “Migration Partnership Switzerland - Serbia 2020-2023”.

¹³⁴ The project is financed by the Ministry of Foreign Affairs of the Kingdom of Denmark.

7.11. COOPERATION WITH INTERNATIONAL ORGANIZATIONS

As it can be concluded from the relevant parts of the report, during the reporting period, international organizations were important and active partners of the competent state authorities of the Republic of Serbia in the prevention and suppression of human trafficking. In addition to the above-mentioned activities in which international organizations also played a role, in this part of the report we also indicate the remaining activities of international organizations.

During the reporting period, the Council of Europe Office in Belgrade carried out several activities aimed at preventing human trafficking in cooperation with the institutions of the Republic of Serbia and citizens' associations.

Within the third phase of the joint program of the European Union and the Council of Europe Horizontal Facility for the Western Balkans and Turkey and the project "Strengthening anti-trafficking action in Serbia", in the reporting period, a number of activities were undertaken in cooperation with the National Rapporteur, the Ministry of Interior and the Office for the Coordination of Activities in Combating Trafficking in Human Beings, the Ministry of Labour, Employment, Veteran and Social Affairs and the Centre for Human Trafficking Victims' Protection, the Public Prosecutor's Office, the citizens' associations of Citizens' association Astra and Atina.

With the aim of strengthening the institutional framework and operational capacities of the National Rapporteur, monitoring and reporting on human trafficking, a meeting was held where the results and recommendations of the BAN III Balkans ACT Now project, which the relevant associations implemented in previous years, were presented, with a focus on independent monitoring of human trafficking and using the developed tracking tool. At the meeting, the manual "Monitoring and evaluation of policies to suppress trafficking in human beings – Manual for attorneys of victims" was presented, as well as the work flow of multi-sectoral working groups for monitoring and the process of adjusting indicators, the creation of monitoring reports, lessons learned on the challenges of collecting data for the purposes of monitoring and recommendations.

The meeting was attended by representatives of the National Rapporteur, representatives of the Office for the Coordination of Activities in Combating Trafficking in Human Beings, the Centre for Human Trafficking Victims' Protection, relevant associations.

During the reporting period, the joint project of the European Union and the Council of Europe "Strengthening anti-trafficking action in Serbia" strengthened the technical capacities of the National Rapporteur, the Office

for the Coordination of Activities in Combating Trafficking in Human Beings, the Centre for Human Trafficking Victims' Protection, the relevant association, in order to help more effective prevention, suppression, monitoring and reporting of human trafficking, as well as to provide support to victims and survivors.

In order to strengthen the capacities of the National Rapporteur, a workshop was held with the representative of the National Rapporteur for the area of human trafficking of the Netherlands entitled "Strengthening the response in combating human trafficking: the mandate, role and functioning of the National Rapporteur for the area of human trafficking". In addition to representatives of the National Rapporteur, the national coordinator for combating human trafficking and the head of the Office for the Coordination of Activities in Combating Trafficking in Human Beings, as well as employees of the Office, also participated in the workshop. Examples of good practice from the Netherlands regarding the role, mandate, functioning and cooperation of the National Rapporteur on human trafficking with other institutions and organizations were presented. The method and methodology of information/data collection, analysis, cooperation with actors in combating human trafficking was pointed out.

The evaluation and effectiveness of the activities within the project "Strengthening anti-trafficking action in Serbia" are continuously monitored through regular reports, bilateral meetings with partners and meetings of the Management Board. Also, the effects of the activities are monitored through the official statistics of the Centre for Human Trafficking Victims' Protection (e.g. the increase in the number of referrals of potential victims and children at risk from the education system after the training sessions on the revised indicators in 2022, and the increase in the number of identified cases of human trafficking for the purpose of labour exploitation, etc.).

Through cooperation with partners and beneficiaries, including institutions and relevant associations, the project contributes to reaching the standards of the Council of Europe Convention on Action against Trafficking in Human Beings and implementing the recommendations from the new, third evaluation report of GRETA (Group of Experts on Action against Trafficking in Human Beings) adopted in June 2023. The project is particularly focused on the areas of combating human trafficking for the purpose of labour exploitation, child trafficking and ensuring the victims' protection, access to justice and legal remedies.

The OSCE Mission organized a conference on human rights and human trafficking in supply chains, together with the Office of the Special Representative and the OSCE Anti-Trafficking Coordinator of the OSCE Secretariat and the relevant association. The conference entitled "Due diligence in

terms of respect for human rights: taking steps to combat human trafficking and labour exploitation in supply chains” was held on 22nd March 2023 in Belgrade and gathered 54 participants (31 women, 23 men) from the governmental, non-governmental and private sector, with the aim of networking and introducing all interested parties and officials with global trends and challenges regarding the integration of due diligence in terms of the protection of human rights into the regulatory framework of the EU and globally, as well as their implications for the private sector. A special segment of the event was dedicated to the situation in Serbia and the compliance of domestic legislation with international standards. The conference was also attended by representatives of the Council of Europe, with whom the OSCE Mission in Serbia coordinates all its activities in order to achieve greater efficiency and avoid overlaps.

During the reporting period, the German Agency for International Cooperation implemented three regional projects related to the prevention and combating human trafficking in the Western Balkans.

The project “Prevention and Combating Human Trafficking” was implemented (July 2019 – June 2023), and the main activities included raising awareness, improving the capacity to identify victims, strengthening coordination and providing psychosocial support.

The project “Countering Serious Crime in the Western Balkans IPA 2019” (July 2020 – June 2023) was aimed at strengthening institutions in countering organized crime and terrorism, the provision of operational support and the improvement of the interoperability of information systems.

Also, the project “EU Support to Strengthen the Fight against Migrant Smuggling and Human Trafficking” (June 2023 – May 2027): Co-financed by the EU, BMZ, Italian and Dutch Ministries, focuses on strengthening capacities to combat migrant smuggling and human trafficking, on cooperation with the EU and other actors, and the protection of victims.

Within these projects, the German Agency for International Cooperation also supported associations and institutions in awareness-raising, education and support activities for victims in transit and asylum centres, as well as in conducting an external evaluation of the national strategy for the prevention and suppression of human trafficking.

During the reporting period, the Ministry of Interior of the Republic of Serbia and the Ministry of Interior of the Republic of Slovenia undertook activities aimed at harmonizing the Protocol between the governments of the Republic of Serbia and the Republic of Slovenia, in the area of combating human trafficking and child abuse, which should be signed in 2024.

Also, in the period from 14th to 16th June 2023, a bilateral meeting was held between the representatives of the Republic of Serbia and the representatives

of the Republic of North Macedonia, on the subject of the implementation of the Agreement on Cooperation in the area of combating human trafficking and the Agreement on Cooperation in the area of combating migrant smuggling between the Republic of Serbia and the Republic of North Macedonia¹³⁵.

In the period from 16th to 17th November 2023, representatives of the National Rapporteur participated in a round table organized by the International Organization for Migration in Sarajevo, Bosnia and Herzegovina. The topic of the round table was "Strengthening the judicial response to human trafficking and migrant smuggling in the context of mixed migration movements". A representative of the National Rapporteur spoke as a panellist on Panel 2 "Implementation of a victim-centred approach throughout criminal proceedings – migrant populations – risks and vulnerability", the topic of which was the existing practices and frameworks in the region that ensure that the rights of victims are promoted throughout the process.



Participation in the panel discussion of the round table "Strengthening the response of the justice system to human trafficking and smuggling of migrants in the context of mixed migration", Sarajevo, Bosnia and Herzegovina

¹³⁵ Within the project "Strengthening capacities and partnerships for migration management in Serbia" implemented by the International Organization for Migration with the support of the Swiss Confederation. A representative of the National Rapporteur attended the meeting as a member of the delegation of the Republic of Serbia.

By order of the Public Prosecutor's Office for Organized Crime, a Task Force was formed to combat human smuggling and human trafficking with a two-year working period, whose member is a representative of the Border Police Directorate of the Ministry of Interior. During 2023, a representative of the Border Police Directorate participated in 3 meetings of representatives of the Task Force groups of the countries of the region¹³⁶.

The judge of the Supreme Court of Serbia participated in the Regional multidisciplinary workshop on the topic of "Preventing the impunity for human traffickers and supporting victims of human trafficking in Southeast Europe", organized by UNODC in cooperation with the National Commission for Combating Human Trafficking and Illegal Migration of the Government of the Republic of North Macedonia, with the support of the State Department for monitoring and combating human trafficking, which was held in Skopje in the Republic of North Macedonia. The judge of the Supreme Court of Serbia also participated in the regional project - "Simulation of trials in cases of human trafficking", in cooperation with the Judicial Academy and UNODC, which was held in Chisinau, in the Republic of Moldova.

The citizens' association Astra took part in an event organized by the GMCN (Global Missing Children's Network) in Tirana, where the initiative to introduce an early warning system in cases of missing children was discussed. In the period January – June 2023, several thematic meetings were held within the LSI (La Strada International) network. The topics covered were the work of the network in the field and support for victims of human trafficking, identification of victims of human trafficking and application of the principle of non-punishment for victims of human trafficking.

¹³⁶ Within the project "Western Balkans Joint Actions Against Migrant Smuggling and Human Trafficking" financed by the Ministry of Foreign Affairs of the Kingdom of Denmark, and implemented by the International Organization for Migration; Organized by the OSCE Mission in Serbia, a trilateral operational meeting of representatives of the strike teams of the Republic of Serbia, North Macedonia and Hungary was held on the topic of "Smuggling of Migrants"; Regional Conference "Combating Human Trafficking and Migrant Smuggling" and the Regional Coordination Meeting of representatives of the Task Force groups of the Western Balkan countries.

ANNEX I - LEGISLATIVE FRAMEWORK IN THE AREA OF HUMAN TRAFFICKING IN THE REPUBLIC OF SERBIA

Article 26 of the Constitution of the Republic of Serbia¹³⁷ stipulates that no one can be held in slavery or in a position similar to slavery. Any form of human trafficking is prohibited. Forced labour is prohibited. Sexual or economic exploitation of a disadvantaged person is considered forced labour. Forced labour is not considered to be the work or service of a person who is serving a sentence of deprivation of liberty, if their work is based on the principle of voluntariness, with monetary compensation, as well as the work or service of a person who is in military service, and the work or service during a war or state of emergency in accordance with the measures prescribed during the declared state of war or emergency.

With the Law on the Ratification of the Convention against Transnational Organized Crime and the Additional Protocols of the United Nations¹³⁸, the Republic of Serbia ratified the aforementioned Convention, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against the Smuggling of Migrants by Land, Sea and Air, which supplement this Convention, and were adopted in Palermo in 2000.

With the Law on the Ratification of the Convention on Action against Trafficking in Human Beings of the Council of Europe¹³⁹, the Republic of Serbia ratified the mentioned Convention drawn up in 2005 in Warsaw.

With the Law on the Ratification of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism¹⁴⁰ and the Law on Confirmation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence¹⁴¹, the Republic of Serbia has also confirmed the aforementioned conventions.

The Law on the Protector of Citizens¹⁴², Article 2, paragraph 3, stipulates that the Protector of Citizens carries out the tasks of the National Rapporteur

¹³⁷ "Official Gazette of RS", no. 98/06 115/21.

¹³⁸ "Official Gazette of the FRY – International Agreements", number 6/01.

¹³⁹ "Official Gazette of RS – International Agreements", number 19/09.

¹⁴⁰ "Official Gazette of RS – International Agreements", number 7/02.

¹⁴¹ "Official Gazette of RS - International Agreements", number 12/13

¹⁴² "Official Gazette of RS", number 105/21.

on Human Trafficking, in accordance with the Law on the Ratification of the Convention on Action against Trafficking in Human Beings of the Council of Europe.

In accordance with Article 29, item 4 of the Law on the Ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, it is prescribed that each contracting party should consider the possibility of appointing national rapporteurs or other mechanisms for monitoring the activities of government agencies in combating human trafficking and the application of requirements set by national legislation.

Article 388 of the Criminal Code¹⁴³ provides for the criminal act of human trafficking. In accordance with the mentioned article, whoever, by force or threat, deception or maintaining deception, abuse of authority, trust, dependency relationship, difficult circumstances of another, retaining identity papers or by giving or accepting money or other benefit, recruits, transports, transfers, sells, buys, acts as intermediary in sale, hides or holds another person, with intent to exploit such person's labour, forced labour, commission of offences, prostitution or other types of sexual exploitation, begging, pornography, establishes a slave or similar relationship, for the purpose of removal of organs or body parts or service in armed conflicts, shall be punished with imprisonment of three to twelve years.

For acts committed against a minor, the perpetrator shall be punished with the punishment prescribed for that act, even if he did not use force, threat or any other of the mentioned methods of enforcement. If the act is committed against a minor, the perpetrator shall be punished with imprisonment of at least five years.

If, as a result of the aforementioned acts, serious physical injury to a person occurred, the perpetrator shall be punished with imprisonment of five to fifteen years, and if serious bodily injury occurred to a minor, the perpetrator shall be punished with imprisonment of at least five years. Also, if the death of one or more persons occurred as a result of these acts, the perpetrator shall be punished by imprisonment of at least ten years.

The Criminal Code stipulates that whoever engages in the commission of this criminal offence or if the offence was committed by a group, shall be punished by imprisonment of at least five years. If the act is committed by an organized criminal group, the perpetrator shall be punished with imprisonment of at least ten years.

At the same time, it is prescribed that anyone who knows or could have known that a person is a victim of human trafficking, and therefore takes

¹⁴³ "Official Gazette of RS", no. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19.

advantage of her position or enables others to take advantage of her position for the purpose of exploitation, provided for in this article, shall be punished with imprisonment of six months to five years. If this offence is committed against a person whom the perpetrator knew or could have known was a minor, the perpetrator shall be punished with imprisonment of one to eight years.

The consent of a person to exploitation or to the establishment of a slave or similar relationship from the paragraph does not affect the existence of the criminal offence of trafficking in human beings.

Article 389 of the Criminal Code provides for the criminal offence of Trafficking in Minors for Adoption. This article stipulates that whoever abducts a child under sixteen years of age for the purpose of adoption contrary to laws in force, or whoever adopts such a child or mediates in such adoption or whoever for that purpose buys, sells or hands over another person under sixteen years of age or transports such a person, provides accommodation or conceals such a person, shall be punished with imprisonment of one to five years. Whoever engages in the activities referred to in this article or if the act is committed by a group, shall be punished with imprisonment of at least three years. If the crime is committed by an organized criminal group, the offender shall be punished with imprisonment of minimum five years.

Articles 161 and 162 of the Criminal Procedure Code¹⁴⁴ provide for special evidentiary actions and criminal acts in relation to which the special evidentiary actions are applied. Among other things, Article 162 of the Code provides that special evidentiary actions may be applied to the criminal act under Article 388 of the Criminal Code.

Article 150 of the Law on Juvenile Offenders and Criminal Protection of Juveniles¹⁴⁵, stipulates that the council, presided over by a judge who has acquired special knowledge in the area of child rights and the criminal protection of juveniles, judges adult perpetrators of the criminal offences prescribed by the Criminal Code, if the injured person in the criminal proceedings is a minor, among others, also for the criminal acts of human trafficking under Article 388 of the Criminal Code and trafficking in children for adoption under Article 389 of the Criminal Code.

At the same time, the public prosecutor, who has acquired special knowledge in the area of child rights and the criminal protection of juveniles, also initiates proceedings against adult perpetrators of other criminal acts prescribed by the Criminal Code, in accordance with the provisions of this part

¹⁴⁴ "Official Gazette of RS", no. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14, 35/19, 27/21 – CC decision and 62/21 – CC decision.

¹⁴⁵ "Official Gazette of RS", number 85/05.

of the law, if he deems it necessary for the special protection of the personality of juveniles as victims in criminal proceedings.

The Law on Prohibition of Discrimination¹⁴⁶, Article 13, stipulates, among other things, that severe forms of discrimination are slavery, human trafficking, segregation, apartheid, genocide, ethnic cleansing and their propagation.

The Law on Social Protection¹⁴⁷, Article 41, prescribes who are the beneficiaries of social protection services. The aforementioned article stipulates that minors and adults up to the age of 26 are beneficiaries in the sense of Article 41, paragraph 1 of the Law when their health, safety and development are threatened due to family and other life circumstances, i.e. if it is certain that without the support of the system of social protection they cannot reach the optimal level of development, especially if, among other things, they are victims of human trafficking.

At the same time, Article 206 of this Law prescribes that the budget of the Republic of Serbia shall finance the social protection rights and services, which the Republic of Serbia is responsible for providing, including, among other things, accommodation services for victims of human trafficking.

The Law on the Prevention of Domestic Violence¹⁴⁸, Article 4, stipulates that this law also applies to cooperation in the prevention of domestic violence, among other things, also in criminal proceedings for the criminal acts of human trafficking under Article 388 of the Criminal Code.

The Law on Free Legal Aid¹⁴⁹, Article 4, prescribes the conditions for providing free legal aid. The aforementioned article stipulates that a citizen of the Republic of Serbia, a stateless person, a foreign citizen with permanent residence in the Republic of Serbia and another person who has the right to free legal aid according to another law or a confirmed international agreement, can be provided with free legal aid even if, among other things, it is a person who exercises legal protection against torture, inhuman or degrading treatment or punishment or human trafficking.

The Law on Foreigners¹⁵⁰ stipulates that particularly vulnerable persons, in accordance with the provisions of this law, are, among other things, victims of human trafficking. In accordance with Article 40 of the Law, it is prescribed that temporary residence represents a permit for the stay of a foreign citizen in the Republic of Serbia and can be granted to a foreigner who intends to stay in the Republic of Serbia for more than 90 days in a period of 180 days, longer than the period of stay determined by an international

¹⁴⁶ "Official Gazette of RS", no. 22/09 and 52/21.

¹⁴⁷ "Official Gazette of RS", no. 24/11 and 117/22 – CC decision.

¹⁴⁸ "Official Gazette of RS", no. 94/16 and 10/23 – as amended.

¹⁴⁹ "Official Gazette of RS", number 87/18.

¹⁵⁰ "Official Gazette of RS", no. 24/18, 31/19 and 62/23.

contract, i.e. longer than the period for which the long-stay visa is issued, based on, among other things, the status of the presumed victim of human trafficking and the status of the victim of human trafficking. In these cases, a temporary residence permit is issued. A foreigner who has been granted temporary residence on one of these grounds is obliged to reside in the Republic of Serbia in accordance with the grounds for which his residence was granted.

Article 62 of this Law provides for the temporary stay of a foreigner who is assumed to be a victim of human trafficking. If, during the implementation of the procedure for determining the identity of a foreigner based on special indicators, it is assumed that the foreigner is a victim of human trafficking, the competent state authority for the identification and coordination of the protection of victims of human trafficking shall assess the condition and needs of the victim as well as identify the victim, in accordance with its legal powers in the domain of the registered activities. The competent state authority for the identification and coordination of protection of victims of human trafficking informs the Ministry of Interior about the initiation of the procedure and informs the foreigner about the conditions for the approval of temporary residence and about other rights. A foreigner who is presumed to be a victim of human trafficking may be granted a temporary stay without meeting the general requirements referred to in Article 43 of this law for a period of 90 days. During his temporary stay, there is a possibility to recover and eliminate the possible further influence of the perpetrator of the criminal act on the victim, as well as the possibility for him, based on timely and complete information about his status, to independently, without being conditioned to testify, make a decision on further cooperation with the competent state authority for identification and coordination of protection of victims of human trafficking, with the court, prosecutor's office or the police. During the period of validity of the temporary stay, no decision on return can be made on this basis. During the period of validity of the temporary stay on this basis, the competent state authority for the identification and coordination of protection of victims of human trafficking coordinates the protection of victims of human trafficking and, in cooperation with other institutions and organizations, ensures safety and protection, suitable and safe accommodation, psychological and material assistance, access to emergency medical care, access to education for minors, advisory and informative services about his legal rights and the rights available to him, in a language he understands. If there is a need, translation and interpretation services and assistance in exercising his rights and interests in the case of criminal proceedings are also provided.

When it is determined that a minor foreigner who is presumed to be a victim of human trafficking is not accompanied by a parent, guardian or legal representative, the competent authority, the guardianship authority and the police, in cooperation with the competent state authority for the identification and coordination of protection of victims of human trafficking, determine whether the family of the minor is on the territory of the Republic of Serbia, with the aim of family reunification. The victim will not be reunited with his family when the state authority responsible for the protection of victims of human trafficking assesses that reuniting the minor with his family is not in his best interest, especially if there is a suspicion that the victim's family is involved in human trafficking. Reunification of minors with their families will only be carried out in situations where the competent guardianship authority, in cooperation with the competent state authority for the identification and coordination of protection of victims of human trafficking, determines that reunification with the family is in the best interest of the child.

If the victim's family is not located on the territory of the Republic of Serbia or cannot be found, a guardian will be appointed for the minor in accordance with the law.

Article 63 of the Law on Foreigners provides for temporary residence for victims of human trafficking. If, in the procedure referred to in Article 62 of this law, it is established that a foreigner is a victim of human trafficking and that he has made an independent decision on further cooperation with the competent state authority for the identification and coordination of protection of victims of human trafficking, the court, the prosecution or the police, the competent authority for the protection of victims of human trafficking notifies the Ministry of Interior thereof in the form of an expert opinion on the aforementioned.

Victims of human trafficking may be granted a temporary residence permit without fulfilling the conditions referred to in Article 41, paragraph (2) or Article 43 of this law. Victims of human trafficking, including minor victims, shall be granted temporary residence if the competent state authority for the identification and coordination of protection of victims of human trafficking considers that their stay is necessary for their protection, recovery and security, or if the court, the prosecution or the police consider that their presence is necessary due to cooperation in criminal proceedings.

Temporary residence for a foreigner who is a victim of human trafficking is granted for a period of one year, with the possibility of extension under the same conditions. A foreigner who has been granted temporary residence as a victim of human trafficking, in addition to the rights from Article 62 of this law, without being conditioned to agree to testify, has the right to access the labour market, professional training and education.

A foreigner with an approved temporary residence as a victim of human trafficking, who does not have sufficient financial means for the necessary treatment, shall be provided with the available medical and other necessary assistance by the competent state authority for the identification and coordination of protection of victims of human trafficking, independently or in cooperation with the healthcare system, the competent centre for social work and other service providers and organizations. When granting temporary residence to a foreigner who is a minor, the competent authority takes into account the best interest of the minor, his age and maturity.

Article 64 of the Law on Foreigners also prescribes the termination of the temporary stay for humanitarian reasons and the temporary residence for victims of human trafficking. Temporary residence for victims of human trafficking or temporary residence can be cancelled at any time if the foreigner no longer meets the conditions, and in particular: if the foreigner who was granted temporary residence has actively, voluntarily and on his own initiative renewed contacts with persons suspected of having committed a criminal act from the area of human trafficking and irregular migration, i.e. if it is determined that the complaint for these criminal acts is false or unfounded; if the foreigner who has been granted a temporary residence has stopped cooperating or fraud is used in the process of cooperation; when this is required for the reasons of protection of security of the Republic of Serbia and its citizens; when the judicial authorities decide to suspend the proceedings.

Temporary stay for humanitarian reasons referred to in Article 61, paragraph (1) items 1), 2), 4) and 5) ends if the circumstances for which the foreigner was granted a temporary stay cease or when this is required for the reasons of protection of security of the Republic of Serbia and its citizens.

The Law on the Republic Administrative Fees¹⁵¹ stipulates that the fee for temporary residence is not paid by foreign citizens who, in accordance with the law, are considered to be presumed victims of human trafficking or victims of human trafficking.

The Law on Employment of Foreign Citizens¹⁵² stipulates that a person from a special category of foreigners, in terms of this law, is also considered

¹⁵¹ "Official Gazette of RS", no. 43/03, 51/03 – corr., 61/05, 101/05 – as amended, 5/09, 54/09, 50/11, 70/11 – harmonized dinar amounts, 55/12 – harmonized dinar amounts, 93/12, 47/13 – harmonized dinar amounts, 65/13 – as amended, 57/14 – harmonized dinar amounts, 45/15 – harmonized dinar amounts, 83/15, 112/15, 50/16 – harmonized dinar amounts, 61/17 – harmonized dinar amounts, 113/17, 3/18 – corr., 50/18 – harmonized dinar amounts, 95/18, 38/19 – harmonized dinar amounts, 86/19, 90/19 – corr., 98/20 – harmonized dinar amounts, 144/20, 62/21 – harmonized dinar amounts, 138/22, 54/23 – harmonized dinar amounts, 92/23 and 59/2024 – harmonized dinar amounts.

¹⁵² "Official Gazette of RS", no. 128/14, 113/17, 50/18, 31/19 and 62/23.

a victim of human trafficking. In accordance with Article 3 of this Law, the right to employment in the Republic of Serbia, without a single permit, is exercised by a foreigner who, in accordance with the law, has been granted temporary residence based on the status of a presumed victim of human trafficking and victim of human trafficking.

The Law on Asylum and Temporary Protection¹⁵³ envisages the principle of protecting the best interests of minors. When assessing the best interests of a minor, the well-being, social development and origin of the minor, the opinion of the minor depending on his age and maturity, the principle of family unity, as well as the protection and safety of the minor are taken into account, especially if there is a suspicion that the minor is a victim human trafficking or victim of domestic violence and other forms of gender-based violence.

Also, this Law foresees the principle of providing special procedural and acceptance guarantees. The asylum procedure takes into account the specific situation of persons who need special procedural or acceptance guarantees, such as minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, seriously ill persons, persons with mental disorders, as well as persons who have been tortured, raped or exposed to other severe forms of psychological, physical or sexual violence, such as female victims of genital mutilation.

Using special procedural and acceptance guarantees, appropriate assistance is provided to the submitter of the request who, given his personal circumstances, is not capable of realizing the rights and obligations from this law without appropriate assistance. The process of identifying a person's personal circumstances is carried out by the competent authorities continuously, and at the earliest within a reasonable time after the initiation of the asylum procedure, i.e. the expression of the intention to submit an application for asylum at the border or in the transit area.

The Law on Health Care¹⁵⁴, Article 11, prescribes that health and social care is achieved by providing health care to population groups that are exposed to an increased risk of disease, health care for persons in connection with the prevention, suppression, early detection and treatment of diseases and conditions of greater public health importance, as well as health care for socially vulnerable population, under equal conditions on the territory of the Republic of Serbia. Victims of human trafficking are also covered by the health and social care.

¹⁵³ "Official Gazette of RS", number 24/18.

¹⁵⁴ "Official Gazette of RS", no. 25/19 and 92/23 – authentic interpretation.

Article 239 of this Law prescribes that from the budget of the Republic of Serbia, according to the price list of health services adopted by the compulsory health insurance organization for health services covered by compulsory health insurance, compensation is paid to healthcare institutions for health services provided, among other things, to foreigners who are victims of human trafficking.

The Law on Health Insurance¹⁵⁵, Article 16, stipulates, among other things, that victims of human trafficking are considered insured in the sense of this law even when those persons do not meet the conditions for acquiring the status of insured persons prescribed by this Law and when they do not meet the conditions to be insured as family members of an insured person.

In addition to the aforementioned laws that contain specific provisions related to the area of human trafficking, there are other laws in the Republic of Serbia that may be related to and regulate specific issues in this area¹⁵⁶.

¹⁵⁵ "Official Gazette of RS", no. 25/19 and 92/23.

¹⁵⁶ Law on the Ratification of the United Nations Convention on the Rights of the Child ("Official Gazette of the SFRY – International Treaties", No. 15/90 and "Official Gazette of the FRY – International Treaties", No. 4/96 and 2/97), Law on the Ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography to the Convention on the Rights of the Child ("Official Gazette of the FRY – International Treaties", No. 7/02), the Law on Ratification of the ILO Convention No. 105 relating to the abolition of forced labour ("Official Gazette of the FRY – International Treaties", No. 13/02), Law on Ratification of the ILO Convention No. 182 on the worst forms of child labour and ILO Recommendation No. 190 on prohibition and urgent action to abolish the worst forms of child labour, ("Official Gazette of the FRY – International Treaties", no. 2/03), Law on the Ratification of the International Covenant on Civil and Political Rights ("Official Gazette of the SFRY – International Treaties", number 7/71), Law on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women ("Official Gazette of the SFRY – International Treaties", number 11/81), Law on the Ratification of the United Nations Convention against Transnational Organized Crime and Additional Protocols ("Official Gazette of the FRY – International Treaties", number 6/01), Law on the Ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended in accordance with Protocol No. 11, Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, which ensures certain rights and freedoms that are not included in the Convention and the first Protocol to it, Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms on the Abolition of the Death Penalty, Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms, Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms and Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms on the Abolition of the Death Penalty in All Circumstances ("Official Gazette of SCG – International Treaties", No. 9/03, 5/05 and 7/05 – correction and "Official Gazette of the RS – International Treaties", no. 12/10 and 10/15), Law on Ratification of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse ("Official Gazette of the RS – International Treaties", No. 12/13), Law on the Liability of Legal Entities for Criminal Offences ("Official Gazette of the RS", No. 97/08), Law on Organization and Competence of State Authorities in Suppressing Organized Crime, Terrorism and Corruption ("Official Gazette of the RS", No. 94/16, 87/18

The area of human trafficking in the Republic of Serbia can also be influenced by planning documents that refer to different areas¹⁵⁷.

– as amended and 10/23), Law on Prevention of Money Laundering and Financing of Terrorism ("Official Gazette of the RS", No. 113/19, 153/20 and 92/23), Law on Confiscation of Property Derived from Criminal Activity ("Official Gazette of the RS", no. 32/13, 94/16 and 35/19), Law on the Protection Program for Participants in Criminal Proceedings ("Official Gazette of the RS", number 85/05), Law on Public Order and Peace ("Official Gazette of the RS", no. 6/16 and 24/18), the Law on Mutual Legal Assistance in Criminal Matters ("Official Gazette of the RS", No. 20/09), Law on Special Measures to Prevent Criminal Offences against Sexual Freedoms of Children ("Official Gazette of the RS", No. 32/13), Law on Border Control ("Official Gazette of the RS", No. 24/18), Law on Police ("Official Gazette of the RS", No. 6/16, 24/18 and 87/18), Law on the Records and Data Processing in Internal Affairs ("Official Gazette of the RS", No. 24/18), Law on Public Prosecution ("Official Gazette of the RS", No. 10/23), Law on Organization of Courts ("Official Gazette of the RS", number 10/23), Law on Inspection Supervision ("Official Gazette of the RS", no. 36/15, 44/18 – as amended and 95/18), Labour Law ("Official Gazette of the RS", no. 24/05, 61/05, 54/09, 32/13, 75/14, 13/17 – CC, 113/17 and 95/18 – authentic interpretation), Law on Employment and Unemployment Insurance ("Official Gazette of the RS", no. 36/09, 88/10, 113/17, 113/17 – as amended and 49/21), Law on Conditions for Assigning Employees to Temporary Work Abroad and Their Protection ("Official Gazette of the RS", No. 91/15 and 50/18), Law on Agency Employment ("Official Gazette of the RS", No. 86/19), Law on Simplified Work Engagement on Seasonal Jobs ("Official Gazette of the RS", no. 50/18 – as amended and 95/18), Law on Migration Management ("Official Gazette of the RS", No. 107/12), Law on Transplantation of Human Organs ("Official Gazette of the RS", no. 57/18 and 111/21 – CC decision), Family Law ("Official Gazette of the RS", no. 18/05 and 72/11 – as amended 6/15), Law on Registration Books ("Official Gazette of the RS", No. 20/09, 145/14 and 47/18), Law on the Fundamentals of the System of Education and Upbringing ("Official Gazette of the RS", No. 88/17, 27/18 – as amended, 10/19, 6/20, 129/21 and 92/23), Law on Civil Procedure ("Official Gazette of the RS", no. 72/11, 49/13 – CC decision, 74/13 – CC decision, 55/14, 87/18, 18/20 and 10/23 – as amended), Law of Contract and Torts ("Official Gazette of the SFRY", No. 29/78, 39/85, 45/89 - decision of the Constitutional Court of Yugoslavia and 57/89; "Official Gazette of the FRY", number 31/93, "Official Gazette of SCG", No. 1/03 – Constitutional Charter and "Official Gazette of RS", No. 18/20), Law on Electronic Communications ("Official Gazette of RS", No. 44/10, 60/13 – CC, 62/14, 95/18 – as amended and 35/23 – as amended), Law on the Organization and Competences of Public Authorities Combating Cyber Crime ("Official Gazette of the RS", no. 61/05, 104/09, 10/23 and 10/23 – as amended), Law on Information Security ("Official Gazette of the RS", no. 6/16, 94/17 and 77/19), Law on Public Service Broadcasting ("Official Gazette of the RS", no. 83/14, 103/15, 108/16, 161/20, 129/21, 142/22 and 92/23), Law on Public Information and Media ("Official Gazette of the RS", No. 92/23), Law on Gender Equality ("Official Gazette of the RS", No. 52/21), Law on Personal Data Protection ("Official Gazette of the RS", No. 87/18), Law on Associations ("Official Gazette of the RS", No. 51/09, 99/11 – as amended and 44/18 – as amended), Law on the Red Cross of Serbia ("Official Gazette of the RS", No. 107/05).

¹⁵⁷ Integrated Border Management Strategy in the Republic of Serbia for the period 2022-2027, National Strategy for the Realization of the Rights of Victims and Witnesses of Criminal Offences in the Republic of Serbia for the period 2020-2025, Gender Equality Strategy for the period from 2021 to 2030, Strategy for Prevention and Combating Gender-Based Violence against Women and Domestic Violence for the period 2021-2025, Strategy for the Social Inclusion of Roma Men and Women for the period 2022-2030, Youth Strategy in the Republic of Serbia for the period 2023-2030, Strategy for Prevention and Protection against Discrimination for the period from 2022 to 2030, Employment Strategy in the Republic of Serbia for the period

from 2021 to 2026, Strategy on Economic Migration of the Republic of Serbia for the period 2021-2027, Strategy for the Development of Information Society and Information Security in the Republic of Serbia for the period from 2021 to 2026, Strategy for the Development of the Public Information System in the Republic of Serbia for the period 2020-2025 and the Strategy for Creating an Enabling Environment for the Development of Civil Society in the Republic of Serbia for the period 2022-2030.

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