**Report on child, early and forced marriage in humanitarian settings, pursuant to the resolution 35/16 of the Human Rights Council**

**Information by Montenegro**

1. ***Please provide information and data on widespread child, early and forced marriages, regarding the number of women and girls living in a specific humanitarian context. We kindly ask you to provide data broken down by sex and age, and in relation to the total number of women and girls in the populations, as well as of boys, if relevant.***

According to the data from the Records on female residents staying in the governmental Shelter for Victims of Trafficking in Human Beings, kept by the National Office for Fight against Trafficking in Human Beings, in the period 2013-2018, 9 minor female residents stayed at the shelter, of RE population, potential victims of trafficking in human beings with the purpose of entering an illicit marriage, 13-16 years of age. In the Center for Social Work Podgorica for a long time no early forced marriage was registered.

1. ***What measures have been taken to improve data collection, contextual analysis and analysis of social factors that contribute to child, early and forced marriages in a humanitarian context?***

In order to assess the crime situation in the field of criminal offenses of trafficking in human beigns in a quality manner, the National Office for Fight against Trafficking in Human Beings receives quarterly reports from authorized persons from the Ministry of the Interior - Police Directorate, Supreme State Prosecutor's Office and the Supreme Court, which monitor statistics on trafficking in human beings within its institution. In this way, the National Office for Fight against Trafficking in Human Beings, as a coordinating body, combines data and creates single statistics on trafficking in human beings in Montenegro. Statistics include data on both perpetrators and victims of this criminal offense, as well as the whole description of the criminal process. In addition, in accordance with the Agreement concluded in 2006 between the Office of the National Coordinator for Fight against Trafficking in Human Beings and the NGO "Montenegrin Women's Lobby", on the project for the protection of victims of trafficking in human beings in Montenegro, as well as the Agreement on Mutual Cooperation in the Field of Fight against Trafficking in Human Beings, which was signed on October 18, 2013, a civil society organization that provides direct assistance to the residents of the Shelter,undertook to keep a database, statistics, compile reports on its activities and submit them to the National Office for Fight against Trafficking in Human Beings. Accordingly, the National Office for Fight against Trafficking in Human Beings keeps:

* The Register on perpetrators and victims of criminal offence of trafficking in human beings and
* the Records on female residents staying at the governmental Shelter for victims of trafficking in human beings.[[1]](#footnote-1)

1. ***What are the specific challenges and shortcomings in preventing and abolishing the practice of child, early and forced marriages in a humanitarian context? How can these challenges and shortcomings be overcome?***

Prevention and education are very important in suppressing contracted, juvenile marriages, keeping girls in school, enabling them to get quality primary and secondary education, introduction girls with their legal rights and smooth access to information.

***4.What are the lessons learned and prospective practices identified in preventing and abolishing child, early and forced marriages in this context?***

-Strategy for Improving the Position of Roma and Egyptians in Montenegro 2016 - 2020, with the Action Plan for 2016;

-The Strategy identified a significant number of activities aimed at better integration of the Roma and Egyptian population in Montenegro, while the Action Plan identified the bearers of these activities, measures and deadlines for their implementation;

-Memorandum of mutual cooperation in the area of prevention and assistance and protection of potential victims and victims of trafficking in human beings in Montenegro;

- Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016-2020. and the Action Plan for the Implementation of the Strategy for the 2016 Year;

- Education and campaigns on protection against violence against women and in the family, and the problem of juvenile nude marriages between the Roma and Egyptian populations.

1. ***What impact did aggravating factors have on children's early and forced marriages in a humanitarian context?***

The primary limiting factor in preventing and abolishing the practice of child, early and forced marriages is the insufficiently developed awareness of RE population about the negative consequences that early marriages leave on girls, and the fact that entering such marriages forms a part of their culture. In addition, potential cases of criminal offence trafficking in human beings in the form of illicit marriage are very difficult to prove and prosecute as such, so most of these cases are prosecuted as criminal offence entering an extramarital community with a minor. Aggrevating factors are: premature pregnancy, mortality of mothers, mortality of newborns, health problems.

For the effective fight against illicit marriage as a form of committing a criminal offense of trafficking in human beings, the continuing upgrading of already established mechanisms and adapting to new trends is of utmost importance. In addition to preventing, protecting victims and prosecuting perpetrators of this offence, partnership building is very important, as a fourth category, in order to achieve full consensus for eliminating all forms of trafficking in human beings, including this one. This implies, primarily the civil sector, without whose true partnership, one can not imagine a successful fight against this negative social phenomenon, but also the public sector, international organizations, as well as strengthening partnerships with related institutions in the region and beyond.

1. ***Which measures have been undertaken or adopted in order to recognize the basic causes and limiting factors of child, early and forced marriages?***

International and regional agreements prohibit marriage among children and prescribe that governments must protect children from entering into marriage before they are ready.

The Center for Social Work Podgorica is treated in accordance with the Family Law, the Criminal Code of Montenegro and the Convention on the Rights of the Child and the Law on the Protection of Domestic Violence.

***7.What measures have been taken to improve the functioning and autonomy of girls and women in a humanitarian context, including those related to their involvement and counseling in the design, implementation and evaluation of measures and initiatives concerning the exercise of their rights?***

In cooperation with the Ministry of Internal Affairs, the Office for Combating Trafficking in Human Beings, local self-governments and Roma and Egyptian NGOs, in 2016, campaigns and educational workshops were organized in Roma settlements on the problem of violence against women and forced marriages among the Roma and Egyptian populations in a lot of towns in Montenegro.

***8. What measures have been taken to ensure that family members, communities and religious leaders are effectively involved in raising awareness and combating child, early and forced marriages in a humanitarian context?***

The National Office for Fight against Trafficking in Human Beings recognized the conclusion of forced and early marriages characteristic for the members of the RE population as one negative phenomenon that, in certain cases, hides possible labor and sexual exploitation, as well as physical, psychological and sexual harassment of Roma girls. Accordingly, in 2013, the National Office for Fight against Trafficking in Human Beings initiated the amendment of criminal legislation by introducing "entering an illicit marriage" as one of the forms of exploitation that arises as a result of the commission of trafficking in human beings.

In line with the national strategic goals that address this issue, previous years have been intensively focused on raising the level of awareness of members of the RE population. A significant number of campaigns in Roma and Egyptian settlements throughout Montenegro were realized, during which direct communication with Roma children and their parents indicated the negative consequences of entering early and forced marriages. During the campaigns, flyers were distributed that were produced in Montenegrin, Albanian and Roma languages, concerning the trafficking in human beings, entering of early illicit marriages and beggary. There were also lectures on arranged children's marriages in schools attended by Roma children.

In addition, the Office for Fight against Trafficking in Human Beings, with the support of UNICEF, implemented a project aimed at strengthening the multidisciplinary cooperation of representatives of institutions to recognise and proactively identify victims of trafficking in human beings in relation to combating trafficking in children, child beggary and forced child marriages " .

In cooperation with the National Office for Fight against Trafficking in Human Beings, the Ministry of Education has developed a leaflet containing indicators for identifying victims of trafficking that are adapted for educational institutions.

***9. What concrete actions have been taken to ensure adequate protection and mechanisms for women and girls at risk, as well as for victims of child, early and forced marriages, including those living in isolated and remote places?***

Paying special attention to the segment of the protection of (potential) victims of trafficking in human beings, since 2006, the Government of Montenegro fully took over the financing of all expenditures of the Shelter intended exclusively for victims of trafficking in human beings in terms of providing initial recovery of victims as well as other forms of assistance, , clothing, footwear, utility charges, psychological, legal, health and social assistance, as well as educational workshops conducted by activists of NGOs who are engaged in working with the residents of the Shelter. In the government shelter, all victims have the same treatment, regardless of whether they are Montenegrin or foreign citizens. In accordance with the Cooperation Agreement [[2]](#footnote-2), assistance and protection to victims of trafficking in human beings is provided on the principle of voluntariness and consent of the victim itself after identification.

During identification, the victim is offered the possibility of accomodation in the National Shelter for Victims of Trafficking in Human Beings. The victim shall, if necessary, be informed in their mother tongue of the country, city, location in which they are. Also, after the accommodation in the Shelter, the victim is informed that they are in a safe and secure place. Victims are aware that they will be provided with all the assistance and support provided, whether or not they will testify or participate in the process against the trafficker or group, and that they have the right to a reflection period of up to 90 days. The victim is acquainted with their rights and national legislation on the punishment of traffickers if trafficking in human beings is proven in court proceedings. The victim is also informed that, in case of participation in the court proceedings, they are entitled to free legal aid from professionals of the legal profession.

***10. What efforts are being made to strengthen the coordination of programs in the humanitarian context to prevent and eliminate child, early and forced marriages?***

In order to achieve better communication with the RE community and provide quality assistance programs, the National Office for Fight against Trafficking in Human Beings has employed a female representative of the RE population for an indefinite period.

Multisector operational teams function at the Centers for Social Work for support to children and the family. The intention is to include representatives of NGOs coming from the RE population into the work of these teams. These teams function at the local level. Representations of RE population have been included so far in the work of a Multisectoral team located in Niksic.

During the implementation of the Strategy for Combating Domestic Violence for the period 2016-2020, Guidelines for the handling and processing of illicit, arranged child marriages and extramarital communities in the Roma and Egyptian Communities with the financial support of UNICEF were prepared. Guidelines for the handling and processing of cases of illicit, arranged child marriages and extramarital communities in Roma and Egyptian communities have a clear objective, which is to give recommendations to the competent institutions and employees who will act in the given situations.

The National Office for Fight against Trafficking in Human Beings provides continuous support in the implementation of the project entitled "Improving the provision of services and raising the level of awareness in preventing trafficking in human beings in the countries of the Balkans: Albania, Macedonia, Montenegro and Kosovo", funded by the US State Department.

1. In accordance with the Law on Personal Data Protection, the National Office for Fight against Trafficking in Human Beings established a Rulebook on the manner of marking and protection of a special category of personal data for those filing systems. [↑](#footnote-ref-1)
2. http://www.antitrafficking.gov.me/rubrike/sporazum-o-saradnji/134724/Potpisan-SPORAZUM-O-SARADNJI-U-BORBI-PROTIV-TRGOVINE-LJUDIMA.html [↑](#footnote-ref-2)