**Ministry of Human and Minority Rights and Social Dialogue**

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**Answers to the questions of the Special Rapporteur on human trafficking, especially women and children, in accordance with the UN Human Rights Council Resolution 44/4**

There is no explicit provision on impunity in national legislation, however, the principle of impunity is present in national legislation through the provision of Article 388 of the Criminal Code. Namely, the exploitation of victims for commission of criminal offences is also listed as one of the cases of exploitation of victims in the part dedicated to criminal offence of Human Trafficking in Article 388(1) of the Criminal Code. The criminal offence Human Trafficking, Article 388(1) of the Criminal Code reads as follows: "Whoever by force or threat, deception or maintaining deception, abuse of authority,trust, dependency relationship, difficult circumstances of another, retaining identity papers orby giving or accepting money or other benefit, recruits, transports, transfers, sells, buys, acts asintermediary in sale, hides or holds another person with intent to exploit such person’s labour,forced labour, commission of offences, prostitution, mendacity, pornography, removal of organs or body parts or service in armed conflicts, shall be punished with imprisonment of three to twelve years."). Therefore, in case the victim is, by force or threat, deception or maintaining deception, abuse of authority, trust, dependency relationship, difficult circumstances of another, retaining identity papers orby giving or accepting money or other benefit, exploited with the view of committing criminal offences, the victim may not be prosecuted for a criminal offence which is precisely the result of the status of a victim and the consequence of all actions described in Article 388(1) of the Criminal Code. This is also the simplest ground for applying the principle of impunity of victims and it directly depends on the timely and proper identification of a trafficked person.

The application of the principle of impunity is practicable in national legislation and through the following institutes of substantive and procedural criminal laws:

* An offence of minor significance (Article 18 of the Criminal Code)

According to Article 18(1) of the Criminal Code, an offence shall not be considered a criminal offence, if despite having elements of a criminal offence, it represents an offence of minor significance. An offence of minor significance represents general basis that precludes the existence of a criminal offence. Namely, in case of dismissal of a criminal complaint against the victim filed for a criminal offence which is in causal relationship with the victim's status of a trafficked person, the public prosecutor should particularly reason the low degree of guilt, as one of the cumulatively prescribed conditions for precluding the existence of a criminal offence on this grounds (Article 18(2) of the Criminal Code). Criminal offences committed by trafficked persons as regards their status of victims are most commonly crimes punishable by up to five years in prison and the degree of guilt is low. Taking into account that the freedom of will of a trafficked person is limited or compromised due to actions taken by the perpetrator of the criminal offence of human trafficking and that the adverse consequences are non-existent or insignificant, it may be concluded that these are acts that do not violate or endanger the protective object to the extent that the general purpose of the criminal sanctions would require punishment.

* Extreme necessity (Article 20 of the Criminal Code and Article 14 of the Law on Misdemeanours)

According to Article 20(1) and (2) of the Criminal Code, an act committed in extreme necessity shall not constitute a criminal offence, and extreme necessity exists when an act is committed by the perpetrator to repel from his person or the person of another a concurrent unprovoked danger that could not be otherwise repelled, and the damage inflicted does not exceed the damage threatened. A broader interpretation of this institute in practice could also lead to its use as the grounds for impunity for trafficked persons, primarily because any goods could be threatened, therefore, in addition to the danger to life and body, it can also refer to the freedom and health of the victim and persons close to the victim. Simultaneous danger could be interpreted as referring not only to simultaneous and immediate danger, but also to the danger which is the result of the probability, i.e. of the belief of the victim that there will be a damage to some goods of the victim or injury of a person close to the victim. Such a probability in the trafficked persons can be determined by a proper and exhaustive analysis of the position and situation of the victim, i.e. the degree of applied force, threat and other ways of committing a criminal offence, and not only towards the victim but also towards a person close to the victim.

* Self-defence (Article 19 of the Criminal Code and Article 13 of the Law on Misdemeanours)

According to Article 19(1) and (2) of the Criminal Code, an act committed in self-defence is not a criminal offence and self-defence is such defence as necessary for the perpetrator to repel a concurrent unlawful attack on his goods or the goods of another. Although it is present as the general grounds for precluding the existence of a criminal offence, the institute of self-defence could not be used as significant basis for precluding the punishment of victims, but this possibility cannot be excluded either and it depends on the circumstances of the specific case.

* Force and Threat (Article 21 of the Criminal Code and Article 15 of the Law on Misdemeanours)

According to Article 21(1) and (3) of the Criminal Code, an act committed under irresistible force is not a criminal offence and the person using irresistible force shall be considered perpetrator of the criminal offence. When making a decision about criminal prosecution for a criminal offence committed by a trafficked person, it is necessary to determine in each specific case the causal relationship between the commission of a criminal offence and the fact that the person is a victim, as well as the impact of some of the ways of committing criminal offence of human trafficking on the autonomy of the victim's will. The absolute (irresistible) force precludes the possibility of decision-making, in which case the crime does not exist, since there is no voluntary action. Compulsive force, which in some cases may have elements of threat, affects the freedom of decision-making of the person against whom it is applied and, depending on the specific circumstances, may be a basis that precludes the existence of guilt, as an element of the general notion of criminal offence. The principle of impunity, in the context of absolute and compulsive force or threat, should always be interpreted in connection with the ways of committing the criminal offense of human trafficking stipulated in Article 388 of the Criminal Code, especially with regard to the coercion. Trafficked persons act without real autonomy of will (they have no free will or their free will is limited due to the methods used by traffickers), act under coercion which precludes or restricts the freedom of decision-making, which means that they are not responsible for the acts committed - the guilt as an element of the general notion of criminal offence is missing. In the event that a certain person is identified as a trafficked person and subsequently the existence of a causal relationship between the status of the victim and the committed criminal offence is established, it is necessary to determine the extent to which autonomy of will of that person was compromised, due to some of the ways of committing criminal offence of human trafficking , i.e. to what extent, in the case of human trafficking, the compulsive force grew into absolute force (this is especially important in situations when the trafficked persons themselves become perpetrators of such criminal offence, when they recruit new victims, intimidate them and use force against them).

* Mental Incompetence (Article 23 of the Criminal Code and Article 19 of the Law on Misdemeanours)

According to Article 23(1) and (2) of the Criminal Code, there is no criminal offence if it was committed in a state of mental incompetence, that is if a perpetrator was unable to understand thesignificance of his act or was unable to control his actions due to mental illness, temporary mental disorder, mental retardation or other severe mental disorder. In the event that the victim has committed a criminal offense / misdemeanour in a state of insanity, guilt is missing as an element of the general notion of a criminal offense, i.e. such person is not responsible for the misdemeanour. In case of doubt in terms of sanity, it is necessary to determine through forensic evaluation whether the trafficked person could understand the significance of the act he committed, which is in causal relationship to the status of the victim, as well as to manage his actions, especially in terms of absence of a voluntary component, in the form of power of decision-making. The above stated is of particular importance, given that people with developmental disabilities often appear as trafficked persons.

* Delay of criminal prosecution (Article 283 of the Criminal Procedure Code)

According to Article 283(1) of the Criminal Code, the public prosecutor may delay criminal prosecution for criminal offences punishable by a pecuniary penalty or imprisonment sentence for up to five years, provided that the suspected person accepts one or more of the obligations listed in paragraph 1 of the above Article. Namely, criminal offences committed by trafficked persons with regard to their status of victims are most often criminal offences punishable by up to five years of imprisonment, and the application of the principle of opportunity, in the context of application of the principle of impunity, gives the public prosecutor the opportunity to reject criminal complaint filed against a person who committed a criminal offence which is in casual relationship with the status of the victim, by ordering the victim to meet one or more obligations provided for in Article 283 of the Criminal Procedure Code, the choice of which depends on the specific circumstances.

* Dismissal of criminal complaint (Article 284 of the Criminal Procedure Code)

According to Article 284 of the Criminal Code, the public prosecutor will dismiss a criminal complaint with a decision under certain conditions, one of them being the case where the reported act is not a criminal offence subject to prosecution *ex officio* (criminal offence does not exist if some elements of the general notion of a criminal offence are missing - wrongfulness or guilt). Also, within the meaning of Article 284(3) of the Criminal Procedure Code, there is a possibility of applying the principle of impunity in the case when the suspected person, who has been identified as a trafficked person, has committed a crime punishable by up to three years of imprisonment, prevented the damage or fully compensated the damage due to true regret and according to the circumstances of the case, the imposition of criminal sanction would not be fair.

In addition to the mechanisms of general institutes of criminal law, it is important to pay attention to the possibility of acquittal established through individual incriminations for criminal offenses of unauthorised production and distribution of narcotics (Article 246 of the Criminal Code) and unauthorised possession of narcotics (Article 246a of the Criminal Code).

* Unauthorised production and distribution of narcotics (Article 246 of the Criminal Code)

As regards the criminal offence of unauthorised production and distribution of narcotics from Article 246 of the Criminal Code, in the context of impunity of trafficked persons, the major attention should be paid to paragraph (b) of Article 246 of the Criminal Code which stipulates that if the perpetrator of this offence discloses from whom he purchases narcotics, he may be acquitted.

Therefore, Article 246(6) of the Criminal Code provides for the possibility of acquittal of the perpetrator of criminal offence who discloses from whom he purchases narcotics. Although the mechanism provided for in this Article appears to provide effective protection to victims of exploitation of criminal activities, there is a number of obstacles in practice, largely due to the fact that minor victims of exploitation are informed, long before they face the criminal justice, about possible, extremely serious consequences if they disclose the identity of the ordering party / exploiter to the competent authorities. They often choose to remain silent for the fear that they could face consequences much more severe than deprivation of liberty should they decide to take advantage of the "legal benefits". Apart from fear, it should not be disregarded that exploiters often make the victims believe that they are not being exploited, that they play an important role "in the business" and that this role will become increasingly important if they prove their loyalty and persistence. This actually masks the status of the victim, not only in relation to the national authorities which could help the minor, but also in relation to the exploited minor who does not realise that he is a victim.

* Unauthorised possession of narcotics (Article 246a of the Criminal Code)

There is a similar provision in Article 246a of the Criminal Code, which criminalises unauthorised possession of small quantities for personal use (paragraph 1) or large quantities (paragraph 2) of a substance or preparation that are declared narcotic drugs (paragraph 3), stipulates that the perpetrator of the offence referred to in paragraphs 1 and 2 of this Article who discloses from whom he purchases narcotics, may be acquitted.

In the context of punishment of trafficked persons by expulsion from the country, it is important to state that the Law on Foreigners trafficked persons, including minors who were victims, authorises temporary residence for them if the competent national authority for identification and coordination of protection of trafficked persons considers that such residence is necessary for the foreigner's protection, recovery and safety or if the court, the prosecutor's office or the police consider his presence necessary for cooperation in criminal proceedings. Temporary residence of a foreigner who is a trafficked person is authorised 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 trafficked person without the condition to testify, is entitled to access the labour market, professional training and education. To a foreigner with the authorised temporary residence for trafficked persons who does not have sufficient material resources for the necessary medical treatment, the competent national authority for identification and coordination of protection of trafficked persons, alone or in cooperation with the health system, the competent center for social work and other providers of services and organisations, will ensure the availability of medical and other necessary assistance. When authorising temporary residence to a minor foreigner, the competent authority shall take into account the best interests of the minor, his age and maturity.

Regarding the **issue related to the gender dimensions of the implementation of the principle of impunity,** we would like to inform you that Article 8. of the Law on Asylum and Temporary Protection ("Official Gazette of the RS", No. 24/18) prescribes the principle of impunity for unauthorised entry or stay, stipulating that a foreigner will not be punished for unauthorised entry to or stay in the Republic of Serbia if he without delay expresses the intent to apply for asylum and provide a valid explanation for his or her unauthorised entry or stay. The above provisions apply to all categories of foreigners. In addition, in the implementation of the provisions of the above mentioned law, discrimination on any grounds is prohibited, in accordance with special regulations governing the issues of non-discrimination, especially on the basis of race, colour, sex, gender, gender identity, sexual orientation, nationality, social origin or similar status, birth, religion, political or other belief, economic status, culture, language, age or intellectual, sensory or physical disability.

Regarding the **issue relating to the examples of revocation of citizenship as a form of punishment of a trafficked person**, we would like to inform you that Article 38 of the Constitution stipulates that a citizen of the Republic of Serbia may not be expelled nor deprived of citizenship or the right to change it. Furthermore, the Law on Citizenship ("Official Gazette of the RS", No.135/2004 and 90/2007 and 24/2018) does not prescribe the possibility of revocation of citizenship of the citizen of the Republic of Serbia. Namely, the Law on Citizenship prescribes that citizenship of the citizen of the Republic of Serbia may terminate by renunciation (Article 28) or by revocation (Article 33) if the citizen submits a request for renunciation/revocation and if he cumulatively meets the conditions prescribed in the above mentioned article.

Regarding the **issue relating to the cases of forced return to the country of origin as a form of punishment**, we inform you that according to the Law on Asylum and Temporary Protection, no person may be expelled or returned to a territory where his life or liberty would be endangered due to his race, gender, language, religion, nationality, membership of a particular group or political belief. Also, no person shall be expelled or, against his/her will, returned to a territory where there is a risk for such person to be subjected to torture, inhuman or degrading treatment or punishment.

In the asylum procedure, special attention is paid to the specific situations of persons such as trafficked persons, and special reception and procedural guarantees are provided to them throughout the procedure. The same applies to the minors, especially if there is a suspicion that the minor is a trafficked person or a victim of other forms of gender-based violence. A special procedural and reception guarantee provides adequate assistance to the asylum seeker who, in the light of his personal circumstances, is not able to exercise his rights and obligations. The procedure of identification of the person's personal circumstances is carried out by the competent authorities continuously, at the earliest after expressing the intention to apply for asylum at the border or transit area. For their age and degree of maturity, children are at the increased risk of abuse compared to the adults, and it is the duty of all civil servants to guarantee their safety and send them to the appropriate institutions and services in charge of their protection and care. Police officers from the Asylum Office of the Ministry of the Interior have attended trainings related to the identification of trafficked persons which were organised both at the national and international levels. Cooperation with all competent authorities has been established, especially with the Center for the protection of trafficked persons, which the officials of the Asylum Office contact in case of identification of a potential trafficked person.

In the proceedings underway on the basis of asylum applications submitted by a trafficked person or a potential trafficked person, and in accordance with the positive legislation of the Republic of Serbia, all facts and circumstances are considered in detail in order to determine whether the injuries feared as a result of human trafficking or due to the fear of the possibility of human trafficking, represent persecution in a specific case, which is a condition for obtaining asylum in the Republic of Serbia.

The Law on Foreigners ("Official Gazette of the RS", No. 24/2018, 31/2019) defines the trafficked persons as particularly vulnerable persons (Article 3(1)(24)). This Law also stipulates that temporary residence as the residence permit for a foreign citizen in the Republic of Serbia, which may be authorised for a foreigner who intends to stay in the Republic of Serbia for more than 90 days, *inter alia* may be authorised on the basis of the status of a presumed trafficked person, as well as the status of a trafficked person (Article 40).

If during the procedure for establishing the identity of a foreigner it is assumed, on the basis of special indicators, that the foreigner is a trafficked person, the competent national authority for identification and coordination of protection of trafficked persons will assess the condition and needs of the victim, as well as identify the victim, in accordance with the legal powers in the domain of the registered activity (Article 62). The competent national authority for identification and coordination of protection of trafficked persons notifies the Ministry of Interior about the initiation of the proceeding and informs the foreigner about the conditions for temporary residence authorisation and other rights. Temporary residence for a foreigner may be authorised without the general conditions prescribed by the Law on Foreigners being met, for a time period of 90 days. During the temporary residence, recovery and elimination of possible further influence of the perpetrator on the victim are ensured, as well as the possibility of the foreigner to make a decision, based on timely and complete information about his status, about further cooperation with the competent national authority for identification and coordination of protection of trafficked persons, the court, the public prosecutor's office or the police independently, without the condition to testify.

We particularly emphasise that during the validity of the temporary residence authorised on the above mentioned grounds, a decision on the return of a foreigner cannot be taken.

During the period of validity of the temporary residence authorised on this grounds, the presumed victim is provided with security and protection, adequate and safe accommodation, psychological and material assistance, access to emergency medical care, access to education for minors, counselling and information about his legal rights and rights available to him, in a language he/she can understand. If necessary, translation, interpretation and assistance in exercising his rights and interests in the event of criminal proceedings will also be provided. When it is established that a minor foreigner, who is presumed to be a trafficked person, is not accompanied by a parent, guardian or legal representative, the competent authority, custodian authority and the police, in cooperation with the competent national authority for identification and coordination of protection of trafficked persons will find out whether his family is located on the territory of the Republic of Serbia in order to reunite the family. The victim will not be reunited with his family in case the national authority responsible for the protection of trafficked persons assesses that reuniting the minor with his family would not be in his best interest, especially in case of suspicion that the victim's family is involved in human trafficking. Reunification of a minor with his family will be done only in situations when the competent custodian authority, in cooperation with the competent national authority for identification and coordination of protection of trafficked persons, 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 it impossible to find it, a guardian will be appointed for the minor pursuant to the law.

If during the process of identification and coordination of protection of trafficked persons it is established that a foreigner is a trafficked person and that he has made an independent decision on further cooperation with the competent national authority for identification and coordination of protection of trafficked persons, with the court, the prosecutor's office or the police, the competent national authority for protection of trafficked persons informs the Ministry of the Interior thereof in the form of expert opinion. Temporary residence may be authorised for the trafficked person regardless of whether his stay in the country is legal or not, as well as without meeting the general conditions for issuing a permission for temporary residing. Temporary residence for trafficked persons, including minors who are victims, will be authorised if the competent national authority for identification and coordination of protection of trafficked persons considers that such residence is necessary for the foreigner's protection, recovery and safety or if the court, the prosecutor's office or the police consider his presence necessary for cooperation in criminal proceedings. Temporary residence for a foreigner is authorised for a period of one year, with the possibility of extension under the same conditions. The foreigner with the temporary residence authorised for being a trafficked person has the same rights as the foreigner presumed to be a trafficked person, but he is entitled to access the labour market, professional training and education without the condition to testify. If a person does not have enough material resources for the necessary medical treatment, he will be provided with medical and other necessary assistance. When authorising temporary residence for a minor foreigner, the competent authority shall take into account the best interests of the minor, his age and maturity.

Temporary residence for trafficked persons may be revoked at any time if the foreigner no longer meets the conditions (Article 64), and particularly if the foreigner with the authorised temporary residence has actively, voluntarily and on his own initiative renewed contacts with persons suspected of committing a criminal offence in the field of human trafficking and irregular migrations, namely if it is found out that reporting these criminal offences was false or arbitrary, if the foreigner with the authorised temporary residence has ceased to cooperate or commits frauds in the process of cooperation, when it is required for the reasons of security of the Republic of Serbia and its citizens and when the judicial authorities decide to suspend the proceedings.

Please note that the Law on Foreigners prescribes gender neutrality of terms (Article 4), according to which all terms in this law have the same gender meaning, regardless of the use of the male or female gender and apply equally to both male and female gender.

Also, Article 83 of the Law on Foreigners prohibits forced removal of a foreigner to the territory where the foreigner is threatened with persecution because of his race, gender, sexual orientation or gender identity, religion, nationality, citizenship, membership in a particular social group or political opinion.

We would like to draw your attention to the recent decision of the Constitutional Court of the Republic of Serbia confirming for the first time that a group of migrants from Serbia was unlawfully expelled to Bulgaria in February 2017 by the competent authorities of Serbia.

The Constitutional Court states in a detailed reasoned decision that the appellants' rights were violated because of the manner of expulsion, but also due to the fact that they had not been given the right to an attorney.

"The Constitutional Court is of the opinion that all of the above statements confirm the fact that the appellants of the constitutional complaint, including one person over the age of 50 and nine children, four of whom were under the age of five and three more under the age of seven, were expelled from the territory of the Republic of Serbia in the night between February 3 and 4, 2017."

This event occurred in February 2017, when the police intercepted two vehicles and found a group of migrants, among whom were nine children, all from Afghanistan. They were detained by the police, at the Gradina border police station, in which there was no room for detainees. For this reason they were accommodated in a room with no toilet facility and with walls from which the plaster fell off. They received a custody order, but in Serbian and in Cyrillic script. Subsequently they were provided with an interpreter, but not with an attorney.

"The appellants were not provided with professional legal assistance of an attorney, given that they, being refugees, did not have their own defence attorney nor were they assigned an *ex officio* defence attorney, by which they were denied the right to initiate an appeal procedure in which the court would urgently examine the lawfulness of their deprivation of liberty", stated the Constitutional Court in its decision.

They were brought into the Misdemeanour Court in Pirot by the police after a few hours, on February 3, where the judge suspected that they were trafficked persons. Before the court they expressed their intention to seek asylum. As a result, the misdemeanour procedure was suspended and they were sent to the Commissariat for Refugees, i.e. to the asylum center. However, they did not arrive there.

 A day later they were found by the Bulgarian police and a formal note was drawn up on this event. They could not have crossed the distance from Pirot to Bulgaria by foot and by themselves in a few hours, they must have been transported.

Regarding the issue relating to the information on the legislation and policies related to the implementation of the principle of impunity, especially examples of good practice, including special legislation, policies or guidelines adopted and relating to the principle of impunity, we inform you that the Criminal Code ("Official Gazette of the RS", Nos. 85/2005, 88/2005 - corr, 107/2005 - corr, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019), in the provisions of Article 388 penalises human trafficking and in paragraph 1, it provides for the commission of criminal offenses, *inter alia*, as a form of exploitation.

During 2019 and 2020, a total of 44 criminal complaints were filed by the police officers of the Ministry of the Interior against 92 persons due to reasonable grounds to suspect that the criminal offense of human trafficking under Article 388 of the Criminal Code of the Republic of Serbia had been committed, resulting with 71 victims of human trafficking.

Recognising the importance of the rights of trafficked persons and implementing the principle of impunity in practice, in 3 criminal complaints out of the total number of filed criminal complaints, coercion to commit criminal offence was recognised as a form of exploitation.

At its second session, held on January 25, 2019, the Anti-Trafficking Council adopted Standard Operating Procedures for the Treatment of Trafficked Persons, aimed at improving the identification, assistance and protection of trafficked persons, through partnership with all relevant actors at the national, regional and international levels.

The procedures include an overview of activities related to the identification, references, support and protection of trafficked person, including assistance and support to trafficked persons in criminal proceedings and realisation of property claims, i.e. assistance in litigations for compensation for damage, as well as voluntary return of victims and actions required for implementation of these activities, as well as specific indicators for preliminary identification of trafficked persons (police, social protection system, education).

Early identification of trafficked persons by applying specific indicators for preliminary identification is essential for the application of the principle of impunity.

In Part 4 of the Standard operative procedures relating to the assistance and support to trafficked persons in criminal proceedings it is stated that, whenever possible, the provision of Article 26 on impunity of the Council of Europe's Convention on combating trafficking in persons (possibility of not imposing penalties on victims for their participation in illegal activities to the extent they were forced to participate) will apply directly.

The Recommendation of the Council for combating trafficking in persons about a proactive approach to investigations is also important for application of the principle of impunity in practice, it reduces adverse consequences and avoids the possibility that human trafficking investigations are initiated and rely exclusively on the victims' statements. It is recommended that investigations be conducted using intelligence-led policing, combining special evidence-gathering procedures, standard investigative techniques and parallel financial investigations at national and international level to protect trafficked persons, identify traffickers, their business activities, funds and criminal assets. When conducting proactive investigations, a multi-agency approach is to be applied, as well as cooperation and exchange of information between the police, prosecutor's office, Center for the protection of trafficked persons, labour inspection, market inspection, customs authorities, centers for social work, Commissariat for refugees and migration, civil society organisations, diplomatic and consular missions, international organisations, companies, unions, employers' associations and others.

It is recommended to use the institute of particularly sensitive witnesses as often as possible in order to more effectively prosecute perpetrators of criminal offence of human trafficking and ensure better protection to trafficked persons.

As an example of good practice, the manual "Legal framework and recommendations for the application of the principle of impunity for victims of trafficking in human beings in the Republic of Serbia" was drafted in 2015 with the support of the OSCE Mission, by a judge of the Supreme Court of Cassation, Deputy Public Prosecutor and Professor at the University of criminal investigation and police studies (The manual is published on the OSCE website in Serbian language https://www.osce.org/sr/mission-to-serbia/469524).

In view of the importance of the principle of impunity, especially from the aspect of protection of trafficked persons, the Action Plan 2019-2020 for implementation of the Strategy for prevention and Suppression of Trafficking in Human Beings, especially in women and children, and protection of victims 2017-2022, envisages trainings for police officers, public prosecutors and judges of regular and misdemeanour courts on the application of the principle of impunity (Article 26 of the Council of Europe's Convention on combating trafficking in persons). In this respect, in the implementation of the Action Plan for the period 2019-2020, with the support of the OSCE Mission to the Republic of Serbia and in cooperation with the Judicial Academy and the Republic Public Prosecutor's Office, a training was conducted for 21 judges of misdemeanour courts on the application of the principle of impunity for trafficked persons.

Action Plan for the period 2020-2021 for implementation of the Strategy for prevention and protection of children from violence for the period 2020-2023, envisages preparation of analysis of the police procedure in cases of recognised trafficking in children for the purpose of committing criminal offenses.

Taking into consideration the specific issues, we are enclosing translation of the manual "Legal Framework and Recommendations for the Application of the Principle of Impunity for Victims of Trafficking in Human Beings in the Republic of Serbia" in English and suggest that it be e-mailed to the Office of the High Commissioner for Human Rights for information.