

- You are (or have been) exposed to the violence that entails **sexual or labour exploitation, they force you into marriage, force you or offer you to engage in prostitution, begging or committing criminal offences?**
- **Have you been deceived about the conditions of work and residence;** do you work under coercion or in difficult conditions?
- **Has the employer or any other person retained all or most of your earnings,** threatened you and intimidated you?
- Has the employer or the organizer of the trip and accommodation, or those who brought you to Serbia or another country, **confiscated your passport and other personal documents?**
- **You cannot move freely** or your **movement is restricted, they lock you up or control you,** use extortion or threaten you that they will do something to hurt you or your family, or you don't have the opportunity to meet people other than those you work for?
- **They took your mobile phone, you can't talk or write to your family and friends** or such communication is under supervision?
- **You are forced to repay unexpected or impossible debts to a person** which brought you into a situation of exploitation (offered or organized a job, which brought you to Serbia or some other country)?

If you find yourself in one of the previous situations, there is a possibility that you are a victim of human trafficking and that you should ask for help. Human trafficking **is a serious crime** and represents one of the gravest forms of human rights violations. Although the victims of human trafficking are most often women and children, they can also be men, transgender people, etc.

If you suspect that you or another person is a victim of trafficking, you have the right to file to the public prosecutor or the police **a criminal complaint** (in writing, orally or by other means), in which you will describe your knowledge of the events and persons who participated in it.

If you think you were involved in human trafficking, below are the contacts of institutions and organizations that can provide you with help and support:



Center for the Protection of Victims of Trafficking in Human Beings:

- hotline: +381 11 063 610 590
- e-mail: centar@centarzztlj.rs
- address: Ministry of Labour, Employment, Veterans and Social Affairs, Sector for Family Care and Social Protection, Center for Protection of Victims of Human Trafficking, Belgrade, Nemanjina no. 22-26.



Ministry of the Interior, Police Directorate, Criminal Police Department:

- phones: +381 11 2471019 | +381 64 724 1019
- e-mail: ukp@mup.gov.rs



Ministry of the Interior, Police Directorate, Office for Coordination of Activities in the Fight against Trafficking in Human Beings:

- phones: +381 11 3200 603 | +381 11 3200 685
- e-mail: natco@mup.gov.rs



ASTRA organization:

- SOS hotline: + 381 11 785 0000 | 0800 101201 (free of charge and available 24/7)
- e-mail: sos@astra.rs



ATINA organization:

- phone number: +381 61 638 4071 (available 24/7)
- e-mail: office@atina.org.rs

Directory of institutions and other social protection service providers:

- web address: https://npm.rs/attachments/article/55/adresar_ustanova.pdf

Interactive map with the Address Book of organizations, services and institutions that provide assistance and support to victims of crime: <http://www.interaktivnamapa.rs>



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YOUR RIGHTS TO PROTECTION AND SUPPORT – INFOBROCHURE FOR HUMAN TRAFFICKING SURVIVORS

HUMAN TRAFFICKING IS A CRIMINAL OFFENCE AND INCLUDES:

recruiting, transporting, transferring, delivering, selling, buying, intermediating, hiding or holding another person, using force or threats, misleading or deception, abuse of authority, trust, a relationship of dependence, difficult circumstances of another, retention of personal documents or by giving or receiving money or other gains, to exploit his / her work, forced labour, committing criminal offences, engaging in prostitution or other sexual exploitation, begging, use for pornographic purposes, establishing slavery or similar relations, for the purpose of organ harvesting or body parts or for engaging in armed conflict.

You may feel very scared and helpless, but know that you are not alone. **We encourage you to get in touch.** You have the rights and the choice, and in this brochure you can find out what your rights are and how to exercise them.

When you ask for help, you have the following rights and options:

1. RIGHT TO INFORMATION

2. RIGHT TO CONFIDENTIALITY AND PRIVACY

3. RIGHT TO PARTICIPATE IN PROCEDURES AND DECISION MAKING

4. RIGHT TO PROTECTION

5. RIGHT TO ASSISTANCE AND SUPPORT

6. RIGHT TO CHOOSE SERVICES AND SERVICE PROVIDERS

7. RIGHT TO COMPENSATION

8. RIGHT TO COMPLAINT AND APPEAL

**When you
ask for help,
you have the
following
rights and
options:**

1. RIGHT TO INFORMATION

First of all, you have the right **to know who are you talking to** in a government body, institution or organization, as well as what their role is and what you can expect from them regarding further proceedings. You can immediately get written information about your rights, available social protection and support services and how to exercise them, and during the conversation a **person** of trust can attend.

You are entitled to a **period of recovery and reflection**, so it is important **to know that you have time to rest and think**, as well as to obtain information in every contact with a state body, institution or organization and in every stage of the proceedings in which you are.

You have the right to be informed by the police and to get the advice you need regarding the **protection of your personal safety and property**. You also have the right to be informed by the public prosecutor's office and the court about your rights in criminal proceedings.

In all proceedings you have the right to **use your native language** and **you are entitled to an interpreter**.

2. RIGHT TO CONFIDENTIALITY AND PRIVACY

You have the right to be informed about **the right to confidentiality and privacy**, about what personal data is (e.g. your name, gender, address, nationality, etc.) and information about your private life (or the private life of people close to you).

You have the right to request that your personal data are not made available to the public and the media without your consent, that your data is protected and treated confidentially, and to give consent (accordance) to use or not use your data to initiate proceedings. Also, some of your data must be shared with other institutions (this is called restriction of confidentiality) by the institutions and organizations involved in the proceedings, but you have the right to know what such data is and how it will be used.

You can ask your public prosecutor or court to protect your privacy in criminal proceedings.

You have the right to appeal in case of violation of the right to confidentiality and privacy of your data.

3. RIGHT TO PARTICIPATE IN PROCEDURES AND DECISION MAKING

You have the right to be informed of how **you can participate in the proceedings** (before all competent state bodies) and to **participate in decision making**.

You have the right to participate in **the estimate** of your condition and needs, which means that you will be asked and are free to state how you assess your condition and needs concerning health, finances, obtaining documents, accommodation, education and training, employment and work, making contacts with family and other. These data will be taken into account when **developing and implementing a plan for your protection and support**. You will also participate in the evaluation of the effectiveness of the measures taken under the protection and support plan.

4. RIGHT TO PROTECTION

You have the right to be provided with **protection measures** if you are endangered by the perpetrator or other persons. If you are a foreign national, you have the right to be provided by the police **temporary residence permit** on the territory of the Republic of Serbia.

Services for providing support and assistance to witnesses and injured parties (victims) have been established within public prosecutor's offices and courts. These services allow you to get information about **the manner of your participation in the criminal proceedings** against the perpetrator of the crime, how questions are asked before the court, legal terminology, reimbursement of travel expenses, indemnity and other legal information related to your testimony.

In criminal proceedings, you have the right to:

- participate as a witness in the capacity of the injured party (victim) and request to be assigned the status of a particularly sensitive witness by the public prosecutor or the court (in which

case there is a possibility to organize hearings in a special room — with the enabled monitoring of sound and images without the presence of the parties and participants in the criminal proceedings),

- hire an attorney (lawyer) or have him appointed by the public prosecutor or the court,
- review the files and inspect the items that serve as evidence,
- attend the preparatory hearing, the main trial and the presentation of evidence,
- be informed about the rejection of the criminal report, the suspension of the investigation or the withdrawal of the public prosecutor from the criminal prosecution and file an objection against the stated decisions,
- take over the prosecution and represent the prosecution,
- be informed of the outcome of the proceedings and be presented with a final judgment, as well as file an appeal.

From a public prosecutor or a court you have the right to request the protection under the status of a protected witness in criminal proceedings, if your life, health or liberty is endangered, or of a person close to you.

For any illegal activities you have committed under threat or coercion (criminal acts and offences such as prostitution, theft, forced begging, illegal border crossing, illegal stay in our country, etc.), you have the right that the public prosecutor and the court consider the fulfilment of the legal conditions for your impunity.

5. RIGHT TO ASSISTANCE AND SUPPORT

In a safe environment, with the unconditional acceptance of you as a person, regardless of whether you have agreed to cooperate with the investigating authorities, with the possibility to receive information and assistance in your language (including sign language) and that all procedures are attended by a trusted person, you have the right to:

- urgent care of your basic needs (sleep, rest, food, hygiene, health, etc.),
- safe accommodation for you and your children,
- health care (treatment, procurement of medicines, etc.),
- support of a psychologist or social worker to help you recover, strengthen, perceive your situation, think about the future and make your own decisions,
- support to continue your education and qualification,
- support and assistance to find a job and keep a job,
- support in the education of your children,
- assistance to exercise your rights in social protection (such as financial social assistance, one-time financial assistance, assistance in goods, etc.),

- the right to legal support (for example, support in obtaining personal documents)
- support in reuniting with family, as well as to communicate with family and persons important to you.

In the asylum procedure, as a victim of trafficking or a presumed victim of trafficking, you have special guarantees that your rights will be protected and that you will be provided with assistance.

If you are a migrant — a foreign citizen, as a presumed victim of human trafficking, you have the right to a temporary residence (residence permit) for up to 3 months, in order to recover and think about what you will do next. If after that period you decide to cooperate with the state authorities, temporary residence (residence permit) can be granted to you for up to one year.

As an asylum seeker or migrant, you will be provided with:

- assistance in exercising the right to apply for asylum (for foreign citizenship) and for granting temporary residence, as well as assistance in obtaining documents,
- help to return to your country.

RIGHT TO CHOOSE SERVICES AND SERVICE PROVIDERS

6.

When you receive complete information about all services and service providers, you have the right to **choose or reject** service or service provider. Also, you have the right to **change your mind, change** service or service provider as well as to **ask for additional** services and providers. You can also participate in choosing the status that suits you best (for example, temporary residence or asylum, etc.).

7. RIGHT TO COMPENSATION

You are entitled to compensation for **material and non-material damages** in criminal proceedings. You can exercise this right if you file a claim for damages (which must be determined - for example, you will claim a certain amount of money as compensation for the fear suffered). It is advisable to propose evidence (for example, a medical report) with the request for compensation, and you can also request the adoption of temporary measures to ensure the payment of compensation if it is awarded to you by a court decision in criminal proceedings.

You **choose** whether you will file a claim for damages in criminal proceedings, or you will file litigation for compensation.

8. RIGHT TO COMPLAINT AND APPEAL

You have the right in proceedings before state bodies, institutions and organizations to **file a complaint** to the work of professionals if you are dissatisfied with their work, in order to better protect and exercise your rights. You also have the right to **file a complaint** against the decisions of state bodies, following the instruction written in the decision.

You have the right to appeal in case of violation of the right to confidentiality and privacy of your data.

Notes