

In the following sentences, we will explain what human trafficking is:

- o **recruiting** (persuading, enticing, winning over a child with a convincing story),
- o **transporting or transferring** (e.g., across the border or from one place to another, so that in an unknown place, the child would be exploited in different ways),
- o **selling, buying, mediating or participating in a sale** (when someone sells a child to another person or helps to sell a child),
- o **hiding or holding a child** (when someone separates a child from their family or loved ones and imprisons or hides them).

To do this, a trafficker often uses physical force, threats, blackmailing, and his goal is always to make a profit or some other benefit. He/she can use their power or the fact that children and young people trust them, or someone's difficult situation. They can take away victim's personal documents, force them to work (to do jobs they don't want, difficult and dangerous for children), commit crimes (theft, robbery and similar criminal acts), beg, prostitute or otherwise sexually abuse them (e.g., for pornographic purposes). The victim may be used for stealing organs or body parts from them, or in armed conflicts. A human and child trafficker treats the victim as a slave.

If you think you have had an experience related to human trafficking, here are the contacts of institutions and organizations that can provide you with help and support:



Center for Human Trafficking Victims Protection:

- on-call phone: +381 (0)63 610 590 (available 24/7)
- e-mail: centar@centarzztlj.rs
- address: Ministry of Labor, Employment, Veterans and Social Affairs, Sector for Social Protection, Center for Human Trafficking Victims Protection, Belgrade, Nemanjina 22-26.



Ministry of Interior, General Police Directorate, Criminal Police Directorate:

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



Ministry of Interior, General Police Directorate, Anti-trafficking Coordination Office:

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



ASTRA association:

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



ATINA association:

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

Directory of institutions and other social protection service providers:
web link: https://npm.rs/attachments/article/55/adresar_ustanova.pdf

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



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**YOUR RIGHTS
TO PROTECTION
AND SUPPORT –
INFOBROCHURE FOR
CHILD TRAFFICKING
SURVIVORS**

- You are (or used to be) exposed to some form of violence: sexual exploitation or forced labor, forced marriage, prostitution, begging, or someone forced you to do something that you know is illegal (crime)?
- You cannot move freely or your movement is restricted? They lock you up or control you, blackmail you or threaten to do something bad to you or your family? You are isolated, allowed only to see certain people?
- They took away your mobile phone, they don't allow you to talk or text with your family and friends, or they control your conversations and text messages all the time?

If you recognize yourself in any of these situations, you may be a victim of human trafficking, i.e., child trafficking, and you should seek help. Trafficking in human beings or children is a serious crime and one of the most serious forms of violation of human and children's rights. If you have been a victim of trafficking in human beings, i.e., children, we believe that you have a lot of questions and fears. You may feel very scared and helpless, or responsible for what happened to you. It is important to know that you are not alone and you are not responsible for the experience you have had. There are people and organizations that can understand what happened to you, and help you find answers and recover. As a child, you are entitled to this.

If you think you are a victim of human trafficking, you have the right to press charges in the police or public prosecutor's office, through your parent, guardian or other adults who represent your rights. This can be done in writing, orally or by other means. This report should describe what happened, and list the persons who took part in the event. You can check your suspicion by calling the organizations or institutions whose phone numbers are listed at the end of this leaflet.

**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 PROCEEDINGS AND DECISION MAKING

4. RIGHT TO PROTECTION

5. RIGHTS DURING HEARINGS IN CRIMINAL PROCEEDINGS

6. RIGHT TO LEGAL AID

7. RIGHT TO HELP AND SUPPORT

8. RIGHT TO CHOOSE SERVICES AND SERVICE PROVIDERS

9. RIGHT TO COMPENSATION FOR DAMAGE

10. RIGHT TO COMPLAINT AND APPEAL

**WE ENCOURAGE YOU TO
CONTACT US.**

**YOU HAVE RIGHTS
AND CHOICES, AND
IN THIS LEAFLET, YOU
CAN LEARN HOW TO
EXERCISE THEM.**

From the first meeting with the police and the justice system, you have the right to receive all information about what will happen, about your rights, the support you can get and the protection measures.

1. RIGHT TO INFORMATION

First of all, you have the right to know who you are speaking with, what role this person has and what you can expect from them regarding further actions. A person of your choice, that you trust, and who we call a trustworthy person, can be with you during meetings with people from different organizations and institutions.

You have time to rest and think, as well as to get information when making contact with people who work in state bodies, institutions or organizations, at any stage of the proceedings that you are involved in.

You have the right to receive information and advice from the police on how your personal safety and property will be protected. You also have the right to receive information from the public prosecutor's office about your rights in criminal proceedings.

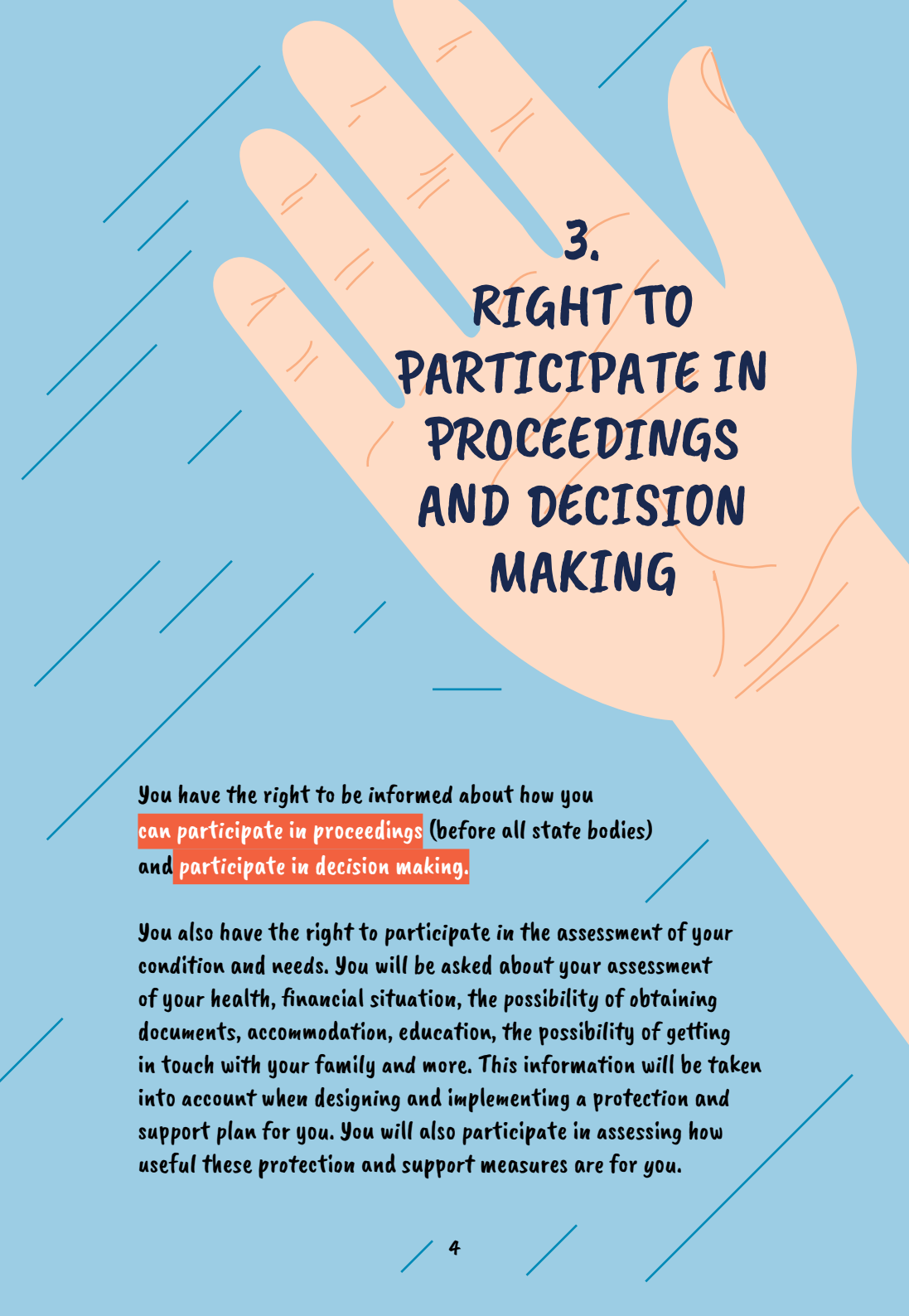
You have the right to receive information in a language that you know, understand and that is adapted to your age. If you do not understand something, you have the right to ask for clarification. You have the right to use your mother tongue at any time and to be provided with an interpreter.



2. RIGHT TO CONFIDENTIALITY AND PRIVACY

You have the right to confidentiality and privacy. This means that your personal information (e.g., name, gender, address, nationality, etc.) and information about your private life (or the private life of people close to you) must not be used in the media (in newspapers, on television...).

It is important for you to know that the people who work in institutions and organizations involved in trials and your protection must share some of your information with other institutions (this is called a confidentiality restriction). But you have the right to know what this information is and how it will be used. If your privacy rights are violated in criminal proceedings, you, your legal representative (parent or guardian) and your procedural representative can file a complaint.



3. RIGHT TO PARTICIPATE IN PROCEEDINGS AND DECISION MAKING

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

You also have the right to participate in the assessment of your condition and needs. You will be asked about your assessment of your health, financial situation, the possibility of obtaining documents, accommodation, education, the possibility of getting in touch with your family and more. This information will be taken into account when designing and implementing a protection and support plan for you. You will also participate in assessing how useful these protection and support measures are for you.



4. RIGHT TO PROTECTION

If you are in danger from a human/child trafficker or other persons, you have the right to be provided with **protection**. If you are a foreign citizen, you have the right to have a **temporary residence permit**, issued by the police, on the territory of Serbia.

You, your legal representative (parent or guardian) and your procedural representative have the right, in criminal proceedings, to request from a public prosecutor or a court, to be granted the status of a **protected witness**, if your (or your loved one's) life, health or freedom is endangered.

If you have committed, under threat or coercion, an illegal act (criminal offense or misdemeanor, e.g., participation in prostitution, theft, begging, burglary, illegal border crossing, illegal stay in the country, etc.) you have the right that the public prosecutor and the court assess whether there are legal conditions for you not to be punished.

5. RIGHTS DURING HEARINGS IN CRIMINAL PROCEEDINGS

If there is a need for you to be heard in criminal proceedings as a victim or witness of trafficking in human beings, or children, you have the right to:

- **Preparation before the hearing** - During the preparation you will get information about what the trial process and the courtroom look like, about the rights you have. This is the responsibility of the Services for providing support and assistance to witnesses and aggrieved parties (victims).
- **Hearing in a child-friendly environment** - You have the right to be heard in a special room adapted to your age. You will be accompanied by a psychologist, remedial teacher or another professional, and there will be no other participants in the proceedings. There is also a possibility of the hearing not being conducted in court, but in your apartment, other premises or institution/organization that is specially trained to interrogate minors. The hearing may be conducted no more than twice, and only exceptionally more times.

- **Counseling and post-hearing support** – You have the right to receive support immediately after the hearing, as well as to receive the help of a psychologist or anyone else, if you need it.

All persons involved in the proceedings are obliged to treat you with respect and dignity and to take care of your best interests, your age, education, the circumstances in which you live and to try to avoid consequences that could be harmful to you.

6. RIGHT TO LEGAL AID

You are entitled to free legal aid.

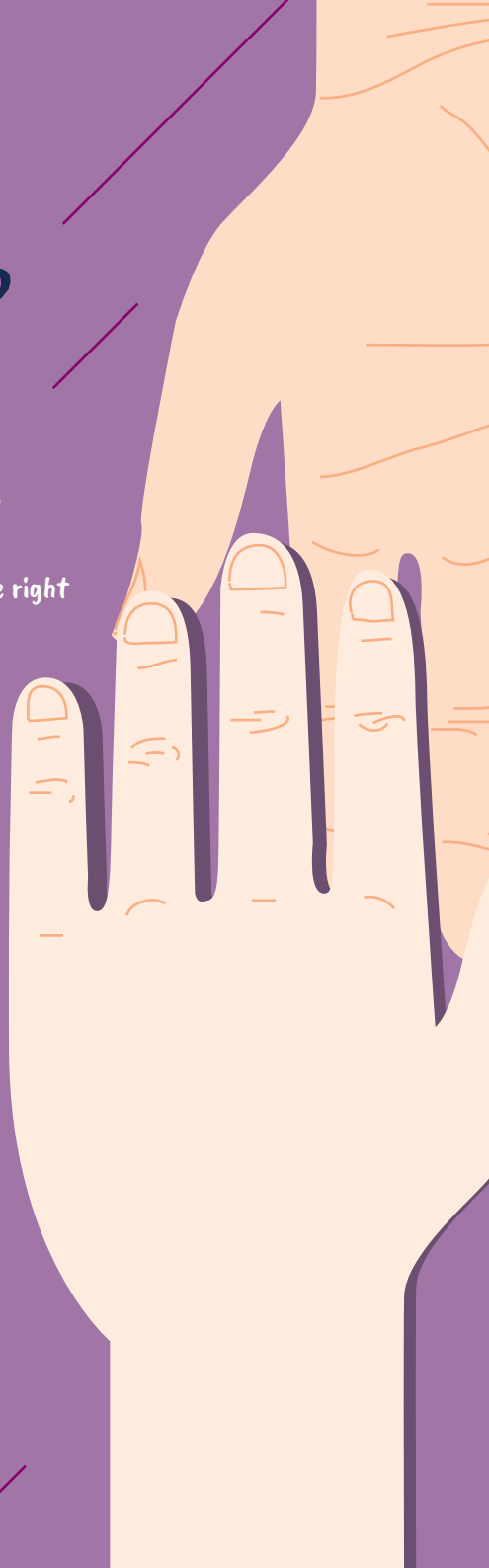
In criminal proceedings, you must have a procedural representative from the first hearing. Your parents/guardians can hire on their own a lawyer to represent you during the trial. If you do not have one, the public prosecutor or the court will appoint a procedural representative (lawyer) who is specially trained for the children's rights and the protection of minors during the trial and who will represent you free of charge.

If you want to claim damages after criminal proceedings or to initiate other proceedings in order to protect your rights, you are entitled to free legal aid.

7. RIGHT TO HELP AND SUPPORT

Regardless of whether you have agreed to cooperate with the police and other investigating authorities, you have the right to receive:

- urgent care of your basic needs (sleep, rest, food, hygiene, health, etc.),
- safe accommodation,
- health care (treatment, procurement of medicines, etc.),
- help from a psychologist or social worker, in order to empower, think about your future and make decisions,
- support to continue your education and prepare for life,
- the right to financial aid or aid in commodities,
- the right to legal aid (e.g., for obtaining personal documents),



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- support in reuniting with your family, as well as maintaining contact with your family and other important people for you.

If you are seeking asylum, as a victim of human trafficking or child 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, and it is assumed that you are a victim of trafficking in human beings, or children, you have the right to temporary residence (residence permit) for up to 3 months. During that time, you can recover and think about what you will do next. If after that period you decide to cooperate with state authorities, you can be granted a temporary residence permit for up to one year.

As an asylum seeker or migrant, you will be offered:

- assistance in applying for asylum (for foreign citizens) and for granting temporary residence, as well as assistance in obtaining documents,
- help if you want to return to your country.



8. RIGHT TO CHOOSE SERVICES AND SERVICE PROVIDERS

When you receive information about all the help and support services, as well as about those who provide these services, you have the right to **choose or reject** the service or service provider. Also, you have the right to **change your mind, change or request additional** services and providers. You can also take part in choosing the status that suits you best (for example, temporary residence or asylum and the like).



9. RIGHT TO COMPENSATION FOR DAMAGE

You have the right to compensation for **material and non-material damage** in criminal proceedings. In order to exercise this right, you need to file a property claim for damages. This claim must be for a specific compensation – for example, you will claim a certain amount of money as compensation for the fear suffered. Proposing **evidence** (for example, a medical report) along with the compensation claim would be preferable, and you can also request the adoption of **temporary** measures to ensure the collection of compensation if it is awarded by a court decision in criminal proceedings.

Your procedural representative will help you with this, who can submit that request as a part of the criminal procedure. There is a possibility, later, after the end of the criminal proceedings, of a lawsuit for damages to be initiated (but it is better to make the claim as a part of the criminal proceedings and to decide on it on this occasion).



10. RIGHT TO COMPLAINT AND APPEAL

In the procedure conducted before state bodies, institutions and organizations, you have the right **to file a complaint** against the work of professionals through a legal representative (parent, guardian) if you are dissatisfied with their work. You also have the right **to appeal** against the decisions of state bodies through a legal representative. At the end of the decision they made, it is written how to do that (It is called Legal Remedy).

If the right to confidentiality and privacy of your information has been violated, you have the right to appeal.

Dictionary

Legal representative is a person who represents a minor. This can be a parent or a guardian appointed by the Center for Social Work if the parent is unable to represent the child due to certain circumstances.

Procedural representative is a person (mostly a lawyer) authorized by the child's legal representative or a state institution to represent the child before the state bodies. This means that this person is responsible for ensuring that all your rights are protected before state authorities (court, police, etc.)

Guardian is a person whose duty is to take care of you and your health, education, take care of your property, and who has the right to make decisions on your behalf, when it is considered that you cannot do it alone or do not understand well enough the situation you are in. In most cases, the legal guardian is the parent, however, the guardian may also be assigned by the Center for Social Work, if the parent has grossly violated children's rights, or has died or abandoned the child.



Investigating authority – if you come into contact with the law, either as an aggrieved party or a crime perpetrator, the court will appoint, in your case, a judge – the investigating authority, who is obliged, in your case, to initiate all the actions in order to find out all the facts. He/she manages the preparatory process and is responsible for all activities.

Public prosecutor is a state body that has the right and duty to prosecute perpetrators of criminal acts. They request from the court to conduct an investigation, to bring charges or information, they represent the charge during criminal proceedings and lodge appeals. They manage the preliminary criminal investigation.

Criminal proceedings are a process before a court, during which a criminal responsibility for a criminal act (act prohibited by law) is being determined and a sentence is imposed on the person who committed that offense. If you come into contact with the law and participate in criminal proceedings, the competent institutions (police, prosecutor's office, center for social work, etc.) will establish all the facts during this process, reveal evidence, and the court will make a verdict (decision on guilt and sentence) for the one who committed the criminal act, and the decision on compensation for damage (for one who suffered damage by the committed act).

Lawsuit is a process before a court, during which legal protection is being determined and decisions are being made on disputes arising from personal and family relations, property and other legal relations (for example, on compensation for material or non-material damage) for persons who have suffered damage as victims of a crime.

Material damage exists when the crime has caused a loss (for example, destruction or confiscation of an item or money from the victim of theft) or physical injury to the aggrieved party. This means that there are real costs that need to be reimbursed (stolen money, damaged items, treatment costs in case of injuries). The amount of material damage and its compensation is determined in court proceedings.

Non-material damage, unlike material damage, does not represent a property loss, but occurs in cases of emotional (mental) and physical pain suffered (for example, due to fear suffered due to a crime). The degree of non-material damage and its compensation are determined in court proceedings.

Property claim for damages is placed in the case when you are a victim of a crime, i.e., when the damage that was determined in the criminal proceedings (material and non-material) has occurred. The person accused of a crime against you, must pay the costs of the damage. In the property claim for compensation of damage, it is necessary to precisely state the amount and type of compensation for the caused damage.

Notes