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تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية

والاجتماعية والثقافية، بما في ذلك الحق في التنمية

زيارة إلى الجبل الأسود

تقرير المقررة الخاصة المعنية ببيع الأطفال واستغلالهم جنسياً، بما في ذلك استغلالهم
في البغاء وفي المواد الإباحية وغيرها من مواد الاعتداء الجنسي على الأطفال،
ماما فاطمة سينغاته*

موجز

تبحث المقررة الخاصة المعنية ببيع الأطفال واستغلالهم جنسياً، بما في ذلك استغلالهم في البغاء وفي المواد الإباحية وغيرها من مواد الاعتداء الجنسي على الأطفال، ماما فاطمة سينغاته، في هذا التقرير، القضايا المتعلقة ببيع الأطفال واستغلالهم جنسياً في الجبل الأسود، وذلك في ضوء القواعد والمعايير الدولية لحقوق الإنسان. واستناداً إلى المعلومات التي جُمِعت قبل الزيارة وأثناءها وبعدها، تسلط المقررة الخاصة الضوء على المبادرات التشريعية، والأطر المؤسسية وسياسات حماية الطفل المنفذة لمكافحة ومنع ظاهري بيع الأطفال واستغلالهم جنسياً، وعلى التدابير المتخذة لتوفير الرعاية للأطفال الضحايا وضمان تعافيهم وإعادة إدماجهم. وتقدم المقررة الخاصة توصيات لتعزيز الجهود الرامية إلى منع ظاهري بيع الأطفال واستغلالهم جنسياً وإلى القضاء عليهما.

* يعمم موجز هذا التقرير بجميع اللغات الرسمية. أما التقرير نفسه، الوارد في مرفق هذا الموجز، فيُعمم باللغة التي قُدِّم بها فقط.



Annex

Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh, on her visit to Montenegro

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I. Introduction

A. Programme of the visit

1. At the invitation of the Government of Montenegro, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhatheh, visited Montenegro from 8 to 16 September 2021. The objectives of the visit were to assess the situation of the sale and sexual exploitation of children and to evaluate the national child protection system, with a view to making recommendations to prevent and eradicate all forms of sale and sexual exploitation of children.

2. Over the course of the mission, the Special Rapporteur visited the cities of Podgorica, Bijela, Spuž and Nikšić, where she met with representatives of the executive, legislature, judicial branches of the Government and other stakeholders. She held meetings with officials of the Ministry of Foreign Affairs, the Ministry of Economic Development, the Ministry of Finance and Social Welfare, the Ministry of Justice and Human and Minority Rights, the Ministry of the Interior, the Ministry of Public Administration, Digital Society and Media and the Ministry of Health. She also met with representatives of the Council on the Rights of the Child, the Deputy Ombudsperson for children rights, social protection and youth, the Chairpersons of the Gender Equality Committee and the Committee on Human Rights and Freedoms of the Parliament of Montenegro, as well as with representatives of the Police Directorate, the Higher Public Prosecutor's Office, the Supreme Court, members of the international community, civil society organizations (CSOs), children and childcare services.

3. The Special Rapporteur visited a shelter for victims of violence, a shelter for victims of trafficking in human beings and the children's home "Mladost". She also visited a Roma neighbourhood in Nikšić, the Centre for Children and Youth "Ljubović" and the Centre for Reception of Foreigners Seeking International Protection in Spuž.

4. The Special Rapporteur expresses her gratitude to the Government for facilitating her meetings with the authorities, the members of civil society who met with her and the children who were willing to share with her their experiences and their aspirations for their future. She also expresses her appreciation to the Office of the United Nations High Commissioner for Human Rights and its Special Procedures Branch for their support in the preparation and execution of the visit. She further expresses her appreciation to the United Nations Resident Coordinator and the Human Rights Adviser in his office, the United Nations country team, the United Nations Development Programme, the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Refugees for their support during her mission.

B. Context

5. Montenegro is an upper-middle-income country in south-eastern Europe on the Adriatic Sea. It borders Bosnia and Herzegovina to the northwest, Serbia and Kosovo¹ to the east, Albania to the south and Croatia to the west. Montenegro has an area of 13,812 square metres and is divided into 24 municipalities and three regions: northern, central and southern. The capital and largest city is Podgorica.

6. At the conclusion of the Second World War, Montenegro became a constituent republic of the Socialist Federal Republic of Yugoslavia. With the dissolution of that country in 1992, Montenegro and Serbia formed a new State, the Federal Republic of Yugoslavia. After 2003, the Federal Republic of Yugoslavia was reconstituted as a loose union known as the State Union of Serbia and Montenegro. On 21 May 2006, Montenegro held a referendum on independence, in which 55.5 per cent of the voters chose independence.

¹ In the present report, reference to Kosovo shall be understood in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

7. According to the most recent census, Montenegro had an estimated population of 620,029. The 145,126 children under age 18 comprise 23.4 per cent of the total population. Montenegro is a diverse country, which recognizes several ethnic groups. About 1 per cent of the total population (6,251) identifies as Roma. There is also a small population of Egyptians (just over 2,000 persons),² who face similar challenges as the Roma. Compared to the general population, Roma and Egyptian girls and boys score much worse in almost every social and well-being indicator.³

8. The number of asylum seekers, as well as the proportion of children among them, has varied over recent years. The Special Rapporteur learned during discussions held with interlocutors that while the highest number of asylum seekers (272 children in total) was recorded in 2018, the highest proportion of refugee children (28 per cent) was reported in the first half of 2021. By the end of July 2021, 445 persons at risk of statelessness were reported in Montenegro, out of which 238 (53 per cent) were children. Members of the Roma and Egyptian communities are at the highest risk of statelessness.

9. Poverty is reported to be highest among vulnerable groups, such as the Roma, refugees and internally displaced persons and persons with disabilities, and the rural population is poorer than the urban population. UNICEF reported that in 2019 every third child was at risk of poverty in Montenegro.⁴ It is estimated that children born in Montenegro today will reach only 63 per cent of their potential adult productivity due to lack of quality education and health care.⁵ The coronavirus disease (COVID-19) pandemic has exacerbated the risk of poverty in the country and has negatively affected children in multiple ways, particularly children from marginalized communities and children with disabilities.⁶

II. Scope of the sale and sexual exploitation of children

10. The scope and prevalence of the sale and sexual exploitation of children has been of concern to stakeholders confronted with the plight of victims. However, the real magnitude of the problem is difficult to determine, due to the unavailability of centralized and disaggregated data on the different forms of sexual abuse and exploitation of children and on the number of cases identified, investigated and prosecuted. Only a small number of cases of sexual violence against children are reported. This suggests that there may be an underreporting and underidentification of victims. A culture of silence or tolerance towards such crimes persists.

11. Although the information received by the Special Rapporteur was fragmented and anecdotal, the evidence gathered from child protection stakeholders revealed that child sexual exploitation and abuse is present in Montenegro, is believed to be most prevalent among children belonging to marginalized communities and to be more frequent during the summer season in tourist areas.

12. According to a 2017 study on violence against children, while one out of five citizens believes that sexual abuse of children does not exist in Montenegro, one in 10 knows an adult

² For official statistics on the population of Montenegro, see Statistical Office of Montenegro, available at <http://www.monstat.org/eng/page.php?id=393&pageid=57>.

³ See 2018 Multiple Indicator Cluster Survey, which provides a statistical snapshot of the general population and Roma population across various topics, available at <http://www.monstat.org/eng/page.php?id=1561&pageid=16>.

⁴ United Nations Children's Fund (UNICEF), "Child poverty in Montenegro", available at https://www.unicef.org/montenegro/media/18406/file/ES_Chld%20Poverty_web.pdf.pdf; and *Multidimensional Poverty in Montenegro*, available at <https://www.unicef.org/montenegro/media/17696/file/UNICEF%20-%20MODA%20ENG%20-%20web.pdf.pdf>.

⁵ Human Capital Project, "Human Capital Index 2020", available at https://databank.worldbank.org/data/download/hci/HCI_2pager_MNE.pdf.

⁶ United Nations, Montenegro, "Rapid social impact assessment of the COVID 19 outbreak in Montenegro – September 2021", available at <https://montenegro.un.org/en/151797-rapid-social-impact-assessment-covid-19-outbreak-montenegro-september-2021>.

or a child victim of this form of violence.⁷ While people are mostly aware of the prevalence of peer violence, there is very low awareness of the presence of sexual violence against children.⁸ According to the 2018 Multiple Indicator Cluster Survey, 66 per cent of children aged 1–14 had experienced some form of physical punishment and/or psychological aggression by adult household members in the month preceding the survey.⁹ The Special Rapporteur encourages efforts to increase awareness of the issues of sexual violence and abuse against children, as well as the negative, long-lasting effects of such violence for the child, the family and society as a whole.

A. Sale of and trafficking in children for the purpose of sexual exploitation

13. Montenegro is a transit, source and destination country for children subjected to sale and trafficking for sexual and labour exploitation, among other purposes. Children, in particular children from the Roma and Egyptian communities, are vulnerable to child marriages and forced begging, the latter particularly during the summer season in the coastal areas. Migrant children, asylum-seeking and refugee children also experience a higher risk of sale and trafficking. Sexual exploitation of children in the context of travel and tourism, particularly during the summer season in tourist areas, as well as online child sexual abuse and exploitation, are also a matter of concern.

Child marriage

14. The prevalence of child marriage, which may amount to sale of children for the purpose of sexual exploitation, forced labour and financial exploitation, is difficult to establish due to the unavailability of accurate data. However, this practice is reportedly significant within the Roma and Egyptian communities where, according to the 2018 Multiple Indicator Cluster Survey, about one third (32.5 per cent) of girls aged 15–19 and about one in six boys (15.8 per cent) are currently married or in union.¹⁰ Overall, in Roma settlements, 23 per cent of women aged 20–24 are married before age 15, compared to 6 per cent of men of the same age; and 55 per cent of women and 25 per cent of men aged 20–49 are married before age 18. From the discussions held with stakeholders, in some instances, Roma children from Montenegro have reportedly been sold into marriage abroad and Roma girls from other countries have been forced into marriage in Roma communities in Montenegro. A recent study shows that in 52 per cent of cases, girls do not choose a partner or the time when they marry and 44.2 per cent of girls did not know their future husband until they were married.¹¹ In addition, the high incidence of child marriage in the Roma and Egyptian population appears to be accompanied by a high level of acceptance of domestic violence.

15. According to the 2018 Multiple Indicator Cluster Survey, there is a negative correlation between the level of education and marriage before age 18 among women aged 20–49.¹² The survey further indicates that only 77 per cent of Roma and Egyptian children of primary school age attend school and only 7 per cent of children of secondary school age (15–18) in Roma settlements attend secondary school or higher, in contrast to the general population, where 88 per cent of children attend secondary school.

⁷ UNICEF, Knowledge, Attitude and Practice survey on violence against children, 2017, available at <https://www.unicef.org/montenegro/media/3966/file/MNE-media-MNEpublication79.pdf>.

⁸ Strategy for exercising the rights of the child, 2019–2023, available at <https://www.unicef.org/montenegro/media/11026/file/MNE-media-MNEpublication331.pdf>.

⁹ Multiple Indicator Cluster Survey 2018, Montenegro and Montenegro Roma Settlements, Survey Findings Report, December 2019, available at <https://www.unicef.org/montenegro/sites/unicef.org.montenegro/files/2020-07/UNICEF%20-%20MICS%20izvjestaj%20za%202018%20-%20ENG.pdf>.

¹⁰ 2018 Multiple Indicator Cluster Survey.

¹¹ *The Prevention of Child Marriage in Montenegro, Challenges, Lessons Learnt and a Theory of Change*, 2017, available at <https://crink.me/wp-content/uploads/2018/04/Sprecavanje-djecjih-brakova-ENG-v2-Copy.pdf>.

¹² 2018 Multiple Indicator Cluster Survey.

16. Discussions also referred to multiple challenges in identifying and intervening in cases of child marriage although supporting data are limited. Most child marriages are customary and not registered under the civil code.¹³ The Special Rapporteur regrets that child marriage is not always considered a criminal offence but rather accepted as part of tradition or custom. She believes that breaking the tradition-related stereotypes is required in order to eradicate this practice, which has a negative impact on the health and education of children. Furthermore, children should not be forced into arranged marriages but should rather be nurtured to develop their full potential. The Government is therefore strongly encouraged to scale up sensitization, training and awareness-raising programmes on this issue and to step up implementation of policies that will result in the eradication of this practice.

Sexual exploitation of children in the context of travel and tourism

17. Montenegro is a tourist destination. During the summer, the number of unaccompanied children tends to increase along the seaside. There have been allegations of women and girls trafficked for sexual exploitation in clubs and hotels, as well as in yachts along the coast of Montenegro, although there has been no official identification of such cases.¹⁴

18. The Special Rapporteur learned that during the tourist season one third of persons entering Montenegro are not registered at the border. She notes that this increases the risk of trafficking for sexual exploitation of children and sexual exploitation in the context of tourism.

19. The Special Rapporteur also learned of instances where children are reported either missing or unlawfully transported outside the jurisdiction of Montenegro and she recommends that communication with neighbouring countries relating to these children must also be enhanced so that law enforcement officials can identify children who are victims of trafficking at the borders.

20. During exchanges with the Special Rapporteur, Government authorities acknowledged the problem of sexual exploitation of children in the context of travel and tourism. According to the authorities, the State initially focused on construction when the tourist industry was burgeoning and less on putting strategies in place for child protection. The Special Rapporteur also learned that several awareness-raising and training activities have taken place and over 200 representatives of the tourism industry have signed the code of conduct for the protection of children from sexual exploitation in travel and tourism.

21. Considering the importance of this issue, the Special Rapporteur recommends that the Government formulate policies and legislation specific to the travel and tourism sector and design strategies to raise awareness of the prohibition, detection and punishment of offences and activities relating to the sexual exploitation and abuse of children in the context of travel and tourism.

22. The Special Rapporteur was encouraged to learn from the authorities that plans have been advanced to establish a register for all persons entering Montenegro. This measure can be strengthened further by requiring the registration of all tourists and travellers staying in hospitality and catering facilities, hotels and other tourist areas.

23. In order to facilitate cooperation and communication, the Special Rapporteur recommends the appointment of a focal point on tourism in the Ministry of the Interior to liaise with the Ministry of Economic Development, which is responsible for tourism.

Online child sexual abuse and exploitation

24. In Montenegro, as many as 91 per cent of children aged 9–17 use the Internet and most, 87 per cent, are online every day. Internet usage increases as children grow older, with 97 per cent of youngsters aged 15–17 using the Internet every day, and 71 per cent several

¹³ *The Prevention of Child Marriage in Montenegro, Challenges, Lessons Learnt and a Theory of Change.*

¹⁴ [A/HRC/44/45/Add.1](#).

times each day.¹⁵ According to a study conducted in 2016, 38 per cent of children reported that they had experienced at least some harmful online incidents in at least one of four areas: something happened that upset them (14 per cent); someone treated them in a hurtful way (12 per cent); they had seen sexual images (29 per cent); or they had received sexual messages (7 per cent). Just a few children stated that they had reported the problem online. The survey further found that 69 per cent of parents believed that it was not likely, in the near future, that anything to bother or upset their children would happen on the Internet. Over half of the children stated that their teachers were completely uninvolved in any of the issues related to children's personal use of the Internet.¹⁶

25. Similarly, according to a 2013 survey conducted by the Ombudsman on online child abuse, only a small number of cases were reported to the competent authorities. The survey indicated that children did not have enough information about the safety of the Internet and the possible types of abuses, indicating that they did not receive enough information on these topics within the educational system or in the family.¹⁷

26. More recently, the lockdown imposed in 2020 due to the COVID-19 pandemic, when children had to resort to remote learning, increased their exposure to the risks of online sexual exploitation and grooming.¹⁸ Reported cases of online child sexual abuse and exploitation have been on the rise since that time. The lack of available data makes it difficult, however, to determine the extent of this phenomenon in Montenegro.

27. The Special Rapporteur met with the representative of the Suppression of High-tech Crimes Unit within the Police Directorate. During their discussions, she learned that there is a lack of data on children exposed to online crimes and that among the difficulties associated with acquiring accurate data was the fact that children may not be aware of the nature of offences related to online child sexual abuse or they may not have the courage to speak up when they encounter a problem online.

28. The Special Rapporteur also learned that the Suppression of High-tech Crimes Unit is understaffed, with only five police officers covering all high-tech offences, including online child sexual abuse and exploitation. The Special Rapporteur recommends strengthening this unit by recruiting and training more experts in this field and setting up a special unit for children.

29. The Special Rapporteur recommends that the Government of Montenegro formulate legislation and strategies to address online child sexual exploitation and abuse through the use of various technologies and further encourages the Government to refer to general comment No. 25 (2021) of the Committee on the Rights of the Child on children's rights in relation to the digital environment, which provides guidance on relevant legislative, policy and other measures to ensure full compliance with State obligations under the Convention on the Rights of the Child and the Optional Protocols thereto to effectively address online sexual exploitation of children.

30. The Government is also encouraged to collaborate, cooperate and share information with law enforcement agencies from other States within the region on this issue.

B. Root causes and risk factors

31. Socioeconomic disparities, poverty and exclusion create unequal opportunities and limit access to social services and education for children in the most marginalized communities, particularly Roma and Egyptian children, children of migrant or refugee families, unaccompanied or separated children and children with disabilities. These situations are further exacerbated by entrenched social and gender norms, which affect girls in

¹⁵ UNICEF, *Children Online – Opportunities, Risks and Safety*, 2016, available at <https://www.unicef.org/montenegro/media/3061/file/MNE-media-MNEpublication52.pdf>.

¹⁶ Ibid.

¹⁷ Report available (in Montenegrin) at https://www.ombudsman.co.me/img-publications/15/110420133_kompilacija_izvjestaja_konacna.pdf.

¹⁸ Impact of coronavirus disease on different manifestations of sale and sexual exploitation of children (A/HRC/46/31).

particular, exposing them to exploitation and the risk of being trafficked for the purpose of forced begging, sexual exploitation or early and forced marriage. The lack of disaggregated data on different forms of sexual abuse and exploitation of children hinders ongoing efforts to curb the root causes and the design and implementation of appropriate policies and measures.

Roma and Egyptian children

32. According to the strategy for the social inclusion of Roma and Egyptians in Montenegro 2016–2020, about 77 per cent of the Roma and Egyptian population live in segregated settlements. Within the Roma population, 45 per cent of people are unable to read and write in the official language and about 50 per cent are unemployed and seeking employment.¹⁹ While the Government has carried out several initiatives to facilitate social inclusion and increase access to education and employment for such communities, Roma and Egyptian children continue to experience discrimination and exclusion, as well as the risk of statelessness, adding to the prejudice they face. The Special Rapporteur encourages Montenegro to continue investing in social, economic and other measures for the Roma and Egyptian minority, to provide awareness-raising and education programmes, to make efforts to promote gender equality, combat violence against girls and child marriage and to support policies for the empowerment of women and girls as a means of combating the root causes of trafficking and sale.

Children with disabilities

33. There is no data on the number of children with disabilities in Montenegro, nor is there specific data on the incidence of violence, sexual abuse or trafficking of children with disabilities. According to information received, reports made on abuses against children with disabilities are not adequately investigated and the absence of data make them invisible.

34. The Special Rapporteur learned that while Montenegro has day-care centres and home assistance for adult persons with disabilities there are none for children. The Special Rapporteur recommends that children with disabilities in need of care should be provided with access to all necessary support and services in the context of community care. Parents and caregivers of children with disabilities should also receive support, including financial support.

35. The Special Rapporteur recommends that the Government collect disaggregated data on this vulnerable group and establish a single register at the national level to inform policy development and strategies to prevent the risk of any sexual abuse or exploitation of this group.

Migrant and asylum seeking children

36. Montenegro is a country of transit and destination for migrants, including unaccompanied and separated migrant children following the so-called “Balkan route”. Given their situation of vulnerability, they face the risk of being trafficked and exploited during their journey.

37. In recent years, there has been a growing number of persons in transit through Montenegro, increasing the potential of the human trafficking of migrant and asylum-seeking children, including unaccompanied and separated children.

38. From discussions, the Special Rapporteur learned that the identification of potential cases of sale of children and child trafficking among migrants and asylum seekers has been a long-standing challenge. This is especially the case when suspected minors, including unaccompanied and separated minors, are moving rapidly through Montenegro towards another destination. Many migrants see Montenegro solely as a transit country and stay only until they find the means to continue their journey onwards to other European countries. In such circumstances, owing to the fear of being delayed in their journeys, migrants are

¹⁹ Strategy for social inclusion of Roma and Egyptians in Montenegro (2016–2020), available at [516f4f38750495e5df7c9596503cf7e4.pdf \(rcc.int\)](https://www.rcc.int/516f4f38750495e5df7c9596503cf7e4.pdf).

unlikely to reveal to public officials matters that might lead to the identification of trafficking situations.

39. It is therefore essential that the Government put in place quick procedures and well-trained officials to identify potential child victims of sale and or child trafficking.

40. Another challenge that officials face relates to the difficulty in determining the identity of a child and his or her legal guardians, particularly when these children do not have identification documents, as is often the case in the asylum system.

41. The law on international and temporary protection of foreigners stipulates the procedure to determine the age of minors and the identity of their alleged guardians. The Special Rapporteur learned, however, that in interviews with minors conducted by officials of the Centre for Social Welfare it is not always possible to determine the veracity of the statements made by minors. In this regard, she recommends that specialized training on interviewing techniques be provided for officials in these specific situations. The Special Rapporteur also recommends the adoption of a standard operating procedures on the reception of migrant children, including unaccompanied minors.

42. In discussions, officials of the Ministry of the Interior noted the lack of court interpreters, particularly of the Farsi language. The Government is strongly encouraged to address this situation, which would help to overcome the language barriers experienced by migrant and asylum-seeking children.

III. Measures to combat and prevent the sale and sexual exploitation of children

43. Montenegro has made significant efforts to improve its policies and its legal and institutional framework to protect children and women from violence and sexual exploitation. Montenegro has ratified most of the major international documents of relevance to the sale and sexual exploitation of children and has adopted a number of strategies and protocols.

44. Despite various positive steps, there is a lack of adequate and systematically collected reliable, centralized and disaggregated data on the phenomena of child sexual abuse and sexual exploitation. From the discussions held with interlocutors, there appears to be a mismatch between the number of cases of child sexual abuse and exploitation reported and the limited data on the number of prosecutions and convictions for cases related to child sexual abuse and exploitation.

45. Data collection continues to be a challenge due to the lack of a unified centralized database. Much information in the child protection sector is dispersed among the different institutions responsible for various child-related policies, and data sharing between child protection services, the police and the judiciary remains weak. It is of the utmost importance that a proper system for comprehensive and multisectoral data gathering be set up, including data on reported cases and prosecutions relevant to the sale and sexual exploitation of children. The Special Rapporteur also recommends establishing a confidential database of children who have been supported by the system in order to keep track and follow up on their situation and to provide them with additional support, where required.

46. Other shortcomings identified by the Special Rapporteur relate to the limited number of experts, services and institutions for the treatment and support of sexually abused children. This is an obstacle to ensuring holistic interventions, the provision of long-term care, rehabilitation, accessible and sustainable counselling and follow-up of children victims of sexual abuse.

A. Legal framework

International legal framework

47. Montenegro has ratified or acceded to most of the major international human rights treaties,²⁰ including: the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; the Slavery Convention; the International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29), the ILO Abolition of Forced Labour Convention, 1957 (No. 105), and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).²¹

48. It has also ratified or acceded to other international human rights instruments with provisions that apply, by extension, to the protection of the human rights of children, including: the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Racial Discrimination and the International Convention for the Protection of All Persons from Enforced Disappearance. Montenegro is a signatory to the Rome Statute of the International Criminal Court and a party to the Convention relating to the Status of Refugees and the Convention on the Reduction of Statelessness.

49. Montenegro has yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), and the Framework Convention on Tourism Ethics of the World Tourism Organization.

50. At the regional level, Montenegro acquired official status as a candidate for membership to the European Union in December 2010. Accession negotiations with the European Union were opened in June 2012. This process is an important driver for reform and children's rights. To date, all 33 negotiating chapters have been opened, three of which have been provisionally closed.

51. Montenegro is a member of the Council of Europe and a participating State of the Organisation for Security and Co-operation in Europe (OSCE). It has ratified the Convention for the Protection of Human Rights and Fundamental Freedoms and is subject to the jurisdiction of the European Court of Human Rights. It has also ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), the Council of Europe Convention on Action against Trafficking in Human Beings, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and the Council of Europe Convention on Cybercrime (Budapest Convention).

Domestic legal framework

52. The Constitution of Montenegro provides that everyone has the right to equal protection and access to legal remedy. It provides that all ratified and published international agreements and generally accepted rules of international law have supremacy over national legislation. According to the Constitution, ratified international treaties form an integral part of national legislation and are directly applicable when they differ from national legislation.

53. There are several relevant provisions to the sexual abuse and exploitation of children in the Criminal Code, which was in the process of being amended at the time of the visit of the Special Rapporteur. Trafficking in persons is criminalized under article 444 of the

²⁰ United Nations, Treaty Collection, Multilateral Treaties Deposited with the Secretary-General, available at https://treaties.un.org/pages/HistoricalInfo.aspx?clang=_en#Montenegro.

²¹ International Labour Organization (ILO), Information System on International Labour Standards, "Ratifications for Montenegro", available at https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102734.

Criminal Code. An aggravated form of the crime of human trafficking exists if the offence is committed against a minor. Article 444 was amended in 2017 to include the “conclusion of unlawful marriage” and “slavery or acts similar to slavery” to the forms of exploitation in the definition of trafficking. Situations of child marriage are envisaged under “conclusion of unlawful marriage”, where there are elements of trafficking.

54. In the light of the prevalence of child marriage among Roma and Egyptian children, the Special Rapporteur recommends ensuring that the interpretation of unlawful marriage includes all forms of child marriage, both formal and informal, as one of the forms of exploitation under article 444 of the Criminal Code. In addition, she recommends amending the family law by raising the age of marriage to 18 for both girls and boys, without exception. While article 24 of the family law provides that a person under age 18 may not enter into a marriage, the court, by way of exception, may allow the marriage of a child above 16.

55. Montenegro has not criminalized the sale of children, as defined in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography. Currently, the Criminal Code addresses the sale of children in the context of trafficking in human beings. As recommended by the Committee on the Rights of the Child, the Special Rapporteur encourages the revision of the Criminal Code, bringing it into full compliance with articles 2 and 3 of the Optional Protocol. The Special Rapporteur highlights the distinction between the “sale of children” and “child trafficking” as an important aspect in tackling the root causes of these scourges and informing the preventive strategy, and she strongly encourages the Government to explicitly reflect this aspect in the Criminal Code.

56. The Special Rapporteur notes that the national legislation criminalizing online child sexual offences is inadequate. Although the Criminal Code was amended to prohibit the use, procurement or offering of children aged 14–18 for the production of pornography, there is no provision that addresses the issue of grooming, including online grooming. The Special Rapporteur recommends the adoption of legislation to address this gap and draws attention to general comment No. 25 of the Committee on the Rights of the Child on children’s rights in relation to the digital environment.

B. Institutional framework

57. The Constitution of Montenegro provides for the establishment of a Protector of Human Rights and Freedoms (Ombudsperson) as an independent and autonomous authority with responsibility for taking measures to protect human rights and freedoms. The office of the Ombudsperson has four specialized departments, managed by deputy ombudspersons, one of which is in charge of children’s rights, the rights of youth and social welfare. The Ombudsperson has prepared reports on relevant issues, including child begging (2011), the sexual exploitation of children (2011) and the abuse of children on the Internet (2013), all of which have been examined and discussed in Parliament.

58. In June 2021, a new national Council on the Rights of the Child was constituted. The Council, which acts as an interministerial coordinating mechanism chaired by the Deputy Prime Minister, is the main coordinating body on child protection and child development policies. In cooperation with the competent ministries, the Council monitors the execution of Montenegro’s obligations arising from the Convention on the Rights of the Child and other international documents relating to the protection of the rights of the child. It also monitors the implementation of strategic documents related to the realization of the rights of the child and the prevention and protection of children from all forms of violence, abuse and neglect.

59. In December 2018, Montenegro established an operational team for combating trafficking in human beings. The Office of the Head State Prosecutor in Podgorica leads operational activities and initiates criminal proceedings. The team, which is composed of representatives of the Ministry of the Interior, the Police Directorate, the Office of the Head State Prosecutor and the Ministry of Justice, has started investigations and/or prosecutions on several cases. There is a standard operating procedure in place in the form of a national plan for formal identification, which serves as a guide, ranging from the identification of suspected victims of trafficking to the provision of services and care.

60. In April 2019, the Office for the Fight against Trafficking in Persons was reorganized as the Department for the Fight against Trafficking in Persons under the purview of the Ministry of the Interior.

61. Since 2006, the judiciary has undergone a number of structural and institutional reforms in the preparation of the application of Montenegro for membership in the European Union. Montenegro has established different specialized courts and tiers in the court system. There are, however, no specialized children's courts. Despite the fact that certain justice professionals specialize in dealing with both adults and children, there is no exclusive specialization of justice professionals to deal with children in conflict with the law, children victims and witnesses of crime.

62. In 2015, the Government of Montenegro introduced a single national helpline (free of charge and available 24/7) for women and children who are victims of violence, which is run by SOS Hotline for Women and Children Victims of Violence Nikšić. The helpline supports victims of gender-based violence in general, but also receives calls from victims of sale or sexual abuse or exploitation. Its services are offered in Montenegrin and Albanian and include follow-up on cases. Since June 2020, the national children's helpline in Bijela has been made available to all children, including children who are victims of violence. In addition, several hotlines for victims of trafficking have been an entry point for the early identification of victims of trafficking, such as the hotline in Podgorica.

C. National policies, strategies and programmes

63. In 2017, the Government launched its first strategy for the prevention and protection of children against violence (2017–2021) to provide enhanced protection from all forms of violence, including neglect and exploitation, for all children in Montenegro, with a corresponding national action plan to implement the strategy and a multisectoral commission to monitor its implementation.²² The strategy applies to all children under 18, and includes all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. The strategy covers: prevention of trafficking in human beings; protection of victims of human trafficking; criminal justice/prosecution response and partnership; and coordination and international cooperation. The strategy terminated in 2021: the next strategy could be an opportunity to highlight the issue of preventing and combating the sale and sexual exploitation of children.

64. In May 2019, Montenegro adopted a strategy for exercising the rights of the child 2019–2023 in order, inter alia, to reinforce the protection of children against discrimination, violence, sexual exploitation, forced marriage and forced labour.²³

65. Montenegro adopted a new strategy for combating trafficking in human beings 2019–2024 and a corresponding national action plan, focusing on prevention, witness protection, criminal prosecution, as well as partnership, coordination and international cooperation. In May 2021, a coordination team, consisting of representatives of State bodies, the Ombudsperson and three CSOs, was set up by the Ministry of the Interior to monitor the strategy. The strategy uses the term "trafficking in human beings/children" but does not address the crime of sale of children separately. The Special Rapporteur recommends that this distinction be made explicit in all legislation, policy documents and strategies, in line with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

66. A number of protocols and standard operating procedures have been adopted on identification and referral of children victims of all forms of violence, exploitation and abuse, including: standard operational procedures for cross-sectoral cooperation on working with

²² Strategy for the prevention and protection of children against violence 2017–2021 (April 2017), available (in Montenegrin) at <https://www.gov.me/dokumenta/4f98be5b-58e7-4df7-822a-34a9d4fdcf65>.

²³ UNICEF and Ministry of Labour and Social Welfare, Strategy for exercising the rights of the child 2019–2023 available at <https://www.unicef.org/montenegro/en/reports/strategy-exercising-rights-child-2019-2023>.

children victims of violence and exploitation; guidelines for health service providers acting to protect children and adolescents from violence, abuse and neglect; standard operating procedures for the treatment of children separated from their parents and unaccompanied children; standard operating procedures for the identification of victims of trafficking; and guidelines for the conduct of competent institutions in cases of recognition and processing of child marriages and extramarital union. Montenegro has also adopted a protocol for action on child begging concerning children living in the street, which is currently being revised.

67. In September 2021, the Government adopted a strategy on the social inclusion of Roma and Egyptians in Montenegro (2021–2025) and a corresponding national plan of action, which, as in previous cases, also covers children. As in the former strategy for the social inclusion of Roma and Egyptians 2016–2020, the strategy acknowledges the poor socioeconomic status of the Roma and Egyptian communities and aims at their social inclusion and the promotion of better education, health, safety, housing and livelihood conditions. The strategy also covers the issues of child marriage and begging.

68. Montenegro's legislative framework to eliminate discrimination against women includes the law on anti-discrimination, the law on the protection of human rights and freedoms and the law on gender equality. The Government has also adopted measures aimed at accelerating the elimination of discrimination against women and promoting gender equality, including the adoption of the gender equality strategy and the corresponding national action plan (2021–2025) and the strategy for the protection against family violence (2016–2020). A national action plan for the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is currently at the adoption phase.

Investigation, prosecution and access to justice

69. Following the establishment of the new operational team for the formal identification of victims of trafficking, the number of identified victims has increased. According to the information received, in 2020 the operational team conducted a formal identification process and granted the status of a victim of trafficking to 52 persons, including 10 children. The children were victims of forced begging or child marriage. The Special Rapporteur was informed that, in 2020, 86 cases of child begging were registered. There has been an increase in the number of cases of sexual abuse (9 cases in 2014 and 15 cases in 2020). With regard to child marriage, there were three cases in 2020; six in 2019; none in 2017–2018 and eight in 2016. There were no reports of online sexual violence.

70. The application article 444 of the Criminal Code on the crime of trafficking remains low and prosecutions are rare. From the Supreme Court analysis shared with the Special Rapporteur, there were 18 cases in which national courts issued final decisions in 2004–2019.²⁴ Eight of the 39 victims of human trafficking were children – all of whom were female victims of trafficking for sexual exploitation and a baby, who was a victim of child trafficking for adoption. The longest prison sentences handed down by courts in human trafficking cases were 17 and 15 years; the shortest was six months.

71. With regard to online child pornography, according to the Suppression of High-tech Crimes Unit, since 2016, under the law enforcement operation “Observer”, nine cases have been processed for further investigation on distribution and production of child pornography, three of which are ongoing.

72. With regard to access to justice, the law on the treatment of juveniles in criminal proceedings contains a requirement for the specialization of all actors in criminal proceedings involving children, including the judge, the prosecutor, the police officer and the defence lawyer of the injured party. The law also provides the opportunity for child victims to testify in a separate room while the judge, prosecutor, the defendant and the defence counsel observe from another room using audiovisual equipment, with the possibility to question witnesses.

²⁴ The Aire Centre, Government of Montenegro and British Embassy (Podgorica), *Analysis of Montenegrin Case Law on Trafficking in Human Beings* (2021), available at <https://www.airecentre.org/Handlers/Download.ashx?IDMF=0aa41f34-5a9e-4f9c-bcb8-1da6fba50f0>.

The testimony of the victim is recorded to be used as an evidence in further procedures. However, the Special Rapporteur was informed that while child friendly spaces have been established in three courts and three prosecutors' offices, they are not available throughout the country. The Special Rapporteur recommends that the Government ensure that such spaces and practices be made available for all proceedings involving children across the country, in line with general comment No. 24 (2019) of the Committee on the Rights of the Child on children's rights in the child justice system.

73. The law on legal aid guarantees legal assistance based on the financial status of the applicant, with the exception of four categories (victims of trafficking; victims of domestic violence; children without parental care; and persons with disabilities), which are recognized as privileged beneficiaries of free legal aid without need for an evaluation of their financial standing. However, victims of the sale, prostitution and pornography are not recognized as a privileged category. The Special Rapporteur stresses that legal aid should be provided automatically to all child victims, not on a case-by-case basis. Lawyers who are providing free legal aid should receive specialized training.

Care, recovery and reintegration

74. Despite efforts to strengthen the multidisciplinary response to violence against children, Montenegro still struggles with an insufficient number of specialized health and child protection services to ensure effective support to children who are victims of the most severe forms of violence and exploitation. Currently, there are no Government-owned and run counselling and victim support centres for children who are victims of sexual exploitation and abuse, except those run by CSOs for victims of trafficking and domestic violence. Victims of child marriage are accommodated in shelters for domestic violence or trafficking. Concerns have been raised that a strategy for the reintegration of victims of child marriage is lacking, as there are no specialized centres to support their rehabilitation and reintegration.

75. The Special Rapporteur visited the children's home "Mladost" in Bijela, the only national institution for children without parents. While she commended the dedication of the staff to their work and to the children, she noted that, despite deinstitutionalization efforts, which have led to a considerable decrease in the number of children living in the institution, the centre is working beyond its capacity and the mandate it was established to serve. The home has limited capacity for six children who are victims of violence and is far away from the central and northern parts of the country. During discussions with the management of Mladost, the Special Rapporteur learned that the home is understaffed and lacks the requisite number of specialized professionals to provide the necessary support such as psychiatric care and treatment.

76. At a minimum, there is a need for a home for children who are victims of violence, including sexual abuse and violence. The Special Rapporteur was informed about the plans to establish a new dedicated centre: she strongly recommends that it be made operational as a matter of priority. She reminds the Government that the issue of sale and sexual abuse and exploitation of children requires a holistic and multidisciplinary approach for the care, rehabilitation and reintegration of victims of this scourge. The new centre would require coordinated parallel criminal and child welfare investigations and the provision of support services for child victims and witnesses of violence in a child-friendly and safe environment. While this service is envisaged in the current violence against children strategy, it has yet to be operationalized.

77. The Special Rapporteur also noted a serious lack of specialized professionals dealing with victims and potential victims of abuse and exploitation. At the time of her visit, Montenegro had only three child psychiatrists, and there was no institution to provide a holistic forensic examination of children exposed to the most severe forms of violence and sexual exploitation. The Special Rapporteur was informed that victims of violence are often sent to neighbouring countries for forensic examination.

78. The Special Rapporteur also visited the asylum centre in Spuž – a State-run reception facility where men, women and families seeking asylum are accommodated in separate wings. In the past year, the centre recorded one male unaccompanied and/or separated child. Unaccompanied and separated minors are accommodated with the adult members of the

group with whom they arrived at the centre as there is no separate wing or part of the centre for unaccompanied and separated minors. Appropriate accommodation and care should be provided for unaccompanied and separated minors in a timely manner, including separating children from adult members of the group, or alleged relatives, with whom they arrived, at least until it is established that the child is not at risk.

Response and prevention

79. The Special Rapporteur considers that more needs to be done regarding response and prevention. Tackling poverty, social exclusion and discrimination and gender inequality of the most marginalized children is key to preventing them from becoming victims of sexual abuse and exploitation. However, prevention measures must be based on accurate data, as mentioned above, which continues to be a challenge.

80. The Special Rapporteur was informed during the visit about different training initiatives for all actors working with children, including law enforcement personnel and members of the judiciary and prosecution services. While she welcomes these activities, she notes that there is a need for more public awareness and for capacity-building on the specific issue of the sale and sexual exploitation of children, especially among caregivers and professionals, such as health professionals, welfare professionals, law enforcement officials, judges and prosecutors who come into contact with children who are victims of sexual violence and abuse.

81. The Special Rapporteur was also informed that the Institute for Social and Child Protection has 77 accredited programmes, including 14 on domestic violence and 4 on trafficking in children and forced begging by Roma and Egyptian children. There are, however, no training programmes on sexual violence, including sexual violence against children. The Special Rapporteur strongly encourages the Government to design a comprehensive accredited programme on the sale of children and sexual violence and exploitation against children. Specialized and continuous capacity-building training is necessary to the building of a pool of experts to work with severe cases of abuse in a holistic manner, ensuring the integration of children into the community and the educational system. The Special Rapporteur welcomes the organization of training sessions and awareness-raising campaigns on protection measures against domestic violence, violence against children and child marriage. Such efforts have involved door-to-door campaigns and meetings with communities to explain the harmful effects of arranged marriages. She encourages additional and continued efforts in this regard, involving the particular communities concerned.

82. The Special Rapporteur also learned that the authorities at asylum centres have organized a number of workshops on trafficking in human beings for asylum-seekers in order to raise awareness of this problem. Further training is encouraged in areas such as communication with and interviewing of children; identification of children victims of violence; and working with and supporting victims of violence, with a specific focus on children.

83. During the visit, the Special Rapporteur also met with children, who indicated that they had never received any form of sex education, reproductive health education or information on preventing and protecting themselves from sexual abuse and exploitation either online or offline. The Special Rapporteur therefore strongly recommends that the Government ensure that these issues are included in the national school curricula so that a comprehensive education, including on the effects of child marriage, is accessible to all children, as appropriate, in view of their respective ages and evolving capacities. Information and resources should also be made available to children as to where and to whom they should report threats of abuse or abuse and where to seek help and advice. Teachers and counsellors in schools should also be provided with extensive training on these issues, including on how to detect and report incidents of the sexual abuse and exploitation of children and how best to support victims.

84. Montenegro does not have a register of sex offenders. Persons convicted of sexual offences should not be in regular contact with children. The Special Rapporteur recommends that staff working in public or private institutions dealing with children undergo stringent

scrutiny and vetting as one of the measures to prevent child exploitation and abuse by caregivers.

Child participation and empowerment

85. The Special Rapporteur had the opportunity to meet with children who were actively involved in child rights advocacy, including members of the Ombudsperson's "Network of Golden Advisers" and the UNICEF young reporters volunteer initiative. Members of the Ombudsperson's Network participate in work with children and youth and provide information and perspectives from children's voices. The UNICEF young reporters have been key spokespersons in the media literacy campaign "Let's choose what we watch", implemented by UNICEF and the Agency for Electronic Media of Montenegro since 2018, which aims to promote media literacy among parents and children, improve the quality of reporting on child rights issues and raise the quality of media programmes for young people in Montenegro. The young reporters have been active across a wide variety of fields and have made blogs, vlogs, videos, media literacy songs, interviews and organized press conferences and events with celebrities.

86. The Special Rapporteur commends the work of the members of the Network of Golden Advisers and the UNICEF young reporters, as well as the Government of Montenegro for empowering the children and encouraging their participation. The Special Rapporteur recommends that these types of initiatives be replicated across the country, including in schools, to ensure that more children are actively involved in child rights advocacy and decision-making on matters that affect them.

IV. Conclusions and recommendations

A. Conclusions

87. The Special Rapporteur commends the Government of Montenegro for the legislative, institutional and policy measures it has taken to improve the child protection system. The Government is strongly encouraged to ensure that prevention and protection measures, as well as care, recovery and integration of victims of sexual exploitation and abuse, are at the forefront of child protection policies and initiatives. Such action should also involve addressing the sale of children as a distinct phenomenon from the trafficking of children.

88. The availability of adequate resources and efforts to tackle and eradicate the root causes and risk factors of the sale and sexual exploitation of the most vulnerable children are a precondition for any successful strategy to combat this scourge. The Special Rapporteur therefore encourages the Government of Montenegro to step up its efforts and allocate more resources to address this issue.

89. Other challenges include the lack of data and understanding of the phenomena of child sexual abuse and sexual exploitation, the relatively low number of cases in which victims are identified and the corresponding number of prosecutions and convictions in cases related to child sexual abuse and exploitation. These challenges, coupled with limited specialized support services and a workforce of trained professionals to deal with cases of sexual abuse, are issues that require urgent action.

90. A more robust and child friendly criminal justice response to address the sale and sexual exploitation of children, where the best interests of the child are systematically upheld, is urgently required.

B. Recommendations

91. On the basis of the above findings, and in a spirit of cooperation and dialogue, the Special Rapporteur submits the following recommendations to the Government of Montenegro.

92. Concerning the legislative, institutional and policy framework, the Government is encouraged to:

(a) Ensure full compliance with articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography by including all forms of the sale and sexual exploitation of children as separate crimes in the Criminal Code, distinct from trafficking, and by incorporating into national legislation the full definitions of the sale of children, child prostitution and child pornography contained in the Optional Protocol;

(b) Amend legislation to establish the minimum age for marriage at age 18, without exception, and criminalize all forms of marriage with a person under age 18;

(c) Criminalize any sexual activity by an adult with a minor;

(d) Adopt legislation to address online child sexual exploitation, including grooming, in line with general comment No. 25 (2021) of the Committee on the Rights of the Child on children's rights in relation to the digital environment;

(e) Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the World Tourism Organization Framework Convention on Tourism Ethics and the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29);

(f) Ensure better coordination among the various child protection actors, with a view to enhancing multisectoral cooperation and facilitating data-sharing between child protection services, the police and the judiciary;

(g) Consider appointing a focal point on tourism in the Ministry of the Interior to liaise with the Ministry of Economic Development, which is responsible for tourism, in order to facilitate cooperation and communication between both entities.

93. Concerning investigation, prosecution and sanctioning, the Government should:

(a) Strengthen efforts to detect, investigate, prosecute and punish the crimes of the sale and sexual exploitation of children, including child marriage, and ensure that investigation procedures are child-sensitive in order to prevent revictimization and further traumatization;

(b) Ensure easy access to child-sensitive justice mechanisms for complaints, reporting and referral, allowing victims to report abuse without fear of intimidation, stigma or revictimization;

(c) Strengthen the Suppression of High-tech Crimes Unit within the Police Directorate by recruiting and training more experts in this field and setting up a special unit for children to address online sexual violence against children;

(d) Ensure the systematic training of law enforcement agents and increase their capacity to monitor encrypted paedophile networks and online sexual violence against children;

(e) Ensure the systematic training and specialization on child friendly criminal proceedings for law enforcement, judges and prosecutors who come into contact with children who are victims of sexual violence and abuse;

(f) Ensure the availability and appropriate use of child friendly interview rooms and encourage coordination between child protection departments, investigators, judges and prosecutors to ensure child friendly proceedings, in accordance with general comment No. 24 (2019) of the Committee on the Rights of the Child on children's rights in the child justice system;

(g) Ensure free legal aid to all children victims of sexual violence or abuse in all cases, not on a case-by-case basis.

94. Concerning the prevention and eradication of the sale and sexual exploitation of children, the Government is encouraged to:

(a) Raise awareness on the issues of sexual violence against children and the negative, long-lasting effects of violence for the child, the family and society as a whole;

(b) Conduct comprehensive research and mapping of different forms of the sale and sexual and labour exploitation of children, identifying the root causes and risk factors and how they affect vulnerable groups, and adopt targeted measures to reach those in need, in particular members of marginalized communities;

(c) Create a centralized, updated and disaggregated database on different forms of sexual abuse and exploitation of children, including child marriage, with a focus on children in need of special protection, and improve data collection and information-sharing systems on the number of cases reported, investigated and prosecuted and judgments issued and the redress provided to victims, disaggregated by the nature of the offence, the category of perpetrator and the characteristics of the victims;

(d) Scale up sensitization, training and awareness-raising programmes on child marriage, including with marginalized communities; increase efforts to break traditional stereotypes; and allocate additional resources to ensure the implementation of policies that will result in the total eradication of this practice;

(e) Invest in the specialized training of professionals working with children who are victims of sexual abuse; design a comprehensive accredited programme on sale of children and sexual violence and exploitation against children; and build a pool of experts to work with severe cases of abuse in a holistic manner;

(f) Step up efforts to counter discrimination and exclusion against migrant asylum-seeking and refugee children, including Roma and Egyptian children, as well as children with disabilities;

(g) Strengthen awareness-raising efforts on the risks of sexual abuse and sexual exploitation, including during primary and secondary education;

(h) Train teachers on sexual and reproductive health education and provide awareness-raising and comprehensive, age-appropriate sexual and reproductive health education, including on the effects of child marriage, ensuring that such information is accessible to out-of-school children;

(i) Support the training of persons working with migrants, asylum seekers and refugees on the sale of and trafficking in children in techniques for interviewing children; the identification of children victims of violence; and working with children who are victims of violence;

(j) Establish a registry of persons convicted of crimes related to sexual abuse and exploitation of children;

(k) Ensure a mandatory background screening/vetting process for anyone dealing with children, both in private and public institutions.

95. Concerning the care, recovery and reintegration of child victims, the Government should:

(a) Adopt, as its ultimate goal, a systemic approach to the comprehensive rehabilitation and reintegration of child victims through the provision of multidisciplinary services;

(b) Establish, at a minimum, one new dedicated centre, with a holistic and multidisciplinary approach, for the care, rehabilitation and reintegration of child victims, ensuring coordinated parallel criminal and child welfare investigations and the provision of support services for child victims and witnesses of violence in a child friendly and safe environment;

(c) Inform all children, in a child friendly manner, of their rights as children, including the types of services offered to them;

(d) Establish long-term specialized medical and psychological care that is rights-based and child-centred, focused on the care, recovery and reintegration of child victims, and ensure ongoing training on forensic interviewing of such children;

(e) Take measures to ensure appropriate specialized training, particularly psychological and counselling training, for persons working with child victims;

(f) Establish a confidential database of children who have been supported by the system in order to track and follow up on their situation and provide them with required support;

(g) Allocate the necessary specialized means and resources to support families with children with disabilities and promote alternative specialized care measures for children with disabilities;

(h) Ensure that unaccompanied and separated migrant asylum-seeking and refugee children receive full access to safe and age- and gender-appropriate reception facilities and care, as well as longer-term placement solutions, and to services such as health care and psychological assistance that are adapted to their needs;

(i) Improve the initial identification and referral procedures for unaccompanied and separated children, including by ensuring interpretation, and provide training for asylum staff on interviewing unaccompanied and separated children.

96. Concerning cooperation and partnership, the Government is encouraged to:

(a) Expand bilateral, regional and international agreements and partnerships with other countries to prevent and combat the sale and sexual exploitation of children;

(b) Intensify efforts to regularly monitor the activities of employment agencies, private individuals and the entertainment industry to detect incidents of sexual exploitation of children; and raise awareness of the sale and sexual exploitation of children among hotel personnel and individuals operating private accommodation platforms and encourage them to report suspected cases of the sale and sexual exploitation of children;

(c) Adopt the necessary measures, including through international technical assistance, to achieve Sustainable Development Goal targets 5.3, 8.7 and 16.2.
