



This Project is funded
by the European Union

“Security for Human Beings and Borders - Combating
Smuggling of Migrants in the Western Balkans”

Guide on referral system/ social services delivery for UASC in Montenegro



“Security for Human Beings and Borders - Combating Smuggling of
Migrants in the Western Balkans”

Guide on referral system/social services delivery for UASC in Montenegro

May 2023

“Guide on referral system/social services delivery for UASC in Montenegro”

PUBLISHER:

NGO Juventas

Bulevar Svetog Petra Cetinjskog, 59

81000 Podgorica

Montenegro

EDITOR:

Ivana Vujović

AUTHOR:

Mirjana Vlahović Andrijašević

DESIGN:

Božidarka Sjekloća

Podgorica, May 2023

This document is prepared within the project “Security for Human Beings and Borders - Combating Smuggling of Migrants in the Western Balkans”, financed by the Group 484 through the EU project and implemented by the Nisma për Ndryshim Shoqëror – ARSIS (Albania) and NGO Juventas (Montenegro).



Disclaimer:

The content of this document, and the information and views presented do not represent the official positions and opinions of the Group 484 or EU. Responsibility for the information and views expressed in this document lies entirely with the author.

Contents

LIST OF ABBREVIATIONS	7
DEFINITIONS	8
INTRODUCTORY	9
Background in Montenegro.....	9
Purpose of the Guide	9
CHALLENGES and DANGERS FACED by UASC on the way to EUROPE	11
The dangers of unaccompanied and separated children	11
Special groups in need	11
Gender vulnerability of unaccompanied and separated children	12
Children victims of human trafficking	14
Referral mechanisms and support services which governmental institutions in cooperation with IOs and NGOs are providing to the UASC on the territory of Montenegro	15
Identification of UASC and further assessment and support	15
Standard operational procedures for professionals working with the UASC, with special attention on children who are victims of human trafficking in Montenegro.....	16
STEP ONE: IDENTIFICATION – REGISTRATION – REFERRAL.....	17
STEP TWO: CARE, INITIAL HELP and ACCOMMODATION	21
STEP THREE: REGULATION of RESISTANCE	24
STEP FOUR: FAMILY UNIFICATION	27
STEP FIVE: SOCIAL INTEGRATION	29
LEGAL FRAMEWORK RELATED TO MIGRATION ISSUE	32
List of Governmental institutions and IOs who are providing protection and support to UASC	33
Governmental institutions response	33
National organization response	34
International Organizations response	36
CONTRIBUTION of NGOs in PROVIDING HUMANITARIAN, LEGAL, PSYCHO-SOCIAL SUPPORT to the UASCs in MONTENEGRO	38
RECOMMENDATIONS	42



LIST OF ABBREVIATIONS



BP	Border Police
CB	Coordination Body for monitoring the implementation of the Decision on approving temporary protection to persons from Ukraine
EU	European Union
GBV	Gender-Based Violence
IOM	International Organization for Migration
IOs	International Organizations
Mol	Ministry of Internal Affairs
RCM	Red Cross of Montenegro
NCB	National Coordination Body for monitoring the implementation of the Strategy for Combating Trafficking in Human Beings for 2019-2024
NGOs	Non-Governmental Organizations
NOCHT	National Office for Combating Human Trafficking
SOP	Standard operational procedures for professionals working with the UASC, with special attention on children who are victims of human trafficking
SWC	Social Welfare Center
TIP Report	Annual Trafficking in Persons Report, issued by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons. It ranks governments based on their perceived efforts to acknowledge and combat human trafficking.
UASC	unaccompanied or separated children
UN	United Nations
UNHCR	The United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

DEFINITIONS

Foreigner – citizen of another country or stateless person.

A person without citizenship (stateless) - a person not considered as a national by any state under the operation of its law.

Refugee - a foreigner forced to flee his or her country of origin because of persecution, war or violence.

A person under international protection - a foreigner who has been granted asylum in accordance with the law, as well as a foreigner who has been recognized as a refugee in accordance with the regulations.

Subsidiary protection – the protection given to a foreigner who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to a country of origin, would face a risk of suffering serious harm

Temporary protection - exceptional measure to provide immediate and temporary protection to displaced persons in case of mass influx or expected mass influx.

Country of origin – a country that issued a foreign travel document to a foreigner with which the she or he entered Montenegro, i.e., the country where the stateless person was born

Third country – non - EU member state

Child - every person under the age of 18.¹

UASC - unaccompanied or separated child, citizen of a third country, or a stateless person under the age of 18, who entered Montenegro unaccompanied by an adult who takes care of him or remained unaccompanied after entering Montenegro, until placed under guardianship in accordance with the regulations of Montenegro.

The best interest of the child - in accordance with the Convention on the Rights of the Child, one of the guiding principles of child protection to which all authorities and individuals must give priority. It implies finding solutions that meet the child's needs to the greatest extent possible, in accordance with his specific circumstances, enabling his complete development.

Vulnerable group – refers to a population subset within a general population characterized by specific traits or circumstances that increase their susceptibility to requiring humanitarian, social, or health assistance while also facing potential exclusion from financial, health, and social services. This group may encompass individuals exposed to or displaced by conflicts or natural hazards, and they often experience a higher risk of poverty and/or social exclusion.

¹ Article 5, Family Law ("Official Gazette of Republic of Montenegro", no. 001/07, "Official Gazette of Montenegro", no. 053/16 and no. 076/20)

INTRODUCTORY

Background in Montenegro

Montenegro is sharing the same challenges as the rest of Western Balkan countries. Between January and December 2022, Montenegro registered 8,298 arrivals, including 463 children (285 boys, 178 girls) mainly from Afghanistan, Iran, and Bangladesh. This presented an increase of 161 % compared to arrivals in 2021.

Main needs include access to registration and documents, what is linked to access to health care and the labor market, increased rents for accommodation, and assistance to children in school.²

In addition, in 2022, after the outbreak of war in Ukraine, around 95 000 Ukrainian citizens entered Montenegro (8047 applied for temporary protection). In such a circumstance Government of Montenegro had to activate measures of temporary protection in order to secure the rights and needs of the Ukrainians.³

As in other Western Balkan countries, the current situation puts the Montenegrin system under pressure to secure equal access to all services. Challenges are present in securing appropriate accommodation of migrants, absence of modern equipment for identification of migrants, insufficient measures to prevent and address GBV risk for women and girls as well as limited availability of alternative care, exacerbating the vulnerability of children, especially those who were unaccompanied and separated.

However, migrants most often do not have sufficient knowledge of a local language which affects the possibility to access other rights such as education, health care, or labor right, as well as creates obstacles in the process of their social integration.

Purpose of the Guide

This analysis is developed within the project “Security for Human Beings and Borders -Combating Smuggling of Migrants in the Western Balkans” which was developed as a regional response of 7 CSOs affiliated with the Balkan Refugees and Migration Council (BRMC): Albanian Helsinki Committee (AHC), Belgrade Centre for Human Rights (BCHR), Civic Alliance from Montenegro (GAMN), Civil Rights Program Kosovo*5(CRP/K), Group 484, Macedonian Young Lawyers Association (MYLA) and Vaša prava Bosnia and Herzegovina (VP BiH), as well as Danish Refugee Council (DRC) to the burning common problem along the Western Balkans Migration Route – smuggling of migrants. The project is funded by European Union within the scope of the Civil Society Facility and Media Program 2018-2019 under the lot “Enhancing CSOs’ engagement in protection sensitive migration management”.

2 [https://www.unicef.org/media/135191/file/ECAR-Humanitarian-SitRep-\(Refugee-and-Migrant-Crisis-in-Europe\)31-Dec-2022.pdf](https://www.unicef.org/media/135191/file/ECAR-Humanitarian-SitRep-(Refugee-and-Migrant-Crisis-in-Europe)31-Dec-2022.pdf)

3 <https://gamn.org/godina-dana-rata-u-ukrajini/>

Overall objective of the project

To empower the response systems engaging CSOs in Albania and Montenegro to be effective and accountable independent actors and improve their capacity to dialogue with governments influencing policy and decision-making processes, and respect human rights and fundamental freedoms of migrants

Specific project objectives will be pursued:

- a) to enhance the impact of civil society by strengthening the role of CSO service providers for actively engaging in protection sensitive smuggling migration management,
- b) to engage in structured civic dialogue with governments at all levels promoting CSOs' involvement in public decision-making and reform processes to improve the prevention of migrant smuggling, protection of smuggled migrants, and/or advocacy for harmonization of practice in combating migrant smuggling and protection of migrant's rights.

The Guide on referral system/social service delivery for UASC (further: Guide) will be a multipliable model for the efficient provision of social services to the UASC to support the establishment of a protection-sensitive migration management system in the target countries. It will serve to assist the UASC who approached our services and ensure that the assistance in service provision is provided in a timely and professional manner.

The Guide will consist of three main chapters:

- 1) Challenges and dangers faced by UASC on the way to Europe which encompass a) the list of dangerous situations which UASC are faced as well as b) special needs of the UASC).
- 2) Referral mechanisms and support services which Governmental institutions in cooperation with IOs and NGOs are providing to the UASC on the territory of Montenegro a) Standard operational procedures for professionals working with the UASC, with special attention on children who are victims of human trafficking in Montenegro, b) short information about legal framework related to the migration issue, c) List of governmental, IOs and NGOs who are provided protection and support to UASC.
- 3) Contribution of NGOs in providing humanitarian, legal, and psycho-social support to the UASCs in Montenegro. Furthermore, this chapter will include recommendations to Montenegrin governmental institutions on how to improve current strategic documents to provide more comprehensive protection to the UASC.

CHALLENGES and DANGERS FACED by UASC on the way to EUROPE

The dangers of unaccompanied and separated children

During massive migrations, children are exposed to a high risk of being separated from their families and therefore denied appropriate care and attention. They can be without parental accompaniment from the very start of migration due to different circumstances in the country of origin (war, political instability, poverty, violence in the family, forced marriages, death of parents, etc.), or they can lose parents along the migration route. In those circumstances, children often become victims of violence, discrimination, labor, or sexual abuse and often they simply disappear without a trace.

Migration often causes interruption of social structures and mechanisms of protection usually secured by countries, communities, and families. In their voyage to Europe, the UASC often travel by foot, concealed in trunks of cars or ship's cargo spaces, often organized by smuggling networks, exposing themselves to the risk of becoming victims of human trafficking.

The position of the UASC demands specific attention from institutions and other actors involved in working with them, because of their vulnerability and limited capability to understand and cope with different legal procedures designed to protect them.

In addition, the language barrier represents one of the key obstacles for the UASC to accommodate and integrate into the new environment, as well as to access different types of services.

Last but not least, psycho-social support plays a significant role in accommodating the UASC, as they have passed through stressful situations, separate from their families and familiar surroundings.

Special groups in need

Protection of the UASC is a sensitive task that requires a coordinated approach of professionals working in state institutions, IOs, and NGOs. This work must be coordinated and aligned with relevant international standards, national legal framework and guided by the best interest determination principle.

Every child in Montenegro has a right to life and development in a healthy and safe social environment.⁴

In 2017, Montenegro adopted **Standard operational procedures for professionals working with the UASC, with special attention on children who are victims of human trafficking (SOP)**⁵.

The document was developed in close cooperation between the Ministry of Internal Affairs and

4 Art. 61a, Family Law ("Official Gazette of Montenegro", NO. 001/07, " Official Gazette of Montenegro ", No. 053/16, and No. 076/20)

5 SOP (2017), Ministry of Interior and UNICEF

UNICEF Montenegro. The main focus of the SOP is on determining the jurisdiction and responsibilities of governmental institutions, as well as defining activities that will be implemented by IOs and NGOs in accordance with the best interest determination principle.

The SOP is applied to the UASC in general and specifically when the UASC are in asylum seeking process or when they are exposed to the risk of being victims of human trafficking.

According to the SOP, in cases when a large number of children are separated from their parents or relatives, priority is given to the most vulnerable ones, which are:

- children under the age of 14;
- children that are victims of human trafficking;
- girls;
- children with disability;
- children with health problems;
- children born during migration.

Gender vulnerability of unaccompanied and separated children

The domain of identity of children in the migration process considers how the children experience themselves as separate and valuable persons, the children's attitudes about themselves and their own abilities, as well as the experience of individuality.

In general, the experience of identity is under the influence of gender, age, ethnicity, race, religion, sexuality, and distractions.

It is also considered: the experience of belonging and acceptance from the family or peer groups, groups with which the child travels, and (various) communities of experience of the child that can affect his condition, in terms of the current and future state of identity.

According to the specific vulnerabilities related to children in migration or as a source of strength, special aspects are considered:

- a) experience of themselves;
- b) individual choices and actions;
- c) experiences of themselves and others in the social and cultural context and
- d) gender identity.

When it comes to the vulnerability of UASC, it is necessary to include a gender perspective in the analysis of their situation, i.e. not to view them exclusively as children, as members of a homogenous group, but as children who come from specific contexts that include different gender regimes and inequalities and therefore different degrees of vulnerability. According to official data, 90% of UASC are boys and adolescents, and 10% are girls (UNICEF, 2021).

In the field and migrant centers for children, priority in vulnerability assessment is usually given to younger unaccompanied adolescents compared to those who are 17 years old. That is explained by the fact that younger boys are considered more vulnerable, therefore older adolescents face additional problems when it comes to survival and the possibility of integration into a new society and environment. Placement in shelters for children usually means automatic placement in shelters for adults when they turn 18.

Children who are placed in shelters have the opportunity to devote themselves to learning new skills, languages, and establishment of support network that facilitates their integration with the help of professional staff.

Research on unaccompanied older adolescents indicates a neglect of their vulnerability, i.e. they are most often not seen as members of a vulnerable group. The vulnerability of unaccompanied adolescent boys who are relatively close to the age of 18 is shown in several ways: they spend a long period of time in social isolation, they are often homeless and forced to work. Hence, they are exploited, they are often exposed to sexual exploitation in both transit and destination countries and, finally, are not on the priority list for placement in children's shelters because they are considered less vulnerable due to their age.

In one of the more recent UNICEF analyses from 2020, unaccompanied girls are discussed as one of the most invisible people within European support for refugees and migrants. They are often hidden among other families, groups of people or identify as adults.

Gender-sensitive statistics are otherwise a major problem in many countries of transit and destination, so non-disaggregated data further contribute to the invisibility of unaccompanied girls. Unaccompanied girls tend to be younger than boys in the same situation, with 34% of unaccompanied girls aged 15 or younger.

The journey that unaccompanied girls take to Europe is quite difficult and dangerous and along the way, they are often exposed to gender-based violence. The central Mediterranean route is cited in all studies as the most dangerous. Present data rises concern, indicating the presence of violence and exploitation in Libya, gang rapes, forced prostitution, and human trafficking for the purpose of sexual exploitation on that route. Some girls who went on a journey unaccompanied are joining families who are not related to them. These girls, when they come into contact with representatives of authorities and police, usually say that they are part of these families which makes it even more difficult to identify and assess the risks for them.⁶

Girls are also victims of human trafficking in a higher percentage than boys, so UNICEF cites data from the IOM, according to which 80% of girls who travel from Nigeria (the country of origin) to Italy (the country of destination) are at risk of becoming victims of human trafficking for the purpose of sexual exploitation.

Also, among the most vulnerable unaccompanied children are transgender, gender variant, and intersex children who need special attention, protection, support, and help.

In migrant centers and in work with the above-mentioned groups of the UACS, understanding the degree of their vulnerability and in order to provide adequate assistance, knowledge about cultural and social norms and inequalities in the country of their origin is crucial. What they have been exposed already, strongly affects their vulnerability in the context of migration and refugees.

⁶ Protection of children in migration: Human rights-based approach, FPS Belgrade, 2021

Children victims of human trafficking

Girls and boys represent the most vulnerable group of victims of human trafficking⁷.

According to all world laws and conventions, children should go to school and not be victims of hard forced labor, sexual exploitation, begging, or military service (in war-torn areas).

Related to the already mentioned geographical context, social crises in the last two decades have caused many negative changes and fractures, which have also affected the institution of the family.

War events and their consequences, suddenly increasing living standards, isolation, jobless, led to the fact that parents, in their desire to create the basic conditions for their family's existence, work too long and do not have enough time to raise their own children.

Some parents, running away from existential problems, fall into alcohol and other forms of problematic substance use, sometimes neglecting their parents' role. Children in such an environment rely on themselves and their friends and do not have a close relationship with their parents.

A big negative role is also played by the media, promoting the lifestyles of negative heroes (local gangsters, war profiteers, politicians, singers) who illegally acquired huge amounts of money with which they can buy everything, including the female body, creating bad and negative role models for boys and girls, who grew up with television programs.

In recent times, children are increasingly left to electronic media, especially social networks, which, in addition to numerous positive sides, also have negative sides, which as recruitment by human beings traffickers.

The overall situation in society has led to older minors leaving their parents' homes in search of easy and quick money, seduced by the false offers of recruiters of human trafficking. Therefore, minor victims represent the largest percentage of victims of human trafficking, because they are easy to recruit as well as they are not economically independent.

There is a whole range of laws and institutions in many countries (Montenegro too), which ensure that children's rights are protected.

According to the US TIP Report for 2022 Trafficking in Persons Report of Montenegro⁸: victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, neighboring Balkan countries, and, to a lesser extent, other countries in Eastern Europe. Traffickers exploit victims in the hospitality industry, including bars, restaurants, nightclubs, and cafes. Children, particularly Romani and Balkan Egyptian children, are exploited in forced begging. Romani girls from Montenegro reportedly have been sold into marriages and forced into domestic servitude in Romani communities in Montenegro and, to a lesser extent, in Albania, Germany, and Kosovo.⁹

7 Trafficking in Women – Situation in Montenegro, Mirjana Vlahović Andrijašević, Faculty of Political Science, Belgrade (2016)

8 TIP Report, is an annual report issued since 2001 by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons. It ranks governments based on their perceived efforts to acknowledge and combat human trafficking

9 <https://www.state.gov/reports/2022-trafficking-in-persons-report/montenegro/>

Referral mechanisms and support services which governmental institutions in cooperation with IOs and NGOs are providing to the UASC on the territory of Montenegro

The UASC represents a vulnerable category that needs special protection on the road exposed to risks of violence, starvation, fear for life, or threat of becoming the victim of human trafficking.

Treatment of the UASC is based on the principles of the UN convention on the rights of the child: to protect the welfare of the child, to protect against all forms of discrimination, the right to life, security, and development, and the right of the child to participate and freely express his/her opinion.

The SWC appoints the UASC a guardian and provides temporary accommodation in organized housing.

The assessment of the suitability of a close relative to be the guardian of an unaccompanied minor is carried out on the basis of a comprehensive multidisciplinary approach. The professional team consists of a social worker, a pedagogue, a psychologist, and a lawyer who perform individual assessments and give an opinion on the suitability of the guardian.

The assessment is also carried out on the basis of an interview with the unaccompanied child and a potential guardian on the premises of the Center for Social Work. The assessment of the living conditions is also carried out, including who comes to the house, visits, etc.

Identification of UASC and further assessment and support

In order to secure the best interest of a child, a comprehensive assessment is needed.

In the initial process of determining the best interests of the child, the goal is to provide the necessary support to the child in the shortest possible time in accordance with the recognized degree of risk and the needs of the child in migration. Authorized persons performing the initial assessment:

- 1) determine the initial level of risk for the child;
- 2) identify the child's initial needs;
- 3) refer the child to other community services according to the determined needs of the child and mediate with those services so that the child gets access to the necessary help;
- 4) make conclusions and recommendations about the best interests of the child which are used in the formal decision-making process.

Standard operational procedures for professionals working with the UASC, with special attention on children who are victims of human trafficking in Montenegro

The SOP¹⁰ is applied in the process of identification, registration and accommodation, care, and initial help in order to regulate the status of the UASC.

The UASC can be found at the border crossing or out of the border crossing where they are trying to enter the country illegally with the assistance of smugglers.

When Border police find the UASC, they are obliged to inform the entitled SWC working in that particular geographical area (municipality) immediately. The SWC appoints them a guardian and brings decisions related to their accommodation to the Centre for the reception of foreigners.

Besides the Police, the UASC can be found and identified by representatives of the Red Cross of Montenegro, UNHCR, IOM, and other international organizations, as well as by representatives of the NGOs (Legal Center, Civic Alliance, Juventas, etc.) or any citizen of Montenegro. When that occurs, they are obliged to inform the relevant SWC immediately.

¹⁰ SOP (2017), Ministry of Interior and UNICEF

A red ballpoint pen with a silver band is positioned diagonally across a white document. The document features a series of empty square checkboxes arranged in a column. The background is slightly blurred, showing more of the document's layout.

**STEP ONE:
IDENTIFICATION –
REGISTRATION – REFERRAL**

IDENTIFICATION

The procedure of identification starts with preliminary data collecting and registration.

Identification of the UASC is a key precondition for including them in the system of protection. It consists of determining facts related to their family status, separation from family members, or their accompaniment.

Identification consists of 4 stages:

1. interview with the UASC;
2. appointment of guardian;
3. authorization of legal representative;
4. production of the initial document about the UASC.

1. interview with the UASC

The first interview with the UASC is the most sensitive stage. The interview is conducted by a representative of the SWC and a police officer for minors, a legal representative, and a translator.

The purpose of the interview is to provide information and data that will serve to:

- formally identify minor – the UASC;
- information relevant for connecting with family;
- age assessment;
- risk assessment;
- assessment of psychophysical condition;
- initial assessment of needs, initial help, care, and type of care needed;
- initial assessment of needs based on medical check if conducted;
- assessment of potential further victimization of human trafficking victims and urgent accommodation to the Shelter for human trafficking victims;
- assessment of status to be approved to the child in accordance with his/her best interest (international protection or temporary residence based on humanitarian reasons);
- assessment of the final solution in accordance with the UASC's best.

The interview is conducted upon encounter with the UASC after the Police collect preliminary information and establish a reasonable doubt that the UASC is the victim of human trafficking.

The interview is conducted on the premises of the Ministry of Internal Affairs, adapted to children and by police officers trained in the area of working with children.

It should be noted that treatment of the UASC can be affected by gender, as it is difficult to assess the age of girls according to their physical constitution. Therefore, when they are not accompanied, they can easily become victims of sexual or other forms of exploitation, in other words, victims of human trafficking¹¹.

¹¹ "How to make the invisible visible" UNICEF (2020)

2. Appointment of Guardian

When Border police find the UASC, they have to inform the SWC in charge (according to territorial organizations of the SWCs) which appoints a guardian to the UASC and brings decisions on his/her accommodation in the Centre for the reception of foreigners.

During contact with the UASC, the case manager (SWC) should provide a secure environment for an interview with the child in order to establish a relation of trust, allowing the UASC to express him/herself without fear and openly about encountered problems, including important information about his/her personal history and family situation.

The case manager is obliged to secure coordinated, continuing, and multidisciplinary cooperation between representatives of all involved institutions and organizations in a way that will secure information sharing, common planning, and follow-up of the individual case.

In all situations in which indications of human trafficking are present, the case manager is obliged to immediately notify Ministry of Interior.

The procedure of placing the children under guardianship and termination of the guardianship is initiated and conducted according to official duty by the entitled institution. In accordance with the Convention on the Rights of the Child and Montenegrin Family Law, priority is given to protection of the unaccompanied children.

The guardian of the minor is obliged to show parental care about his/her personality, health, education, and empowerment for independent life.

3. Authorization of legal representative

Guardian appointed by the SWC addresses to the bar association to delegate a legal representative of the child from the list of lawyers in charge of providing legal aid and trained to work with migrants and children or to NGOs registered for providing legal aid (NVO Legal Center, NGF Civic Alliance).

The legal representative is appointed with the purpose to protect the UASC's rights without threat in procedures before state institutions. Protection of rights is related to their status, family reunion, right to express an opinion, etc.

The legal representative plays an advisory role and represents the UASC with the assistance of a translator without threats and in accordance with national and international laws that are applicable.

4. Production of the initial document about the UASC¹².

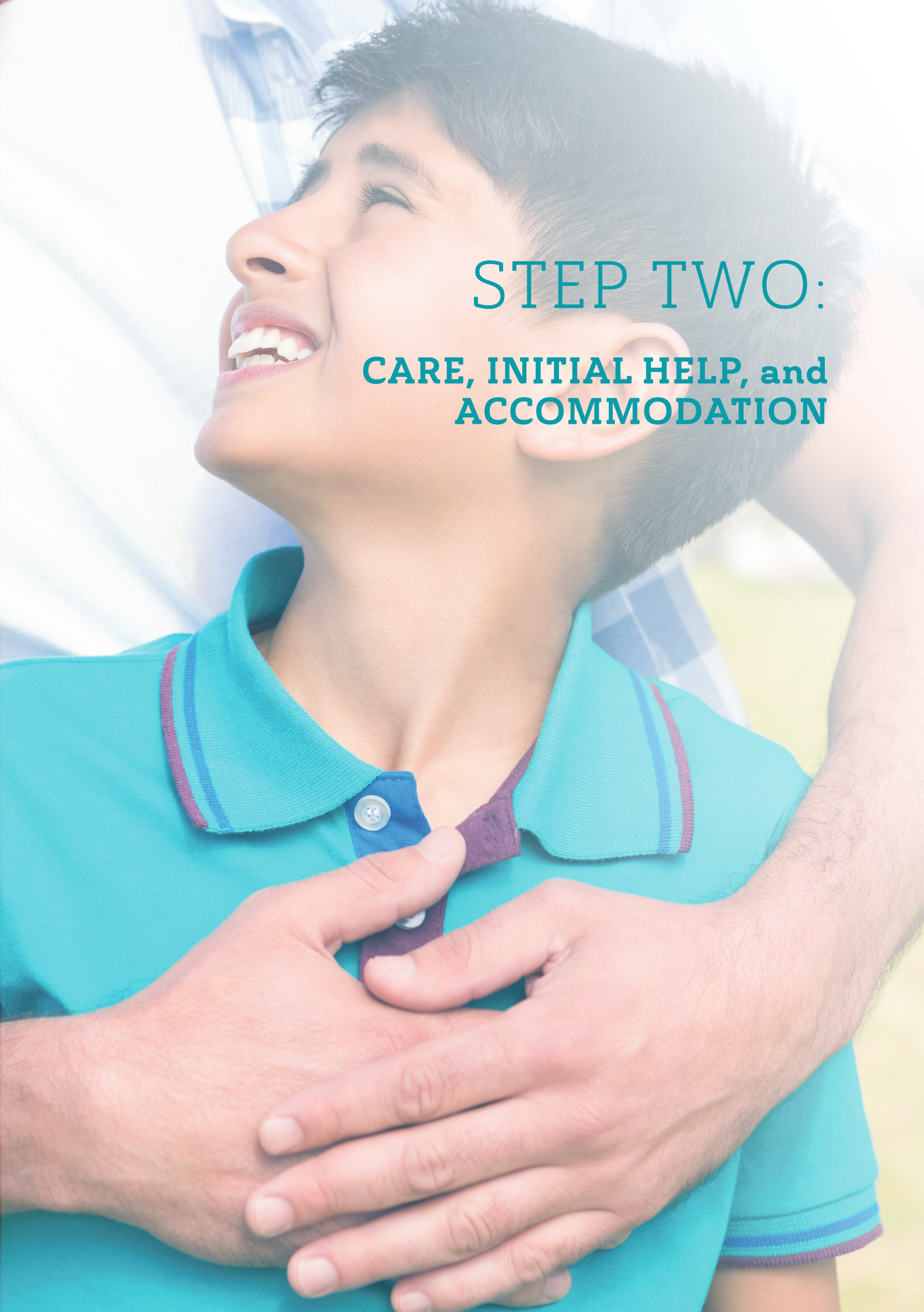
REGISTRATION

Registration involves the collection of basic personal data in order to establish the identity of the child, protect him/her and facilitate the search.

¹² This stage is not elaborated by the SOP.

REFERRAL

The referral is the assistance of moving a UASC from the location where he was found to the nearest organizational unit within the Ministry of Internal Affairs or to the competent CSW, MLSW in order to take further measures.



**STEP TWO:
CARE, INITIAL HELP, and
ACCOMMODATION**

Initial risk assessment

Based on an interview with the UASC and available documentation, the guardian and expert team conduct an initial assessment of risks related to the UASC. Assessment is conducted individually and it takes into account the characteristics of every UASC in line with the best interest of the child.

If needed, representatives of NGOs (Legal Center, Civic Alliance, Juventas), international organizations (UNICEF, IOM, UNHCR), and RCM are involved in providing expert, material, and technical support to state institutions.

Assessment of health status

A medical check has the purpose to assess the general psychophysical status of the UASC, as well as establishing potential acute-chronic diseases, physical deficiency, and weakness in order to timely plan and implement the appropriate healthcare measures.

It is very important that the medic during medical check avoids asking personal questions that are not related to the UASC health conditions as it may induce additional trauma.

Assessment of needs

The legal guardian and expert team composed of professionals from the SWC, MoIA, and health workers conduct assessments of the UASC's needs.

Assessment of needs is based on an interview with the UASC, an assessment of his/her health status, and an assessment of risks and it is a part of the UASC's documentation portfolio.

Care and accommodation

The legal guardian is obliged to conduct an assessment of the UASC, his/her characteristics, and the type of accommodation needed together with the expert team, taking into account the opinion of the child. Accommodation options are limited due to available types of institutional and noninstitutionalized accommodation provided by the MSW.

Brothers and sisters, the UASC, are placed together in the same accommodation.

Accommodation of the UASC

The center for the reception of foreigners in Spuž accommodates UASC.

The Center provides:

- separate accommodation for the UASC;
- primary health care service and access to higher levels of health care in health centers care if needed;
- nutrition;

- clothing and means for maintaining personal and collective hygiene;
- psycho-social support and counseling, as well as support in crisis situations;
- support in access to education and for preschool age children's creative workshops;
- transportation as a means of accessing rights;
- informing and counseling related to the procedure for the application for international protection and the right to free legal aid, as well as other rights in accordance with the Law on International and Temporary Protection of Foreigners.

The center for the reception of foreigners in Božaj could also accommodate UASC, due to the lack of accommodation capacities in the Center of Reception of foreigners in Spuž.

The UASC - victims of human trafficking are accommodated in accordance with Cooperation in Combating Trafficking in Human Beings agreement in Montenegro.

STEP THREE:

REGULATION of RESISTANCE



Notification to the Ministry of Foreign Affairs

Ministry of Foreign Affairs informs the country of origin through its diplomatic mission about identified UASC. In case there is no such mission in Montenegro, Ministry informs the third country that represents the country of origin.

This line of communication allows the exchange of information related to the security of the UASC's contact with his/her parents and other relatives, return to his/her country, and contact with representatives of the third country's social service.

Notification allows confirmation of the UASC's identity, exchange of documentation, and initiation of procedures for family reunions.

In case when the UASC seeks asylum or it is a victim of human trafficking, the country of origin will not be notified.

Legal counseling and informing of the UASC related to the regulation of residence

Before submitting the application for regulating the residence of the UASC, legal guardian, or legal representative delegated by the bar association upon the request of the SWC, CSOs specialized in providing legal aid or international organization informs the UASC in language that understands and in an appropriate manner about:

- Legal procedure and process for regulating residence,
- his/her rights and obligations,
- family reunion procedure.

The opinion of the child needs to be heard and respected in every stage of the procedure.

Process of regulating residence of the UASC

Residence of the UASC or victims of human trafficking in Montenegro can be regulated on the basis of:

- temporary residence application for humanitarian reasons,
- International protection application.

The ground for regulating residence is decided upon conducted interviews, analyzing data, assessment of risks, possibilities to connect with families, and prior decisions related to the UASC.

If all conditions for granting temporary residence for humanitarian reasons are met, a request for granting/extending residence is submitted to the Ministry of Internal Affairs.

MoIA will process the request with urgency and issue the permit for temporary residence or its extension for a period of 1 year.

If the appointed guardian, expert team of the SWC, and National Office for combating human trafficking decide that it is better to regulate the UASC's residence through applying for asylum, the appropriate request is submitted to the MoIA/Division for asylum with urgency.

The Division for asylum is obliged to issue a certificate to confirm submission of the request for international protection which is valid for a month and it is being extended as long as the person is in asylum seeking procedure.

Staff employed in the Division for asylum, which is trained to work with children, conduct an interview with the UASC in the presence of his/her guardian and preferably in the presence of his/her legal representative in premises adapted for work with children.

During the procedure of submitting requests for international protection, the Division for asylum will take into account the vulnerability of the UASC, especially in cases of human trafficking.

Based on facts and evidence established during the procedure, the following documents can be issued:

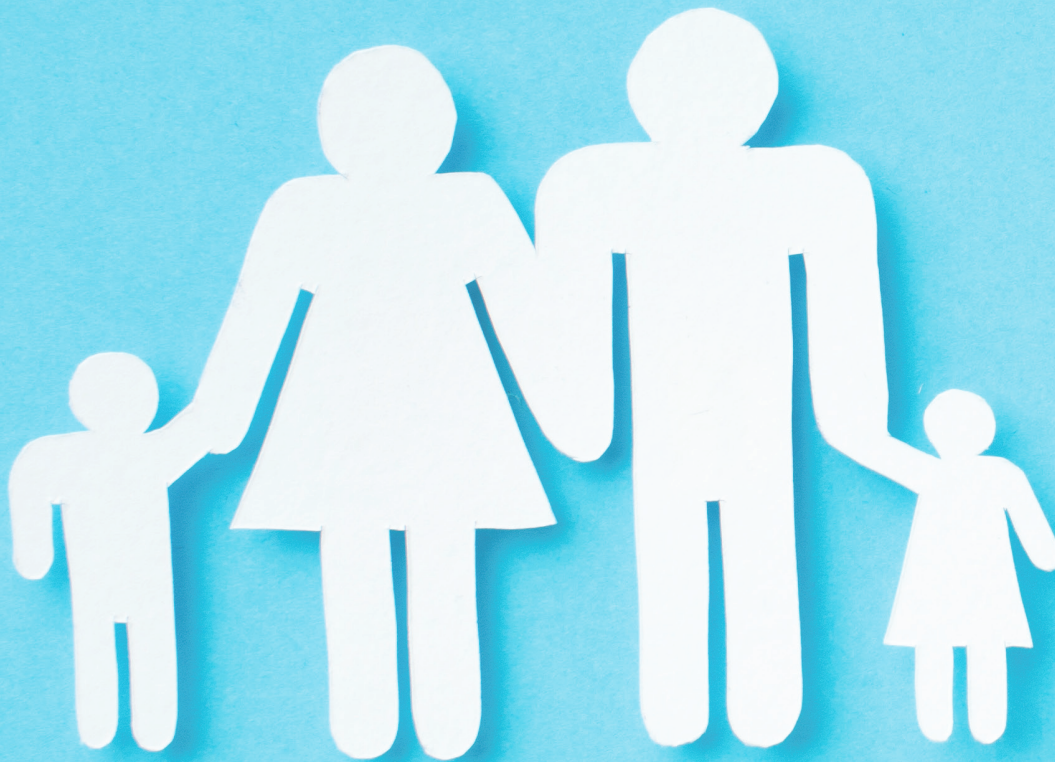
- Decision on granting asylum status;
- Decision on granting subsidiary protection;
- Decision on rejecting the request for asylum.

When the asylum status is granted to the UASC or UASC victim of human trafficking, he/her is being issued identification documents (personal ID, travel document) valid for 5 years.

Foreigner to whom is granted subsidiary protection is being issued identification documents (personal ID, travel document) valid for 3 years.

Request for issuing identification documents is submitted to the Division for asylum by the guardian and with mandatory presence of the UASC.

STEP FOUR:
FAMILY UNIFICATION



In accordance with international standards on human rights, family unification is a priority in all actions. It is considered the best possible result of all undertaken activities. Therefore, a search for parents and family members is necessary and should start as soon as possible.

The experiences of families in migration are often experiences of personal, social, economic, and political problems, as required in survival and adaptation strategies. This indicates the need for a very complex approach by professionals. Family experiences that need to be taken into account during assessment done by social workers indicate numerous dimensions and levels of fears and problems that families in migration can face.

Return of the UASC

Return of the UASC is conducted because of family unification, his/her transfer to the place/country in which the family reunion will be completed, or to a location in which the UASC will be handed over.

In the competition of this procedure MoIA/Police, INTERPOL, National Office for combating human trafficking, IOM, UNHCR, SWC and RCM are participating.

The UASC are not being returned to their families if that is not in their best interest.

STEP FIVE: SOCIAL INTEGRATION



The long-term plan of support

Long term plan of support encompasses the following activities related to the protection of the UASC's rights and their social integration in the country of reception:

- individual assessment;
- social protection;
- accommodation;
- psychosocial support;
- health care;
- education;
- legal aid.

Actively involved in their process are: MSW, SWCs, Ministry of Health, Ministry of Education, MoIA, National Office for combating human trafficking, RCM, IOM, UNHCR, Caritas, Legal Center, Civic Alliance, Juventas, etc.

Social protection

Social protection assumes the appointment of a guardian and establishment of an expert team who actively and continuously takes care of the UASC, plans appropriate measures, controls, and monitors the implementation of measures 24/7.

The expert team is composed of trained social workers, psychologists, pedagogues, and lawyers. The guardian/expert team cooperates with relevant government institutions, IOs, and NGOs in order to meet the needs of the UASC/victim of human trafficking and provide them with expert help.

If the UASC does not have close relatives and his/her parents are not found, they are treated in accordance with the Law on Social and Child Protection of Montenegro.

Accommodation

Accommodation of the UASC should have characteristics of a family home. In the process of choosing a foster family, it is important to take into account the specifics of every single UASC, his/her country of origin, the language he/she understands, religion, family history, and other personal characteristics.

The best solution is, when it is possible, the selection of foster families of the same nationality and country of origin.

Health care

The health system plays an important role in children's protection and health treatment, as well as in monitoring the development of the child. Health workers in cooperation with the SWC and other

institutions need to secure health care for children timely and in accordance with the Law on Health Insurance, the UASC included.

Health care is provided on three levels and health workers are obliged to assess the overall state of the child in the context of nutrition, negligence, and other elements that could indicate neglecting of the child and to inform the SWC about findings.

Access to education

In accordance with the Convention on the Rights of the Child, all educational institutions are obliged to support children out of the educational system and integrate them into the schooling process, and establish constructive and quality cooperation with children's families, assistants in social inclusion, mediators and other relevant service providers. It implies increased educational work with the child, work within the classroom community, as well as using other resources of educational institutions.

Protection of foreigners is further elaborated in national laws, namely the Law on Foreigners and the Law on International and Temporary Protection of Foreigners, which are harmonized with the EU acquis to a high extent.

But, due to the language barrier, the Red Cross Montenegro provides great support by mediating enrollment of migrant children to schools, very often.

LEGAL FRAMEWORK RELATED TO MIGRATION ISSUE

Bearing in mind the importance of the migration issue at the global and national levels, Montenegro is continuously working on preparing and strengthening its capacity to respond to migration.

Protection of foreigners is further elaborated in national laws, namely the **Law on Foreigners and the Law on International and Temporary Protection of Foreigners**, which are harmonized with the EU acquis to a high extent.

Law on Foreigners¹³ addresses the questions concerning entering and leaving Montenegro, the movement of foreigners, their residence and work, and related obligations of relevant national institutions.

From the aspect of UASC, it is implementing the best interest principle as a guideline for the work of national institutions when deciding on their rights and obligations.

Article 52 of the Law stipulates that UASC can be permitted temporary residence based on humanitarian reasons in cases when they are abandoned or they are victims of organized crime, when they are left without parental care or when they are not accompanied, as well as when they are illegally employed.

In accordance with the Law, they are entitled to accommodation, health protection, primary and secondary education, financial assistance, etc.

The Law special focus places on the treatment of the UASC during their accommodation in institutions and reception centers, protection against deportation and exiling, treatment in cases when they are victims of organized crime (including human trafficking), as well as special protection during the implementation of measures of return.

Law on International and Temporary Protection of Foreigners¹⁴ prescribes guiding principles, conditions, and procedures for granting international and temporary protection to the foreigner who seeks international protection, his rights and obligations, as well as procedures and conditions for termination of the protection.

From the aspect of UASC, the Law stipulates the best interest determination of the child as a guiding principle in regulating his or her treatment in art. 15.

In addition, the Law particularly regulates the treatment of the UASC during the assessment of their age, when they are expressing the intention to file a request for international protection, during the procedure of applying for international protection, as well as during their accommodation.

It is worth mentioning **Family Law, Law on Social and Child Protection**¹⁵ as well as **Criminal code**

13 https://www.paragraf.me/propisi-crnegore/zakon_o_strancima.html

14 <https://www.gov.me/dokumenta/512fe62b-fcec-4ca5-a034-13a01048581b>

15 "Official Gazette of Montenegro", no. 027/13, 001/15, 042/15, 047/15, 056/16, 066/16, 001/17, 031/17, 042/17, 050/17, 059/21, 145/21, and no. 145/21

of Montenegro¹⁶, in the context of the protection of children, which are harmonized with the EU acquis to a high extent.

Law on Social and Child Protection stipulates social and child protection based on respecting the physical integrity and security of a person, as well as acknowledging his moral, cultural and religion believes. Law emphasizes the protection of children without parental care, children that have violated the law, children exposed to violence or neglect, victims of human trafficking, as well as children with a need for special forms of protection due to specific circumstances.

Last but not least, the **Criminal Code of Montenegro** recognizes a criminal offense – trafficking of children for adoption, offering indiscriminate protection to children, including the UASC.

When it comes to Government strategic documents, they are mostly focused on aligning national legislation with EU acquis and resolving technical and infrastructure challenges related to the security of borders. The practical needs of the UASC are not addressed as policy objectives, however, some limited activities implemented within strategic documents are related to the prevention of human trafficking and UASC.

List of Governmental institutions and IOs who are providing protection and support to UASC

Governmental institutions response

The central institution that coordinates the field of migrations is the **MoIA**¹⁷. Ministry's mandate includes legal regulation of migrations, international and temporal protection of foreigners, their readmission, naturalization, work, and residence of foreigners, running appropriate registers, regulating reception and accommodation of migrants, coordinating execution of their legal rights, providing national, and regional and international travel documents and provides support for integrating foreigners into social, economic and cultural life.

The Police Directorate is the first national authority with which the UASC gets in contact. Police practice conducts reception of the UASC, conducts procedures related to establishing personal identity, receives statements on intention to apply for international protection, conducts assessment if the UASC is in fear for his/her life and victim of criminal activities (in cooperation with NGOs, center for social care, other authorities and organizations which are entitled to prevention, education, reporting and criminal prosecuting of offenders and protection of victims in the area of human trafficking), conducts accommodation of the UASC in the Centre for the reception of foreigners, manages the Centre and provides protection for the Centre and its occupants, conducts control of residence and implementation of imposed restrictions of movement measures, etc.

Ministry of Labor and Social Welfare is a government institution whose mandate includes legal regulation of child and social protection, protection of persons with disabilities and elderly, protection against violence against children, financial support to foreigners seeking international protection,

16 "Official Gazette of the Republic of Montenegro ", no. 70/2003, 13/2004 - ispr. 47/2006; as well as "Official Gazette of Montenegro ", no. 40/2008, 25/2010, 32/2011, 64/2011, 40/2013, 56/2013 - ispr, 14/2015, 42/2015, 58/2015, 44/2017, 49/2018 and no. 3/2020;

17 <https://metrologija.me/wp-content/uploads/zakonodavstvo/ostalo/Uredba-o-organizaciji-i-nacinu-rada-drzavne-uprave.pdf>

asylum seeker, and foreigner under subsidiary protection. In addition, it is responsible for issuing licenses and maintaining the Register of licensed providers of social and child protection services and cooperates with MRCs, NGOs, and IOs in fulfilling its mandate.

In addition, two coordination bodies are established to monitor migration and human trafficking in accordance with the best interest determination principle of the UASC.

Furthermore, the **Ministry of Health** is involved in the process of access to health to the UASC directly or through Health Centers or hospitals; the **Ministry of Education** when the UASC should be involved in kindergartens, schools, or universities; the **Ministry of Foreign Affairs** in the phase of family unification; **Employment Agency** when the conditions are met for the UASC to exercise its right to work (etc.).

One of them is **CB for monitoring the implementation of the Decision on approving temporary protection for persons from Ukraine**¹⁸. Within its mandate, this CB monitors and coordinates activities and measures related to securing accommodation, access to health care, primary and secondary education, information on rights and obligations, access to work, the connection of families, travel documentation, and application for international protection, undertaken by governmental institutions. CB cooperates closely with international organizations working that are working with refugees and migrants, RCM, and NGOs.

Another is **NCB for monitoring the implementation of the Strategy for Combating Trafficking in Human Beings for 2019-2024**, comprised of 15 representatives of relevant governmental institutions and 1 representative of NGOs. The main tasks of the CB are to monitor and coordinate the implementation of activities planned under the strategic document as well as to suggest improvements in the quality and scope of planned activities.

Part of the overall institutional framework for supporting the UASC is local SWCs which are entitled for providing guardianship to them, as well as health centers and other medical institutions.

18 Official Gazette of Montenegro, no. 26/22

National organization response

Red Cross of Montenegro

Contribution to the social inclusion and integration of migrants and refugees through reducing discrimination and increasing employment

Red Cross of Montenegro volunteers and culture mediators are assisting foreigners in applying for jobs, and starting a private business in Montenegro, they conduct mediation with competent employment authority. They are also implementing workshops with users to collect data about their professional qualifications and job preferences and info sessions about social and cultural differences between Montenegro and countries of origin, about professional communication and conflict resolution as well as on risks related to human trafficking and measures of prevention.

In addition, they provide access to health care for migrants in transit camp Božaj through the engagement of medical staff and by securing the transport of migrants to health centers (Podgorica, Tuzi, Spuž). They organize workshops about hygiene and prevention against infectious diseases and they provide mobile teams at Božaj, Nikšić, and Rožaje.

Support and protection of the most vulnerable refugee children and families in Montenegro

Activity includes enhancing national and local capacities in responding to the refugee crisis, assisting refugee children in doing homework, providing school materials, organization of sports activities and workshops on the prevention of discrimination and non-violent communication skills in schools (Herceg Novi, Tivat, Budva, Bar), as well as providing psychosocial support for parents in Herceg Novi, Bar and Budva.

Tracing service

Assists in establishing contact with separated families, initiating requests for tracing missing persons, and family reunification.

Assistance in access to services to foreigners who expressed the intention to seek asylum, asylum seekers, and persons granted international protection in Montenegro

With the financial support of the UNHCR, RCM supports asylum seekers and persons with granted international support, as well as Ukraine refugees in Montenegro through psychosocial support, support in accessing health care, education, and other rights arising from their status.

The project agreement for the implementation of the emergency appeal – Ukraine and impacted countries

The Project represents the answer to the increasing needs of countries due to the war in Ukraine. Activities of the project are oriented on an individual as well as on a collective level when it comes to target groups. They include workshops on mental health and psychosocial support for children and adults, support in the education process through the implementation of language courses for

children and adults, support in exercising rights under temporary protection (residence, appropriate accommodation, necessary living resources, health care, education, work, etc.), organization of training in first aid, organization of excursion trips for children and young, family reunification as well as specific activities related to vulnerable groups.

In addition, users have an available free call center **080 041 041** that provides easy access to the newest information in three languages – Ukrainian, Montenegrin, and English.

International organizations response

UNHCR

UNHCR as a specialized UN Agency works with refugees, displaced persons, asylum seekers, and with stateless persons. In Montenegro, it cooperates closely with government institutions, NGOs, other international organizations, and local communities in securing access to rights for people in the asylum system.

In cooperation with NGF Civic Alliance and RCM, it provides free legal aid, access to rights, and psycho-social support.

UNHCR has developed numerous channels of communication with users, through which information about available services is disseminated.

- Help page – UNHCR Montenegro - Help for refugees and asylum-seekers,
- Social networks – (UNHCR Montenegro Instagram, FB),
- UNHCR SOS hotline – 069 123 102,
- Email – mnepo@unhcr.org,
- Participation in Telegram group and dissemination of information over Ukrainian crisis centers.

UNICEF Montenegro

UNICEF as a specialized UN Agency cooperates with national and local authorities, other UN agencies, non-governmental organizations, and civil society organizations to strengthen government systems and capacities, improve conditions of reception and access to services in health, nutrition, WASH, education, child protection, prevention and response to GBV. Also, it is engaged in supporting the Government in harmonizing national policies with international norms and improving the determination of the best interests of children and age assessment procedures.

UNICEF prioritizes the protection of children and women, preventing the detention of children in immigration, promoting family unity, unimpeded access to services, as well as the fight against xenophobia and discrimination, in accordance with the Global Program Framework for Children on the Move.

IOM Montenegro – UN Migration

IOM Mobile team

The IOM Mobile team is composed of seven members (coordinator of the Mobile team, DTM enumerator, field worker, social worker, translator for Farsi language, and two hygiene workers) constantly present in the **Division for registration of foreigners seeking international protection – Božaj**, with two added team members (DTM enumerator and enumerator) in the north part of the country (Pljevlja and Rožaje).

The mobile team supports the Ministry of Internal Affairs and Border Police in different segments of their work on a daily basis.

When it comes to supporting migrants, the IOM Mobile team provides the following services:

- assistance during registration,
- translation service,
- psychosocial support,
- access to different information on a daily basis,
- transport.

In addition, IOM provides drinking water, internet, clothing and hygiene products to migrants placed at Božaj Centre. For vulnerable categories of migrants, it provides transportation across Montenegro on demand of the BP.

When it comes to the UASC, the IOM Mobile team upon the conclusion of the registration process and establishment of contact with the SWC, provides transportation to the relevant SWC (most common in Tuzi or Podgorica) to appoint a guardian. Following that IOM Mobile team provides transportation to the facility where the UASC will be accommodated, along with providing all relevant services to them in accordance with their specific needs from the list of services above.

Channels of communication

Members of the IOM Mobile team are present at Division in Božaj, as well as in the municipalities of Pljevlja and Rožaje. They are in direct contact with migrants constantly. In order to inform migrants about relevant contacts in IOM, multilingual promotional materials (posters, flyers...) are produced. In addition, the contact phone for the Assisted Voluntary Return & Reintegration Program (AVRR)¹⁹ through which migrants can ask for assistance related to their return and submit their request is available in the multilingual application MIRA (URL: <https://mira.supportformigrants.com/>).

¹⁹ More details about AVRR are provided in chapter about Temporary Residence

Help – Hilfe zur Selbsthilfe

HELP is a German non-governmental relief organization that continuously expands its humanitarian work, around the world, providing help for self-help in countries such as Montenegro, Pakistan, Haiti, Zimbabwe, the Philippines, Iraq and many more.

Currently, the HELP office in Podgorica, among other activities, supports Ukrainian refugees in Montenegro. Within the project “Supporting the integration of vulnerable communities in Montenegro via language classes” Help and the Ukrainian refugee organization „Dobro djelo“ had identified that the learning of the Montenegrin language is one of the important segments for easier coping and adaptation to the new environment. Huge interest in language learning was expressed by children, many of whom continued their education in Montenegro, as well as adults, for whom knowledge of the language will alleviate everyday communication and eventual job search. Language classes are organized in Budva and Podgorica.

In addition, Help supports Ukrainian refugees also through psychosocial assistance. Help also organized six summer camps for children.

CONTRIBUTION of NGOs in PROVIDING HUMANITARIAN, LEGAL, PSYCHO-SOCIAL SUPPORT to the UASCs in MONTENEGRO

NGOs are important actors in related topics. According to the Law, NGOs registered for the provision of legal aid and organizations that work on the protection of the rights of refugees and asylum seekers must be allowed access to foreigners seeking international protection at the border crossing, or air and sea port transit area.

Montenegro recognized and included NGOs that are providers of social services, but did not formalize that relationship. Therefore, it is necessary to legally clearly specify the role of NGOs in Montenegro-related support, assistance, and social services for UASC.

It should be noted that weak points of referral mechanisms related to the area of protection UASC are *identification* (in the area of conducting the first interview by BP) and in the area of **integration** (difficult access to the labor market and more difficult independence in the community).

Access to different services is limited due to the UASC's knowledge of the local language and cultural differences, which creates practical obstacles in communicating needs with the local population. It also prevents them from establishing social relations that would help them to **integrate** into local communities, potentially leading to marginalization and social exclusion.

Access to health care, for UASC, is under the same conditions as Montenegrin children in accordance with regulations in the health care system. Access to primary health care is available for the UASC in the Centre for the Reception of Foreigners in Spuz and the Centre for the Reception of Foreigners in Bozaj. Higher levels of health care are available in health care centers in accordance with the UASC needs, which supports **RCM** through accompaniment and translation due to the UASC's limited knowledge of the local language.

Access to free legal aid start at the moment when a USAC declares his/her intention to seek international protection in Montenegro until the final decision on the application has been made, USAC is entitled to provide free legal aid, including during the preparation for the interview and in the course of the interview. USAC is entitled to free legal aid during the second instance procedure. Access to free legal aid for the UASC is secured through the **UNHCR** and their partner **NGF Civic Alliance**, as well as by **NGO Legal Center**.

The UASC has equal rights to access education as Montenegrin citizens. What creates an obstacle to accessing this right is the lack of knowledge of the Montenegrin language. In order to address this problem, **RCM** supports the mediation process when enrolling in school, but schools are organizing additional classes in the Montenegrin language for migrant children.

Access to the labor market for minors and other vulnerable migrant groups is limited, due to a lack of knowledge of Montenegrin languages, skills, etc. Therefore, training should be organized for employees

in labor offices in order to familiarize them with the problems faced by UACS during employment, as well as with the Union of Employers of Montenegro, in order to open up space for their employment.

Several NGOs such as Legal Center, Juventas, CEDEM, Civic Alliance, Center for Children's Rights, CEMI, and SOS telephone for victims of violence in Podgorica have dealt with the analysis of the asylum system, respect for human rights, the provision of social services and proposals for more sustainable, practical and human ways of dealing with migrants, asylum seekers as and returnees.

When it comes to victims of human trafficking, the National Office for Combating Human Trafficking, within its competencies, includes activities in the area of prevention, identification, and protection of victims of human trafficking, regardless of their immigration status in the country, and therefore also treats the issue of victims of trafficking, persons among migrants, persons seeking international protection and persons with approved protection.²⁰

When it comes to supporting and assisting the UASC, active role plays:

NGO Legal Center (2007) provides protection and promotion of human rights and freedoms and the fight against discrimination.

Related to migration, the Law Center provides free legal aid and informs about access to their rights: foreigners who seek or have been granted international protection; persons without citizenship (stateless); returnees after readmission; vulnerable and marginalized categories of the population (among others, victims of human trafficking, UASC and other vulnerable categories of persons who find themselves in the process of migration).

The Center also provides psycho-social support and educates and empowers people who belong to the categories of vulnerable and marginalized groups. Migrants usually contact the Center: directly, by email, and by phone.

NGF Civic Alliance (GAMN) in close cooperation with the UNHCR provides free legal aid to foreigners seeking international protection and temporary protection, foreigners with approved international and temporary protection, displaced and internally displaced persons, persons at risk of stateless, persons with the acknowledged status of stateless, persons with the initiated procedure to determining status and to the UASC.

Civic Alliance has offices in Podgorica, Bar, Budva, and Herceg Novi.

NGO Juventas provides support to persons under international protection, refugees, asylum seekers, etc. in the matter of integration into Montenegrin society (support in establishing connections with the institutions, in accessing their rights guaranteed by the national laws - according to the principle of working as a "family associate").

NGO Juventas has a **direct assistance program** for persons at risk of social exclusion and the socially excluded, providing direct confidential, and informed professional and peer support to the user. This program includes assessment of target groups' needs, provision of direct support to clients, which

20 "Guide for the referral and provision of social services to migrants in Montenegro" (2021) IRIS, SoS telephone Podgorica

is reflected in various types of good quality, responsible, culturally and gender-sensitive services, empowerment of clients for self-care, strengthening of different client target groups' capacities for joint action and active participation, as well as continuous monitoring and improvement of support services synchronized with target communities' needs.

In addition, it has **outreach work** which is based on open access and communication with hard-to-reach groups in order to provide them with the necessary support and necessary information. Outreach work includes the distribution of condoms and lubricants; distribution and exchange of safe injection equipment (clean syringes, needles, cookers, medical alcohol, elastic tourniquets, distilled water, etc.); a collection of discarded equipment; referral to HIV (and other STIs) testing; referral to the services we provide within our daily centers as well as available services within the social and health care system; informing target groups about sexually and blood transmissible infections; safe and proper use of the materials we share; informing target groups about the ways to reduce harm, addiction treatments as well as opioid agonist treatments available in Montenegro.

Finally, Juventas has **drop-in centers** which are safe and accessible places with a relaxed atmosphere". Centers foster an environment that respects the autonomy, individuality of each person, and mutual respect. Over coffee or tea, visitors can talk, exchange ideas, expand the network of social support, and get useful information about health and healthy lifestyles. In all Drop-in centers, certain (defined) services are provided without an appointment, and the arrival itself is on a voluntary basis. All employees are governed by the principles of confidentiality, ethics, and the obligation of lifelong learning. Drop-in centers include the provision of the following free-of-charge stationary services:

- distribution of condoms and lubricants;
- distribution and exchange of safe injection equipment (Clean syringes, needles, cookers, medical alcohol, elastic tourniquets, distilled water...);
- referral to HIV (and other STIs) testing;
- referral to available services within the social and healthcare system;
- informing target groups about sexually and blood-transmissible infections;
- safe and proper use of the materials we share;
- informing target groups about the ways to reduce harm, addiction treatments as well as opioid agonist treatments available in Montenegro;
- peer counseling;
- psychological counseling;
- medical counseling;
- legal counseling;
- counseling with a social worker;
- clothes' washing and drying;
- donation of various types of clothing garments;
- shower;
- hairdresser services.

SOS telephone for women and children victims of violence Podgorica

SOS telephone for women and children victims of violence Podgorica provides support for women-migrants and children-migrants victims of violence and domestic violence.

SOS Podgorica is a part of the regional campaign #MigrantsTalkToMigrants focused on irregular migrants on the West Balkan route in the organization of IOM Bosnia and Herzegovina.

NGO „Dobro djelo“

Ukrainian organization „Dobro djelo“ assists temporary displaced persons and refugees from Ukraine that are placed in Podgorica, Bar, Herceg Novi, and Budva in the process of their adaptation to socio-economic, cultural, and educational circumstances in Montenegro.

In cooperation with Help, „Dobro djelo“ supports Ukrainian children by providing language courses for the Montenegrin language due to faster socialization in Montenegrin society.

SOS Line for victims of domestic violence Nikšić

SOS line Nikšić provides support for women-migrants and children-migrants victims of violence and domestic violence through the following services:

- Access to SOS Line for women and children victims of family violence 080 111 111 The line is anonymous, free of charge from all mobile and landline phones, available 24/7;
- Access to Shelter for women and children victims of violence (there is an assistant who speaks Russian and Ukrainian language);
- Psychological support;
- Free legal aid and representation in the court;
- Outreach - teams are informing women and children migrants about their rights as well as services available on the field in 5 towns: Podgorica, Tivat, Budva, Bar, and Kotor.

All services are pro-bono for women and children and available in Montenegrin, Albanian, Russian, Ukrainian, and English languages.

NGO Center for Women's Rights

The Center for Women's Rights provides specialized services for women who have experienced gender-based violence, which include legal assistance, legal representation, mediation with institutions, psychological support, and the accompaniment of a trusted person.

According to the facts mentioned above, the contribution of the Red Cross, NGO Legal Center, NGO Civic Alliance, NGO Juventas, SOS Line for victims of domestic violence Nikšić, NGO „Dobro djelo“, SOS telephone for women and children victims of violence Podgorica and NGO Center for Women's Rights in providing humanitarian, legal, psycho-social and medical support to UASC is significant and irreplaceable.

RECOMMENDATIONS

Even though that theory offers answers for potential situations concerning the UASC and services systematically set out to assist them, there is space for further improvements in order to secure the best interest of the UASC in Montenegro. Also, the lack of translation services in many stages of the procedure significantly complicates the realization of rights in the field of health or educational access.

In accordance, the following issues should be addressed:

- Revise the SOP for professionals working with the UASC, with special attention on children who are victims of human trafficking from 2017 by improving definitions of every individual procedure so it has clearer meanings and instructions and aligning them with the best interest determination principle;
- Develop procedures for fast identification of the UASC and children that are victims of human trafficking;
- Revise the Feasibility study for strengthening capacity for accommodation, protection, and rehabilitation of the UASC and other vulnerable groups of migrants from 2015 with contemporary experiences and practice and in line with international standards;
- Implement training for BP members who are establishing the first contact with the UASC in order to secure their acting in accordance with laws and valid procedures;
- Create an opportunity to establish an inter-sectoral communication system for the exchange of information and data related to the protection of the UASC that will allow thorough planning of interventions while respecting the privacy and confidentiality of the UASC;
- Enhance procedures of international cooperation related to family reunions;
- Establish appropriate arrangements for the protection of the UASC in circumstances when it is not possible for the UASC to be returned to his/her family safely;
- Enable the UASC to express himself about matters concerning him/her, especially concerning his/her reunion with family in accordance to age and maturity;
- Due to the sensitive position of the UASC and their need for everyday competent and sensible guidance, it is needed to enhance the role of guardians and further build their professional and personal competence in assisting the UASC. The appointed guardians should be able to clearly, and sensitively communicate the needs of the UASC and to act proficiently in resolving their needs with the best interest determination as a guiding principle.





