

Vienna, 17<sup>th</sup> February 2015

### **Comments on the Court Decision**

LEFÖ-IBF received information about the verdict of a Montenegrin Court against the former client S. C. Though she was absent she was sentenced to imprisonment for one year because of perjury. We were shocked to hear about this fact.

Being a victim of human trafficking Mrs. C. was referred to our organisation some years ago. She reported the crime to the Montenegrin authorities and was therefore at risk, as the perpetrators involved in her trafficking case might have taken revenge on her and her family. Mrs. C. had also mentioned some high ranking state servants of Montenegro in her statement, which shows her courage on the one hand but added to her risk on the other.

However, the public prosecutor closed the criminal proceedings back then. We do not want to comment on the decision taken at that time. But now criminal proceedings have led to a verdict against our former client because she was seeking for justice for what happened to her. In such a case we have the obligation to react. Not only that a sentence passed in the absence of the accused is alarming. Such verdicts aggravate the fear of victims to report to the authorities, which leads to a decrease in identification of trafficking cases.

LEFÖ-IBF directly assists victims of trafficking in women. Therefore, we had direct contact to Mrs. C. and were able to get an impression of her psychological state after her trafficking experience. Mrs. C. certainly showed severe signs of traumatisation, which could be countered by creating safe and caring surroundings and by intense assistance. Mrs. C. had a very clear and matter-of-fact view of her possibilities and limitations due to the dangers resulting from having been trafficked and having reported the case. She neither denied nor exaggerated the effects of what had happened to her life. So she was able to move on to a safer environment.

Mrs. C. should enjoy common respect considering her courage to report as a victim of trafficking. National and international communities alike have to be aware of the immense additional stress the victims endure if they report such cases of organised criminality. Above all the importance of those testimonies against trafficking in women is to be valued highly. States as well as the international community have the responsibility to treat such victims and witnesses carefully. Predominantly the community of states must not underestimate the requirement to appreciate the victims' and witnesses' contribution to the fight against the felony of trafficking.

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