



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Information received from Monaco on follow-up to the concluding observations on its combined seventh to ninth periodic reports*

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* The present document is being issued without formal editing.



Information provided by the Government of Monaco on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/MCO/CO/7-9)

A. Combating trafficking in persons (para. 22 (c))

1. The Committee requested the State Party to redouble its efforts to improve the identification of human trafficking victims and accelerate the adoption and implementation of the circular on the interdepartmental coordination plan for the identification and care of victims of trafficking in persons.

2. National efforts to combat trafficking in persons, including the identification of victims, are ongoing, driven both by the specific actions of each government department and by enhanced coordination among the various actors involved.

3. Each relevant department takes action within its area of responsibility and contributes directly to combating trafficking in persons through appropriate operational responses, which are already under way.

4. In parallel, the collective approach has taken the form of a draft circular on an interdepartmental coordination plan for the identification and care of victims of trafficking in persons. The aim of the document is to formalize modes of intervention already identified by the departments concerned, while strengthening the network of institutional actors and the scope of individual actions within a multisectoral logic.

5. The draft circular recalls the definition of the offence of trafficking in persons contained in article 4 of the Council of Europe Convention on Action against Trafficking in Human Beings, adopted in Warsaw on 16 May 2005 (henceforth the Warsaw Convention), and repeated in article 8 of Sovereign Ordinance No. 605 of 1 August 2006 (amended) on the implementation of the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, adopted in New York on 15 November 2000. The draft circular then enumerates what constitutes the offence when the victim is a minor and when the victim is an adult.

6. The second section of the draft circular relates to the detection and identification of possible trafficking victims. After discussing the relevance of applying the offence of trafficking in persons – namely, the protection offered by the legal system to victims of trafficking and the possibility, where appropriate, of requesting international cooperation to dismantle transnational networks – the draft circular points out that there is no standard profile for trafficking victims and includes, in an appendix, a list of indicators to facilitate the detection of possible victims. It specifies the steps to be taken when a possible victim of trafficking is detected, then recalls a number of Police Department provisions, in particular those on interactions between the police and victims.

7. The third section of the draft circular recalls the rights of alleged victims of trafficking, who must be informed of these rights by investigative police officers orally and by any other means. Victims should also receive documents from the Assistance for Victims of Criminal Offences Association, the content of which has been approved by Ministerial Decree No. 2015-244 of 2 April 2015. Alleged victims have the right to, *inter alia*:

- Receive reparation for harm suffered;
- Sue for damages in criminal proceedings;
- Receive assistance from government departments or an approved victim support association;
- Access to legal assistance and a lawyer;

- Access to a translator or interpreter.

8. The fourth section of the draft circular addresses the recovery and reflection period for victims provided for in article 13 of the Warsaw Convention. After a brief recapitulation of the purpose of the recovery and reflection period, the draft circular establishes the procedure governing the recognition of this period. For an alleged victim to be granted a recovery and reflection period, the Head of the Police Department must notify the Government Counselor-Minister of the Interior of the possible trafficking case. The Government Counselor-Minister of the Interior must, within 48 hours of the notification, refer the case to the Minister of State for an individual ministerial decision, which is not published in the Official Gazette, granting the alleged victim a recovery and reflection period of at least 30 days, renewable for a total of 90 days. Once the ministerial decision is rendered, the alleged victim receives from the Police Department a certificate attesting to the granting of the recovery and reflection period. No expulsion measure can be enforced with regard to the victim for the duration of this period. The recovery and reflection period can be renewed by the Minister of State, on the recommendation of the Government Counselor-Minister of the Interior based on the advice of the Head of the Police Department, through a reasoned decision. The draft circular establishes, in line with article 13 of the Warsaw Convention, that the Minister of State can end the recovery and reflection period at any time for reasons of public order. Lastly, the draft circular recalls the rights of trafficking victims during the recovery and reflection period, in particular in relation to the available social assistance and support.

9. Owing to the Convention on Good-Neighbourliness of 18 May 1963 between France and Monaco, the fifth and the sixth sections of the draft circular concerning, respectively, the issuance of a residency permit to trafficking victims and the repatriation and return of victims, require the conclusion of a prior administrative agreement with France, to which end the French authorities have been contacted.

10. The seventh section of the draft circular recalls the principle of the presumption of minority, the criminal procedure in the case of unaccompanied minors and the specific protection afforded to children in education, social and privacy matters.

11. In a final section, the draft circular recalls that, to enhance identification capabilities, training must be organized for civil servants and State officials of the relevant departments and awareness-raising programmes must be set up, including for relevant unions and associations.

12. The fact that the interdepartmental circular has not yet been finalized does not prevent actions of this nature from being implemented. For example, a new training course on the identification and protection of victims, designed for anyone who may encounter situations of trafficking in persons, was finalized in October 2025, in collaboration with all the relevant departments. The course deals with all the above-mentioned aspects and will be accessible to all civil servants and State officials, through a dedicated online platform, in 2026.

13. Furthermore, in November 2025, the Department of Justice finalized internal circular No. 2025-47, which deals specifically with the detection, care and protection of alleged victims of trafficking.

14. The internal circular recalls the relevant legal framework and sets out the principles governing the detection and identification of victims. It describes, in particular, the essential role of the Public Prosecution Department, which, either following a report or ex officio when there is evidence of a trafficking situation, ensures that an investigation is systematically initiated.

15. The internal circular addresses, *inter alia*, protection, the rights of victims, support, non-prosecution of victims for any offences committed while under exploitation, protection of confidentiality and specific safeguards for minors. The internal circular also includes a model report designed to harmonize the interviews conducted by the investigative authorities.

**B. Complaints concerning racial discrimination and access to justice
(para. 26 (c))**

16. The Committee recommended that the State Party strengthen the training of law enforcement officials to enable them to deal effectively with cases of racial discrimination.

17. First, regarding the training provided by the Police Department, Police Academy trainees receive training every year in the reception of victims and in the various types of offences, including those related to racial discrimination.

18. Throughout the 10-month course at the Police Academy, the topics of anti-racism efforts and the reception of victims of racism are regularly broached from a theoretical standpoint and through various role-playing exercises.

19. Subsequently, refreshers on and updates of the relevant regulations are regularly provided during the in-service training of active police officers responsible for receiving and counselling victims and recording their complaints.

20. This training is recurring. In recent years, a large share of the police officers referred to in the preceding paragraph have taken part in one or more modules: 14 officers in 2022, 25 officers in 2023, 28 officers in 2024 and between 15 et 20 officers in 2025 (two sessions will be held in December).

21. Persons particularly concerned by the issue of the reception of victims take part in several training modules. In recent years, more than 120 days of training have been conducted.

22. The modules, which each last one day (from 9 a.m. to 5 p.m.) are entitled: “Module 1: Reception of victims of violence – Initiation”, “Module 2: Reception of victims of violence – Further study”, “Module 3: Reception of victims of violence – Exchange of experience” and “Module 4: Reception of victims of violence – Perpetrators”. They are led by the Territorial Director for the Protection of Young People of the Alpes-Maritimes Department (Ministry of Justice of France) and a clinical psychologist from the emergency unit providing specialist psychological trauma consultations at the Pasteur II University Hospital in Nice.

23. In line with the training and awareness-raising programme on the reception of victims, which has been in place for many years, several sessions of these four modules are also planned for 2026.

24. Thus, the reception of victims is carried out 24 hours a day by specially trained police personnel. The Police Department also has two social workers with training in the reception of victims, one of whom is focal point for the reception of persons with disabilities. Specific training on this topic has also been delivered.

25. Secondly, the Department of Justice also runs a training programme for law enforcement personnel.

26. A session on the international obligations flowing from the conventions ratified by Monaco, on United Nations and Council of Europe monitoring bodies and on the inclusion of the topic of discrimination in court activities was organized for judges and prosecutors on 4 December 2025.

27. This training is a first step, to be integrated into an annual cycle to strengthen awareness of the issues of racial discrimination and protection for vulnerable persons.

**C. Complaints concerning racial discrimination and access to justice
(para. 26 (e))**

28. The Committee recommended that the State Party set up a mechanism to collect statistics on complaints of racial discrimination and related offences, disaggregated by ethnic or national origin, as well as on the prosecutions, convictions and sentences to which they have given rise and the reparation awarded to victims.

29. Several years ago, the investigative police division of the Police Department set up a mechanism to receive complaints of hate speech related to individuals' ethnic origin. The mechanism also deals with hate speech related to individuals' sexual orientation, gender identity or religion.

30. Up-to-date tables show, for each year, the number of cases of such acts and the profile of the victims (disaggregated by sex, age and, where relevant, disability).

31. In addition, on 7 January 2025, the Department of Justice issued internal circular No. 2025-01 on statistical reporting, which establishes twice-yearly reporting on judicial investigations in cases of discrimination offences. The mechanism specifies the categories of cases, the sections to fill in and the modes of transmission. It is a direct response to the data structuring and disaggregation requirement set by the Committee.

32. The cases concerned by this statistical reporting mechanism deal with hate speech, incitement to racial, religious, homophobic or gender hatred, to violence on the basis of actual or assumed origin, membership or not in an ethnic group, race or religion and to other categories of offences (e.g. trafficking in persons, rape or sexual assault committed on the basis of the victim's sexual orientation or identity).

33. The information provided includes the number of court cases, victims, investigations opened, disaggregated by stage (preliminary, judicial), discontinuances or terminations of proceedings, criminal responses (alternatives, convictions) and perpetrators convicted.
