



Ministria e Brendshme
Koordinatori Kombëtar kundër
Trafikimit në Njerëz



100 Vjet Shtet Shqiptar

Structures Against Illegal Trafficking In Support of Victims and Potential Victims of Trafficking



Manual on the Implementation of
Standard Operating Procedures for the
Identification and Referral of Victims of
Trafficking and Potential Victims of
Trafficking



FOREWORD

In July 2011, the Government of Albania approved an important document in the fight against trafficking in human beings, “Standard Operation Procedures for the identification and referral of victims and potential victims of trafficking (SOP).”

Pursuant to the implementation of obligations deriving from this important instrument for the identification and protection of victims of trafficking, the Office of the National Anti-Trafficking Coordinator (ONATC), and the International Organization for Migration (IOM), through consultant Ms. Valbona Lenja, in the context of the project funded by USAID “Strengthening Albanian Anti-Trafficking Capacities,” have undertaken the publication of a series of eight brochures, with this one being one of them.

Each of the brochures seeks to help a certain group of professionals to take advantage of the possibilities offered by the SOPs and use their skills and experience to create, together, an environment where the law is implemented and the rights of victims of trafficking are respected.

Contribution to the preparation of the brochures included that by specialists from different and indispensable areas for the system of the identification and protection of victims of trafficking.

Ms. Erjola Hoxha and Ms. Eva Kollobani, Specialist at Sector of the Fight Against Illegal Trafficking, Directory Against Narcotics and Trafficking, Department against Organized Crime and Serious Crimes, helped with the preparation of this brochure.

Supported by the USAID-funded project
“Strengthening Albanian Anti-Trafficking Capacities,” implemented by
IOM.

NOTE

The views of the author expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the U.S. Government and/or the International Organization for Migration (IOM)

What is Trafficking in Persons?

Trafficking in persons means, “*The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.*”¹

Considering the above definition, the trafficking of persons has the following key elements:

1. **Activity** – recruitment, transportation, transfer, harboring and receipt of persons;
2. **Methods** – threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person;
3. **Purpose** – exploitation of a person according to the ways listed in article 110/a of the Penal Code or Article 3 of the Palermo Protocol.²

What is a Victim of Trafficking?

According to letter “e” of article 4 of law no. 9642, dated 20.11.2006 “On the ratification of the Council of Europe Convention “On measures against trafficking in human beings,” a Victim of

1 Law no. 9188, dated 12.2.2004, “On some additions and amendments to Law no. 7895, dated 27.1.1995 ‘Penal Code of Albania,’ amended, article 110/a

2 IOM Manual on direct assistance for victims of trafficking. IOM, 2007

Trafficking in human beings is the person who is the target of trafficking in human beings.

Note!

The determination that a person is “a potential victim of trafficking (PVT)” does not in any way mean that the person was not trafficked; the determination shall only mean that the person has not been identified as a “victim of trafficking (VT)” by the group/structure responsible for formal identification at the border and in the territory (G/SRFI).

In spite of these categorizations, all persons whether they have been identified as potential victims by the institutions that conduct initial identification or identified as victims of trafficking by the responsible structure for formal identification, shall be ensured immediate access to necessary assistance.

Why is it Important to Identify Victims of Trafficking?

The trafficking in persons is an extreme violation of human rights. As such, any failure to discover the committed crime and to identify the victims of trafficking creates the environment necessary for the continuation of the crime and other crimes and the denial of victims’ access to justice. All anti-trafficking actors in Albania and in the world attach special significance to the correct and speedy identification of victims of trafficking because victims of trafficking:

- need specialized assistance and protection;
- most probably have acute physical and mental

problems that illegal emigrants or smuggled persons do not have;

- have suffered severe and serious crimes and most are likely to be currently in danger;
- need special measures necessary to manage risk both to them and to assistance personnel of organizations helping them.

Note!

Only correct identification gives victims of trafficking the possibility to benefit from the following services in accordance with Albanian legislation.

- Victims of trafficking enrolled in an assistance program may receive free legal assistance³.
- Victims of trafficking may be included in the witness or collaborators of justice protection program⁴.
- Foreign victims of trafficking are granted working permit for special type “C” cases for business purposes, for employment, self-employment, or vocational training⁵.
- Victims of trafficking are included among beneficiaries of economic assistance upon departure from social care institutions until the moment of their employment⁶.
- Victims/potential victims of trafficking may be accommodated in special residential centers.

³ Law No. 10039, dated 22.12. 2008 “On legal aid,” Article 13: “Persons entitled to legal aid” ,

⁴ Law No. 10173, dated 22.10.2009, “On the protection of witnesses and collaborators of justice”

⁵ Law No. 9959, dated 17.7.2008 “On foreigners,” Article 60.

⁶ Law No. 10252, dated 11.03.2010, “On some additions to Law No. 9355, dated 10.03.2005 “On social aid and services,” Article 1

Difference between Trafficking and related crimes

Problems most encountered in the identification of victims of trafficking that should be avoided is the failure to differentiate between trafficking and the exercise and/or exploitation of prostitution, or assistance to illegal border crossing (smuggling).⁷

*Trafficking is enslavement. Trafficking refers to all actions that consist in harboring and using an individual for forced services. The essence of trafficking is the forms of enslavement and not the elements of recruitment, movement, hiding, transfer (i.e. elements of movement). All persons involved in the recruitment, transportation, harboring, receipt, or keeping of the person in an enslaving situation are involved in trafficking. If a person is kept in prostitution through psychological manipulation, physical force, deceit...; **he/she is a victim of trafficking. When a person is forced, violated or deceived, or is kept forcefully in prostitution, this person is a victim of trafficking, even if the person initially entered into prostitution upon his/her free will.***

The following table outlines a summary of elements that make the difference between these criminal offences.⁸

Trafficking in persons Articles 110/114 b/128 b of the PC	Assistance for illegal border crossing Article 298 of the PC
Crime against the person.	Crime against the state.
Conducted, among others, also through crossborder transportation.	Conducted only through crossborder transportation.

⁷ Precisely difference between articles 110a and 114a, 298 of the Penal Code of the Republic of Albania.

⁸ ICMPD. *Guidelines for the Development and Implementation of a Comprehensive National Antitrafficking Response*. ICMPD, 2006.

Continued exploitation of the victim.	Ensuring profits in exchange for ensuring illegal entry into another country.
Exploitation relationship continues to maximize profits.	Upon entrance of the illegal emigrant into the desired country, the relationship smuggler – smuggled person ends.
Conducted without the consent/approval of the victim.	Conducted with the free will of the smuggled person.
Conducted to protect human rights.	Conducted to protect the integrity of state borders.

Victim of Trafficking	Person Exercising Prostitution
The person (female, male, minor or adult) conducts, among others, sexual relations for payment, obliged by force, held by force, coerced or deceived, not upon free will or choice. Pushing the person may include physical or psychological elements.	The person (adult female and male) conducts sexual relations for payment not obliged by force, not kept by force, coerced or deceived, but with his/her full free will and choice. ⁹

GENERAL ETHICAL AND SAFETY PRINCIPLES IN RELATIONS WITH VICTIMS OF TRAFFICKING

According to Guidelines of the United Nations High Commissioner for Human Rights and Trafficking in Human Beings “The rights of trafficked persons should be at the center of all efforts to prevent and combat trafficking, to protect, assist and compensate victims.”

⁹ In case of minors, this definition is not applicable. A minor engaged in paid sexual relations is a victim of trafficking.

The following ethical and safety principles in relation to victims of trafficking, integrated into the SOPs, are:

For trafficked girls and women¹⁰:

Do no harm: treat each woman and the situation as if the potential for harm is extreme until there is evidence to the contrary. Do not undertake any interview that will make a woman’s situation worse in the short term or longer term.

Know your subject and assess the risks: learn the risks associated with trafficking and each woman’s case before undertaking an interview.

Prepare information – do not make promises that you cannot fulfill: be prepared to provide information in a woman’s native language and the local language about appropriate legal, health, shelter, social support and security services, and to help with referral if requested.

Adequately select and prepare interpreters and co-workers: weigh the risks and benefits associated with employing interpreters, co-workers, or others, and develop adequate methods for screening and training.

Ensure anonymity and confidentiality: protect a respondent’s identity and confidentiality throughout the entire interview process – from the moment she is contacted through the time the details of her case are made public.

Get informed consent: make certain that each respondent

¹⁰ Source: World Health Organization

clearly understands the content and purpose of the interview, the intended use of the information, her right not to answer questions, her right to terminate the interview at any time, and her right to put restrictions on how the information is used.

Listen to and respect each woman's assessment of her situation and risks to her safety: recognize that each woman will have different concerns, and that the way she views her concerns may be different from how others might assess them.

Do not re-traumatize a woman: do not ask questions intended to provoke an emotionally charged response. Be prepared to respond to a woman's distress and highlight her strengths.

Be prepared for emergency intervention: be prepared to respond if a woman says she is in imminent danger.

For trafficked children

The rights of children envisioned in the Convention for the Rights of the Child represent the principles for all actions with trafficked children. Below are some of them considered key:

Recognize and protect the best interests of the child: in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration.¹¹

Do not discriminate children: respect and ensure the rights set forth in the present Convention to each child without discrimination of any

¹¹ Article 3.1, Convention on the Rights of the Child.

kind irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status.¹²

Recognize and respect the right of the child to be heard and considered in all matters related to the child: assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.¹³

Respect the right of the child to privacy: no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honor and reputation.¹⁴

Specific Duties of Anti-Trafficking Police Officers

SOPs give a leading role to and include specific duties for police officers against illegal trafficking with regard to the identification, referral, and rehabilitating and reintegrating assistance for victims/potential victims of trafficking, whether minors or adults, Albanian or foreign citizens.

Below is a table on the main duties of police officers against illegal trafficking:

¹² Article 2, Convention on Rights of the Child.

¹³ Article 12, Convention on Rights of the Child.

¹⁴ Article 16, Convention on Rights of the Child.









Primary Role



Monitoring Role

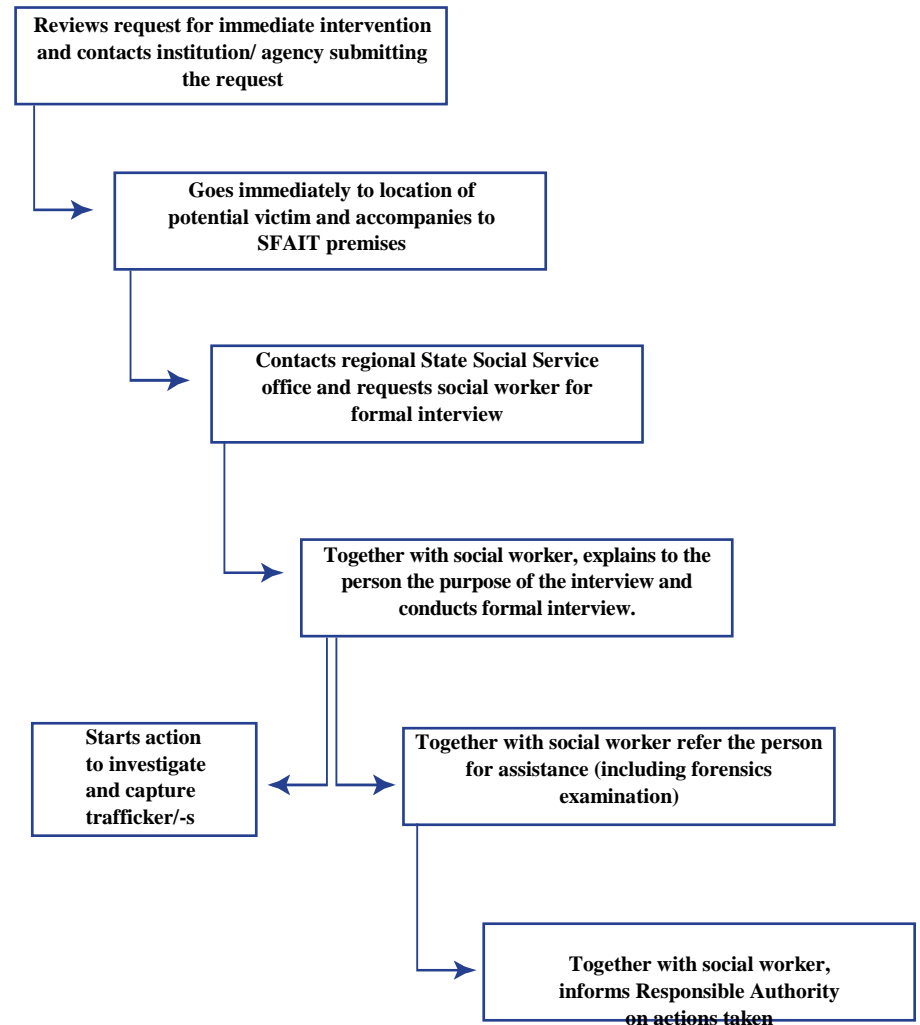


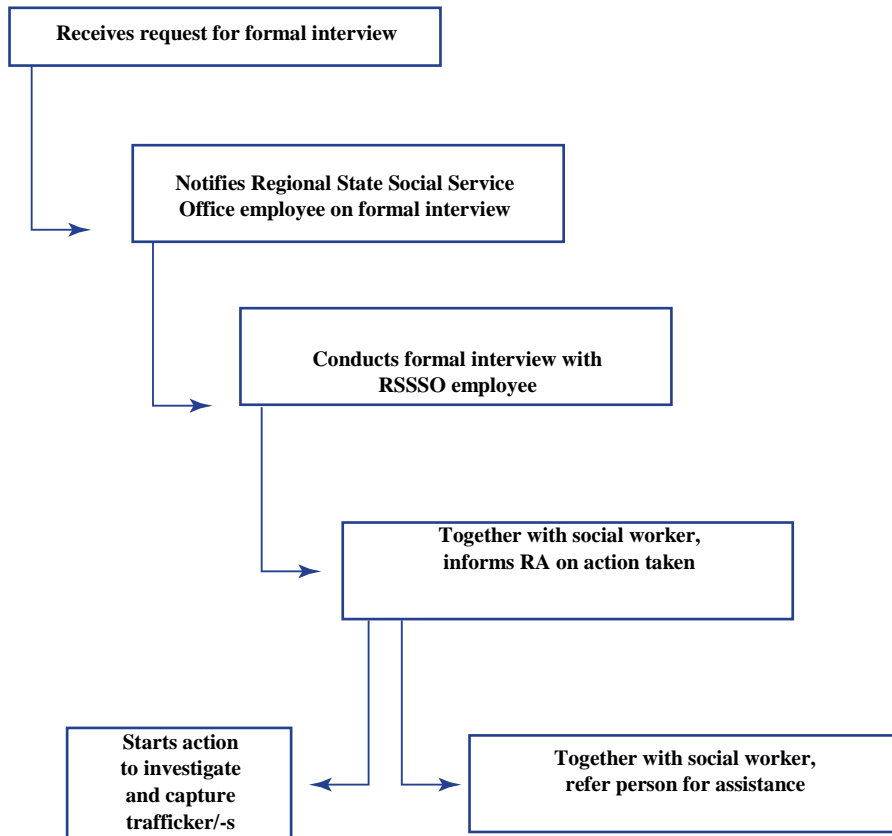
Support Role

Structures they operate in		Duties of Anti-Trafficking Police		
		Initial identification		Rehabilitation / Reintegration assistance
		Initial	Formal	
General Directory of State Police Department Against Organized Crime and Serious Crimes	Anti-narcotics and trafficking directory, Sector against illegal trafficking			
County Police Directories	Anti-Illegal Trafficking police officers			

Summarized schematic view of the role of anti-trafficking police in counties

In case of requests for immediate intervention



In case of request for formal interview**Process of Identification of Victims of Trafficking by Anti-Trafficking Police**

Standard operating procedures divide identification at the border and the territory of the RoA into two main moments: initial and formal identification.

Anti-trafficking police in the counties is one of the two sole structures responsible for the formal identification of victims of trafficking. According to SOPs, the Group / Structure Responsible for Formal Identification at the border and in the territory of the RoA (G/SRFI) is the group/structure that conducts the formal interviewing of persons notified as potential victims of trafficking; the group contains one officer of state police section for the fight against illegal trafficking (SFAIT) and one regional state social service office social worker (RSSSO) carrying out assigned duties according to the law in the county where the person to be formally identified is located presently.

Structures conducting initial identification are different. Their purpose and structures are given in the table below:

Initial Identification

Definition of initial identification at the border and in the territory	Structures Responsible for initial identification	
	In territory	At
<p>The initial identification of victims of trafficking is the entirety of actions undertaken by state and non-state institutions at the border and in the territory of the RoA that makes it possible to determine that a person, minor or adult, is a potential victim of trafficking in human beings.</p> <p>These actions shall include at least:</p> <ol style="list-style-type: none"> 1. Assessment of the situation of persons against trafficking indicators 2. Collection and analysis of initial information about the person's trafficking process 3. Informing the person about his/her rights and assistance available to victims of trafficking and potential victims of trafficking and ways to access assistance 4. Providing first aid to bring the person out of the exploitation network and his/her speedy rehabilitation in a safe environment 5. Notifying the Group/Structure Responsible for Formal Identification (G/SRFI) and 6. Cooperation and coordination to ensure the rehabilitation and reintegration of trafficked persons. 	<ul style="list-style-type: none"> ∨ State police structures, ∨ Social care centers for persons in need, ∨ Shelters for victims of trafficking, ∨ Organizations with assistance programs for persons in need, ∨ Social services offices in the districts, State Labor Inspectorate, ∨ Regional education directories, and regional education offices, ∨ Regional Health Directories ∨ Child protection units in municipalities /communes. 	Border and Migration Police

FORMAL IDENTIFICATION

Formal identification of victims of trafficking at the border and in the territory of the RoA is the identification of a person as a victim of trafficking conducted only by the Group/Structure Responsible for Formal Identification (G/SRFI) according to the formal interview format included in the SOP document.

Formal identification should achieve at least:

1. The determination whether the person is a victim of trafficking, through the collection and analysis of information provided by the person himself/herself,
2. Enhanced assessment of the victim of trafficking person's need for assistance and protection;
3. Provision of instructions and ensuring the trafficked person's access to appropriate and safe assistance,
4. Collection of information and initiation of investigations for the penalization of traffickers.

The formal interview and all actions to determine the status of the person vis-à-vis trafficking shall be conducted at the earliest opportunity upon identification of the person as a potential victim of trafficking in human beings. The formal interview shall be conducted separately from the report of the offence. Even if the person wishes to report the offence, the formal interview shall in no case be interrupted in order to obtain a report of the offence; another time shall be scheduled for that purpose. The formal interview shall be conducted in every case in the premises of the SFAIT, and all necessary arrangements for the formal interview, including the notification of the state social worker, shall be the responsibility of the SFAIT police officer.

Beware!

In order to make a correct identification and referral of victims of trafficking, officers of anti-trafficking police, should:

- *Give priority to protection and assistance*

The prosecution and punishment of traffickers is undoubtedly one of the priorities of police work. Nevertheless, SOPs' main purpose is the identification and referral at the appropriate time of victims of trafficking, adult or minor, for all kinds of exploitation, domestic or international trafficking, connected or not to organized crime. The identification and referral of victims of trafficking according to procedures in this document is done for the main purpose of protecting and offering assistance, and is expected to contribute considerably to the two other pillars of the fight against trafficking in persons, that of prevention of trafficking and punishment of traffickers.¹⁵

- *React fast and efficiently to requests by other institutions for immediate interventions to save and protect victims*

Many of the structures tasked with initial identification do not have the capacities and possibilities of anti-trafficking police to intervene in a timely and proper fashion to stop trafficking and save the potential victims they may identify. Therefore, the SOPs require that agencies of initial identification request immediately verbally and in writing the intervention of anti-trafficking police, which should react quickly to establish contact and take protection measures for the potential victim.

¹⁵ SOP document

Note!

The duty of anti-trafficking police officers is not to doubt the identification conducted by agencies of initial identification, but rather intervene immediately to protect the potential victim of trafficking and make, together with social workers, an enhanced assessment of risk to and the needs of the victims, in order to ensure fast and correct access to necessary services.

- *React sensibly to attitudes of victims of trafficking to identification and provision of assistance*

You should be aware that minor victims of trafficking very rarely would like to be identified as victims of trafficking because:

- They think they are helping their families and not being exploited;
- They fear their parents may be hurt;
- They don't know what trafficking is that that their experience was trafficking and do not know they have a right to assistance;
- They fear revenge against them and their siblings and parents;
- They fear that by being identified, their situation might get worse.

You should be aware that in some cases, offers for assistance may not be welcomed by minor victims of trafficking. In many cases, they have not had experiences of unconditional assistance and therefore may not believe in you. The minor may

not be in such a psychological condition as to understand and accept assistance.

- ***Evaluate risk and always act proportionally to the level of risk to victims of trafficking and persons in contact with them:***

This means that in case of high risk to the victims/ potential victims or persons assisting them, SFAIT employees offer protection during transportation, requested visits, and interviews.

- ***Follow steps regarding SOPs:***

SOPs contain specific steps for formal identification by police against illegal trafficking, considered a member of the Group/ Structure Responsible for Formal Identification (G/SRFI) for two main situations:

A. When the person is identified as a potential victim by officers of Border and Migration Police

The specific steps should be as follows (initially for minors and then for adults, Albanian or foreign).

Note!

Formal identification is only conducted through the interview of the potential victim of trafficking with his/her expressed will and only when conditions exist for a formal interview¹⁶

STEPS FOR MINORS

1. The SFAIT police officer presents him/herself immediately to the Border Crossing Point (BCP) upon notification by the Border and Migration Police officer for the identification of a minor potential victim of trafficking;

2. The SFAIT police officer takes protection measures for the minor by taking him/her to the SFAIT police interviewing premises;
3. The SFAIT police officer summons the other member of the group/structure for formal identification (G/SRFI), the regional social service social worker of the location where the interview will take place;

If the minor is foreign, the SFAIT police officer requests an interpreter (the same as the one used at the border) and signs with him/her the Confidentiality Agreement (Annex 9.1 in SOPs).

4. The SFAIT police officer notifies the minor's parent or custodian to appear before police if the parent or custodian was not present until that time;
5. The SFAIT police officer and RSSSO social worker (G/SRFI) explain to the minor PVT and his/her parent/custodian the purpose of the formal interview, the difference between the interview and the criminal report, ways in which information obtained during the interview will be used, and get permission for the formal interview (Annex 9.2 in SOPs);

If the minor and his/her parent/legal custodian do not agree to conduct the formal interview, or if the SFAIT police officer and social worker (G/SRFI) consider that the interview should be postponed for various reasons, they continue to consider the minor a PVT according to the BMP police officer's determination, and proceed with steps 8 and beyond, upon consultations with the RA and the minor and his/her parent/legal custodian's decision.

6. G/SRFI conducts the formal interview of the minor (with assistance from an interpreter if the minor is foreign) and the parent or custodian, if preliminary information indicates no involvement of the parent/custodian in trafficking or abuse (Format of formal interview of minors Annex 9.3 in SOPs);

¹⁶ See below on conditions for a formal interview

7. G/SRFI conducts an analysis of the interview and concludes on the status of the minor vis-à-vis trafficking and his/her needs for safety and care (Annex 9.4);
8. The RSSSO social worker (G/SRFI member) informs the RA member from MOLSAEO on the minor’s situation and consults with him/her about the minor’s placement in an environment that is appropriate for his/her needs;
9. G/SRFI informs the minor and his/her parent or custodian about assistance that may be provided and helps them make an informed decision about the assistance;
10. G/SRFI helps the minor and his/her parent or custodian to declare in writing their informed decision on assistance (Annex 9.6 in SOPs).

Depending on the decision, proceed with steps 11 and onward

No.	For temporary accommodation at a licensed state or non-state social care institution	For return to the family
11.	G/SRFI contacts the employee of the social care institution suggested/assigned by the RA for assistance and accepted by the minor and his/her parent/custodian and organizes the minor’s safe transportation to the institution;	G/SRFI hand the minor over to the family (Annex 9.7 in SOPs);

No.	For temporary accommodation at a licensed state or non-state social care institution	For return to the family
12.	G/SRFI introduces the minor to the employee of the care center for victims of trafficking or the social care residential center authorized and assigned by the RA;	G/SRFI provides the minor and his/her family members information about where to turn to in case of immediate risk to in the community they live in;
13.	G/SRFI delivers to the employee of the care center for victims of trafficking or the social care residential center for minors a copy of the assessment of the minor’s needs for care and protection, and agree with him/her about communication and further steps for his/her protection;	G/SRFI informs the minor that the RSSSO in the community they live in and the Regional Committee for the Fight Against Trafficking in Human Beings (RATC) of the county where the returned person’s family is located, will be notified about the minor’s situation to ensure further care;
14.	G/SRFI hands the minor over to the employee of the center where the minor will be placed (Annex 9.8 in SOPs);	The SFAIT police officer and the social worker inform the minor and his/her family about the duties of the RSSSO and the Regional Committee for the Fight Against Trafficking in Human Beings in providing and mediating assistance for PVTs and VTs in their place of residence.

No.	For temporary accommodation at a licensed state or non-state social care institution	For return to the family
15.	The SFAIT police officer (G/SRFI) arranges the minor's accompaniment to the accommodation site if it is considered that the minor and persons caring for him/her are at risk during transportation;	Upon conclusion of the interview and the departure of the minor, the G/SRFI drafts a report on the conducted process and sends it to the Responsible Authority (Annex 9.9 in SOPs);
16.	Upon departure of the minor, G/SRFI drafts a report on the conducted process and sends it to the Responsible Authority (Annex 9.9 in SOPs). (If the minor or custodian did not agree to conduct the formal interview or there were no conditions for such an interview, the G/SRFI uses Annex 9.10 for the report to the RA (in SOPs Annex 9.10);	SFAIT police officer takes necessary actions to initiate criminal case against trafficker /traffickers.
17.	SFAIT police officer begins actions to follow the case according to procedures.	

STEPS FOR ADULTS

1. The SFAIT police officer presents him/herself immediately at the BMP upon notification of the Border and Migration Police officer for the identification of an adult potential victim of trafficking;
2. The SFAIT police officer takes the adult identified as a potential victim (PV) at the border to the SFAIT police interviewing premises;

3. The SFAIT police officer summons the other member of the group/structure responsible for formal identification (G/SRFI), the social worker of the regional state social service office of the area where the interview will be conducted;

If the adult is foreign, the SFAIT police officer requests an interpreter (the same as the one used at the border) and signs with him/her the Confidentiality Agreement (Annex 9.1 in SOPs);

4. The SFAIT police officer and social worker explain to the PVT the purposes of the formal interview and the way information obtained during the interview will be used, and get permission for a formal interview (Annex 9.2 in SOPs);
5. G/SRFI conducts the formal interview of the person with assistance from the interpreter (formal interview for adults, Annex 9.11 in SOPs);

If the person does not agree to conduct the formal interview, or if the SFAIT police officer and social worker (G/SRFI) consider that the interview may not be conducted for various reasons, they still consider the person a PVT as defined by the BMP and proceed with steps 7 and onward, upon consultations with the RA and the person's decision.

6. G/SRFI conducts an analysis of the interview and concludes on the person's status vis-à-vis trafficking, and his/her needs for safety and care (Annex 9.4);
7. The social worker notifies the RA member from the MOLSAEO on the person's situation and consults with him/her about the settlement of the person in a location appropriate for his/her needs;
8. The SFAIT police officer and the social worker inform the person about the assistance he/she may be given and help him/her take a decision on assistance (Annex 9.6 in SOPs);

Depending on the decision, work proceeds with steps 9 onwards

No.	For temporary accommodation at a licensed state or non-state social care institution	For return to the family
9.	G/SRFI contacts the employee of the social care institution offered by the RA for assistance and accepted by the potential victim (PVT) or victim of trafficking (VT) and arrange transportation to the institution;	G/SRFI gives the PVT or VT information about where to turn to in case of risk to the community he/she will live in;
10.	G/SPIF introduce the victim of trafficking (VT) or (PVT) to the employee of the care center for victims of trafficking;	G/SRFI informs the person that the RSSSO will be notified about his/her situation as well as informs him/her about RSSSO duties in giving and mediating assistance for PVT and VT in the place they live in.
11.	G/SRFI delivers to the employee of the care center for victims of trafficking a copy of the conclusion/ assessment of the person's needs for care and protection and agree on communication and further steps about help and protection;	
12.	SFAIT police officer arranges the PVT or VT's transportation to the accommodation site if deemed that the person and persons caring for him/her will be at risk during transportation.	

B. When the person is identified as a potential victim by employees of agencies responsible for initial identification in the territory

STEPS FOR MINORS

The formal interview of the minor being assisted in a residential center or assistance program shall be conducted in the presence of the parent or custodian who is not involved in trafficking and of an employee of the agency that identified and is assisting the minor.

1. Upon receipt of the request for formal identification from the agency/institution that identified the minor as a potential victim of trafficking, the SFAIT police officer creates the conditions for a formal interview/identification at the most appropriate time determined by the minor and his/her parent/legal custodian and communicates that to the structure that requested the formal identification and the other member of the Group/Structure Responsible for Formal Identification (G/SRFI), the employee of the regional state social service office (RSSSO) of the area where the interview will be conducted/ region where the potential victim is presently;
2. The SFAIT police officer notifies the parent or custodian of the minor to appear before police;

If the minor is foreign, the SFAIT police officer requests an interpreter and signs with him/her the Confidentiality Agreement (Annex 9.1 in SOPs);

3. The SFAIT police officer organizes the minor's transportation and the case manager if there is one to the SFAIT premises;
4. G/SRFI: The SFAIT police officer and social worker of the RSSSO request information from the case manager (if one is present) on the assessment of the minor's situation, assistance and protection he/she is currently receiving, and

any kind of preliminary concern or advice the case manager has to give about the minor's formal interview in order to avoid obtaining repeated and redundant information;

If the conditions do not exist for a formal interview, or the minor and his/her legal custodian do not wish to be interviewed, G/SRFI proceeds with steps 8 and onwards

5. G/SRFI explains to the minor and his/her parent/custodian (if preliminary information does not indicate the parent or custodian's involvement in trafficking or abuse), the purpose of the interview, the difference between the interview and a criminal report, ways information obtained during the interview will be used, and get permission for the interview (Annex 9.2 in SOPs);
6. The SFAIT police officer and social worker (G/SRFI) conduct the minor's formal interview (with assistance from an interpreter if a foreigner) in the presence of the parent or custodian if preliminary information does not indicate the parent or custodian's involvement in trafficking or abuse, and the case manager if there is one such (Annex 9.3 in SOPs);
7. G/SRFI with help from the parent/custodian and case manager (if one was present during the interview) conducts an analysis of the interview to conclude on the status of the minor vis-à-vis trafficking, his/her needs for security and assistance, and ways to meet these needs (Annex 9.4 in SOPs);
8. The RSSSO social worker informs the RA member from MOLSAEO on the minor's situation and consults with him/her about the minor's settlement in a location appropriate for his/her needs (resettlement if it is deemed that there's a need for the minor's resettlement);
9. The SFAIT police officer and the social worker help the minor and his/her parent or custodian to take a decision and declare in writing their decision about the assistance, (change of

accommodation/settlement, Annex 9.6 in SOPs);

Depending on the decision, proceed with steps 10 and onward

No.	For temporary accommodation in a licensed state or non-state social care institution	For return to the family
10.	G/SRFI contacts the employee of the social care institution offered by the RA for assistance and accepted by the minor and custodian/parent and arranges the minor's safe transportation to the institution;	G/SRFI hand the minor over to the family (Annex 9.7 in SOPs);
11.	G/SRFI introduces the minor to the employee of the care center for victims of trafficking, or the social care residential center for minors, authorized and assigned by the RA;	G/SRFI gives the minor and the parent/legal custodian information about where to turn to in case of risk in the community they live in;
12.	G/SRFI delivers to the employee of the care center for victims of trafficking or the social care residential center for minors a copy of the interview conclusions and agree with him/her about communication and further assistance for and protection of the minor;	G/SRFI informs the minor and the parent/legal custodian that they will inform the RSSSO in their community about the minor's situation;

No.	For temporary accommodation in a licensed state or non-state social care institution	For return to the family
13.	G/SRFI hands the minor over to the employee of the center where the minor is going (Annex 9.8 in SOPs);	G/SRFI informs the minor and parent/ legal custodian about RSSSO duties in providing and mediating assistance for PVTs and VTs in their community.
14.	The SFAIT police officer (G/SRFI) arranges the minor's accompaniment to the place of accommodation in case the minor and caring persons are at risk during transportation;	Upon departure of the interviewed minor, G/SRFI drafts a report on the conducted process and submits it to the RA (Annex 9.9 in SOPs).
15.	Upon conclusion of the interview and departure of the interviewed minor, G/SRFI drafts report for the RA (Annex 9.9 in SOPs);	SFAIT police officer takes necessary actions to initiate penal case against the trafficker/ traffickers.
16.	The SFAIT police officer starts action to follow the case according to procedure.	

STEPS FOR ADULTS

The formal interview of the adult being assisted in a residential center or assistance program is conducted in the presence of an employee of the agency that identified and is assisting the person¹⁷

1. Upon receipt of the request for formal identification from the agency/institution that identified the person as a potential victim of trafficking, the SFAIT police officer creates the conditions for formal interview/identification at the most appropriate time decided by the person and communicates that to the structure that requested the formal interview and the other member of the Group/Structure Responsible for Formal Identification (G/SRFI), the social worker of the regional state social service office (RSSSO) of the location where the interview is to take place/ region where the potential victim is presently;
2. The SFAIT police officer arranges the transportation of the potential victim of trafficking (PVT) and the case manager if there is one such to the SFAIT premises;

If the adult is foreign, the SFAIT police officer requests an interpreter and signs with him/her the Confidentiality Agreement (Annex 9.1 in SOPs);

3. G/SRFI: The SFAIT police officer and RSSSO social worker request information from the case manager (if one is present) on the assessment of the person's situation, assistance and protection the person is receiving presently, and any kind of concern or preliminary advice that the case manager has to give regarding formal interviewing in order to avoid obtaining repeated and redundant information;

¹⁷ This is usually a social worker called a case worker.

4. G/SRFI explain to person the purpose of the formal interview, the difference between the interview and the criminal report, ways in which information obtained during the interview will be used, and get permission for the formal interview (Annex 9.2 SOPs);

If there are no conditions for a formal interview, or the person does not wish to be interviewed, G/SRFI proceeds with steps 7 and onward

5. The SFAIT police officer and the social worker conduct the formal interview of the person with assistance of the interpreter in the presence of the case manager if there is one (Annex 9.3 SOPs);
6. The SFAIT police officer and the RSSSO employee, with help from the case manager (if one was present during the interview), conduct an analysis of the interview concluding on the person's status vis-à-vis trafficking, his/her needs for security and care, and ways to meet those needs (Annex 9.4 in SOPs)
7. The RSSSO social worker informs the RA member from MOLSAEO about the person's situation and consults him/her about his resettlement to a location appropriate for his/her needs if it is deemed that the person's resettlement is needed;
8. The SFAIT police officer and the social worker (G/SRFI) help the person make a decision and declare in writing his/her informed decision on assistance, including resettlement/change of accommodation (Annex 9.6 in SOPs);

Depending on the decision, proceed with steps 9 and onward

No.	For temporary accommodation in a licensed state or non-state social care institution	For return to the family or independent living
9.	G/SRFI contacts the employee of the social care institution offered by the RA for assistance and accepted by the person and arranges the person's safe transportation to the institution;	G/SRFI provides the person information about where to turn to in case of risk in the community;
10.	G/SRFI introduces the person to the employee of the care center for victims of trafficking, or the residential social care center assigned by the RA	G/SPIF informs the person that the RSSSO in his community will be notified about his/her situation.
11.	G/SRFI delivers to the employee of the care center for victims of trafficking or the residential social care center a copy of the interview conclusions and agree with him/her on communication and further steps for the person's assistance and protection;	G/SRFI informs the person about RSSSO duties in providing and mediating assistance for PVTs and VTs in the place the person will live in (including assistance to return to the place of origin in case of a foreign PVT or VT).
12.	The SFAIT police officer arranges the person's accompaniment to the accommodation site in case it is considered that the person and persons caring for him/her are at risk during transportation.	Upon departure of the person, the G/SRFI drafts a report on the conducted process and sends it to the RA (Annex 9.9 in SOPs).

No.	For temporary accommodation in a licensed state or non-state social care institution	For return to the family or independent living
13.	Upon conclusion of the interview and the interviewed person's departure, G/SRFI drafts report for the RA (Annex 9.9 in SOPs).	SFAIT police officer takes necessary action for starting criminal case against trafficker/traffickers.
14.	SFAIT police officer begins actions for following the case according to procedures.	

- ***Conduct interview according to SOPs:***

SOPs make available formats of the formal interview for the G/SRFI and addressing all required issues is an obligation for anti-trafficking police and the social worker.

- ***Document process according to SOPs:***

Main documents to be filled out to document the process and ensure that the minor or adult has been identified and referred correctly:¹⁸

- Confidentiality agreement with interpreter (in case of foreign minor or adult);
- Informed permission for formal interview;
- Conclusion format for formal interview;

¹⁸ All mentioned in the steps except for formal interview formats provided in the Annex of this brochure

- Format of concluding without formal interview;
- Informed decision on assistance;
- Request received for formal identification;
- Document of family or institution taking custody of the minor;

Aside from filling out these documents in all cases, anti-trafficking police should always have an updated:

1. contact list of SFAIT police officers and
2. an official list of interpreters.

SOPs contain formats of some of the documents listed above. In reproducing and filling out formats, officers of the Police Against Illegal Trafficking should ensure that reproduction contain all sections and provide all information required by the standard formats in the SOPs.

Agency	Contacts	What it offers for victims of trafficking	Conditions for assistance

Table for Monitoring Success of the Process According to Responsibilities of Anti-Trafficking Police Officers

Structure	Role in identification	Success indicators	Monitoring institution/structure
	Monitoring initial identification Supporting communication with Responsible Authority	37	
		Number of identified and referred minors Number of minor potential victims of trafficking referred for formal interview	

**Sample Diary of Police Officers on Obligations
Regarding SOPs:**

Date	Given case code	Conducted activities	Documentation	
			File created or added to file	Sent
17. 11.11	A.B.001			
19.11.11	A.L 002			

