



Ministria e Brendshme  
Koordinatori Kombëtar kundër  
Trafikimit në Njerëz



100 Vjet Shtet Shqiptar

# Police Officers of Structures for Minors Protection and Domestic Violence and Sections for the Investigation and Prevention of Crimes 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.*

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### 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*<sup>1</sup>”

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.<sup>2</sup>

The existence of two of the above elements is enough:

1. **Activity** – recruitment, transportation, transfer, harboring and receipt of persons;
2. **Purpose** – exploitation of a minor according to the ways & methods outlined in article 128/b of the Penal Code.

<sup>1</sup> 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.

<sup>2</sup> IOM Manual on direct assistance for victims of trafficking, IOM, 2007

## 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 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 opportunity to benefit from the following services in accordance with Albanian legislation.*

- Victims of trafficking in an assistance program may receive free legal aid<sup>3</sup>.
- Victims of trafficking may be included in the witness and collaborator of justice protection program<sup>4</sup>.
- Foreign victims of trafficking can may be given “C” type special case work permits for business purposes, employment, self-employment, or vocational training<sup>5</sup>.
- Victims of trafficking are included among beneficiaries of

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.

economic assistance upon their exit from social care institutions until the time of their employment<sup>6</sup>.

- Potential victims/ victims of trafficking may be accommodated in special residential centers.

### Difference between trafficking and related penal offences

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)<sup>7</sup>.

*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, deceived, or kept forcefully in prostitution, he/she 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.<sup>8</sup>

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

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

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

<b>Trafficking in persons Articles</b>	<b>Assistance for illegal border crossing Article 298 of the PC</b>
Crime against the person.	Crime against the state.
Conducted, among others, also through crossborder	Conducted only through crossborder transportation.
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	Conducted with the free will of the smuggled person.
Conducted to protect human rights.	Conducted to protect the integrity of state borders.
<b>Victim of Trafficking</b>	<b>Person Exercising Prostitution</b>
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	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. <sup>9</sup>

## 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

<sup>9</sup> In the case of minors, this definition is not applicable. A minor engaging in paid sexual relations is a victim of trafficking.

“The rights of trafficked persons should be at the center of all efforts to prevent and combat trafficking, to protect, assist and compensate victims”.

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

### **For trafficked girls and women**<sup>10</sup>:

- **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 referral 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;

<sup>10</sup> Source: World Health Organization

- **Get informed consent:** make certain that each respondent clearly understands the content and purpose of the interview, the intended use of the information and 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 minors**

The rights of children envisioned in Convention on 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<sup>11</sup>.

<sup>11</sup> Article 3.1 Convention on Rights of the Child.

- **Do not discriminate children:** respect and ensure the rights set forth in the present Convention to each child without discrimination of any 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<sup>12</sup>.

- **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<sup>13</sup>.

- **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.<sup>14</sup>

## **DESIGN OF THE IDENTIFICATION SYSTEM FOR VICTIMS OF TRAFFICKING IN ALBANIA**

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

1. **Initial identification** *and*
2. **Formal identification.**

Below is an outline of the main purposes of initial identification and formal identification as well as the structures that carry out this process:

<sup>12</sup> Article 2 Convention on Rights of the Child.

<sup>13</sup> Article 12 Convention on Rights of the Child.

<sup>14</sup> Article 16 Convention on Rights of the Child.

**Initial Identification**

Definition of initial identification the border and in the	Structures responsible for initial identification	
	In territory	At border
<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"> <li>1. Assessment of the situation of persons against trafficking indicators</li> <li>2. Collection and analysis of initial information about the person's trafficking process</li> <li>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</li> <li>4. Providing first aid to bring the person out of the exploitation network and his/her speedy rehabilitation in a safe environment</li> <li>5. Notifying the Group/Structure Responsible for Formal Identification (G/SRFI) and</li> <li>6. Cooperation and coordination to ensure the rehabilitation and reintegration of trafficked persons.</li> </ol>	<p>State police structures;</p> <p>Social care centers for persons in need;</p> <p>Shelters for victims of trafficking;</p> <p>Organizations with assistance programs for persons in need;</p> <p>Regional social services offices;</p> <p>State Labor Inspectorate;</p> <p>Regional education directories, regional education offices;</p> <p>Regional Health Directories;</p> <p>Municipal/Communal Child Protection Units.</p>	<p><b>STRUCTURES OF BORDER AND MIGRATION POLICE</b></p>

**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 documents.

**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.

**What are the specific duties of police officers of sections for the protection of minors and domestic violence & sections for the investigation and prevention of crimes, pursuant to SOPs?**

SOPs contain specific duties for a series of specialists and professionals of various state institutions, including police officers of structures for the Protection of Minors and Domestic Violence as well as structures for the Investigation and Prevention of Crimes, for the purpose of identification, referral, and rehabilitation and integration or reintegration assistance for victims/ potential victims of trafficking, whether minor or adult, Albanian or foreign citizens.

Below is a table outlining the main duties of police officers of structures for the Protection of Minors and Domestic Violence as well as structures for the Investigation and Prevention of Crimes.



*Primary Role*



*Monitoring Role*



*Supportive Role*

Structure they operate in		Duties of Police Officers: For Minor Protection and Domestic Violence & Crime Investigation and Prevention		
		Initial identification		Rehabilitation and Reintegration Assistance
		Initial	Formal	
General Directory of State Police	Sector of Minor Protection and Domestic Violence			

Structures they operate in		Duties of Police Officers: For Minor Protection and Domestic Violence & Crime Investigation and Prevention		
		Initial identification		Rehabilitation and Reintegration Assistance
		Initial	Formal	
County Police Directories & District Police Commissariats	County Police Deputy Director			
	Sections for Protection of Minors and Domestic Violence & Sections for Crime Investigation and			

**Beware!**

In order to conduct a correct identification and referral, police officers of Minors Protection and Domestic Violence and Sections for the Investigation and Prevention of Crimes should

- *Have and develop interviewing skills*

Interviewing minor victims (*of domestic violence or potential victims of trafficking*) requires a specific engagement and approach by police officers. To ensure a regular interviewing process and obtaining information necessary both for realizing the necessary protection of minor victims and of information necessary to start criminal proceedings, police officers should take into consideration a series of



Circumstances and implement a series of guiding principles, both before the start of the interview and during the minor's interview.

**Note!**

*Circumstances to consider before the beginning to interview minor victims or potential victims of crime (abuse, exploitation, domestic violence, potential victim of trafficking):*

- The age and gender of the minor;
- Racial, ethnic, cultural, religious, linguistic background;
- Minor's communication skills (knowledge - language);
- Emotional state;
- Minor's psychological/mental state;
- Family composition and living conditions;
- Nature of minor's relations with family members.

**While interviewing a minor victim or potential victim of crime (domestic violence or potential victim of trafficking):**

- use any information obtained about the family that could help you make the child feel good and safe and discuss with you about various issues;
- introduce any person participating in the interview to the minor;
- explain to the minor the role of everyone participating in the interview;
- ask minors whether they understand the reasons why you wish to speak with them;
- always demonstrate caution, be kind but avoid touching;
- do not prejudice or display dissatisfaction, anger, or hatred toward persons the minor gives details of abuse or exploitation about; *(your role is to investigate, not pass moral judgment)*

- ask minors whether they feel comfortable when talking about sensitive and maybe taboo issues in the presence of persons participating in the interview;
- use a language level the minor can understand;
- do not try to convince or promise to give anything to minors because he/she is speaking to you;
- explain to minors the way the interview is being recorded;
- ask minors to describe in detail, the way they remember them, the circumstances of the incident including the period before, during, and after the incident;
- try to not interrupt the minor except when you seek to clarify something the minor is telling you;
- avoid instructive or suggestive questions; allow the minor to tell the story in his/her way and quietly;
- allow minors to ask you any questions they deem important;
- before concluding the interview, explain to the minors and inform them about measures you have planned for their protection;
- if it is necessary to conduct another interview, inform them that, depending on the case, you seek and consider the minor's view about the time for conducting another interview.

• ***Use indicators available through the SOP document;***

SOPs require that initial identification in the territory, aside from structures of the Fight Against Illegal Trafficking, be also carried out by police officers of the structures for Minor Protection and Domestic Violence and those for the Investigation and Prevention of Crimes through interviews or observations for purposes of the focus of their work, referring to the following indicators:

Age-group	Primary Indicators	Secondary Indicators
<b>Minors</b>	<ul style="list-style-type: none"> <li>▪ The minor declares that he/she was misused, abused, threatened, exploited and is pleased to have come into contact with persons / authorities that provide assistance and indicates seeking help;</li> <li>• The minor has marks on the body (e.g. bruises), that indicate physical or sexual violence toward him/her;</li> <li>• The begging minor always has an adult nearby watching over him/her;</li> <li>• The minor sells or works;</li> <li>• The minor does not have contact with the family and no blood-related person to take care of him/her;</li> <li>• The minor has been brought to the site/ city or region by an adult or older person he/she is not related to by family;</li> <li>• The unregistered minor stays with adult persons that he/she is not related to by family;</li> <li>• The minor is in the company of persons who exploit or traffic minors.                         <ul style="list-style-type: none"> <li>▪ The minor has no stable residence.</li> <li>▪ The minor sleeps on the street.</li> </ul> </li> </ul>	<p>The minor goes to places known for illegal activities (distribution of drugs, prostitution, exchange of stolen goods, etc);</p> <p>The minor was caught stealing;</p> <p>The begging minor appears neglected: malnourished; dressed inappropriately for his/her age or weather conditions;</p> <p>The minor has an undesired pregnancy;</p> <p>The minor suffers from sexually transmitted diseases;</p> <p>There is data or information that the minor was seen in locations known to be used for sexual exploitation of children, begging, forced work, and other inappropriate places for children;</p> <p>The minor left his/her home in clothes unusual for him/her (inappropriate for his/her age, borrowed from older persons);</p> <p>There is information that the minor receives calls or letters from adults outside the usual circle of social contacts;</p> <p>There is information that adults behaving and acting suspiciously around the place of minor's place of residence;</p> <p>The minor stays out of the residence alone in late night hours;</p> <p>The minor has a much bigger/older boyfriend;</p> <p>The minor has large unjustifiable amounts of cash;</p> <p>The minor has been missing/ absent for a long time but there is no information about it;</p> <p>The minor on the street shows visible signs of neglect and</p>

Age-group	Primary Indicators	Secondary Indicators
<b>Minors</b>		<ul style="list-style-type: none"> <li>▪ The minor has returned after an absence with a changed look that was not because of the legal custodian or parents.</li> </ul>
<b>Adults</b>	<ul style="list-style-type: none"> <li>▪ Person declares he/she has been exploited and seeks help;</li> <li>Person came to a situation of exploitation through abduction or fake promises;</li> <li>Person is forced to remain in an exploitation situation due to threats and violence toward him/her or persons close to him/her;</li> <li>Person has no control over his/her life: movement, shelter, use of income are led and controlled by other persons;</li> </ul> <p>The person's transport, shelter, employment were arranged by persons known to or on whom there are indications they are traffickers or exploiters.</p>	<ul style="list-style-type: none"> <li>• Conditions in which the person worked were harmful to his/her health and life;</li> <li>Someone in business relations with the employer the arranged for the person's job, school;</li> <li>The person was not allowed to choose his/her own shelter;</li> <li>The person pays a large and unjustifiable amount to the employer for his/her shelter;</li> <li>The person is hiding from authorities due to his/her irregular work status;</li> <li>The person has no access to health care;</li> <li>The person has had limited social contacts;</li> <li>The person had no control over his/her privacy and assets;</li> <li>The person has not had access to health information or care.</li> <li>• The person's right to free time and paid holidays was not respected;</li> <li>The person's living conditions did not meet his/her basic hygiene needs;</li> <li>The person does not know the language and his/her way around in the place he/she is.</li> </ul>

**Note!**

*SOPs draw attention to the fact that all state and non-state institutions responsible for the initial identification of victims of trafficking should not consider these indicators an exhausting list of the appearance of trafficking and its consequences, but rather use their professional judgment and continuously refresh their knowledge about any trends in the appearance of trafficking and its effects on persons in the communities they work in.*

- ***Demonstrate sensibility to the attitudes of victim of trafficking to identification and offers for assistance.***

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

- They think they are helping their family and not being exploited;
- They are afraid their parents may be punished;
- They don't know what trafficking is or that their experience was trafficking and they don't know they are entitled to assistance;
- They are afraid of revenge on them, their siblings, and parent;
- They fear that by being identified, their situation might get worse.

You should be aware that in some cases, offers for help may not be welcomed by minor victims of trafficking. In many cases, they have not had experience of being given unconditioned help and therefore may not trust you either. The child may not be in a psychological condition to understand and accept assistance.

- ***Follow steps according to SOPs:***

Below is an adapted extract of SOPs on specific steps and clarifications for police officers of structures for the Protection of Minors and Domestic Violence (PMDV) and structures for the Investigation and Prevention of Crimes (IPC);

1. PMDV and/or IPC officer considers (whether) the minor is a potential victim of trafficking (PVT) using the list of indicators;
2. PMDV and/or IPC officer makes an assessment of the needs of the minor with the participation of his/her parent/custodian (*when deeming that the parent or custodian is not involved in trafficking*) and consults with his/her supervisor to take immediate measures that they judge necessary and possible to stop the exploitation of the minor and his/her safe rehabilitation;
3. PMDV and/or IPC officer informs the minor and his/her parent or legal custodian when deeming that the parent or custodian is not involved in trafficking about the possibilities of assistance for victims of trafficking, including possibilities that formal identification offers;
4. PMDV and/or IPC officer offers and applies possible, appropriate assistance and protection, accepted voluntarily by the minor potential victim of trafficking and his/her legal custodian;
5. PMDV and/or IPC officer notifies immediately verbally and within two days in writing the RA about the steps undertaken to protect the minor and consults him/her about further intervention steps to protect the minor (Annex 9.12)
6. PMDV and/or IPC officer under the guidance of the principal officer cooperates with other agencies for meeting the needs of the minor according to RA instructions;
7. If the minor and his/her custodian wish to be formally

Identified, the PMDV and/or IPC officer presents the request for formal identification to the SFAIT for the arrangement of formal interviewing/identification at the most appropriate time determined by the minor and his/her legal custodian, but not later than a 15-day deadline from the day of the verbal notification of the RA/ admission of the minor in the agency/institution program (Annex 9.15);

Following and implementing these steps by police officers of the structures for the Protection of Minors and Domestic Violence and structures for the Investigation and Prevention of Crimes is carried out during the process of interviewing minors who are accompanied or presented to the police for cases/issues followed by them. So, during interventions or interviewing of minors on issues/cases that have to do with their fulfillment of operational duties, police officers of the structures for the Protection of Minors and Domestic Violence and structures for the Investigation and Prevention of Crimes should keep in mind and consider primary and secondary indicators defined in the SOPs for the initial identification of victims/potential victims of trafficking.

Below are some specific cases as well as the way they were handled and addressed, in the context of SOPs.

**a- In cases when minors suspected as potential victims of trafficking are accompanied by parents or legal custodians, and in the opinion of the police officer, the parent or custodian is not involved in trafficking or any other criminal offence against the minor, officers should:**

- Conduct an assessment of the minor's needs with his/her participation and that of his/her parent or custodian;
- Offer and apply possible assistance and protection;
- Inform the minor and his/her parent or legal custodian about the needs and possibility for formal interviewing by the SFAIT;
- If the minor potential victim of trafficking and the parent or custodian agree to be interviewed by the SFAIT, SFAIT is notified and verbally given the collected information.
- Draft the Request for Formal Interviewing<sup>15</sup> and Information for Initial Notification<sup>16</sup> of the Responsible Authority, with a copy to the SFAIT officer, one copy to the Responsible Authority, and a copy logged with the Secretary's Office.
- If the minor potential victim of trafficking and the parent or custodian does not agree to be interviewed by the SFAIT, Information for the Initial Identification<sup>17</sup> is drafted, with an original copy to the Responsible Authority, one copy to the SFAIT, and one copy logged with the Secretary's Office.
- Notify immediately verbally in all cases the Responsible Authority on measures and actions taken to protect the minor

<sup>15</sup> Annex 9.15 – SOP, Request for Formal Identification

<sup>16</sup> Annex 9.12 - SOP, Format of Initial Written Notification for the RA

<sup>17</sup> Annex 9.12 - SOP, Format of Initial Written Notification for the RA

and, when necessary, consults him/her about further intervention steps.

**b- In cases when minors suspected as potential victims of trafficking are accompanied by the parents or legal custodians, but in the opinion of the police officer, the parent or custodian may be/ are involved in trafficking or other criminal offence against the minor, the police officers should:**

- Conduct an assessment of the minor's needs without the presence or participation of his/her parent or custodian, but always in the presence of a psychologist or social worker:
- Offer and apply possible protection and assistance;
- Inform the minor about the judgment of the officer on the situation, the needs and possibilities for SFAIT formal interviewing;
- Notify SFAIT immediately and verbally notify the Responsible Authority about steps undertaken to protect the minor and, depending on the case, consult with him/her about further intervention steps.
- Draft the Request for Immediate Intervention<sup>18</sup> and Initial Notification<sup>19</sup> of the Responsible Authority, with a copy to the SFAIT officer, one copy to the Responsible Authority, and a copy logged with the Secretary's Office.

**c- In cases when minors suspected as potential victims of trafficking are not accompanied by parents or legal custodians:**

<sup>18</sup> Annex 9.13 – SOP, Request for Immediate Intervention by SFAIT

<sup>19</sup> Annex 9.12 – SOP, Format of Initial Written Notification for RA

- Conduct an assessment of the minor's needs;
- Offer and apply possible protection and assistance;
- Inform the minor about the judgment of the officer on the situation, the needs and possibilities for SFAIT formal interviewing;
- Notify SFAIT immediately and verbally notify the Responsible Authority about steps undertaken to protect the minor and, depending on the case, consult with him/her about further intervention steps.
- Draft the Request for Immediate Intervention<sup>18</sup> and Initial Notification<sup>19</sup> of the Responsible Authority, with a copy to the SFAIT officer, one copy to the Responsible Authority, and a copy logged with the Secretary's Office.
- Cooperate with SFAIT police officers to find and hand over the minor to the parents or legal custodians, or place the minor in the Social Services and Care Centers, in cases when it has not been possible to find and hand over to the parents or legal custodians.

**d- Special cases**

If the police officer and his/her supervisor deem that they are not able to conduct an appropriate assessment and intervene immediately and safely to stop the trafficking and rehabilitate the minor, the agency/institution (A/IRII) does the following:

- Notifies immediately nearest SFAIT police officers and ask that they intervene to verify the situation

<sup>20</sup> Annex 9.13 – SOP, Request for Immediate Intervention by SFAIT

<sup>21</sup> Annex 9.12 – SOP, Format of Initial Written Notification for RA

of the minor and take protective measures for the minor.

- Informs the Responsible Authority immediately about steps undertaken to protect the minor and consults him/her about further intervention steps.
- Drafts Request for Immediate Intervention<sup>22</sup> and Information for Initial Notification<sup>23</sup> of the Responsible Authority, with a copy given to the SFAIT officer, one copy to the Responsible Authority, and one copy logged with the Secretary’s Office.

**Note!**

*Following and implementing steps outlined in the SOP does not exclude the conduct of the interview and of procedural actions or other necessary legal actions for structures for the Protection of Minors and Domestic Violence and structures for the Investigation and Prevention of Crimes to fulfill their functional duties.*

▪ **Documenting the process according to SOPs:**

The main documents to be filled out to document the process and ensure the minor is getting assistance are:

- Statement of Confidentiality if the minor is foreign;
- Information about Initial Notification for the RA/SFAIT (Annex 9.12);
- Request for Formal Interview for SFAIT/RA (Annex 9.15)
- Request for Immediate Intervention for SFAIT/RA (Annex 9.13)

<sup>22</sup> Annex 9.13 - SOP, Request for Immediate Intervention by SFAIT

<sup>23</sup> Annex 9.12 - SOP, Format of Initial Written Notification for RA

- Document of giving over custody for the minor to the *family or institution*; (Annexes 9.7 and 9.8)
- Daily log (*accordingly*).

**Annexes**

**Annex 9.1  
CONFIDENTIALITY AGREEMENT  
(for interpreters)**

I the undersigned (Name, family name)....., identification document no....., interpreter for the..... language, license no....., undertake to interpret correctly and without bias, the communication between the interviewee..... and interviewers, ..... namely employees of the.....

I declare with responsibility that, in accordance with obligations outlined in law no. 9887, dated 10.03.2008 “On the protection of personal data,” I shall not disseminate in any type of form the information of which I become aware during the conduct of this service.

Name, family name, and signature

Date .....

**Annex 9.13****REQUEST FOR IMMEDIATE INTERVENTION BY THE SFATP**

Date:

Subject of request:

1. Name and job description of the agency/institution making the request:
2. Description of the circumstances in which the agency came into contact or established contact with the presumed victim of trafficking:
3. Data available to the agency on the person deemed a presumed victim:

Name, Family Name:

Age:

Residence:

Location:

If a child, names of parents:

If a child, name of the legal custodian if it is not the parent:

4. Description of the circumstances that led the agency to think the person is a presumed victim of trafficking:
5. Description of efforts made by the agency/institution to save or assist the presumed victim:
6. Recommendations issued by the agency/institution on the SFATP police intervention:
7. Name, family name, and contact information for the employee of the agency/institution, which may be contacted by SFATP police officers for further information:

**Annex 9.12****FORMAT OF INITIAL WRITTEN NOTIFICATION TO THE RA  
FOR THE IDENTIFICATION OF AND ASSISTANCE FOR PRESUMED VICTIMS OF  
TRAFFICKING**

Date of notification:

Name of the person that did the identification:

Name of the Agency/structure he/she works in:

(in whose capacity, he/she made the identification):

Address and phone number where the person may be contacted:

Circumstances in which he/she came into contact with the presumed victim:

Data on the presumed victim:

Name Family Name:

Age:

Place of Residence:

If a child, names of parents:

If a child, name of the legal custodian if it is not the parent:

Basis on which the conclusion that the person is a presumed victim was reached  
(elements from the list of indicators)

What first assistance was provided to the presumed victim?

Was the person who is considered a presumed victim asked whether he/she  
wishes to come into contact with the police, give a formal interview?

What did the person say about the formal interview?

If the person wishes to do a formal interview, how may he/she be contacted  
(best time for a formal interview)?What kind of assistance is being given to the person by the  
organization/structure that did the identification?

What other assistance is requested of the RA for the person?

Name, family name, and signature of the employee

Name, family name, signature of senior official/monitor

**Annex 9.15  
REQUEST FOR FORMAL IDENTIFICATION**

1. Name and description of the agency/institution making the request on behalf of the person:
2. Description of circumstances in which the agency came into contact or established contact with the person wishing to be identified as a victim of trafficking :
3. Data available to the agency on the person:  
 Name, family name:  
 Age:  
 Residence:  
 Location  
 If a child, names of persons:  
 If a child, name of the legal custodian if not the parent:
4. Description of circumstances that made the agency think that the person is a victim of trafficking:
5. Description of the assistance the person is receiving:
6. Recommendations by the agency/institution for the formal interview (persons present, time, etc.):
7. Safe transport to be conducted to the place of the interview:
8. Name, family name, and contact information on the person of the agency/institution that will accompany

**Annex 9.7  
STATEMENT OF TAKING THE CHILD INTO CARE**

**By the Family**

I ..... (name, family name), born on ..... (date), in ..... (city and country), with identification document....., number ....., parent/legal custodian of the child; name, family name ..... born on ..... declare today, on ..... (date) that I take him/her to live with me in the address.....

Name, family name, signature of parent/legal custodian:  
.....

Name, family name of the employee giving the child into care  
.....



**Annex 9.8**

**STATEMENT OF TAKING CHILD INTO CARE**

**By care institutions**

I ..... (name, family name), born on ..... (date),  
 in ..... (city and country), identification document  
 ....., employee of the institution .....  
 with the title..... declare today, on..... (date)  
 that I take the child named..... date of birth  
 ....., place of birth .....

whose parent/ legal custodian is ..... and  
 ....., identification number  
 ..... in the institution .....

Name, family name, signature.....

Name, family name, signature of  
child.....

Name, family name, signature of parent/legal custodian allowing the institution  
to take care of the child .....

Name, family name, signature of those present  
.....

Function

Name, family name, signature of interpreter, if  
any.....

**Duties for assistance**

Police officers should know and use the assistance that victims/  
potential victims may receive through other structures outside the  
State Police. The format of the table available below is for noting  
sources of assistance.

Structure	Address	Contact Person	Landline	Mobile
SFAIT				
		32		
INTERPRETER				
SOCIAL WORKER				
RESPONSIBLE AUTHORITY	MoI			
	MoI			
	MoI			
	MOLSAEO			
	MOLSAEO			
	MFA			
	MFA			

**Table ON Monitoring Success of the Process by Police Officers' Responsibilities**

Structure	Role in identification	Success Indicators	Monitoring Institution/structure
Sector for the Protection of Minors and Domestic Violence at General Directory of State Police	Monitoring initial identification	<sup>33</sup> Number of minors identified and referred as potential victims of trafficking by Counties	Directory for Investigation and Prevention of Crimes
	Supporting communication with Responsible Authority	Number of minor potential victims of trafficking referred for formal interview by Counties  Number of cases referred in consultation with RA	at  General Directory of State Police
Section for Protection of Minors & Domestic Violence in County Police Directory & Sections for Investigation and Prevention of Crimes in Commissariats	Institution of initial identification & Referral Institution	Number of minors identified and referred as potential victims of trafficking  Number of minor potential victims of trafficking referred for formal interview	Deputy Director of County Police & Chiefs of Police Commissariats & Chiefs of Sections for Investigation and Prevention of Crimes

