



STANDARD OPERATING PROCEDURES FOR THE PROTECTION OF VICTIMS OF TRAFFICKING AND POTENTIAL VICTIMS OF TRAFFICKING

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Dear friends, colleagues and collaborators,

The Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking (SOP) in Albania is a very important strategic document which provides for special protection, including timely and adequate identification, of victims and potential victims of trafficking, be them adults or children, Albanian citizens, foreign citizens or stateless persons from all types of exploitation, internal or international trafficking, whether or not related to organised crime. The procedures foresee specialised sector and cross-cutting/multidisciplinary interventions, broader involvement in the initial identification and understanding of trafficking in persons by state and nonstate institutions, and most importantly, reintegration of victims and potential victims of trafficking.

This document is the result of long and persisting efforts in the fight against modern slavery and trafficking, and of an extensive process of consultation, training and round tables in 12 regions in the country. The document embodies the contribution, the experience and the commitment of anti-trafficking experts, the State institutions that have the obligation and responsibility in this field, including the State Police, Border and Migration Structures, Ministry of Health and Social Protection, Ministry of Education, Sports and Youth, Ministry for Europe and Foreign Affairs, members of the National Referral Mechanism, Responsible Authority, Regional Anti-trafficking Committee, centres for the reception and reintegration of victims of trafficking, representatives of the Prosecution service, non-profit and national and international organisations operating actively in the anti-trafficking sector.

Moreover, it is in tune and full harmony with the best international standards focusing on the protection of human rights as well as in synergy with the other mechanisms of protection against violence and child protection.

This useful and concise manual will be on the desks of all authorities to guide them in identifying, referring, assisting, protecting and reintegrating victims and potential victims of trafficking.

I wholeheartedly thank all the stakeholders who contributed to the preparation of this document.

Rovena Voda

Deputy Minister of Interior

National Coordinator for the Fight Against Trafficking in Persons

**ON THE APPROVAL OF STANDARD OPERATING PROCEDURES FOR THE PROTECTION OF VICTIMS OF
TRAFFICKING AND POTENTIAL VICTIMS OF TRAFFICKING**

Pursuant to Article 100 of the Constitution, Law No. 8920 dated 11.7. 2002 “On the Ratification of the “United Nations Convention against transnational organised crime” and its two additional protocols”, along with Law No. 9642 dated 20. 11. 2006 “On the ratification of the Council of Europe Convention “On actions against trafficking in human beings”, upon the proposal of the Minister of Interior, the Council of Ministers

DECIDED:

1. to approve the standard operating procedures for the protection of victims of trafficking and potential victims of trafficking according to the text attached to this decision.
2. repeal Decision No. 582 dated 27.7.2011 of the Council of Ministers “On the approval of the standard operating procedures for the identification and referral of victims of trafficking and potential victims of trafficking”.
3. Ministry of the Interior, Ministry of Health and Social Protection, Ministry of Education, Sports and Youth, Ministry of Finance and Economics and Ministry of Europe and Foreign Affairs shall be responsible for the enforcement of this decision.

This decision shall enter into force after publication in the Official Gazette.

PRIME MINISTER
Edi Rama



**STANDARD OPERATING PROCEDURES FOR THE PROTECTION OF VICTIMS OF TRAFFICKING AND POTENTIAL
VICTIMS OF TRAFFICKING**

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1. PURPOSE OF STANDARD OPERATING PROCEDURES

Standard Operating Procedures for the Protection of Victims of Trafficking and Potential Victims of Trafficking, hereinafter the Procedures, are drafted to implement the Strategy for the Fight against Trafficking in Human Beings and its Plan of Action (adopted with DCM No. 814 dated 26. 11. 2014) as well as the Plan of Action for the socio-economic reintegration of women and girls, victims of trafficking (adopted with DCM No. 115, dated 17.2.2016). Their main purpose is the protection, including identification at the appropriate time and manner, of victims/potential victims of trafficking, adults or children, Albanian or foreigner citizens or stateless persons, for all kinds of exploitation, domestic or international trafficking, related or not to organized crime.

Procedures envision situations in which our country, Albania, or certain areas of the country, are used or may be used as countries of origin, transit and destination for the movement and exploitation of victims/potential victims of trafficking, Albanian or foreigner citizens or stateless persons, as well as situations in which victims/potential victims of trafficking of Albanian citizenship, or assumed Albanian citizenship find themselves outside the territory of the Republic of Albania.

The Procedures envision specialised sectorial and cross-cutting/ multi-disciplinary intervention. Their application is an obligation of all state institutions, at the national and local level, working in the country or on state mission abroad. Action in accordance with these procedures is also an obligation for all non-state agencies operating in the territory of the Republic of Albania. At any moment in which they, in the course of their activity, come into contact with a person that they may suspect of being trafficked or be informed to be a victim/potential victim of trafficking, they should immediately contact and consult the Responsible Authority. They also presume cooperation with the counterpart structures in other countries.

The Procedures are based on hitherto experience in enforcing Decision of Council of Ministers No. 582 dated 27.7.2011 “On approval of standard operating procedures for the identification and referral of victims/potential victims of trafficking”, obligations deriving from the “Cooperation Agreement for the Functioning of the National Referral Mechanism for Victims of Trafficking and Potential Victims of Trafficking” (signed in 2012), as well as cooperation agreements, protocols and memorandums among national institutions and between Albanian institutions and those of different countries.

They reflect the restructuring of the Responsible Authority established through the Joint Order No. 3799 dated 8.7.2014¹ “On the establishment of the Responsible Authority for identification, referral, protection and reintegration of victims/potential victims of trafficking”.

The Procedures are drafted in the same spirit of international instruments that address issues of prevention and the fight against trafficking in human being, as well as they reflect recommendations issues for the scope by international bodies such as: UN, DOS, EC, IOM, OSCE, UNICEF, ICMPD, UNODC, etc.

¹ Of the minister of Internal Affairs, minister of Education and Sports, minister of Foreign Affairs, minister of Health, minister of Social Welfare and Youth

2. ABBREVIATIONS

RA	Responsible Authority
A/IRII	Agencies/Institutions Responsible for Initial Identification
A/IRP	Agencies/Institutions Responsible for Protection
RMRA	Relevant Member of the Responsible Authority
SAPRC	State Agency for the Protection of Rights of the Child
DOS	Department of State
LEU	Local Educational Unit
ASP	Albanian Sate Police
RDBM	Regional Directorate for Border and Migration
RDSSS	Regional Directorate of State Social Services
RDH	Regional Directorate of Health
PHD	Public Health Directorate
D/HRA	Director/Head of Responsible Authority
G/SRFI	Group/Structure Responsible for Formal Identification
CATG	Cross-Agency Technical Group
IOM	International Organization for Migration
ICITAP	International Criminal Investigation Training Assistance Programme
ICMPD	International Centre for Migration Policy Development
UN	United Nations
CoE	Council of Europe
NC	National Coordinator against Trafficking in Persons
RATC	Regional Anti-Trafficking Committees
SCLA	State Commission for Legal Aid
MoI	Ministry of the Interior
NRM	Agreement on National Referral Mechanism
MoEFA	Ministry for Europe and Foreign Affairs
MoJ	Ministry of Justice
MoHSP	Ministry of Health and Social Protection
MoESY	Ministry of Education, Sports and Youth
MoFE	Ministry of Finance and Economy
CPU	Child Protection Unit
NARU	Needs Assessment and Referral Unit
UNHCR	United Nations High Commissioner for Human Rights

UN	United Nations Organization
OSCE	Organization for Security and Cooperation in Europe
DRRA	Diplomatic Representations of the Republic of Albania
ODRRA	Officer of Diplomatic Representation of the Republic of Albania
BCP	Border Crossing Point
CPW	Child Protection Worker
SPO	Standard Operating Procedures for the protection of victim of trafficking and potential victims of trafficking
SFAIT	Sector of Fight Against Illegal Trafficking
SSS	State Social Service
UNICEF	United Nations International Children's Emergency Fund
UNODC	United Nations Office for Drugs and Crime
VoT	Victim of Trafficking
PVoT	Potential Victim of Trafficking
ROSSS	Regional Office of State Social Service

3. GENERAL PRINCIPLES

The Standard Operating Procedures for the protection of victims of trafficking and potential victims of trafficking are based on the following guiding principles, which comprise the conceptual framework for the protection of victims/potential victims of trafficking.

1. The approach of standard operating procedures is based on human rights and it is sensitive about the protection of victims/potential victims of trafficking, aiming at their best interest.
2. The protection of the rights of trafficked persons is on the focus of all efforts to prevent trafficking and to protect and reintegrate victims of trafficking, regardless of whether the victim is willing or able to testify in court. Provision of the opportunity to rehabilitate, to restart a normal life is not merely a human obligation of the state, but also a prevention measure against re-trafficking.
3. Any person identified as a victim of trafficking or potential victim of trafficking shall be provided with assistance and free legal aid and shall be guaranteed timely assistance and legal aid chosen by him/her. All procedures related to victims of trafficking or potential victims of trafficking will be carried out at any time while taking serious measures to ensure their safety.
4. The responsibility for the application of standard operating procedures lies with the state institutions, although it is a product of concerted efforts of the government and the organizations providing services for victims/potential victims of trafficking, civil society and international partners. Therefore, state institutions commit themselves to mobilizing the necessary human and financial resources, mainly from their own sources.
5. No anti-trafficking measure shall adversely affect the human rights and dignity of persons, in particular the rights of those persons who have been trafficked, migrants, internally displaced persons, stateless persons, refugees, and asylum-seekers.
6. Standard operating procedures shall take into consideration specifically the special obligation of the state towards children, mainly, the protection of children's rights, conform to the United Nation Convention on the Rights of the Child (1989) and Law No. 18/2017 "On the rights and protection of the child" based on their best interest.
7. The identification and referral for assistance of trafficked persons is done in full coordination and cooperation of all authorities and of government or non-government structures. Identification of victims/potential victims of trafficking will be done not as a goal in itself, but to help and protect them.
8. The application of procedures for identification, referral, and assistance to victims/potential victims of trafficking shall be carried out without any discrimination based on race, colour, language, faith, political or other beliefs, social background or nationality, property, birth or any other status.

9. The voluntary assisted return of victims/potential victims of trafficking shall be ensured and guaranteed by the country of origin and destination, by assessing the situation of persons in the country and family of origin prior to their return and taking the decision of return based on their best interest.
10. The government exercises due diligence in identifying and preventing the involvement of high officials implicated in trafficking and it takes measures for their punishment conform to the legislation in force.
11. Whenever necessary and possible, victims of trafficking shall be offered involvement into the witness protection programme.
12. The participation of organizations providing services to victims/potential victims of trafficking and of the civil society is essential to achieving the targets of standard operating procedures, i.e. protection, prevention and assistance for victims of this crime. All actors, whether state or non-state, including the civil society shall take part in the design and application of anti-trafficking actions, in its monitoring and application, as well as in its regular revision.
13. Civil society organisations, particularly NPO-s play a key role in the fight against trafficking in human beings, and as such, their opinions, viewpoints are reflected on the development and implementation of these Standard Operating Procedures.

4. DEFINITIONS

Victim of trafficking (VoT): shall have the same meaning 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”.

“Potential victim of trafficking” (PVoT) is any person on whom the responsible agencies/institutions for initial identification, given the hints/indicators/in light of specific circumstances of the case deem that at least **three or more** elements constitute reasonable doubt that the person may have been trafficked.

“Child”², is any person under 18 years of age.

“Child in need of protection”³, is any person under 18 years of age, irrespective of having the capacity to act, according to the legislation in force, who may be a victim of abuse, neglect, exploitation, discrimination, violence or any criminal activity, and also the individual under the age of criminal responsibility, who is alleged to have committed or accused of the commission of a criminal offence, and the children in conflict with the law.

“Best interest of the child” is a threefold concept comprising a substantive right, a fundamental interpretative legal principle and a procedural rule. The best interest of the child is a substantive child’s right, that whenever a decision is to be made concerning a child, a group of identified or unidentified children or children in general, the best interest of the child has to be assessed and this interest has to prevail over any other interests of third parties. As a fundamental interpretative legal principle it means that if a legal provision is open to more than one interpretation, the interpretation, which most effectively serves the child’s best the interests should be chosen. As a procedural rule it means that whenever a decision is to be made that will affect a specific child or a group of children, the decision making process must include an evaluation of all possible effects (positive and negative) of the decision on the child and/or group of children concerned⁴.

“Protection for trafficked persons” shall include all actions taken by the staff of central and local institutions, as well as non-state institutions, members or non-members of the National Referral Mechanism for reception, identification and immediate assistance, along with the assistance for a safe rehabilitation and re/integration of trafficked persons in compliance with these procedures. All responsible institutions set out in this document shall contribute to the protection, at all stages, starting from the identification to the full re/integration of the trafficked persons, however, for ease of understanding and reference in this document, protection shall include:

- Initial identification and response
- Formal identification

² Pursuant to Article 3, “Definitions” of Law No. 18/2017, “On the rights and protection of the child”

³ Pursuant to Article 3, “Definitions” of Law No. 18/2017, “On the rights and protection of the child”

⁴ CRC/C/GC/14, http://www2.ohchr.org/English/bodies/crc/docs/GC/CRC_C_GC_14_ENG.pdf,

- Planning and Support for Reintegration
- Planning and Support for assisted voluntary return
- Reception of trafficked persons of Albanian citizenship
- Assisted voluntary return for foreign citizens
- Support for investigation and punishment of traffickers

“Agencies/institutions responsible for protection (A/IRP)” includes all institutions referred to in this document as primary responsible for all actions for the protection of trafficked persons.

“Initial identification and response” shall include the entirety of actions undertaken by state and non-state institutions responsible for the protection of trafficked persons at the border and inland of the Republic of Albania, as well as local and central government institutions, which make it possible to determine that a child or adult person is a potential victim of trafficking in human beings. Means of initial identification consist in **indicators and interviews**: in the event of the presence of elements from the list of indicators in the behaviour and appearance of the persons, then the person shall be subject to the initial interview.

“Formal identification” is the identification of a person as a victim of trafficking, conducted only by the Group/Structure Responsible for Formal Identification (G/SRFI) on the basis of the formal interview format included in this document. The only means of formal identification is formal/official interview.

“Planning and support for rehabilitation and re/integration” is the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of trafficked persons at the border and inland of the Republic of Albania, as well as local and central government institutions (particularly members of RA). These actions should include at least: 1. In depth analysis of the needs of trafficked persons; 2. Development of support plans; 3. Direct assistance for rehabilitation and re/integration/empowerment of the trafficked person; 4. Informing RA on the progress of the support.

“Reception of trafficked persons of Albanian citizenship” means actions of institutions/responsible agencies for the protection of trafficked persons, which ensure reception of trafficked persons/suspected of having been trafficked of Albanian citizenship and the continuity of protection.

“Planning and support for assisted voluntary return” means the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of trafficked persons at borders and inland of the Republic of Albania, as well as local and central government institutions (particularly members of RA), which make possible the safe, voluntary and assisted return of a trafficked person of foreign citizenship to the country of origin. These actions should include at least: 1. Assessing the situation of persons in the country and family of origin before the return; 2. Informing the person or his/her legal guardian about the assessment; 3. Taking the decision of return based on the best interest of the child/trafficked person; 4. Taking measures for assisted/safe return; 5. Ensuring that the trafficked persons will not be prosecuted in their country of return; 6. Ensuring the continuity of treatment of the trafficked person in compliance with his/her needs; 7. Preventing re-victimization/falling prey to trafficking; 8. Making sure the prosecution of traffickers and compensation of trafficked persons.

“Supporting investigation and punishment of traffickers and exploiters” is the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of trafficked persons at the border and inland and outside the territory of the Republic of Albania, as well as local and central government institutions (particularly members of RA), which make possible the collection of information for the investigation and prosecution of traffickers. These actions should include at least: 1. Informing the person and his/her legal guardian about the need of disclosing information on traffickers; 2. Accompanying trafficked persons in formal identification; 3. Informing RA on modus operandi of traffickers.

“Responsible authority” (RA) is a structure established upon the Joint Order No. 3799, dated 8.7.2014⁵ “On the establishment of the Responsible Authority for identification, referral, protection and re-integration of victims/potential victims of trafficking”. The responsible authority consists of representatives from the ministries signatories of the order for its establishment, as well as a representative of the National Coalition of Anti-Trafficking Shelters.

“Relevant Member of the Responsible Authority (RMRA)” is a member of the Responsible Authority who is approached by any professional or staff of institutions and structures depending on the institution that he/she represents regarding victims/potential victims of trafficking. RMRA informs the local structures of the representing institution about his/her position, receives and sends information from the depending institution and structures to the responsible authority, communicates with the director/head of RA, the technical secretariat of RA and other members concerning the needs of cases, guides and monitors actions of the structures for the protection of victims/potential victims of trafficking.

“Director/head of responsible authority (D/HRA)” is the director of Anti-Trafficking and Migration Directorate at the Ministry of the Interior.

“Trafficking indicators” are descriptive elements of the trafficking process that reflect the emergence of effects/consequences of trafficking on individuals of Albanian or foreign citizenship up to the time of drafting of this document. In this document, the indicators are divided into two categories: for children and adults.

“Reviewing and formalizing trafficking indicators” is process undertaken by the responsible institutions and agencies, mainly by the national coordinator or the responsible authority for reviewing the indicators used for the initial identification of victims/potential victims of trafficking based on experience and communication with the local/subordinate structures. Revision shall be made every two years and it will be adopted with an “instruction” of the relevant ministries.

“Basic needs/rights during the initial identification and response and their fulfilment” includes at least basic needs/rights for food, sleep, shelter, medical assistance, psychosocial assistance, communicating with an understandable language, contacting the family etc.

5 Of the Minister of the Interior, minister of Education and Sports, minister of Foreign Affairs, minister of Health, minister of Social Welfare and Youth

“Basic needs/rights of the protection of trafficked persons” includes at least the provision of a free package of services such as: appropriate and safe shelter, psychological and material assistance, access to immediate medical treatment and continuous health care, translation where necessary, counselling and information particularly on legal rights, assistance for appearance and consideration during the prosecution of traffickers, access to education, vocational training and employment.

“Emergency measures of protection”⁶, is a temporary protection measure taken by the director of the responsible authority for social services, removing the child and placing them under alternative care when the child is assessed to be in a situation of high and imminent risk because of abuse, exploitation, neglect or any form of violence and when the child protection worker and state police or prosecution structures have the suspicion or possess facts that the family or the environment where the child stays is not safe for the child.

“Case manager” in this document is the social worker, psychologist or the trained staff assigned for the purpose of assisting and mediating for assistance for trafficked persons. The case manager operates within an advisory group with other professionals, when the need arises to take decisions on the care plan for each person. The case manager, in the case of a child suspected of having been trafficked or identified by the G/SRFI as having been trafficked is the child protection worker at the local unit where the case is being assisted or the social worker of the receiving or rehabilitating centre for victims of trafficking.

“Re/integration of trafficked persons” is the process of recovery and socio-economic inclusion following a trafficking experience. It includes placement in a secure and sustainable environment, access to a reasonable living standard, physical and mental well-being and opportunities for personal, social, economic development and access to social and emotional support. A central aspect of successful re/integration is that of empowerment, supporting victims to develop skills towards independence and self-sufficiency and to be actively involved in their recovery and re/integration.

“Safe and ethical communication with trafficked persons” consists in communication in a safe environment safeguarding the principles of: non-harm, physical security, confidentiality, non-discrimination, clear and understandable communication, tolerance etc.

“Information supporting the investigation” means information that the victim/potential victim of trafficking provides while interviewed by G/SRFI or during the reintegration process, which is passed on to the responsible authority to be further followed by the responsible investigation structures.

“Informed decision” is a decision taken by a person for his/her inclusion in a procedure to assess his/her needs, receive or not a service that meets his/her needs, solely after the person has been informed fully about the procedure, service, and other alternatives for the assessment and fulfilment of his/her needs.

“Trafficking in persons” has the same meaning according to Article 110/a of the Criminal Code of the Republic of Albania.

⁶ Pursuant to Article 55 and 56 of Law No. 18/2017, “On the rights and protection of the child”

“Trafficking of children” has the same meaning according to Article 128/b of the Criminal Code of the Republic of Albania.

“Child” is any person under 18 years of age, in accordance with the criminal and civil legislation in force.

“Witness of justice” is any person who, in his/her capacity as a witness or aggrieved person, makes statements or testifies to facts and circumstances, which represent evidence in a criminal proceeding and who, because of these statements and testimonies, is threatened⁷.

“Trafficker of human beings” is any person sentenced by final decision of the Court for the criminal offence of trafficking in persons.

“Parent” is the person/persons who have given birth or have adopted the child, both or one of them, married or unmarried, or who have recognized the maternity or paternity of the child born out of wedlock.⁸

“Procedural representative” shall be the person assigned by the proceeding authority from the list provided by the Child Protection Unit who shall represent the child procedurally in absence of their legal representative or, in case of conflict of interest between the legal representative and the child, and who shall have the representation rights on behalf of a child in conflict with the law or the child witness/victim with a view to protect the best interest of the child⁹.

“Assistance for illegal border crossing” has the same meaning according to Article 298 of the Criminal Code of the Republic of Albania.

“Unaccompanied minor” means a child, alien, who enters the territory of the Republic of Albania unaccompanied by an adult, according to the Law, and as long as he/she is not taken under the care of such person, or a child who is left unaccompanied upon entry to the territory of the Republic of Albania¹⁰.

“Unaccompanied child” is the child separated by both parents or other relatives and who is not being cared of by an adult person, according to this law¹¹.

“Asylum seeker” is any alien or stateless person who in whatever manner states refusal to return to own country, as well as any alien or stateless person who has filed an application for asylum with the Republic of Albania, on which no final decision has been taken yet.¹²

⁷ Article 3 of law no. 10173, dated 22.10.2009 “On witness protection and justice collaborators”

⁸ Pursuant to Article 3, “Definitions” of Law No. 18/2017, “On the rights and protection of the child”

⁹ Pursuant to Article 3, “Definitions” of Law No. 18/2017, “On the rights and protection of the child”

¹⁰ According to paragraph 31, Article 3, of Law No. 108/2013, “On Aliens”

¹¹ Pursuant to Article 3, “Definitions” of Law No. 18/2017, “On the rights and protection of the child”

¹² According to paragraph “ç”, Article 3, of Law No. 121/2014, “On asylum in the Republic of Albania”

“Registration certificate” is the document issued by the responsible state authority to the alien employed in the Republic of Albania, who is exempt from the obligation to be provided with a work permit.¹³

“Residence permit” is the document issued by the competent authorities according to the Law “On Aliens” authorising and allowing the alien to stay in the Republic of Albania for more than 90 days within 180 days. This permit allows the victim or potential victim of trafficking to recover oneself and be treated according to the physical and mental condition, so as to take a well-informed decision whether or not to collaborate with the justice bodies.¹⁴

“Work permit” is the authorization issued, in accordance with Article 101 of the Law “On Aliens”, by the authority responsible for aliens, for business, employment, self-employment, or vocational training purposes.¹⁵

“Social care services” means the integrated and organised system of benefits and facilities provided by professionals of related fields of public or non-public entities to ensure well-being, independence and social inclusion of individuals and families in need of social care.¹⁶

“State Social Service (SSS)” is the institution under the ministry responsible for social affairs. It shall monitor the implementation of the legislation on social services all over the country, through the central unit structures and regional directorates.¹⁷

“Economic aid” is the support in cash for families and individuals in need, according to the provisions of Law No. 9355 dated 10. 03. 2005 “On social welfare and services”, as amended. Victims of trafficking are included among the beneficiaries of economic aid after they leave the social care institutions, until the time of their employment¹⁸.

“Shelters/centres for victims of trafficking” has the same meaning according to Law No. 121/2016 “On social care services in the Republic of Albania”.

“Database on Victims of Trafficking SIVET” is a database integrated with TIMS, which is the sole official source for statistics related to victims/potential victims of trafficking.

“Criminal report” means referral of facts related to the criminal offence. Criminal reporting by the victim of trafficking, child or adult, as persons aggrieved by the criminal offence, is done on voluntary basis and according to specific definitions in the Criminal Procedure Code.

¹³ According to point 16, article 3 of law no. 108/2013 "On aliens"

¹⁴ According to paragraph 23, Article 3, of Law No. 108/2013, “On Aliens”

¹⁵ According to paragraph 22, Article 3, of Law No. 108/2013, “On Aliens”

¹⁶ According to paragraph 1, Article 3, of Law No. 121/2016, “On social care services in the Republic of Albania”

¹⁷ Article 32 of Law No. 121/2016 “On social care services in the Republic of Albania”

¹⁸ According to Article 5 of law no. Law No. 9355, dated 10.3.2005, “On social welfare and services”, as amended

“Refugee” is any alien or stateless person, who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality or habitual residence, and is unable or unwilling to avail himself of the protection of that country or return to it, as a result of such events, conform to the criteria of Article 1 (A) of the Geneva Conventions.¹⁹

¹⁹ According to letter “d”, Article 3 of Law No. 121/2014, “On asylum in the Republic of Albania”

5. LEGAL FRAMEWORK

International legislation

- Universal Declaration of Human Rights
- Council of Europe Convention on the Protection of Individuals with regard to Automatic Processing of Personal Data
- UN Convention on the Rights of the Child
- European Convention on Human Rights and Fundamental Freedoms²⁰
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography²¹
- UN Convention against Transnational Organized Crime/”Additional Protocol on the “Prevention, suppression and punishment of trafficked persons, particularly women and children”²²
- UN Convention against Transnational Organized Crime/“Protocol against the Smuggling of migrants by land, sea and air”²³
- UN Convention on the Elimination of All Forms of Discrimination against Women CEDAW²⁴
- Council of Europe Convention on “Action against Trafficking in Human Beings”²⁵
- Optional Protocol to the Convention on the Rights of the Child “on the sale of children, child prostitution and child pornography”
- Vienna Convention on consular relations dated 24.04.1963
- The Hague Convention “On Protection of Children and Cooperation in respect of Inter-country adoption”²⁶
- The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children²⁷
- The Hague Convention on the Civil Aspects of International Child Abduction²⁸
- The Hague Conference Convention “On the law applicable to maintenance obligations”²⁹

²⁰ Ratified by law no. 8137, dated 31.7.1996 “On Ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms”, Official Gazette No. 20, publication year 1996.

²¹ Ratified by the Albanian Parliament with Law No. 9834, dated 22. 11. 2007 “On Accession of the Republic of Albania to the Optional Protocol of the UN Convention “On the Rights of Child, on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography”, Official Gazette No. 165, year of publication 2007.

²² Law no. 8920, dated 11.07.2002, Official Gazette no. 41, July 2002.

²³ www.uncij.org/documents/conventions

²⁴ Ratified by law no. 1769, dated 11.05.1994

²⁵ Ratified by the Albanian Parliament with Law No. 9049 dated 20.11.2006 “On ratification of the Council of Europe Convention on action against trafficking in human beings” Official Gazette No. 132, year of publication 2006

²⁶ Adhered by law no. 8624, dated 24.06.2000

²⁷ Adhered by law no. 9443/2005

²⁸ Adhered by law no. 9446/2005

²⁹ Adhered by law no. 10397, dated 17.3.2011

- The Hague Conference Convention “On recognition and enforcement of decisions relating to maintenance obligation”³⁰
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse³¹
- Convention of the Council of Europe “On legal status of children born out of wedlock”³²
- European Convention on the Exercise of Children's Rights³³
- The Hague Conference Convention “On the international recovery of child support and other forms of support family maintenance” (adopted in principle by the Council of Minister, in the meeting of the date 26.05.2011).
- Council of Europe Convention on Action against Trafficking in Human Organs³⁴

Domestic law

- Constitution of the Republic of Albania
- Criminal Code and Code of Criminal Procedure
- Civil Code and Code of Civil Procedure
- Family Code
- Code of Criminal Justice for Children
- Law no. 9695, dated 19.03.2007 “On adoption procedures and the Albanian Adoption Committee,” amended, which envisions regulations on the successful conduct of child adoption procedures, thus leading to avoiding cases of child trafficking
- Law no. 10193 dated 3.12.2009 "On external jurisdictional relations with foreign authorities in criminal matters" which foresees the rules on the strengthening of judicial cooperation in criminal matters, including trafficking
- Law no. 8677, dated 02.11.2000 “On organization and functioning of the judicial police” amended by law no. 10 301, dated 15.07.2010, *which seeks to strengthen the judicial police – prosecutor’s office relationship with a view to achieving efficiency in the fight against organized crime, including trafficking*
- Law no. 10385, dated 24.2.2011 “On mediation in conflict resolution”, as amended, which envisions *that the court or the pertinent state body, within competencies envisioned by law, necessarily invite the parties to resolve a conflict through mediation, particularly in civil and family disputes involving the interests of children.*

Particular attention has been paid to the following in the domestic legislation:

- Criminal Code, Article 110/a “Trafficking of adults” and article 128/b “Trafficking of child”
- Criminal Code, Article 298 “Assistance for illegal border crossing”
- Criminal Code, Article 124/b “Maltreatment of Child”

³⁰ Adhered by law no. 10398, dated 17.3.2011

³¹ Ratified by law no. 10071, dated 9.02.2009

³² Ratified by law no. 10424, dated 02.06.2011

³³ Ratified by law no. 10425, dated 02.06.2011

³⁴ Ratified by law no. 150/2015

- Criminal Code, Article 117 “Pornography”
- Law no. 8610 dated 17.5.2000 "On the prevention of money laundering”
- Law No.8920 dated 11.07.2002 “On Ratification of UN Convention against Transnational Organised Crime and its two Additional Protocols”
- Law no. 9265, dated 29.07.2004 ”On Ratification of European Convention “On the compensation of victims of violent crimes”
- Law no. 9669, dated 18.12.2006 “On measures against domestic violence”, as amended
- Law no. 108/2014 “On state police” amended
- Law no. 108/2013 "On aliens", amended
- Law no. 121/2014 "On asylum in the Republic of Albania"
- Law no. 23/2015 “On external service of the Republic of Albania”
- Law no. 10173, dated 22.10.2009 “On witness protection and justice collaborators”, amended
- Law no. 9917, dated 19.05.2008 “On prevention of money laundering and financing of terrorism”, amended
- Law no. 10192, dated 3.12.2009 “On prevention and striking at organised crime and trafficking through preventive measures against assets”, amended
- Law no. 111/2017 “On state guaranteed legal aid”
- Law no. 121/2016 "On social care services in the Republic of Albania"
- Law no.18/2017, dated 23.02.2017 “On the rights and protection of the child”
- Law no. 10 383 dated 24.2.2011 "On compulsory health care insurance in the Republic of Albania", amended
- Decision no. no. 195, dated 11.04.2007 “On Adoption of standards of Social Care Services at Residential Centres for Trafficked Persons or Persons at Risk of Trafficking”
- Decision no. no. 933, dated 2.07.2008 “On the representation of the Ministry of Interior with a Liaison Officer in Great Britain, Belgium, Italy, Greece, Turkey, Kosovo and Europol”, as amended
- Joint Instruction no. 3799, dated 8.7.2014 “On the Establishment of the Responsible Authority for the Identification, Referral, Protection and Re-integration of Victims/Potential Victims of Trafficking”
- Instruction no. 316, dated 10.2.2010, of the Minister of Labour, Social Affairs, and Equal Opportunities, “On the application of Social Care Service Standards at Residential Centres for Trafficked Persons or Persons at Risk of Trafficking”
- Order no. 293, dated 04.06 2015, of the Minister of Interior “On Treatment of aliens staying irregularly in the territory of the Republic of Albania”
- Service-Order of General Director of State Police no. 871, dated 27.12.2007 “On procedures conducted at the border for the interviewing of aliens and Albanian citizens returned from other countries”
- Memorandum of Understanding of the Ministry of Interior, Ministry of Tourism, Culture, Youth and Sports, and the Presence of the Organization for Security and Cooperation in Europe (OSCE) “On the Promotion and Enforcement of the Code of Conduct for the Protection of Children Against Sexual Exploitation in Tourism” (signed in the year 2007)
- Cooperation Agreement for the Operation of a National Referral Mechanism for victims and potential victims of trafficking in human beings (NRM), signed on 15 June 2012

6. GENERAL EXPLANATION OF THE PROCEDURES AND FURTHER DOCUMENT STRUCTURE

Initial identification and response

1. Definition and responsibilities
2. Actions by sectors

Formal identification

1. Definition and responsibilities
2. Actions by sectors

Planning and Support for Reintegration

1. Definition and responsibilities
2. Actions by sectors

Planning and Support for assisted voluntary return

1. Definition and responsibilities
2. Actions by sectors

Support for investigation and punishment of traffickers

1. Definition and responsibilities
2. Actions by sectors

Forms

Initial identification and response

1. *Definition and responsibilities*

- **“Initial identification and response”** is the set of actions undertaken by state and non-state institutions, local and central, responsible for the protection of trafficked persons at borders, inland and outside the territory of the Republic of Albania, which make it possible to determine that a child or adult person is a potential victim of trafficking in human beings. These actions shall include: 1. Assessing of the situation of persons vis-à-vis trafficking indicators. 2. Assessing the potential/capacities of the institution/organization to take the person immediately out of the exploitation situation. 3. Intervening to take the person out of the exploitation situation/termination of exploitation (on their own or through state police officials) 4. Informing the person about the assessment of the employee for his/her situation, about his/her rights and assistance available by the institution to potential victims of trafficking and victims of trafficking, as well as ways to access assistance provided by institutions for protection of victims. 5. Notifying the Relevant Member of the Responsible Authority (RMRA) or the director/head of responsible authority (D/HRA) and communicating regarding the placement of the person in a safe place fulfilling his/her immediate needs. 6. Supporting the placement of the person in a safe and appropriate environment. 7. Assessing the health situation and referring the person to the health structures. 8. Completing the initial identification documentation and sending them to RMRA. 9. Supporting the formal identification process. 10. Supporting investigation and detention of the traffickers. 11. Continuing provision of protection.
- **Responsible agencies/institution**, at the RoA borders, the responsible authority for the initial identification is the Border Police (green and blue border). The responsible authority for the initial identification in the territory of the RoA includes the state and non-state agencies, such as: NCATS, social care centres for persons in need, organizations running assistance programmes for persons in need, regional offices of state social services, state police structures, the labour inspectorate, schools and educational institutions, social care structures at municipality level. The responsible agencies/institutions for the identification of potential victims of trafficking of Albanian citizenship outside of the territory of RA are the officers of diplomatic representations of RA, as well as other state and non-state agencies working in the area of protection of victims of trafficking.

2. *Actions by sectors*

ALBANIAN STATE POLICE

DEPARTMENT FOR BORDER AND MIGRATION

PROCEDURE AT THE BORDER

Indicators for identification of potential victims of trafficking

Child	Adult
<ul style="list-style-type: none"> • Has crossed or is attempting to cross the border illegally/border checks have been evaded; • Is accompanied by persons who are suspected of smuggling or trafficking; • Does not possess documents/child's documents are false or suspicious; • Looks older/younger than the information in passport suggests; • Does not know the address where he/she will reside; • Has phone numbers for taxi cabs; • Has a record of frequent moves with or without the family inside and out of the country; • Travels with groups of people who are not family and does not have written consent by parents/legal guardian; • Travels with documents of another person; • Comes from countries notorious about trafficking; • Has wounds or scars that show he/she works; • Is wearing ill-fitting clothes for his age; • Displays behaviour that is inappropriate for his/her age, behaves like an adult; • Carries luggage not justified by the purpose of the journey; • Is not registered with the civil registry records; 	<ul style="list-style-type: none"> • Enters or leaves the country, has crossed or is attempting to cross the border illegally/border checks have been evaded; • Leaves the country accompanied by persons who are suspected of smuggling or trafficking; • Enters the country and possesses no travel documents because they has been kept by employer, person he/she has been living with, etc.; • Does not know the address where he/she will be living; • Has phone numbers for taxi cabs; • Has wounds; • Has luggage not justifying the purpose of trip. • Is contradictory with statements during the interview.

<ul style="list-style-type: none"> • Shows fear, is withdrawn; • Does not trust authorities; • Feels calm when in contact with police representatives; • Hides the emigration status; • Tells similar stories (sounding like dictated stories); • Allows others to speak for him/her although he/she is or appears to be old enough to answer himself/herself; • Is extremely alert and smart (child gives answers that show agility and wit beyond the child's age) 	
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PROCEDURE FOR CHILDREN

Duties/actions of the frontline officer and time limits	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (including other RMRA and time limits)
In case of suspicion based on indicators for initial identification, the border officer sends the person suspected of being trafficked immediately to the second line for an interview.	Data is entered into the TIMS system		
Border officer immediately notifies the shift supervisor and/or the investigation specialist and informs them about the findings.	Form A.5	RMRA instructs the employee about actions to be followed	
If the child is a foreign citizen, the shift supervisor and/or the investigation specialist take immediate measures for providing an interpreter.	Form Z.1		
When the child needs immediate medical attention, the shift supervisor and/or the investigation specialist notify immediately the nearest health centre.	Form A.5		Nearest health centre provides medical care to the child without delay
The shift supervisor and/or the investigation specialist provide for immediate communication with the family and fulfilment of	Form A.5		An urgent assessment of the situation is

Duties/actions of the frontline officer and time limits	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (including other RMRA and time limits)
the child's basic needs. They also notify the head of the Border and Migration police station as well as the nearest CPU to attend the interview with the child.			carried out at the place of origin/child's family by the police officer and CPU nearest to the family's residence place
If the child is a foreign citizen, the shift supervisor and/or the investigation specialist immediately/before the interview starts, sign the confidentiality agreement with the interpreter.	This step is documented with forms A.5 and Z.1		
The shift supervisor and/or the investigation specialist interview the child together with the CPU and parent/legal guardian, where present, and provided that there is no suspicion of involvement with trafficking or exploitation of the child. They carry out the first assessment of child's needs, including risk assessment, if any, from the child's family or other persons.	This step is documented with form A.5 and the notes on the interview form with the child A.2		CPU ensures their presence during the interview and follows the case. In case of high and immediate risk, upon proposal of the CPU and based on the decision made by the relevant Structure for social services at the municipality, the child is put under immediate protection and is referred for alternative care. If the child is referred to an emergency/residence centre, CPU notifies one of the nearest emergency centres

Duties/actions of the frontline officer and time limits	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (including other RMRA and time limits)
When the interview is over, the shift supervisor and/or the investigation specialist fills in the records for handing the child over to the CPU/parent/legal guardian if they are not involved in trafficking, or to the member of NRM.	This step is documented with forms A.5 and Z.5 or Z.6		
Depending on the decision taken, the shift supervisor gives/hands the child over to: the responsibility of CPW or the institution referred by the RA (institution) or the family.	This step is documented with forms A.5 and Z.5 or Z.6		CPW communicates with the head of sector
By the end of the shift, shift supervisor and/or investigation specialist writes the notification for the protection/identification and sends it electronically to the RMRA.	Notification form on initial identification A.5 TIMS National Electronic Register for Foreigners	RMRA sends it to the RA secretariat.	
Shift supervisor and/or investigation specialist immediately notify the Local Police Directorate/local structures for investigation of illegal trafficking and the RA member, following with written notification. Once they receive the information, the local structures for investigation of illegal trafficking carry all the relevant procedures for assessing and verifying the information and then they inform the RMRA.	Written information	RMRA sends it to the RA secretariat Deadline: Immediately	

PROCEDURE FOR ADULTS

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion based on indicators for initial identification, the border guard sends the suspected person immediately to the second line for an interview.	Data is entered into the TIMS system This step is documented with form A.5	RMRA instructs the employee about the actions to be followed for handling the case	
If the adult is a foreign citizen, the shift supervisor and/or investigation specialist immediately/before the interview sign a confidentiality agreement with the interpreter.	This step is documented with form A.5 This step is documented with form A. and Confidentiality Agreement for the Interpreter (Form Z.1)		
If the shift supervisor and/or the investigation specialist find that the adult needs immediate medical attention, they notify immediately the nearest health centre.	This step is documented with form A.5		Health centre provides medical care to the adult.
The interviewer does the interview and makes the first assessment of needs including risk assessment; If indicators suggest that the adult is a victim of trafficking, the RSSSO and the representative of the local structures for investigation of illegal trafficking are notified immediately.	This step is documented with form A.5 and notes on the interview form (form Z.3 The Form of the Interview with adults)		
The shift supervisor or the investigation specialist informs	This step is		

<p>the person of the assistance that can be provided, facilitates communication with the employees of the residential centre, if the latter is present, and depending on the decision of the person:</p> <p><i>For the person deciding to be placed to a safe centre:</i> informs the person and communicates with the employee of the centre regarding the necessary actions for protection.</p> <p><i>For the person deciding to stay with own family:</i> gives them information about access to assistance as needed.</p>	<p>documented with form A.5 and Form Z.4 statement of informed decision for assistance</p>		
<p>At the end of the shift, the shift supervisor or the investigation specialist that has conducted the initial interview makes the notification for identification and sends it electronically to the RMRA, and enters the data into the TIMS system.</p>	<p>Notification form on initial identification A.5 TIMS National Electronic Register for Foreigners</p>		
<p>Shift supervisor and/or investigation specialist immediately notify the Local Police Directorate/local structures for investigation of illegal trafficking and the RA member, following with written notification. Once they receive the information, the local structures for investigation of illegal trafficking carry all the relevant procedures for assessing and verifying the information and then they inform the RMRA.</p>	<p>Written information</p>	<p>RMRA sends it to the RA secretariat Deadline: Immediately</p>	

PROCEDURE IN THE TERRITORY

- **Indicators for identification of potential victims of trafficking inland**

Child	Adult
<ul style="list-style-type: none"> • Has entered illegally, evading the border crossing point; • Has been assisted by persons exploiting the child to enter the country; • Is not accompanied or is separated/has entered without the parents or has been left alone after entry into the territory, or has entered alone, or unaccompanied but is with his/her relatives; • has been claimed by someone who is taking care of the child that he/she found the child alone and wanted to help; • The person who is taking care of the child is suspected of trafficking or smuggling children; • Lack of documents proving the connection between the child and person accompanying him/her; • tells a familiar story (sounds like he/she has been instructed); • lacks documents/documents are false/suspicious or have expired; • carries out illegal economic activity; he/she works before reaching the age allowed to work, or does jobs that are dangerous, works at night, etc.; • The adult who takes care of the child, who the child lives with, has not tried to obtaining residence permit for child or has evaded regulation of residence; • stays with individuals or groups that are suspected of illegal activity; • does dangerous jobs, works at night; 	<ul style="list-style-type: none"> • Person's entry into the territory and his/her stay have been facilitated by people who have employed or are exploiting him/her; • Person tells a story of entry into Albania that has already been heard before, as if instructed to do so; • Documents for entry and stay are false or expired, for reasons beyond person's control; • Entry of person into Albania has been facilitated by agency with suspicious records; • Person's entry has been illegal – evading the border crossing point.

<ul style="list-style-type: none"> • does not possess own document, despite the fact that the child can take care of this himself; • is in poor health because of the economic activity he/she conducts and because of maltreatment (malnutrition, lack of nutrition, etc.); • Shows fear, is withdrawn; • does not trust the authorities; • Allows others to speak for him/her although he/she is old enough to answer. 	
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PROCEDURE FOR CHILDREN

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If border and migration police officer suspects of a trafficking case based on the initial identification indicators, he/she immediately contacts RMRA and notifies the CPW/CPU which covers the territory where the child has been identified.	This step is documented with form A.5	Instructs the employee for case referral. As soon as form is received, he/she notifies the RA secretariat.	
If they find that the child needs immediate medical assistance, they instantly notify the nearest health centre.	This step is documented with form A.5		Nearest health centre provides medical care to the child without delay
Provide for instant communication with the family, in compliance with the child's basic rights.	This step is documented with form A.5		

<p>The Border and Migration police officer conducts the interview with the child and does the initial assessment of his/her needs, including risk assessment if the child is:</p> <ul style="list-style-type: none"> • child potential victim of trafficking; • unaccompanied child in need of international protection; • unaccompanied child in need of protection; • child in need of protection: abused, violated <p>Upon completion of the actions mentioned above, the interview is interrupted and the CPU and the police investigator for illegal trafficking at the ASP are notified immediately.</p>	<p>This step is documented with form A.5 and A.2</p>		
<p>If the child is a foreign citizen, the border and migration police officer starts with procedures for issuing the residence permit for the child³⁵.</p>	<p>Documents for the child's temporary residence permit "A" or residence permit "B" by the responsible local authority for border and migration. Notifies RMRA via email</p>	<p>RMRA informs the RA secretariat about actions taken to obtain the residence permit</p>	
<p>Once the interview is over, the border and migration police officer organizes a meeting/discussion to evaluate the best interest of the child, in the presence of the child, if age and maturity permit, of the parent or legal guardian</p>	<p>This step is documented with form A.5 and Form Z3)</p>		
<p>Depending on the decision taken, the border and migration police officer sends the child for care to: CPW or institution sent by the RA, or family.</p>	<p>This step is documented with form A.5 and Z.5</p>	<p>RMRA communicates with the institution to send the representatives</p>	
<p>At the end of the shift, the border and migration police officer who has conducted the initial interview makes the notification for identification and sends it electronically to the RMRA, and enters the data into the TIMS system.</p>	<p>Notification form on initial identification A.5 TIMS National</p>	<p>RMRA sends it to the RA secretariat</p>	

³⁵ Article 54 of law 108/2013 "On aliens"

	Electronic Register for Foreigners		
Shift supervisor and/or investigation specialist immediately notify the Local Police Directorate/local structures for investigation of illegal trafficking and the RA member, following with written notification. Once they receive the information, the local structures for investigation of illegal trafficking carry all the relevant procedures for assessing and verifying the information and then they inform the RMRA.	Written information	RMRA sends it to the RA secretariat Deadline: Immediately	

PROCEDURE FOR ADULTS

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the border and migration police officer suspects of a trafficking case based on initial identification indicators, he/she contacts the RMRA immediately.	This step is documented with form A.5	Instructs the employee for case referral. As soon as form is received, he/she notifies the RA secretariat.	
If the border and migration police officer finds that the adult needs immediate medical attention, he/she instantly notifies the nearest health centre	This step is documented with form A.5		Nearest health centre provides medical care to the adult without delay
Border and migration police officer conducts interview with the adult and carries the initial assessment of needs, including risk assessment if any, from the adult's family or other persons. After taking these actions, he/she instantly notifies the RSSO and	This step is documented with form A.5 and notes kept on the interview form (form Z.3 Interview format with adults)		

the police investigator for illegal trafficking at the ASP for referring the case.			
If the potential victim of trafficking is a foreign citizen, the border and migration police officer starts with procedures for obtaining residence permit for him/her ³⁶ .	Document of temporary residence “A” or residence permit “B” for the potential victim of trafficking, issued by relevant local authority of border and migration Notifies RMRA via email	RMRA informs the RA secretariat about actions taken to obtain the residence permit	
At the end of the shift, the border and migration police officer makes the notification for identification and sends it electronically to the RMRA and enters the data into the TIMS system.	Notification form on initial identification A.5 TIMS National Electronic Register for Foreigners	RMRA sends it to the RA secretariat.	
Shift supervisor and/or investigation specialist immediately notify the Local Police Directorate/local structures for investigation of illegal trafficking and the RA member, following with written notification. Once they receive the information, the local structures for investigation of illegal trafficking carry all the relevant procedures for assessing and verifying the information and then they inform the RMRA.	Written information	RMRA sends it to the RA secretariat Deadline: Immediately	

³⁶ Article 54 of law 108/2013 “On aliens”

OTHER ALBANIAN STATE POLICE STRUCTURES

•Indicators for identification of potential victims of trafficking

Child	Adult
<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has moved without having been registered with the civil registry office; • Leaves the house frequently; • himself/herself, his/her parents and siblings have often contacted the police because of exposure to violence or having been violated; • Has a limited number of contacts; • Spends most of the time in the street selling, begging, working; • The child's earnings from begging, work, or other activity have been taken; • Has been caught performing illegal activity and is suspected of being pushed by other older persons; • Is employed illegally or does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activities; • Shows fear, is withdrawn; • Does not trust authorities; • Tells familiar story, apparently learned by heart; • Allows others to speak for him/her although he/she is and appears old enough to answer. 	<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has a limited number of contacts; • Is employed illegally/does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activity; • Is forced to work under certain conditions; • Comes from a country known as country of origin; • Cannot show identification document; • Allows others to speak for him/her; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Does not have access to medical care.

PROCEDURE FOR CHILDREN

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
Police officer meets a child and reaches the conclusion that his/her situation contains indicators of child trafficking ³⁷ .	This step is documented with form A.5		
The officer makes the needs assessment of the potential victim of trafficking, he/she offers and provides assistance and available protection, appropriate, and agreed upon voluntarily by the potential victim of trafficking as well as the parent or legal guardian (<i>if the officer deems that the parent or the legal guardian has not been involved in trafficking or other criminal offences</i>).	This step is documented with form A.5		
The officer informs the potential victim of trafficking, as well as the parent or the legal guardian (<i>if the officer deems that the parent or the legal guardian has not been involved in trafficking or other criminal offences</i>) about the possibility of assistance for the victims of trafficking, including the possibilities provided by the formal identification.	This step is documented with form A.5		
If during communication with the child up to this moment no social worker or psychologist has been present to interview the child, be it from the police or other institutions, or no interpreter has been provided in the case of a foreign child, the chief of police station communicates with the child protection structures at the municipality and asks them to send a CPW to attend the interview with the child.	This step is documented with form A.5 and the confidentiality agreement Z.1		Child protection structures at the municipality send a CPW.

³⁷ The child might be inside the police premises or outside. The police officer is interviewing a child who has been found committing an illegal activity

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
The police officer who has accompanied the child, or another police officer assigned by the chief of the police station, <i>conducts the initial interview with the child or applies the differential</i> together with the CPW and social worker or psychologist of the police structures, in the presence of the parent, if there is no indication that the parent is involved in trafficking, in violation of the child's rights, or child's illegal behaviour or that the presence of the parent affects child's emotional state.	Interview with the child A.2 or Differential A.3		
Once the interview has finished, the police officer arranges a meeting/discussion for the evaluation of best interest of the child. Together with the CPW, the psychologist or social worker, the parent or legal guardian if they are present, will analyse the findings of the interview and make a decision for urgent measures/protection measures.	This step is documented with form A.5 and the form of documentation of the evaluation and decision in the best interest of the child (form Z.3)		
The police officer hands the child for care/further actions to the CPW and performs all the procedures for which they have agreed upon. If outside of office hours, he/she notifies the emergency protection service, which offers 24-hour service, based on the relevant legislation.	This step is documented with form A.5 and Z.5		CPW hands the child to the parent, guardian, or puts the child in emergency or alternative care
At the end of the shift, the police officer who has conducted the initial interview writes the notification for identification and sends it electronically to the RMRA.	Notification form on initial identification A.5	RMRA sends it to the RA secretariat	

PROCEDURE FOR ADULTS

Duties/actions of the frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA) and time limits
If police officer finds indicators of trafficking during the interview, he/she evaluates the situation and gives his/her professional judgement whether there is a case of potential victim of trafficking.	This step is documented with form A.5		
The police officer makes the needs assessment for the potential victim of trafficking, offers and provides assistance and available protection, appropriate, and agreed upon voluntarily by the potential victim of trafficking.	This step is documented with form A.5		
The police officer informs the potential victim of trafficking of the availability of assistance for victims of trafficking, including the possibilities provided by the formal identification	This step is documented with form A.5		
The police officer invites or accompanies the person who is outside the police premises to the police premises for the initial or formal interview.	This step is documented with form A.5 if applicable		
If person does not want to be interviewed by the police, police officer gives him/her the contact details or instructs the person to approach the state social services or the local social services at the municipality, and the police officer immediately notifies the illegal trafficking sector, to which he/she sends all the information necessary to locate the suspect and the traffickers.	This step is documented with form A.5		
If the potential victim of trafficking gives his/her consent for formal identification, he/she fills and files the “Request for Formal Identification” with the Section of Investigation of Illegal Trafficking at the	This step is documented with form A.5		

Duties/actions of the frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA) and time limits
ASP. They in turn arrange for the interview for formal identification at the most appropriate time agreed upon by the potential victim of trafficking.			
If the potential victim of trafficking is a foreign citizen and the presence of an interpreter is needed, the “Confidentiality Statement” has to be filled.	This step is documented with form A.5 and Z.1		
The Police officer informs the person of the assistance that can be provided, facilitates communication with the employees of the residential centre, if the latter is present, and depending on the decision of the person: <i>For the person deciding to be placed to a safe centre:</i> informs the person and communicates with the employee of the centre regarding the necessary actions for protection <i>For the person deciding to stay with own family:</i> gives them information about access to assistance as needed.	This step is documented with form A.5 and Form Z. 4 and statement of informed decision for assistance		
At the end of the shift, the police officer makes the notification for identification and sends it electronically to the RMRA and enters the data into the TIMS system.	Notification form on initial identification A.5 TIMS National Electronic Register for Foreigners	RMRA sends it to the RA secretariat.	
The police officer prepares a document with the information that is relevant for the investigation and sends it to the chief of the police station.	This step is documented with the Form of Notification on initial identification A.5		

EDUCATION SYSTEM INSTITUTIONS

- **Indicators for identification of juveniles victims/potential victims of trafficking**

- Wounds as a result of an attack;
- Frequent change of partners;
- Begging;
- Moving in expensive cars;
- Involvement in jobs that are inappropriate for their age;
- Carrying or selling illegal drugs;
- Staying with males over 40 years, who are involved in trafficking;
- Showing fear or anxiety;
- Lacking concentration during classes;
- Talking on the phone for long hours;
- Atypical behaviour for their age;
- Low self-esteem;
- Target of name-calling, discrimination;
- Social isolation/lacking social interaction or limited social interaction;
- Lacking carefree communication with others;
- Having no friends outside of school;
- Abuse in the family;
- Feeling left out from other children in their family;
- Missing one or both parents;
- Lacking parental authority;
- Abandonment, leaving the family;
- Disciplined through punishment;
- Poor economic conditions;
- Inappropriate dress for school environment;
- Very expensive mobile phones (not consistent with family conditions);
- Moving from one place to another to work, earn money;
- Frequent skipping of classes.

PROCEDURES FOR CHILDREN AND YOUNG ADULTS

Duties/actions for teachers/educational staff/social workers/school psychologists and time limits	Documentation by teachers/educational staff/social workers/school psychologists	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
<p>If the teacher/educator receives information about a child in potential trafficking situation (evaluates that information against the indicators), he/she immediately notifies, respectively, the following:</p> <ul style="list-style-type: none"> • Teacher – school psychologist or social worker and the school principal • Psychologist or social worker – school principal and principal teacher • School principal – psychologist or social worker and principal teacher 	<p>This step is documented with form A.5</p>		
<p>Teacher, psychologist or social worker and school principal together decide who will interview the child (principal teacher, another teacher, psychologist/social worker) and whether the parents or the legal guardian should be present at the interview.</p>	<p>This step is documented with form A.5</p>		
<p>If they find that the child needs immediate medical attention, social worker/psychologist notifies the parent/legal guardian and takes the child immediately to the nearest health centre.</p>	<p>This step is documented with form A.5</p>		<p>Nearest health centre provides medical care to the child without delay</p>
<p>Teacher or psychologist, or social worker (the designated interviewer) meets the parent or legal guardian and collects information in preparation for interviewing the child. They also receive consent to interview the child.</p>	<p>Form Z.6</p>		

Duties/actions for teachers/educational staff/social workers/school psychologists and time limits	Documentation by teachers/educational staff/social workers/school psychologists	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
Teacher or psychologist, or social worker (the designated interviewer) conducts interview with the child and parent or legal guardian.	Form A.2		
When an interview cannot be conducted because the child or the parent do not give consent for an interview, or the child does not give information, the school principal contacts the CPW and informs them about the situation of the child/asks for immediate intervention.	Form A.1		
The interviewer notifies the school principal and parent or legal guardian about the conclusions from the interview – parent or guardian are informed about/reminded of the obligation of school staff to report child abuse. ³⁸	This step is documented with form A.5		
The school principal notifies the LEU and this in turn notifies the RMRA about the identification.	This step is documented with form A.5	RMRA contacts the school directly and evaluates the need for involvement of other members of the RA for the protection of the child	
School staff and LEU act in accordance with the decisions taken in favour of the best interest of the child: If the child continues to stay with the family and go to school, the school principal gives instructions about special	Depending on the decision - Form Z.5		

³⁸ Article 67, item 3, of law no. 18/2017, “On the rights and protection of the child” “Teachers and providers of school psychosocial service have the duty to report any suspected or eventual case of child abuse, neglect or exploitation to the local education units or child protection structures. The local education unit shall, in any case, upon being informed of a child in need of protection, report to the child protection structures”

Duties/actions for teachers/educational staff/social workers/school psychologists and time limits	Documentation by teachers/educational staff/social workers/school psychologists	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
<p>protection and assistance measures for the child;</p> <ul style="list-style-type: none"> • If child is transferred, the principal prepares the necessary paperwork for his/her move without delay 			
<p>The school principal prepares and sends notification to the LEU about the initial identification process</p>	<p>This step is documented with form A.5</p>		

STATE LABOUR INSPECTORATE

•Indicators for identification of potential victims of trafficking

Child	Adult
<ul style="list-style-type: none"> • Comes from a country known as country of origin; • Does work that is inappropriate for his/her age; • Has wounds or injuries typical of certain jobs; • Parents, legal guardians, and children themselves cannot negotiate on their working conditions; • Is exposed to accidents at work and occupational diseases; • Is doing illegal work; • Does not have access to their remuneration; • The workplace is not equipped with appropriate signs on safety and health security at work; • Lacks the necessary training or occupational permits; 	<ul style="list-style-type: none"> • Comes from a country known as country of origin; • Is forced to work under certain indecent conditions threatening occupational safety and health; • Cannot show identification document; • Allows others to speak for him/her; • Never leaves the work place without the employer; • Is threatened by the employer to be reported to authorities unless he/she accepts the working conditions; • Does not move freely; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Has filed various complaints; • Does not know the language of the country of his/her place of work; • Does not trust authorities; • Receives little or no remuneration; • Does not have individual work contract; • Has the living costs subtracted from his/her remuneration; • Does not have contracts, has incomplete contract, or contract is not respected; • Does not have access to medical care; • Depends on employer about transport, work, accommodation; • Has no days off; • Works long hours; • Sleeps at the same place where he/she works; • Employer is not willing to provide documents; • Administrator does not show payment records; • Is exposed to accidents at work and occupational diseases; • Does not have access to their remuneration;

	<ul style="list-style-type: none"> • Is doing illegal work; • There are no signs about occupational health and safety; • Lacks the necessary training or vocational certificate.
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PROCEDURE FOR CHILDREN

Duties/actions of the inspector (and time limits)	Documentation by the inspector	Duties/actions of the RMRA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion about a trafficking case based on the indicators of initial identification, the labour inspectorate officer immediately notifies the CPU and director of Regional Directorate of this Inspectorate and the RMRA.	This step is documented with form A.5	Instructs the employee for case referral.	
If they find that the child needs immediate medical attention, the inspector instantly notifies the health centre.	This step is documented with form A.5		Nearest health centre provides medical care to the child without delay
Inspector, in the presence of the CPW, conducts the interview with the child and they evaluate the child's situation to determine whether the child is a victim of worst forms of labour exploitation for children, including victim of trafficking. Time limit/duration: as much as needed, considering the age and status of the child.	This step is documented with form A.5		
Inspector and director inform the RMRA or D/HRA regarding their decision, and if deemed necessary, they request an assistance representative from the shelters.	This step is documented with form Z.4 or Z.5		RMRA or D/HRA contact the RMRA from the ministry or the representative of NCATS

Inspector acts according to the decision made: <ul style="list-style-type: none"> Hands the child to the CPW Hands the child to the shelter/program staff sent by RA 	This step is documented with form Z.4 or Z.5		
Inspector and director prepare and send to RA the notification about identification, and inform them about their findings.	This step is documented with form A.5	RMRA informs the RA secretariat They take action for case referral	

PROCEDURE FOR ADULTS

Duties/actions of the inspector (and time limits)	Documentation by the inspector	Duties/actions of the RMRA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion about a case of trafficking based on the indicators of initial identification, the inspector immediately notifies the director of Regional Directorate of the Inspectorate and the RMRA, and informs them about the findings.	This step is documented with form A.5	Instructs the employee for case referral.	
If the inspector finds that the adult needs immediate medical care, he/she instantly notifies the health centre.	This step is documented with form A.5		Nearest health centre provides medical care to the adult without delay
If person is a foreign citizen, the Director of the office requests an interpreter; Inspector conducts the interview with the help of an interpreter	Statement of the interpreter A.1		
Inspector and director inform the RMRA or D/HRA of the decision, and, if necessary, they request an assistance representative from the shelters.			

Duties/actions of the inspector (and time limits)	Documentation by the inspector	Duties/actions of the RMRA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
Inspector and director prepare and send the notification for identification to the RA.	This step is documented with form A.5	RMRA informs the RA secretariat They take action for case referral	

HEALTH CARE INSTITUTIONS

•Indicators for identification of potential victims of trafficking

Child	Adult
<ul style="list-style-type: none"> • Is not from this country/city; • Comes from a country known as country of origin; • Is accompanied by adults who fail to prove relation to him/her; • Has injuries seemingly inflicted at different times, which show that juvenile works; • Has sexually transmitted infections which have not been treated (pelvic inflammatory disease, ectopic pregnancy, chronic pelvic pain); • Has come before with out-of-marriage pregnancies and has requested abortion; • Is ill-dressed, ill-fed, displays lack of care, lack of sleep. 	<ul style="list-style-type: none"> • Is not from the country; comes from a country known as place of origin; • Is accompanied by people who control him/her, do not let him/her alone, do not allow him/her to talk to medical staff; • Has injuries seemingly inflicted at different times that indicate person has been violated; • Shows fear and anxiety when asked about the delay in asking for medical care; • Has been victim of an accident; • Has sexually transmitted infections which have not been treated: pelvic inflammatory disease, ectopic pregnancy, chronic pelvic pain; • States he/she works but does not have health insurance; • Shows intensive sexual activity (prostitution) and shows personality disorders, disassociations, anxiety, or depression; • Displays physical injuries caused by working without protective gear; • Does not show to care about personal hygiene.

PROCEDURE FOR CHILDREN

Duties/actions of the staff of the health care services (the time limits)	Documentation by the staff of the health care services	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion about a case of trafficking based on the indicators of initial identification, the health care service employees immediately contact the Regional Directorate of Health/Public Health Directorate and inform the CPU ³⁹ and RMRA.	This step is documented with A.5	RMRA is available to ensure, through the RA, the presence of a child specialist in case of impossibility of CPW to attend	
Provide immediately for the fulfilment of the child's basis need.	This step is documented with A.5		
Health care service employees conduct interview with child in the presence of CPU/a social worker. They make the initial needs assessment of the child, including risk assessment if any from child's family or other persons; Time limit/duration: as much as needed, considering the age and status of the child.	This step is documented with A.5 and the interview format A.2 Certificate of identification status Z.2		
Health care service employees and the CPW, together with the parent or legal guardian, arrange meeting for evaluation of the best interest of the child.	Records proving evaluation and decision in best interest of the child Z.3		CPW, other health care specialists, and parent or legal guardian attend the evaluation and decision-making process

³⁹ Article 51 of law no. 18/2017 "On the rights and protection of the child" defines the duties of the CPW who will assess the risk of each referred case and identify the child in need of protection

Health care service employees acts according to the decision taken, and based on the case: <ul style="list-style-type: none"> • Refer and send the child to a health institution if necessary; • Keep the child within the service room until his/her situation is stable and send or return the child home, place the child in a centre or other solutions. 	This step is documented with A.5	Depending on decision, RMRA facilitates communication and treatment of the child in other health institution	
Health care service employees hand the child to CPW.	Form Z.5		CPW hands the child over to the parent or institution
Health care service employees fill in and sends form A.5 to RDH/PHD and they in turn send the form to RA. They also send the notification to the CPU for the unregistered child, lacking identification document ⁴⁰ .	This step is documented with A.5	RMRA receives the form and sends it to the RA secretariat	

⁴⁰ Point 8, article 8 of Law 18/2017 “On the rights and protection of the child”

PROCEDURE FOR ADULTS

Duties/actions of the staff of the health care services (the time limits)	Documentation by the staff of the health care services	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion about a case of trafficking based on indicators of initial identification, the health care service employees immediately contact the RDH/PHD and these in turn inform the RMRA.	This step is documented with A.5	Fills in the initial identification form and notifies the RA secretariat. Instructs the employee for case referral.	
If the person's situation contains indicators of trafficking, after treating/normalizing his/her health condition, health care service employees put the person in a designated place and notify focal point for trafficking issues at the Regional Directorate of Health/Public Health Directorate (a psychologist or social worker).	This step is documented with A.5		
Regional Directorate of Health/Public Health Directorate notifies the RMRA.	This step is documented with A.5	RMRA is available for consultation with the employees	
Health care service employees explains the purpose of the interview and conducts initial interview with the person who wants to have the interview.	This step is documented with A.5 Notes/filling the interview form A.4		
Health care service employees inform the person about his/her evaluation and together with the person decide on type of assistance.	Certificate of identification status Z. 2		
Based on the decision: <i>For the person deciding to stay with own family:</i> Issue the status certificate and inform the person about where to approach later if assistance is	Certificate of identification status Z.2		

<p>needed:</p> <p><i>For the person who needs to stay in a protected shelter:</i> contact the Regional Directorate of Health/Public Health Directorate and they in turn contact the RMRA; they ask for the presence of representatives of assistance and facilitate communication with assistance representative.</p>			
<p>Health care service employees fill in and send form A.5 to the RDH/PHD and they in turn send in writing the form to the RA</p> <p>For cases of domestic violence, health care service employees fill in and send the appropriate forms of the protocol regarding domestic violence.</p>	<p>This step is documented with A.5</p>	<p>RMRA receives the form and sends it to the RA Secretariat</p>	<p>RA secretariat enters the case information into the database</p>

SOCIAL PROTECTION STRUCTURES AT THE MUNICIPALITY AND CPU/CHILD PROTECTION WORKERS

• Indicators for identification of potential victims of trafficking

Child	Adult
<ul style="list-style-type: none"> • has been brought from another country to work/earn more money; • has moved without having been registered with the civil registry office; • leaves the house frequently; • himself/herself, his/her parents and siblings have often contacted the police and the CPW because of exposure to violence or suffering of violence; • Has a limited number of contacts; • spends most of the time in the street selling, begging, working; • The child's earnings from begging, work, or other activity have been taken; • is employed illegally or does dangerous jobs; • has injuries that show that the juvenile works; • Is in touch with individuals or groups that are suspected of illegal activity; • Shows fear, is withdrawn; • Does not trust authorities; • Tells familiar story, apparently learned by heart; • Allows others to speak for him/her although he/she is old enough to answer; • Is ill-dressed, ill-fed, displays lack of personal care, lack of sleep; • states that he/she has been maltreated, abused, threatened, exploited, and is happy to contact persons/authority that give help and signals the need for assistance; • has marks on the body, (e.g. bruises), that show physical or sexual violence against him/her; 	<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has a limited number of contacts; • Is employed illegally/does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activity; • Is forced to work under certain conditions; • Comes from a country known as country of origin; • Cannot show identification document; • Allows others to speak for him/her; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Does not have access to medical care; • Is doing illegal work; • Does not show to care about personal hygiene; • Has marks on the body (e.g. bruises), that show physical and sexual violence against him/her; • Has received job and school opportunity through another person who is in business relations with his/her employer; • Is not allowed to choose where to stay/housing.

<ul style="list-style-type: none"> • Does not have permanent residence; • Sleeps on the street/has been caught stealing; • Goes to places known for illegal activity (drug handling, prostitution, exchange of stolen goods, etc.); • begs and seems to be neglected, is ill-fed/ill-dressed for the age and for the weather conditions. 	
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PROCEDURE FOR CHILDREN

Duties/actions of the local/frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the RMRA and time limits	Support actions of other stakeholders, (external main responsible), including other RMRA and time limits
In case of suspicion about a case of trafficking based on the indicators of initial identification, the social structures at the municipality/child protection workers notify the SARPC.	e-mail This step is documented with form A.5	Instructs the employee for case referral.	SARPC informs the D/HRA
If they find that the child needs immediate medical attention, the officer asks the health care service to provide for the assistance.	This step is documented with form A.5		Nearest health centre provides medical care to the child without delay.
Provide immediately for the fulfilment of the child's basic need	This step is documented with form A.5		
CPW alone or social services officer together with the CPW conduct the interview with the child and make the initial needs assessment including risk assessment if any from the child's family or other persons. Time limit/duration: as much as needed, considering the age and status of the child.	This step is documented with form A.5 and notes in A.3		

If the child is a potential victim of trafficking based on the indicators and the interview information, immediately after the interview the officer requests a meeting of the CATG.	Form Z.3		
CPU/CPW carry out and undertake concrete action for management of juvenile cases, with the aim of guaranteeing protection or access to children's rights	Forms Z.4, Z.5, Z.6		

PROCEDURE FOR ADULTS

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
In case of suspicion about a case of trafficking based on the indicators of initial identification, the social protection authorities at the municipality level take measures to handle the case and notify the RA secretariat.	This step is documented with form A.5	RA Secretariat administers the date and organises the RA meeting, when necessary.	
If they find that the child needs immediate medical attention, the social protection structures at the municipality level notify the nearest health centre without delay.	This step is documented with form A.5		Nearest health centre provides medical care to the adult without delay
If the person refused to communicate with the municipal officer, or if other persons prevent the officer from doing this and other procedures, the officer notifies the director of social services who immediately notifies the police.	This step is documented with form A.1		
Officer conducts initial interview with the person who agrees to do so and draws a conclusion about his/her status regarding trafficking. He/she then informs the director of social services at the municipality.	This step is documented with form A.5 and notes in A.4		
Social services officer immediately writes the notification for protection /identification and sends it electronically to the RA.	This step is documented with form A.5	Officers sends the notification to the D/HRA, RA Secretariat	RA secretariat enters the data into the system

STATE SOCIAL SERVICE

- **Indicators for identification of potential victims of trafficking**

Child	Adult
<ul style="list-style-type: none"> • has been brought from another country to work/earn more money; • has moved without having been registered with the civil registry office; • leaves the house frequently; • has a limited number of contacts; • spends most of the time in the street selling, begging, working; • The child's earnings from begging, work, or other activity have been taken; • is employed illegally or does dangerous jobs; • has injuries that show that the juvenile works; • Is in touch with individuals or groups that are suspected of illegal activities; • Shows fear, is withdrawn; • Does not trust authorities; • Tells familiar story, apparently learned by heart; • The child allows others to speak for him/her although he/she is and appears old enough to answer; • Is ill-dressed, ill-fed, displays lack of personal care, lack of sleep; • states that he/she has been maltreated, abused, threatened, exploited, and is happy to contact persons/authority that give help and signals the need for assistance; • has marks on the body, (e.g. bruises), that show physical or sexual violence against him/her; • sells or works, lacks control over own life; movement, 	<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has a limited number of contacts; • Is employed illegally/does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activity; • Is forced to work under certain conditions; • Comes from a country known as country of origin; • Cannot show identification document; • Allows others to speak for him/her; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Does not have access to medical care; • Is doing illegal work; • Does not show to care about personal hygiene; • Has marks on the body (e.g. bruises), that show physical and sexual violence against him/her; • Transportation, housing, employment are arranged by persons who are known to be or over whom there is information that they are involved in trafficking or exploitation; • Has received job and school opportunity through another person who is in business relations with his/her employer; • Is not allowed to choose where to stay/housing.

housing, use of income, guidance and control by other persons; <ul style="list-style-type: none"> • has no contacts with the family and has no relative to take care of him/her; • Does not have a permanent residence; • Sleeps on the streets; • Goes to places known for illegal activity (drug handling, prostitution, exchange of stolen goods, etc.); • Has been caught stealing. 	
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PROCEDURE FOR CHILDREN

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the social workers suspects of a case of trafficking based on the indicators of the initial identification, s/he takes the measures to treat the case and immediately notifies the RMRA and the CPU.	This step is documented with form A.5	Notifies the RA secretariat and instruct the employee on the handling of the case.	
Provide immediately for the fulfilment of the child's basis need.	This step is documented with form A.5		
If the child or the parent, legal guardian refuse to go to the health centre, and communicate to the employee of the state social service, or, if other persons inhibit the employee to carry out these and further actions of the procedure, the employee notifies the regional director of social services, and the latter immediately notifies the police to oblige the child to receive the treatment that is deemed necessary.	This step is documented with form A.1		
If the employee is not specialised to deal with children, s/he asks the director to request that a CPW be assigned for the conduction of the			

interview with the child.			
The employee alone or together with the CPW conduct the interview with the child. The employee facilitates the meeting for the evaluation of the best interest of the child chaired by the CPW, and attended by the child's parent or legal guardian, police officer.	This step is documented with form A.5		
If it is concluded that the child is a potential victim of trafficking as per the indicators, and the information obtained from the interview, the CPU/CPW, immediately after the interview, calls the meeting of the CSTG.	Form Z.3		
The employee of the state Social Service takes measures as per the decision taken in the meeting, while supporting the CPW and facilitating the placement of the child in a residential centre, stay with the family etc.	This step is documented with form A.5		
The employee of the state social service immediately prepares the notification for protection/identification and sends its electronically to RMRA.	This step is documented with form A.5	RMRA sends it to the RA secretariat	RA secretariat enters the data into the system

PROCEDURE FOR ADULTS

Duties/actions of the local/frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external responsible) including RMRA and time limits
If the employee of the state Social Service, suspects of a case of trafficking based on the indicators of initial identification, s/he takes measures to handle the case.	This step is documented with form A.5		
If s/he finds that the person needs immediate medical assistance, the employee accompanies the person to the health centre or calls the medical emergency unit.	This step is documented with form A.5		
If the person refuses assistance or communication with the employee of the state Social Service, or other person inhibit the employee to carry out these and further actions of the procedure, the employee: - informs the person of where to approach for assistance - informs the regional director of social service who in turn immediately informs the police for identification.	This step is documented with form A.1		
If the person consents, the employee conducts the initial interview and makes the first assessment of needs.	This step is documented with form A.5		

<p>The employee of the state Social Service informs the person of the available assistance and takes measures as per the taken decision:</p> <p>In case of need and decision to be placed in a shelter, s/he informs the RMRA and requests that employees of the shelter present themselves and s/he facilitates the meeting with them.</p> <p>In case of need and decision to stay with the family, or alone, s/he informs of the options and the contact details for assistance.</p>	<p>This step is documented with form Z.4 Statement of informed decision for assistance, Z.5 Statement of care by the institution</p>	<p>RMRA communicates with the D/HRA and an assistance representative is sent</p>	
<p>The employee of the state social service immediately prepares the notification for protection/identification and sends its electronically to RMRA.</p>	<p>Notification in Form A.5</p>	<p>RMRA sends it to the RA secretariat</p>	<p>RA secretariat enters the data into the system</p>

JOINT COORDINATED UNITS (MOBILE UNITS, FIELD TEAMS, TASK FORCE); RESIDENTIAL AND DAILY CARE INSTITUTIONS, NATIONAL AND INTERNATIONAL INSTITUTIONS NON -MEMBER OF NRM WITH/WITHOUT PROGRAMMES FOR VICTIMS OF TRAFFICKING/POTENTIAL VICTIMS OF TRAFFICKING⁴¹

• **Indicators for identification of potential victims of trafficking**

Child	Adult
<ul style="list-style-type: none"> • has been brought from another country to work/earn more money; • has moved without having been registered with the civil registry office; • leaves the house frequently; • himself/herself his/her parents and siblings have often contacted the police and the CPW because of exposure to violence or suffering of violence; • has a limited number of contacts; • spends most of the time in the street selling, begging, working; • The child's earnings from begging, work, or other activity have been taken; • Is employed illegally or does dangerous jobs; • has injuries that show that the juvenile works; • Is in touch with individuals or groups that are suspected of illegal activities; • Shows fear, is withdrawn; • Does not trust authorities; • Tells familiar story, apparently learned by heart; • Allows others to speak for him/her although he/she is or appears to be old enough to answer himself/herself; • Is ill-dressed, ill-fed, displays lack of personal care, lack of sleep; • states that he/she has been maltreated, abused, threatened, exploited, and is happy to contact persons/authority that give help and signals the need for assistance; 	<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has a limited number of contacts; • Is employed illegally/does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activity; • Is forced to work under certain conditions; • Comes from a country known as country of origin; • Cannot show identification document; • Allows others to speak for him/her; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Does not have access to medical care; • Is doing illegal work; • Does not show to care about personal hygiene; • Has marks on the body (e.g. bruises), that show physical and sexual violence against him/her; • Has received job and school opportunity through another person who is in business relations with his/her employer; • Is not allowed to choose where to stay/housing.

⁴¹ Employee of the coordinated unit, residential, daily care institution, national and international, here and after shall be referred to as "employee"

<ul style="list-style-type: none"> • has marks on the body, (e.g. bruises), that show physical or sexual violence against him/her; • Does not have permanent residence. • Sleeps on the streets; • Goes to places known for illegal activity (drug handling, prostitution, exchange of stolen goods, etc.); • Has been caught stealing. 	
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PROCEDURE FOR CHILDREN

Duties/actions of the employees	Documentation by the employee	Duties/actions of the RA secretariat and the time limits
If the employee suspects of a potential case of trafficking, based on the indicators of the initial identification, s/he immediately informs the RA Secretariat. Moreover, s/he contacts the CPW of the area and the director of the institution.	email address: autoriteti.pergjegjes@mb.gov.al	S/he instructs the employee for the case referral.
S/he ensures the fulfilment of the child's basic needs. If the child needs medical assistance, the medical service is notified immediately.	This step is documented with form A.5	Nearest health centre provides medical care to the child without delay
The employee, after addressing the basis needs, conducts the interview with the child with the intent to assess the risk, if any, from the family members or other persons; Time limit/duration: as much as needed, considering the age and status of the child.	This step is documented with form A.2	
If it is possible to contact the parent or the legal guardian, s/he contacts them directly and immediately or through the support structures referred/indicated by the RA Secretariat.	Informs the RA secretariat via email of the performed work.	Enters the records into the VoT database.
The member/s of the unit attend the meeting organised by the CPW to evaluate the best interest of the child and act/s as per the taken decision.	Form Z.3	If needed, s/he arranges the RA meeting on the case.

The member of the mobile unit prepares and the head of the unit reviews and sends to the RA the notification on identification.	This step is documented with form A.5	
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PROCEDURE FOR ADULTS

Duties/actions of the employees	Documentation by the employee	Duties/actions of the RA secretariat and the time limits	Support actions of other stakeholders (external main responsible) including other RA and time limits)
If the employee suspects, based on the indicators of the initial identification, of a potential case of trafficking, s/he immediately notifies the RA secretariat. If the coordinated unit contains no specialised employees/practitioners for the interviewing of adults, victims of trafficking, the unit requests from the RA another person suitable for the interview.	email address: autoriteti.pergjegies@mb.gov.al	RMRA instructs the employee about the actions to be followed.	
If the person does not want or cannot, and if the unit has no police officers in its composition, then the member of the unit immediately and verbally informs the police or reports to the 116006 or the application "Report! Save!.	Form A.1		
The member of the unit and the expert sent by the RA conduct the interview.	Form A4 Initial interview with the adult person		
The employee informs the person of the available assistance and takes measures as per the taken decision: - In case of need and decision to be placed in a shelter, the RMRA is informed and requested to send the employees of the shelter, while facilitating the meeting with			

<p>them;</p> <p>- In case of need and decision to stay with the family, or alone, s/he informs of the options and the contact details for assistance.</p>			
<p>The employee is consulted even with the RA Secretariat and refers the case for assistance as per the wish of the potential victim of trafficking.</p>	<p>RA secretariat is called</p> <p>Email about the actions taken on the case.</p>	<p>Upon receiving the information, if necessary, organise the RA meeting.</p> <p>Enters the records into the VoT database</p>	

DIPLOMATIC REPRESENTATIONS OF THE REPUBLIC OF ALBANIA (DRRA)

- **Indicators for identification of potential victims of trafficking**

Child	Adult
<ul style="list-style-type: none"> • Has been taken to the place/town or region where she/he has been found by an adult person or someone older than the child who is not related to him/her; • Is not registered, stays with adults with whom he has no family relations; • is accompanied by persons who exploit or traffics the child; • is of the age other than the age indicated in the identification document; • Does not have a permanent residence; • Sleeps on the streets; • Goes to places known for illegal activity (drug handling, prostitution, exchange of stolen goods, etc.); • Has been caught stealing; • begs and seems to be neglected, is ill-fed/ill-dressed for the age and for the weather conditions; • There is indicia or information that the child is seen in places known to be used for sexual abuse of children, begging, forced labour, or other place inappropriate for this/her age; • Has left the house/care institution wearing clothing unusual for the child (inadequate for the age, taken from older persons). 	<ul style="list-style-type: none"> • Has been brought from another country to work/earn more money; • Has a limited number of contacts; • Is employed illegally/does dangerous jobs; • Is in touch with individuals or groups that are suspected of illegal activity; • Is forced to work under certain conditions; • Comes from a country known as country of origin; • Cannot show identification document; • Allows others to speak for him/her; • Is unable to freely communicate with others; • Shows anxiety and fear during communication; • Does not have access to medical care; • Is doing illegal work; • Does not show to care about personal hygiene; • Has marks on the body (e.g. bruises), that show physical and sexual violence against him/her; • Has received job and school opportunity through another person who is in business relations with his/her employer; • Is not allowed to choose where to stay/housing; • Conditions of work have been detrimental to the health and life of the individual; • Hides himself/herself from the authorities because of the irregular status of employment; • has no access to health care; • has/has had limited social contacts.

PROCEDURE FOR CHILDREN

Duties/actions of the employee of the diplomatic representation	Documentation by the employee of the diplomatic representation	Duties/actions of the relevant member of RA and time limits
Where the DRRA employee, based on the documentation of contact with the Albanian citizen, a child, finds that it may be a case of potential victim of trafficking, s/he notifies the RMRA.	1. email to the official address of the RMRA, immediately 2. official letter	RMRA instructs the employee about the actions to be followed further.
The DRRA employee, as per the instruction by the RMRA, contacts the organisations providing services to the victims of trafficking at the country where the diplomatic representation is located, if assistance until the moment of assisted voluntary return is needed.	1. Telephone 2. email addressed to the organisations 3. email sent to RMRA in each action performed	Contacts and informs the RA secretariat about the obtained information.
The DRRA employee enables contact of the child and his/her legal guardian with the service provider of the destination country.		The RA secretariat contacts the Responsible Authority of execution of the Agreement/Memorandum/Protocol where relevant with the completed identification.
DRRA employee negotiates with the authorities in the country of destination and country of origin to contact the parents/legal guardian of the child.		The RA secretariat coordinates risk assessment with the member of the RA.
DRRA employee coordinates the assisted voluntary return of the child based on the risk assessment and the best interest of the child.		RMRA notifies the RA Secretariat about the return and they coordinate the reception of the child.

PROCEDURE FOR ADULTS

Duties/actions of the employee of the diplomatics representation	Documentation by the employee of the diplomatic representation	Duties/actions of the relevant member of RA and time limits
Where the DRRA employee, based on the documentation of contact with the Albanian citizen, an adult, finds that it may be a potential victim of trafficking, s/he notifies the RMRA.	1. email to the official address of the RMRA, immediately 2. official letter	RMRA instructs the employee about the actions to be followed further.
The DRRA employee, as per the instruction by the RMRA, contacts the organisations providing services to the victims of trafficking at the country where the diplomatic representation is located, if assistance until the moment of assisted voluntary return is needed	1. Telephone 2. email addressed to the organisations 3. email sent to RMRA in each action performed	Contacts and informs the RA secretariat about the obtained information. The RA secretariat contacts the Responsible Authority of execution of the Agreement/Memorandum/Protocol where relevant with the completed identification.
DRRA employee coordinates the assisted voluntary return of the adult person		RMRA notifies the RA Secretariat about the return and they coordinate the reception of the person.

Formal identification

Definition and responsibilities

- **“Formal identification”** is the identification of a person as a victim of trafficking, conducted only by the Group/Structure Responsible for Formal Identification (G/SRFI) on the basis of the formal interview format included in this document, which is conducted only if the victim itself is willing and ready for the interview. **Formal identification includes at least:** 1. quick intervention of the Sector of Investigation of Illegal Trafficking for the conduction of the formal interview when notified by the referring agency or when the potential victim of trafficking states the willingness to conduct the formal interview before the state police structures 2. establishing whether or not the person is trafficked, through the collection and analysis of information provided by the person him/herself 3. assessing in-depth the needs of the person, victim of trafficking, for assistance and protection; 4. guiding and ensuring the trafficked person’s approach to the adequate and safe assistance 5. collecting information and initiating investigation for the punishment of traffickers 6. formal interview/affirmation of the status of the person as trafficked is done at another moment in time from the criminal report (*even if the person is willing to file a criminal report, in no case, may the formal interview be interrupted to take the criminal report, but another time is set for this*).
- **Agency/institution responsible for formal identification is the Group/Structure responsible for Formal Identification at the borders and in the territory of the RoA (GSRFI):** set up (ad hoc) to conduct formal interview of persons identified as potential victims of trafficking, consisting of a police office of the section of fight against illegal trafficking (SFAIT) and the child protection worker/CPW at the municipality/administrative unit for cases of children and a social worker of the regional office of state social service (ROSSS) for adult cases.

Means of formal identification and conditions of their use

- Means of formal identification is the formal interview and consultation of the RA. The interview determines definitively the status of the person in relation to the trafficking, an in-depth needs assessment is made for assistance and protection of the person, instructions are given and it is ensured the trafficked person's approach to adequate long-term and safe assistance, and it is collected information for the initiation of investigations in order to punish the traffickers. The interview starts with the needs assessment and it is lead by the CPW or the employee of the state Social Service and continues with the collection of information about the process of trafficking and it is lead by the police officer. CPU/CPW carry out and undertake concrete action for management of juvenile cases, with the aim of guaranteeing protection or access to children’s rights.
- The formal interview/affirmation of the status of the person, as trafficked person is done before the criminal reporting, assessing at the same time the most appropriate time for statements or reports before the police and prosecution.

- Conditions of the formal interview are: the institution has filed a request for the conduction of the formal interview; the person has a certificate of the initial identification; the alien is interviewed only by persons who have signed the confidentiality agreement; the person is accompanied by an employee whom he/she knows well and to whom he/she trusts; the interview is conducted in a safe environment for the person who will be interviewed and other persons who will participate in the interview, distance from persons suspected of involvement in trafficking; all the persons who attend the interview, have a clear role defined; the person to be interviewed is not left to wait for long hours; the person is not interviewed in a group with other persons; the person cannot be interviewed if there are signs of him/her not feeling well physically or emotionally; the person is provided immediately with medical and psychological assistance, if needed; when possible, the person is interviewed by same-sex persons; the door of the room/interview facility will be kept closed throughout the interview in order to preserve confidentiality and avoid interruption, and the person is explained clearly the reasons for this; the interview is conducted in premises/rooms that are quite at distance from the room where detained persons are kept; the person being interviewed has the right to interrupt the interview when she/he feels under pressure, or unwilling, to respond freely and fully. The interview may in no case be interrupted because of other duties emerging during the interview; mobile phones are kept in silent mode by all the attendees during the interview; the person being interviewed and the legal guardian or parent, in the case of a child, are explained the notes that are kept during the interview, the purpose for taking notes and they are given information on how the information they give will be stored and shared; the person being interviewed and the legal guardian or parent, in the case of a child, are explained clearly the procedure and purpose of the interview, the duration of the interview, and the person is assured the freedom to interrupt the interview at any time; the case manager or parent/legal guardian (if there is no suspicion of their involvement in trafficking of the child, they may be present during the interview, when this is requested by the child or the adult), but they may not lead the interview.
- The rule of communication for the interviewer and the interviewee are similar to those for the initial identification.

Documentation

- The standard formats to be used to ease communication between the institutions and agencies and to prove that the actions of the responsible institutions in compliance with these procedures for formal identification include: B.1 “Statement of willingness for formal identification”; B.2 “Request for formal identification”; B.3 “Format of formal interview with the child”; B.4 “Format of formal interview with adults”; B.5 “Notification for fulfilment of obligation of formal identification”.

Time period

- All the actions for formal identification must be carried out within the shortest possible time. In each step for various sectors, it is given the maximum time limit for the conduction of the action, however the maximum time limit for the main actions for all the agencies, without exemption is:

Step/action	Stating time and maximum duration	Manner of measurement (start, end)
<i>Encouraging/taking to the formal interview</i>		
Encouraging the person, potential victim of trafficking, to be involved in the formal interview	Immediately and continuously	As soon as contact with the potential victim of trafficking is established
Submission of the request for formal identification	Within the day, once the person gives his/her consent	
SFAIT sets the day and makes the arrangements for the formal interview	Within two days from receipt of the request	
Formal interview with the child	Depending on the age of the child, but for a maximum of 60 minutes	
Formal interview with the adult	Depending on the understanding and the decision in the best interest of the child	
Meeting on evaluation and decision in the best interest of the child	Maximum 1 hour	One hour from the interview, including documentation
Notification is sent in written form/electronically to RA/RMRA	Within the day of the interview	
Consultation		

Actions for the behaviour of the “child” or “adult” in the formal interview (referring, encouraging or recommending the person for a formal interview)

Duties/actions of the employee	Documentation by the employees	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA
The employee of the agency who has contacted/is in contact with the potential victim of trafficking, child or adult, informs the person and the legal guardian of the purposes of the formal interview and support that the agency may provide, and documents the decision about the formal identification.	Statement of willingness for formal identification B1		
The employee of the agency prepares the request of the person who has agreed to the formal interview.	Form B.2		
Head of the agency reviews and sends the requests electronically to RA.	Form B.2	RMRA sends the request to H/HRA and RA Secretariat	Secretariat sends the request to the local structures of investigation of illegal trafficking nearest to the person who is willing to be identified. Formally The local structures for investigation of illegal trafficking communicate with the social structures of the municipality (when a child case is in question) or the state social service and reply to the RA secretariat and the agency about the arrangements made

The head of the agency, after receiving the reply by the local structures for investigation of illegal trafficking, makes arrangements to ensure participation in the formal interview of the person, potential victim of trafficking who is accommodated at the shelter or who is involved in the programme of the agency and its employees.	This step is documented with form B.5		
The head of the agency makes arrangements to ensure participation in the formal interview of the parent or legal guardian.	This step is documented with form B.5		

ACTIONS FOR THE FORMAL INTERVIEW WITH THE CHILD

Duties/actions of the employee of the local anti-trafficking structure	Duties/actions of the employee of the social services of the municipality	Documentation kept by the frontline officer	Duties/actions of the RMRA and the time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
The head of the local structures of illegal trafficking ensures/determines the interview facility within the police, in accordance with the conditions for the interview.				
If the child is a foreign citizen, the head of the local structure of illegal trafficking ensures the presence of a certified interpreter.		Basic package, Form Z.1		
The head of the local structures of illegal trafficking discharges own staff from other tasks in order to make sure that the interview be conducted at the set time and location.	The director of the social services of the municipality discharges own staff from other tasks in order to make sure that the interview be conducted at the set time and location			
If it has been decided that the child be accompanied to the interview facility by the employee of the local		Form of Report of Formal Identification to the RA B 5		

structure of illegal trafficking, s/he accompanies the child and the parent and legal guardian as well as the employee of the agency who will attend the formal interview.				
CPW explains to the child (and parent or legal guardian) in a language understood by the child the purpose of the formal interview as well as the distinction between the formal interview and the reporting of the criminal offence. The employee/specialist of the local structure of investigation of illegal trafficking together with the CPW conduct the interview.		Form of the Interview with the child B.2 Form of Report of Formal Identification to the RA B 5		
Upon conclusion of the interview, the police employee and the CPW together with the employee of the agency accompanying the child discuss about the status of the child in relation to the trafficking - if it is a victim of trafficking. In case of disagreement, either informs the RMRA verbally/by telephone, or in its absence, to the D/HRA.			RMRA communicate with the D/HRA. D/HRA decides on the status of the person in relation to the trafficking and communicates this in writing to the sector against trafficking, head of the social sector of the municipality and head of the agency appointing an employee to the interview	
The director of the local structure for investigation of illegal trafficking communicates the	The head of the social sector of the municipality communicates the decision to own			

decision to own employee/interviewer.	employee/interviewer.			
	CPW calls to an urgent meeting the CSTG members			
Despite the agreement or disagreement about the trafficking, the interviewers and the CSTG members invited by the CPW hold a meeting to examine and decide on the best interest of the child, by considering in particular whether it is safe and appropriate for the child to stay in the facility and the changes to be made to ensure this.				
The employees of the local structures of illegal trafficking and the social structure of the municipality/CPW act in accordance with the decision.				
The head of the local structures of illegal trafficking request the RA to send an employee of the residential centre/assistance, where necessary.	The CPW notifies the measures to be taken and requests approval by the head of the social structure of the municipality ⁴²			
Following completion of the above actions, both employee prepare the report for the RA and send it to the RA secretariat.		Form of Report of Formal Identification to the RA, B 5		

⁴² Based on Law no. 18.2017 “On the rights and protection of children”

ACTIONS FOR THE FORMAL INTERVIEW WITH THE ADULT PERSON

Duties/actions of the employee of the local anti-trafficking structure	Duties/actions of the employee of the state social services	Documentation kept by the frontline officer	Duties/actions of the RMRA and the time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
The head of the local structures of illegal trafficking ensures/determines the interview facility within the police, in accordance with the conditions for the interview.				
If the person requesting the foreign interview is a foreign citizen, the head of the local structure of investigation of illegal trafficking ensures the presence of a certified interpreter.		Basic package, Form Z.1		
The head of the local structures of investigation of illegal trafficking discharges own staff from other tasks in order to make sure that the interview be conducted at the set time and location.	The director of the state social services discharges own staff from other tasks in order to make sure that the interview be conducted at the set time and location			
If it has been decided that the person be accompanied to the		Form of Report of Formal Identification to the RA B 5		

interview facility by the employee of the local structure of illegal trafficking, s/he accompanies the person as well as the employee of the agency who will attend the formal interview to the place of the interview.				
The employee/specialist of local structures of illegal trafficking, together with the employee of the state Social Service conduct the formal interview. The employee of the state Social Service explains to the person in a language understood by the him/her the purpose of the formal interview as well as the distinction between the formal interview and the reporting of the criminal offence.		Form of the Interview with the adult person B.2 Form of Report of Formal Identification to the RA, B 5		
Upon conclusion of the interview, the police employee and the social service employee together with the employee of the agency accompanying the person discuss about the status of the person in relation to the trafficking/if the person is a victim of trafficking. In case of disagreement, either informs the RMRA verbally/by telephone, or in its absence, to the D/HRA.				
Despite the agreement or disagreement about the trafficking, the specialist of the police and social services discuss with the person about the assistance that is provided and they jointly take a decision about the assistance to be provided to the person and his/her accommodation.				
	If necessary, the social service employee requests to the RMRA to send a representative of assistance other than the one currently assisting the	email/telephone		

	person.			
Specialist of the police and social services facilitate communication with the service provider sent by the RA.				

Planning and Support for Reintegration

Definition and responsibilities for protection

“Planning and support for rehabilitation and re/integration” is the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of victims/potential victims of trafficking, at the border and inland of the Republic of Albania, as well as local and central government institutions, including at least: 1. In depth analysis of the needs of trafficked persons for assistance and protection with his/her participation and the parent/legal guardian, in case of a child 2. Development of supporting plans; 3. Direct assistance for rehabilitation and re/integration/empowerment of the trafficked person; 4. Informing RA on the progress of the support.

Responsible agencies/institutions are: Organisations party to the NRM, all the institutions/organisations/sectors involved in the initial identification.

TEMPORARY SHELTERS/EMERGENCY CENTRES

PROCEDURE FOR CHILDREN

Duties/actions of the employee ⁴³	Documentation by the employee	Duties/actions of the member of the RA from the MESY and the time limits
A social worker or psychologist of the centre receives the child immediately.	Statement of admission	
A social worker or psychologist of the centre immediately tours the child and the legal guardian or parent, if applicable, around the premises of the centre.		
A doctor of the emergency centre examines the child and in his/her absence, if needed, the emergency medical service is required.		
The employees of the centre immediately fulfil the basic needs of the child.		
The case employees (social worker or psychologist) refers the case to the CPW, after the child's basic needs are fulfilled.		

⁴³ Employee in this case will refer to “employee of the temporary/emergency residential institution”

If the child leaves the centre without permission, the employee immediately informs the RMRA and the CPW and reports the case to the police.		RMRA informs the RA secretariat
In case of the child's return, an assessment of the socio-economic situation will be requested, similarly as in the case of return of the child from abroad.		
In case of the child's return with the family/foster family, the employee informs the RMRA and the CPW immediately.		RMRA informs the CPW on further monitoring of the case. RMRA informs the RA secretariat

PROCEDURE FOR ADULTS

Duties/actions of the employee⁴⁴	Documentation by the employee	Duties/actions of the member of the RA from the MESY and the time limits
A social worker or psychologist of the centre admits the potential victim of trafficking in the centre.	Statement of admission	
A social worker or psychologist of the centre shows the premises of the centre to the potential victim of trafficking.		
A doctor of the emergency centre examines the potential victim of trafficking and in his/her absence, if needed, the emergency medical service is required.		
The employees of the centre immediately fulfil the basic needs of the potential victim of trafficking.		
The employee of the case (social worker or psychologist), after fulfilling the basic needs, prepares the report for the RA, identifying the need for intervention by the RA.	Completing the report to the RA	Report obtained and sent to the RA Secretariat. RMRA requests the RA meeting on this case.
If the potential victim of trafficking leaves the centre without permission, the employee immediately informs the RMRA.		RMRA informs the RA secretariat
If the potential victim of trafficking is referred to the family/community, the employee informs the RMRA immediately.		RMRA informs the RDSSS on further monitoring of the case. RMRA informs the RA secretariat

⁴⁴ Employee in this case will refer to "employee of the temporary/emergency residential institution"

RESIDENTIAL CENTRES

PROCEDURE FOR CHILDREN

Duties/actions of the employee⁴⁵	Documentation by the employee	Duties/actions of the member of the RA from the MESY and the time limits
A social worker or psychologist of the centre admits the child immediately in the centre.	Statement of admission	
A social worker or psychologist of the centre immediately tours the child and the legal guardian or parent, if applicable, around the premises of the centre.		
The employees of the centre immediately fulfil the basic needs of the child.		
The head of the residential institution assigns a person/case manager who will draft an individual assistance plan on the case, in cooperation with the multidisciplinary team of the institution.		
The case manager explains the assistance plan to the child, in a language that the child understands.		
The manager informs the parent/legal guardian if s/he is not included in the assistance plan, if s/he is not suspected of trafficking or exploiting the child.		
After accommodation, the case about the formal interview is informed within three days.		
The case manager informs the RMRA on the conduction of a formal interview.		RMRA informs the CPU and the anti-trafficking police officer of the conduction of the formal interview
If the child is a foreign citizen, the case manager starts the procedures for obtaining the residence permit for the child ⁴⁶ .	Document of temporary residence "A" or residence permit "B" for the victim/potential	RMRA informs the RA secretariat about actions taken to obtain the residence permit

⁴⁵ Employee in this case will refer to "employee of the residential institution"

⁴⁶ Article 54 of law no. 108/2013 "On aliens"

	victim of trafficking, issued by relevant local authority of border and migration Notifies RMRA via email	
If the child leaves the centre without any permission, the case manager informs the RMRA and files the criminal report with the local structures of investigation of illegal trafficking of the ASP.		RMRA informs the RA secretariat
If the child is referred to the family/foster family, the case manager informs the CPU on regular basis of the progress and s/he informs the RMRA.	e-mail	RMRA informs the CPW on further monitoring of the case. RMRA informs the RA secretariat
The case manager cooperates with the CPU and the CPW makes sure that the child is provided with the necessary services and re-assesses the situation of the child, on regular basis and as needed.		

PROCEDURE FOR ADULTS

Duties/actions of the employee⁴⁷	Documentation by the employee	Duties/actions of the member of the RA from the MESY and the time limits
A social worker or psychologist of the centre admits the potential victim of trafficking in the centre.	Statement of admission	
A social worker or psychologist of the centre shows the premises of the centre to the potential victim of trafficking.		
The head of the residential institution assigns a person/case manager who will draft an individual assistance plan on the case, in cooperation with the multidisciplinary team of the institution.		
The case manager explains the assistance plan in a language understood by the person and requests cooperation for application.	Individual assistance plan	

⁴⁷ Employee in this case will refer to “employee of the temporary/emergency residential institution”

The case manager, within three days from accommodation with the institution, explains to the potential victim of trafficking the right to conduct the formal interview.		
If the potential victim of trafficking is a foreign citizen, the case manager starts the procedures for obtaining residence permit for him/her ⁴⁸ .	Document of temporary residence "A" or residence permit "B" for the victim/potential victim of trafficking, issued by relevant local authority of border and migration Notifies RMRA via email	RMRA informs the RA secretariat about actions taken to obtain the residence permit
If the potential victim of trafficking leaves the centre without permission, the employee immediately informs the RMRA.		RMRA informs the RA secretariat
If the potential victim of trafficking is referred to the family/community, the employee informs the RMRA immediately.		RMRA informs the RDSSS on further monitoring of the case. RMRA informs the RA secretariat

⁴⁸ Article 54 of law no. 108/2013 "On aliens"

**SOCIAL PROTECTION/REGIONAL STATE SOCIAL PROTECTION/SOCIAL SERVICE OF THE
MUNICIPALITY/CHILD PROTECTION UNIT (CPU)**

PROCEDURE FOR CHILDREN

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible, including other RA and time limits)
The employee refers the child to the emergency centre immediately and informs the CPW and RMRA.		As soon as the RMRA receives notice, it sends the notification to the RA Secretariat and if necessary calls the urgent meeting of the RA for the further case management	SAPRC monitors the referral of the case and completes the form of initial identification. SAPRC sends the form to RMRA of the MHSP
The child protection worker, after taking the urgent protection measures, within 72 hours, calls the meeting of the CSTG and prepares the individual protection plan.	Individual Protection Plan for the Child	RMRA of the MMSR informs the RA secretariat about the identified case.	SAPRC informs the RMRA of the MMSR about the actions taken on the case.
The case manager explains, in simple language, to the child and parent/legal guardian, if they are not suspected of involvement in trafficking/exploitation, the process of the formal interview.		RMRA contacts the RMRA of the State Police and requests the coordination of the conduction of the formal interview.	SAPRC requests the RMRA to arrange the conduction of the formal interview.
If the child is a foreign citizen, the CPW starts the procedure of obtaining the residence permit and the guardianship of the child.			

Duties/actions of the local/frontline officer (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible, including other RA and time limits)
If the child, potential victim of trafficking, is a foreign citizen, and the child has no identification document, the employee requests the RMRA to negotiate the identification and provision with the identification document from the diplomatic representations of the country of origin.		RMRA requests the RA Secretariat to hold an urgent meeting of the RA. The Secretariat calls the RA meeting within 24 hours from the notification.	

PROCEDURE FOR ADULTS

Duties/actions of the frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the potential victim of trafficking accepts assistance and is assisted in a residential centre, the employee immediately refers the case to the nearest centre.			
The employee, within three calendar days, informs the RMRA about the actions taken about the case.	RA notification	RMRA informs the RA secretariat.	
The case manager at the centre, within 7 calendar days, becomes familiar with the case concerning the formal interview process and informs the RMRA about the consent or non-consent to the conduction of the formal interview.		If the conduction of the formal interview is consented, the RMRA coordinates the conduction by informing even the RA secretariat.	

Duties/actions of the frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the Relevant Member of RA and time limits	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the potential victim of trafficking is a foreign citizen, the case manager, within three calendar days, starts the procedure of application for residence permit.			
If the potential victim of trafficking, is a foreign citizen, and the child has no identification document, the employee requests the RMRA to negotiate the provision with the identification document from the diplomatic representations of the country of origin.		<p>RMRA requests the RA Secretariat to hold an urgent meeting of the RA to handle the case.</p> <p>RMRA calls the RA meeting within 48 hours from the notification.</p>	
If the potential victim of trafficking refuses any form of assistance, the employee requests the RMRA to inform the RMRA of the police about the suspicion and request the further follow-up of the case.		RMRA of the MMSR/SSS informs the RMRA of the State Police and the RA Secretariat.	

HEALTH CARE INSTITUTIONS

MEDICAL CENTRES/POLYCLINIC/COMMUNITY CENTRE OF MENTAL HEALTH/MENTAL HEALTH SUPPORTED SHELTERS/HOSPITAL SERVICES IN DISTRICTS/REGIONAL HOSPITALS/MENTAL HEALTH SERVICES SPECIALISED WITH BEDS/REGIONAL DIRECTORATES OF HEALTH/PUBLIC HEALTH DIRECTORATE

PROCEDURE FOR CHILDREN

Duties/actions of the staff of the health care services (the time limits)	Documentation by the medical staff	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the employee of the health care services requests assistance from the public or non-public entity/structure/institution for the medical treatment of a child PVoT/VoT, s/he provides the assistance, immediately, as needed.	RDH/DPH are notified by phone, and they inform the RMRA by email.			
The employee of the health care services instructs the representative of the assistance institution about the actions to be taken further for the purpose of health care provided to the child.	Medical records (recommendation, subscription etc)			

Duties/actions of the staff of the health care services (the time limits)	Documentation by the medical staff	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
The employee of the health care services, based on the preliminary medical assessment of the case, recommends carrying out specialised medical checks.	RDH/DPH are notified by phone, and they inform the RMRA by email about the made recommendations.	RMRA facilitates the checks in the speciality clinics/hospital centres/community centres of mental care, where needed. RMRA facilitates issuing of the health case, as appropriate.	RMRA notifies the RA Secretariat about the actions taken for assistance in the case.	

PROCEDURE FOR ADULTS

Duties/actions of the staff of the health care services (the time limits)	Documentation by the medical staff	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
If the employee of the health care services requests assistance from the public or non-public entity/structure/institution for the medical treatment of a PVoT/VoT, s/he provides the assistance, immediately, as needed.	RDH/DPH are notified by phone, and they inform the RMRA.			
The employee of the health care services instructs the representative of the assistance institution about the actions to be taken further for the purpose of health care provided to	Medical records (recommendation, subscription etc)			

Duties/actions of the staff of the health care services (the time limits)	Documentation by the medical staff	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders (external main responsible) including other RMRA and time limits
the case.				
The employee of the health care services, based on the preliminary medical assessment of the case, recommends carrying out specialised medical checks.	RDH/DPH are notified by phone and email, and they inform the RMRA by email about the made recommendations.	RMRA facilitates conduction of checks at the specialised services of primary, secondary and tertiary level, as appropriate RMRA facilitates issuing of the health case, as appropriate, according to the legislation in force.	RMRA notifies the RA Secretariat about the actions taken for assistance in the case.	

EDUCATIONAL INSTITUTIONS

ACTIONS FOR CHILDREN AND ADULTS

Duties/actions of the educational staff (and time limits)	Documentation by the educational employee	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders, external main responsible, including other RMRA and time limits
The educational employee in the CSTG assume the obligation to re-register the child with the educational institutions.				CPU or the employee of the residential centres prepare the documentation that is necessary for the registration with the educational institution. They accompany the child to the educational institution.
In case of referral by an entity/structure/public or non-public institution of a child or adult PVoT/VoT, the educational employee must register the case for the continuation of the education programme.	RMRA informed of the referred case	Instructing the educational employee about the case. Notifying the RA secretariat.		Providing the documents necessary for registering the case.

Planning and Support for assisted voluntary return

- **“Planning and support for assisted voluntary return”** means the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of trafficked persons at borders and inland of the Republic of Albania, as well as local and central government institutions (particularly members of RA), which make possible the safe, voluntary and assisted return of a victim/potential victim of trafficking of foreign citizenship to the country of origin. These actions should include at least: 1. Assessing the situation of persons in the country and family of origin before the return; 2. Informing the person or his/her legal guardian about the assessment; 3. Taking the decision of return based on the best interest of the child, trafficked/suspected person; 4. Taking measures for assisted/safe return; 5. Ensuring that the trafficked persons will not be prosecuted in their country of return; 6. Ensuring the continuity of treatment of the VoT/PVoT in compliance with his/her needs; 7. Preventing re-victimization.
- **Agencies/institutions responsible for Phase IV:** Ministry for Europe and Foreign Affairs, Diplomatic Representations of the RoA, State Social Service, SAPRC, RA/D/HRA, employee of the residential centres where the victims of trafficking and potential victims of trafficking are sheltered, employees of the Border and Migration Police.

Means and conditions of their use

Means of planning and support for assisted voluntary return include communication, generation and exchange of documentation in accordance with the legal provisions

Documentation

Package of assisted voluntary return consists of K.1. request for assessment, K.2. RA record about Return, K.3. Request for assisted return

PROCEDURES FOR CHILDREN

Actions/needs	Main responsible	Documentation	Deadline
Compiling the request for finding and assessing the family and the risk at the country of origin.	The case employee of the centre where the child is accommodated	Form K1 Notes on the database	As soon as possible, within one week from arrival/engagement of the child in a programme
Request is reviewed and sent to the RA.	Head of the centre where the child is accommodated	Form K1	Within the day of the preparation
Transfer of the request to the authorities of the country of origin that may make the assessment.	D/HRA and RMRA of the MEFA		
Forwarding the reply to the centre where the child is accommodated.	D/HRA and RMRA of the MEFA		
Calling the meeting to evaluate the best interest of the child.	D/HRA	Form K2 Record of assessment of the interest to return	Meeting not later than one week from receiving the reply
Assignment of the tasks of organisation of return as per the decision.	D/HRA		In the meeting
Following-up the provision of the travel documentation to the child.	RMRA of the Border and Migration		Request to the authorities of the country of origin not later than two days from the assignment of the task
Ensuring the child's escort.	Centre where the child is accommodated		
Ensuring the funds for the travel of the child and the escort.	D/HRA		
Medical examination of the child prior to travelling.	RMRA from the health sector		

PROCEDURE FOR ADULTS

Actions/needs	Main responsible	Documentation	Deadline
The person is asked whether he/she wants an assessment to be made before return.	The case employee of the centre where the person is accommodated		
Compiling the request for finding and assessing the family and the risk at the country of origin if required by the person.	The case employee of the centre where the person is accommodated	Form K1 Notes on the database	Within the day of expression of willingness
Request is reviewed and sent to the RA	Head of the centre where the person is accommodated	Form K1	Within the day of the preparation
Transfer of the request to the authorities of the country of origin that may make the assessment	D/HRA and RMRA of the MEFA		
Forwarding the reply to the centre where the person is accommodated.	D/HRA and RMRA of the MEFA		
Consulting and taking the decision of the person.	The case employee and the head of the centre where the person is accommodated		Meeting not later than one week from receiving the reply
Sending the person's decision to the RA.		Person's request for assisted return K.3	
Calling the meeting for return and assignment of tasks of arrangement of the return.	D/HRA		
Following-up the provision of the travel documentation to the person.	RMRA of the Border and Migration		Request to the authorities of the country of origin not later than two days from the assignment of the task
Ensuring the funds for the travel of the person.	D/HRA		
Medical examination prior to travelling.	RMRA from the health sector		

RECEPTION OF TRAFFICKED PERSONS, OF ALBANIAN CITIZENSHIP

“Reception of trafficked persons of Albanian citizenship”, is the set of actions undertaken by the employees of state and non-state institutions responsible for the protection of trafficked persons. These actions include at least: 1. communicating with the country of destination about the possibility of return; 2. assessing the situation of the family/community of origin; 3. making preliminary preparation for reception; 4. coordinating actions for the other phases/elements of protection.

Agencies/responsible institutions Agencies mainly involved in Phase V are: Diplomatic Representations of the RoA, State Social Service at central, regional/local level and the social services of the Municipality (SSM)/child Protection Worker (CPW), employees of Border and Migration Police and RA/D/HRA.

Means and conditions of their use

Means of reception include communication, generation and exchange of documentation in accordance with the legal provisions

Documentation

Package of Reception consists of: P.1 RA notification about a person victim of trafficking who will return; P.2 Assessment of the situation; P.3 R.A record for arranging reception.

ACTION FOR RECEPTION (FOR CHILDREN AND ADULTS)

Action	Who takes the actions and the time limits	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Relevant Member of the RA/RA Secretariat
Informing RA of the location of the trafficked person in the country of destination/transit/Sending immediately to the RMRA in the MEFA information in electronic format.	Officer of Diplomatic Representation of the Republic of Albania Deadline: Immediately	Filling immediately the format of notification and sending it to RA (RA Secretariat) electronically.	

Action	Who takes the actions and the time limits	Duties/actions of the Relevant Member of RA and time limits	Documentation by the Relevant Member of the RA/RA Secretariat
Compiling and sending the request for assessment (socio-economic and safety) to the RMRA of the MHSP.	RA Secretariat, Deadline: Immediately	RMRA of MHSP/SSS forward the request for assessment to the social worker of the municipality (NARU)/CPU Deadline: Immediately	Storage in electronic file by the RA secretariat of all correspondence related to the case.
Evaluation.	NARU/CPU NARU makes the assessment for adult persons CPU makes the assessment for children Deadline: within 1 week from receipt of the request for assessment and it is send to RMRA	RMRA send the assessment of the case immediately to the RA secretariat in the electronic format. Deadline: Immediately	Assessment at the RA
Assessment is sent to the country of destination/transit.	RMRA of the MEFA Deadline: Within one week	D/HRA approves and sends to the RMRA of the MEFA the reply for the country of destination.	Assessment
Decisions and arrangements of the country of destination/transit are expected.	ODRRA communicates with the partner institutions of the country of destination/transit.	RMRA of MEFA notifies the RA secretariat about the decision of the counterpart authorities of the country of destination/transit for assisted voluntary return and documentation that may be requested by the country of origin (for instance authorisation of the parent/legal guardian).	email
Reception is arranged.	RA Secretariat Deadline: Within 7 working days.	RA Secretariat communicates with the RMRAs and informs the D/HRA.	email

Support for investigation and punishment of traffickers

- **“Supporting investigation and punishment of traffickers”** is the set of actions undertaken by the staff of state and non-state institutions responsible for the protection of trafficked persons at the border and inland and outside the territory of the Republic of Albania, as well as local and central government institutions (particularly members of RA), which make possible the collection and analysis of information for the investigation and prosecution of traffickers. These actions should include at least: 1. Informing the person and the legal guardian of the need to disclose information on the suspected traffickers; 2. Accompanying the trafficked persons to formal identification; 3. Informing the RA of the modus operating of the traffickers.
- **Agencies/institutions responsible for supporting investigation and punishment of traffickers:** All the protection institutions

PROCEDURE: CHILDREN AND ADULTS

Duties/actions of the local/frontline staff (and time limits)	Documentation kept by the frontline officer	Duties/actions of the relevant member of RA and time limits	Documentation by the Respective Member of the RA	Support actions of other stakeholders, (external main responsible), including other RMRA and time limits
After each interview conducted in a suspected case of trafficking, the employee conducting the interview must immediately share the information obtained with the RMRA (if the case refuses collaboration with the law enforcement authorities).	Format of the interview	RMRA shares immediately the obtained information with the RMRA of State Police (Sector for Investigation of Illegal Trafficking)		RMRA of State Police analyses the information and suggests where necessary the initiation of proactive investigation of the case.

Formats of Documentation

Package of immediate identification and response (Z Forms)

Form Z.1 STATEMENT OF CONFIDENTIALITY/MAINTAINING SECRECY: It is a form intended to make sure that each interview of the child or adult is translated/interpreted with accuracy and confidentiality.

Form Z.2 AFFIRMATION OF THE STATUS OF POTENTIAL VICTIM OF TRAFFICKING

Form Z.3 RECORD OF THE MEETING OF EVALUATION AND DECISION FOR THE BEST INTEREST OF THE CHILD

Form Z.4 STATEMENT OF THE INFORMED DECISION FOR ASSISTANCE

Form Z.5 STATEMENT OF CARE BY THE INSTITUTION

Form Z.6 STATEMENT OF CARE BY THE FAMILY OR LEGAL GUARDIAN

Form Z.7 INFORMED CONSENT FOR COLLECTION AND SHARING OF INFORMATION

Form Z.8 STATEMENT OF CONSTANT CARE AND RESPONSIBILITY

Package of documentation for initial identification (A Forms)

Form A.1 WRITTEN REQUEST FOR IDENTIFICATION BY THE POLICE

Form A.2 INITIAL INTERVIEW WITH THE CHILD

Form A.3 DIFFERENTIAL INTERVIEWING

Form A.4 INITIAL INTERVIEW WITH THE ADULT PERSON

Form A.5 ELECTRONIC NOTIFICATION

Package of documentation for formal identification (B Forms)

Form B.1 STATEMENT OF WILLINGNESS FOR FORMAL IDENTIFICATION

Form B.2 REQUEST FOR FORMAL IDENTIFICATION

Form B.3 FORMAT OF FORMAL INTERVIEW WITH THE CHILD

Form B.4 FORMAT OF FORMAL INTERVIEW WITH THE ADULT PERSON & EXPLANATORY REPORT ON THE FORMAL INTERVIEW

Package of Assisted Voluntary Return (K Forms)

Form K.1 REQUEST FOR PRE-RETURN ASSESSMENT

Form K.2 MINUTES OF MEETING OF RA FOR ASSISTED VOLUNTARY RETURN

Form K.3 REQUEST TO RA FOR ASSISTANCE TO RETURN TO THE COUNTRY OF ORIGIN

Package of Reception (P Forms)

Form P.1 REPORT ASSESSING THE FAMILY SITUATION AND RISK PRIOR TO THE ASSISTED VOLUNTARY RETURN

STATEMENT OF CONFIDENTIALITY/MAINTAINING SECRECY

(to be completed and signed by the interpreter before interpreting each statement of the victims or potential victims or before translating the documents containing their statements)

I the undersigned (name, family name), holder of identification document, interpreter/translator oflanguage and holder of licence number, swear that I will interpret/translate with accuracy and fairness, the verbal and written communication between.....and employees of

declare under my full responsibility that in accordance with the law no. 9887 dated 10.03.2008 “On personal data protection”.amended, I will not disclose in any form and to anyone the information made known to me in the course of provision of this service.

Name, family name and signature of the interpreter/translator

Date

AFFIRMATION OF THE STATUS OF POTENTIAL VICTIM OF TRAFFICKING

(To be issued by A/IPIF or GSPIF after the initial or formal identification if the person is a victim or potential victim of trafficking)

Date

A/IPIF(name), address

G/SPIF..... names (addresses)

confirm that in compliance with the legislation in force and specifically:

DCM.... dated...

DCM/Instruction, Order ...

on date/dates ... the employees of our institution have done all the necessary actions and it has been concluded
.....(name of person) is:

1. Potential victim of trafficking
2. Victim of trafficking

In-depth information on the followed procedure has been sent to (AP)

This certificate may be used only by the person to whom it has been issued

Signature, stamp,
Head of the institution

RECORD
OF THE MEETING OF EVALUATION AND DECISION FOR THE BEST INTEREST OF THE CHILD
(to be completed by PMF and signed by all persons attending evaluation for the best interest of the child)

Date

Time

Place ...

Name of the child :

Attendees in the evaluation and decision:

CPW	
Parent, legal guardian	
A/IRII employee	

Considerations/issues addressed

Wishes of the child:

Physical and mental health of parents

Special needs of the child and the way either parent addresses them:

Culture and religion of the child

Needs of the child for a stable environment

Other children who may be affected by the decision

Support by and interaction with the family members of the mother and father, grandparents;

Familiarisation with the school and community

Presence or non-presence of domestic violence

Use of corporal punishment or emotional abuse by the parents

Use of drugs, alcohol by the parents or sexual abuse of children

Decisiona) *The child will return to the family: the child will be monitored;*b) *The child will be placed in an emergency centre and then with the family or in a residential centre;*c) *The child will be placed in a residential centre.*

Actions and responsibilities for the enforcement of this decision

- a) The child will be transported by ..PMF will take actions according to the law - part on the protection measures

Signatures of attendees

STATEMENT OF THE INFORMED DECISION FOR ASSISTANCE
(to be completed by the person (and parent, legal guardian) who is the subject of the procedure of identification/initial or formal interview)

For the adult person

I (name, family name), born on (date) in (town and place), declare that on this day of (date),

1. have been interviewed by the employee of and I have been informed by them of the assessment made by them to my situation, and I have been provided with a certificate for this assessment
2. The interviewers explained to me the possibility of protection and assistance in Albania provided by various centres or institutions and I have been given leaflets and brochures which contain information about the assistance and the contacts for assistance to respond to my needs for assistance and protection.
3. I fully understand the information given by the employees mentioned above to receive adequate assistance and support and I choose, of my free will, to be placed in:

the institution/programme.....

the family which address is:.....

Independent

For the child

a) The child

I (name, family name), born on (date) in (town and place), declare that on this day of (date),

1. have been interviewed by the employee of and I have been informed by them of the assessment made by them to my situation, and I have been provided with a certificate for this assessment
2. The interviewers explained to me the possibility of protection and assistance in Albania provided by various centres or institutions and responding to my needs for assistance and protection.
3. I fully understand the information given by the employees mentioned above to receive adequate assistance and support and I choose, of my free will, to be placed in:

the institution/programme.....

the family which address is:.....

b) The legal guardian

I (name, family name), born on (date) in (town and place), declare that on this day of..... (date),

1. The child under my care has been interviewed by the employees of and I have been informed by them of the assessment made by them to my situation, and I have been provided with a certificate for this assessment
2. The interviewers explained to me and to the child under my care the possibility of protection and assistance in Albania provided by various centres or institutions and I have been given leaflets and brochures which contain information about the assistance and the contacts for assistance to respond to my needs for assistance and protection.
3. The child under my care understands fully the information given by the employees mentioned above to receive adequate assistance and support and s/he chooses, of own free will, to be placed in:

the institution/programme.....

the family which address is:.....

STATEMENT OF CARE BY THE INSTITUTION

By the representatives of the institutions of assistance after the identification of the person as victim or potential victim of trafficking

I (name, family name), born on (date) in (town and place), holder of the identification document, employee of the institution in the position of declare that:

1. my institution has been requested by (A/IRII, to appear at on (date)....athrs.)
2. I have been informed of the situation of
3. (name of the institution where the person is currently placed) considersas..... (categorisation)
4. I explained to (andthe person and legal guardian) the assistance provided by the institution represented by me;
5. The person and the legal guardian have/not declared that they accept the person to be assisted by the institution that I represent

I hereby admit/receive (name and family name) of date of birth, place of birth with the parent/legal guardian and , holder of identification numberin the institution.....

I declare that I have been provided with the following documentation concerning the person:

1. A copy of the confirmation of the status of the person related to the trafficking
2. A copy of the informed decision for assistance
3. A copy of the meeting of evaluation and decision for the best interest of the child

Name, family name and signature

Name, family name and signature of the person

Name, family name and signature of the legal guardian (if child)

Name, family name and signature of the interpreter/translator if applicable

Name, family name, signature and date by the employee of the institution referring/assigning the person to case/making the identification

STATEMENT OF CARE BY THE FAMILY OR LEGAL GUARDIAN

I (name, family name), born on (date) in (town and place), holder of identification document, number, parent/legal guardian of the child/ person name family name.....born on declare that:

1. I have been asked by (A/IRII, to appear at on (date).....athrs.)
2. I have attended the interviewing of ...
3. I have been informed of the situation ofthe child/person
4. ...X. (name of the institution where the person is currently placed) considersas..... (categorisation)
5. I have attended a meeting where it has been considered that the staying of the child at home and under family care is in the best interest of the child/person;
- 6.

Given the above said, I declare that I accept..... and I will take care of him/her
I have been informed that if we will have problems we may approach

Name, family name, signature of the parent/legal guardian:

Name and family name of the employee who hands over the child to the parent/legal guardian.....

INFORMED CONSENT FOR COLLECTION AND SHARING OF INFORMATION**(by the person himself victim or potential victim of trafficking prior to disclosing information: before the interview)**

I, have been informed by
 that in order to be assisted it is necessary to disclose information to the employee ofand for this reason I accept, of my
 own free will, to be interviewed today on

I have been informed and I acknowledge that, if there is a need for explaining the information given through the interview, the
 interviewers may contact me directly or collect information or additional documentation deemed necessary to assess any risk and to
 fulfil my needs for protection according to the law.

I have been informed by and I agree that the collected information be shared with the assistance
 organisations or institutions in accordance with the law.

I have been informed by and I agree that non-personalised information (not disclosing my identity) collected during
 the interview, be shared with the law enforcement structures in order to help other persons in need.

Moreover, I have been informed by and I agree that non-personalised data (not disclosing my identity), provided by
 me, be stored and used in accordance with the law, for purpose of studies contributing to the fight against exploitati on and trafficking
 of persons.

Name family name and signature of the consenting person.....

Date

Name, family name and signature of the legal guardian

.....

Date

Name, family name and signature of the translator of the consent, if any:

Language of communication

STATEMENT OF PROVISION OF CONSTANT CARE AND RESPONSIBILITY

In the name of the organisation / institution I declare that in accordance with the decision taken
in the meeting of date with the participation of
CPW.....
Representative of the institution
The institutionwill continue to take care of the child.....

WRITTEN REQUEST FOR IDENTIFICATION BY THE POLICE

(to be used by A/IRII: a) to request intervention of the police for identification of the situation of a person for whom there are indicia of trafficking, but who may not be subject to an initial interview b) to document the obligation to report the suspicion for crime⁴⁹)

Date of verbal communication with the police:

A/IRII employee who has communicated with the police

Content of the communication:

- Profile of the person with indicators (age, sex, clothing, address, family members, legal guardians, etc.
- Indicators of trafficking noted on the person
- Location
- Information about the suspected trafficker/s
- Reasons for not conducting the initial interview
- Level of risk of the suspected victim

⁴⁹ According to article 300 of CC

INITIAL INTERVIEW WITH THE CHILD

(to be used by A/IRII when interviewing children if it is found that their situation contains indicators of trafficking)

➤ **Information about the interviewed child:**

Name	
Family name	
Sex	
Place of birth	
Date of birth	
Nationality	
Language of communication	
Last place of residence	
Place of permanent residence	
Reasons of the initial interview - list the identified indicators	
Place of finding of indicators	
Employee/institution finding the indicators	
Health problems treated immediately prior to the interview	
Disabilities/special abilities	

➤ **Information about the interview facility**

Institution owner of the facility where the initial interview is conducted	
--	--

Measures taken for the interview not to be heard outside	

➤ **Participant in the initial interview:**

Participant - Position or relationship to the child	Participation YES/NO	Specify: (name, family name, personal identification number	Details/reasoning for participation or absence
A/IRII employee, specify:			
Social worker or psychologist within the police structure			
Child protection worker in the municipality or administrative unit			
Child's parent, mother or father.			
Person looking after the child.			

➤ **Actions before the conduction of the initial interview**

Actions	Development YES NO	Details / reasoning for YES, NO
Measures are taken for the child to be interviewed by same sex persons		
Interviewer/s introduced themselves to the child (and parent/legal guardian) and explained the purpose of the interview		
Interviewer/s have asked the child how he		

feels for this interview, concerning the persons who will be present, and the facility where the interview will be conducted and the child's reaction was positive		
Interviewer/s asked the interpreter to step outside, and the child and the parent/legal guardian are asked how do they feel about the interpreter	YES NO	
Interviewer/s have obtained sufficient information to understand that the child is in good health to conduct the interview	YES NO	
Interviewer/s have understood how the child communicates, his/her ability to express the opinion and to tell own experiences	YES NO	
➤ Interview: Collection of information to determine whether the child is a potential victim of trafficking		
Actions of the interviewers	Development	Details / reasoning for YES, NO
Trafficking		
The child and the parent or legal guardian have been interviewed and it has been created the suspicion of recruitment ⁵⁰		
The child and the parent or legal guardian have been asked to explain how they started to suspect that the purpose of the relocation of the child was to involve the child in labour or illegal activity for profit or profit increase	YES NO	Activity of the child prior to relocations Activity of the child after relocations
The child and the parent or legal guardian have been interviewed and it has been created the suspicion of hiding	YES NO	Hiding, where, how and from whom
The child and the parent or legal guardian have been interviewed and it has been created the suspicion of reception of the	YES NO	Reception, where, how and from whom

⁵⁰ Meaning of Recruitment as in the definitions above

child		
The child and the parent or legal guardian have been interviewed about exploitation and it has been created the suspicion that the child has been exploited	YES NO	Type of exploitation activity
The child and the parent or the legal guardian have been informed of the suspicion that the child could be a victim of trafficking and they have agreed to that	YES NO	

➤ **Interview: Collection of information to determine whether there are situations requiring immediate protection measures (if the child is victim of violence, economic abuse)**

Actions	Development	Details / reasoning for YES, NO
The child and the parent or legal guardian have been interviewed and it has been created the suspicion that the child has been subject of violence by adults outside the family (physical, psychological)	YES NO	
The child and the parent or legal guardian have been interviewed and it has been created the suspicion that the child has been subject of violence by family members (physical, psychological)	YES NO	
The child and the parent or legal guardian have been interviewed and it has been created the suspicion that the child has been abused sexually.	YES NO	
The child and the parent or legal guardian have been interviewed and it has been created the suspicion of child has been neglected.	YES NO	
The child and the parent or the legal guardian have been informed of the suspicion that the child could be: victim of violence, neglectand they have	YES NO	

agreed to this.		
<p>➤ Interview: Collection of information to determine the protection measure (immediate, alternative placement, specialised supervision in a family setting)</p>		
Actions	Development	Details / reasoning for YES, NO
The child has been asked about the parents and legal guardians and he informs that the parents have died or declared dead by the court, are unknown to the child, have been removed parental responsibility/is in need of protection.	YES NO	
The child has been asked about the parents and legal guardians and he informs that the parent or legal guardian has been escorted to the police, detained, arrested or imprisoned/ the child is in need of immediate protection.	YES NO	
The child has been asked about the parents and legal guardians and he informs that staying with them is a threat to his physical, moral, psychological and emotional integrity	YES NO	
The child has been asked about the parents and legal guardians and the persons looking after him and it results that he is unaccompanied or separated.	YES NO	
The child and the parent or legal guardian have been informed of the alternatives of assistance and their opinion/preference over the protection measure has been taken.	YES NO	
<p>➤ Closing the interview</p>		

Actions	Development	Details / reasoning for YES, NO
The child is thanked for the interview	YES NO	
The child and the parent or legal guardian have been informed of further actions to be taken by the interviewers.	YES NO	

DIFFERENTIAL INTERVIEWING

(to be considered by A/IRII for interviewing children during their interview for other purposes)

Is the child's activity exploited/who profits from the child's activity?

Was the child's involvement in the (illegal) activity intentional?

If yes, how?

If the child has moved from one place to another, was exploitation, increased exploitation the purpose of the child's movement?

What was the reason of the child not leaving this activity?

INITIAL INTERVIEW WITH THE ADULT

(to be used by A/IRII for interviewing adults when it is found that their situation contains indicators of trafficking)

➤ **Information about the interviewed person:**

Name	
Family name	
Sex	
Place of birth	
Date of birth	
Nationality	
Language of communication	
Last place of residence	
Place of permanent residence	
Reasons of the initial interview - list the identified indicators	
Place of finding of indicators	
Employee/institution finding the indicators	
Health problems treated immediately prior to the interview	
Disabilities/special abilities	

➤ **Information about the interview facility**

Institution owner of the facility where the initial interview is conducted	
Measures taken for the interview not to be heard outside	

➤ **Participant in the initial interview:**

Participant in the interview	Participation	Specify: (name, family name, personal identification number)	Details/reasoning for participation or absence
A/IRII employee, specify:	YES NO		
Social worker or psychologist within the police structure	YES NO		
Other social workers or psychologists	YES NO		
Other (legal guardian)	YES NO		

➤ **Actions before the conduction of the initial interview**

Actions	Development	Details / reasoning for YES, NO
Measures are taken for the person to be interviewed by same sex persons	YES NO	
Interviewer/s introduced themselves to the person (and legal guardian) and explained the purpose of the interview	YES NO	
Interviewer/s asked the person how he feels about this interview, concerning the persons who will be present, and the facility where the interview will be conducted and the person's reaction was positive	YES NO	
Interviewer/s asked the interpreter to step outside, and the person is asked how he feels about the interpreter	YES NO	
Interviewer/s obtained sufficient information to understand that the person is in good health to conduct the interview	YES NO	

➤ **Interview: Collection of information to determine whether the person is a potential victim of trafficking**

Actions of the interviewers	Development	Details / reasoning for YES, NO
Trafficking		
The persons has been questioned and it has been created the suspicion that it was a case of recruitment through fraud, ⁵¹		Type of recruitment
The person has been interviewed and it has been created the suspicion that the person has been convinced or obliged to relocate for the purpose of involvement in illegal work or activity for the profit or increased profit of exploiters	YES NO	Itinerary of relocation Activity of the person prior to relocations Activity of the person after relocations
The persons has been informed of the suspicion that he/she could be a victim of trafficking and he/she has agreed to thin	YES NO	
➤ Interview: Collection of information to determine whether the adult person needs and has access to social services		
Actions	Development	Details / reasoning for YES, NO
The person has been interviewed and it has been created the suspicion that he is a victim of domestic violence	YES NO	
The person has been interviewed and it has been created the suspicion that he has a drug and alcohol addiction	YES NO	
The person is a single mother to a child up to one years of age	YES NO	
➤ Interview: Collection of information to determine the need for placement		

⁵¹ Meaning of Recruitment as in the definitions above

Actions	Development	Details / reasoning for YES, NO
The person has been interviewed about the family relations and he/she has informed that the family members may support, he/she may be accommodated with them	YES NO	
The person has been interviewed about the option of staying alone and he/she has informed that staying alone could be dangerous for him/her	YES NO	
The person has been interviewed about accommodation in a shelter for victims of trafficking and he/she has agreed to be placed in a shelter	YES NO	

➤ **Interview: Collection of information for the further identification process**

Actions	Development	Details / reasoning for YES, NO
The person has been informed that it has been deemed that s/he is a potential victim of trafficking	YES NO	
The person has been informed that he/she may ask for the conduction of a formal interview, the purposes of the interview and the interviewers	YES NO	

➤ **Closing the interview**

Actions	Development	Details / reasoning for YES, NO
The person has been thanked for the interview	YES NO	
The person has been informed of further actions to be taken by the interviewers	YES NO	

ELECTRONIC NOTIFICATION
for execution of the obligation for initial identification and immediate response

A/IRII name

A. General information about the person over whom the procedure has been applied

Name, family name of the person...

Age:

Sex

Place of birth

Place of residence

Place of identification:

B. Elements of the procedure

Indicators	Initial interview	Differential	Notification of the Section of Trafficking for immediate intervention

C. Verbal communication with RMRA about the person prior to completing the notification.....

D. Information about the status or arrival of the person before A/IRII

E. Actions taken for in-depth identification

(example border police)

Time 9.30: The child appeared to the desk alone returning from The border officer noticed elements from the list of indicators:

<i>Child</i>		<i>Adult</i>		
<i>Indicators of recruitment relocation</i>	<i>Indicators of exploitation/purpose of exploitation</i>	<i>Indicators of recruitment relocation</i>	<i>Indicator of manners</i>	<i>Indicators of exploitation/purpose of exploitation</i>

At 9.50 the border officer referred the child to the second line and informed the shift supervisor

At 10. 00 the shift supervisor accommodated the child in the interview room and obtained information about the family of the child, the address, etc. and contacted the police station of the place of residence of the child

At 10.30 - the shift supervisor was informed that the family was not found, it had left the place

At 10.45 the shift supervisor contacted the municipal social services and asked for the child protection worker

At 12.30 the CPW appeared at the BCP

At 12.45 the shift supervisor and the CPW held the interview. The collected information shows that:

Status of the child:

*The child is victim of trafficking/potential victim of trafficking
or*

The child is in need of protection according to articleof law on the rights and protection of the child

Level of risk and source of risk

The risk against the child is high.

At 14.00 the shift supervisor and the CPW held a meeting to evaluate the best interest of the child

At 15.00 the CPW contacted the Director of Social Services of the municipality

At 16.00 the child accompanied by the CPW was transported to

F. Documentation of actions

Example

Notes on the initial interview of the child (A2 form) - stored at the BCP

Record of evaluation and decision for the best interest of the child- a copy with the BCP and a copy with the CPW

G. Management of information relevant for the investigation

The information relevant for investigation was submitted to (chief of station, director of the institution)

3. *Package of formal identification B Forms*

B.1 of formal identification

Statement

OF WILLINGNESS FOR FORMAL IDENTIFICATION

I, name, family name, born on ... , in, resident in address ... have been identified as potential victim of trafficking on ... by ...

My child/person under my guardianship has been identified as a potential victim of trafficking onby ...

I am currently being assisted by the organisation

My child is currently being assisted by

I have been informed by the organisation about the purposes and the procedure of formal identification and I declared that:

I withdraw

6. Recommendations given by the agency/institution about the formal interview (persons who are present, time etc):

7. Safe transportation to the interview facility

8. Name, family name and contacts of the person of the agency/institution to accompany the person for the formal interview:

B.2 of formal identification

REQUEST FOR FORMAL IDENTIFICATION

1. The title and job description of the agency/institution filing the request in the name of the person:
2. Description of circumstances under which the agency has contacted or has been contacted by the person that it intends to identify as victim of trafficking:
3. Information about the person at the disposal of the agency:

Name, Family name:

Age:

Place of residence:

Location

If a child, the names of the parents:

If a child, the name of the legal guardian, in absence of the parent:

4. Description of circumstances of identification of the person as potential victim of trafficking

5. Description of assistance obtained by the person:

6. Recommendations given by the agency/institution about the formal interview (persons who are present, time etc):

7. Safe transportation to the interview facility

8. Name, family name and contacts of the person of the agency/institution to accompany the person for the formal interview:

FORMAT OF FORMAL INTERVIEW WITH THE CHILD

To be used by the group of the formal interview

Actions before the interview

1. Interviewers introduce themselves to the child and show the place/office where the interview will be held;
2. Interviewers communicate with the child about easy topics in order to establish a good contact with them and to understand the way the juvenile communicates;
3. Interviewers explain to the child the purpose for this the interview will be held and ask the child how he feels about the interview, the persons who will be present and the place where the interview will be held;
4. Interviewers explain to the child the importance of his/her telling the truth and that he/she may interrupt the interview at any time;
5. Interviewers ask the interpreter to step outside and ask the child and parent/legal guardian how they feel about the interpreter;
6. Interviewers explain to the child the purpose of the informed consent and request consent to start the interview.

Conduct of the interview

1. Lead conversation toward the education of the child

Is the child attending school? Yes. No.

If yes:

Name of the school

Address of the school

Name of the principal teacher:

Satisfaction and/or worries of the child about the school

If none:

Reasons why the child does not attend school

2. Lead conversation toward incomes with which the child lives/has lived or will live to highlight whether

there was / there is / there will be exploitation of the child

From the family

If from the family:

Employment of father, mother, other family members:

From the child's work

If from his/her work:

Time when he/she worked or will work:

Job he/she did or will do:

Work conditions (that have been or will be):

Place of work (has been or will be):

Where do / have gone / will go the money from the child's work?

Who found /will find the job for the child?

Whom does / did / will the child give the money from his/her work to?

How does the child perceive the work and the others' expectations?

Who takes / took / will take care of the child:

Other:

3. Lead conversation toward the child's movements / relocations (within borders, across borders, or both)

To highlight movement / movements for exploitation purposes through border crossing:

Reasons over which the child left his/her country:

Persons the child travelled with:

Number of movements involving border crossing:

Itinerary of movements:

Time of entry/entries and exit/exits:

Purposes of the border crossing /crossings:

Manner of border crossing / crossings:

Point of border crossing:

Persons who helped / will help the child to cross the border, their connections with the family of the child:

Documents used / to be used for crossing the border:

Who holds/ held / / will hold documents of the child:

Payments made / to be made for crossing the border:

Contacts in Albania and destination of the child:

Treatment of the child during movement:

Current contacts with the person who helped / mediated / would mediate movement:

Contact with the family during movements:

To highlight movement / movements for exploitation purposes inside the borders

Reasons why the child left his/her place of residence

Persons the child travelled with:

Number of movements inside the territory:

Time of movements:

Contacts with and presence of the parent/legal guardian during the movements:

Purpose / purposes of movements:

Transport and payments made for the movement:

Persons who have received/sheltered/ him/her during movement:

Persons who helped/ will help for the movement:

Living conditions during movements:

Persons accompanying during movement/movements:

Treatment of the child during movement:

Relations with the accompanying person/persons:

Contact with the family during movements:

4. Lead conversation toward child's plans for the future

What does the child think will happen?

Does the child want to go home? If yes, why? If no, why?

What assistance does the child want and whom does he/she expect it from?

Does the child want to return to his/her place? If he/she goes to his/her place, what will he/she need to feel protected and assisted?

Does the child want the abuser/trafficker to go to prison?

5. Thank and congratulate the child for the interview

--

B.4 of formal identification

FORMAT OF THE FORMAL INTERVIEW WITH THE ADULT PERSON

➤ Personal information and his/her behaviour during the formal interview

Name	
Family name	
Sex	
Place of birth	
Date of birth	
Place of permanent residence	
Place of domicile	
Institution providing assistance	
Institution making the initial identification	
Institution requesting the formal interview	
Previous contact of the person with the police	

➤ Participant in the interview

Participant - Position or relationship to the interview and the person	Participation yes/no	Specify name/family name	Details/reasoning for participation or absence
SFAIT employee			
Social worker of RSSO			

Employee of the institution referring the person			

➤ **Introduction, creation of conditions for the interview**

	Yes/no	Details
Interviewers introduce themselves to the person and accompanying person and show the office/place where the interview will be conducted		
Interviewers explain the rules of communication to the person		
Interpreter is present and confirmed as fit for the interpreting (has signed the statement of confidentiality)		

➤ **Conduct of the interview**

The person is asked to tell what kind of assistance he is receiving and how he feels about the assistance
The person is asked to explain how s/he feels about the determination as potential victim of trafficking

B.4 of formal identification**EXPLANATORY REPORT ON THE FORMAL INTERVIEW****➤ Personal information and his/her behaviour during the formal interview**

Name	
Family name	
Sex	
Place of birth	
Date of birth	
Place of permanent residence	
Place of domicile	
Institution providing assistance	
Institution making the initial identification	
Institution requesting the formal interview	
Previous contact of the person with the police	

➤ Participant in the interview

Participant - Position or relationship to the interview and the person	Participation yes/no	Specify name/family name	Details/reasoning for participation or absence
SFAIT employee			
Social worker of RSSSO			
Employee of the institution referring			

the person				

4. *Package of Assisted Voluntary Return (K Forms)*

K.1

REQUEST FOR PRE-RETURN ASSESSMENT

1. The title and job description of the agency/institution filing the request in the name of the person:
2. Description of assistance provided to the person by the agency/institution
3. Previous communication with the RA about the person
4. Information about the person at the disposal of the agency:

Name, Family name:

Age:

Sex

Place of birth

5. Information at the disposal of the agency about the family of the person
6. Concerns of the persons about the family
7. Needs to be addressed in case of return
8. Risk to the person as perceived by him/her
9. Willingness of the person to return
10. Contacts of the person with the family during the course of the programme
11. Organisations or institutions assisting the person at an earlier stage

**Record of
MEETING OF RA FOR ASSISTED VOLUNTARY RETURN**

For the child/person

Current location:

Meeting date:

Attendees in the meeting:

Topics of discussion

Date of assessment of situation risk of return

Content and results of the assessment

Willingness of the person and legal guardian to return after the assessment

What is decided

Actions to enforce the decision and the responsibilities

Signatures of the attendees

Signature of the person

Signature of the legal guardian/case manager

REQUEST TO RA FOR ASSISTANCE TO RETURN TO THE COUNTRY OF ORIGIN

I,, date of birth....., place
of birth

..... father's name....., mother's name
..... of.....

..... citizenship, with ID currently living at the
address

.....,

Declare that:

I have requested an assessment of the situation in my family/my country

I have been informed of the results of the assessment

I request the Albanian Authorities assistance to return to my home country, at the
address

Name, family name, signature and date of the requester.....

Name, family name, signature of the parent/legal guardian

Name, family name and signature of the translator of the request
.....

5. Package of Reception (P Forms)

P.1

**REPORT ON THE FAMILY SITUATION AND RISK ASSESSMENT BEFORE
THE ASSISTED VOLUNTARY RETURN**

To: Responsible Authority/RA Member who filed the request

CC: Director of the State Social Service

Date:

Place:

No. Reg:

Name, family name of the employee that conducted the assessment:

Structure he/she works under:

Contact (tel, fax, email):

Official address:

Date of RA request for the assessment:

Name, family name of the person about whom the assessment was done:

Date of birth:

Address where the person wishes to return to:

Persons contacted for the assessment, dates, and places of contact:

1. From the family:
2. From the police (SFAIT, zone police specialist):
3. From assistance organisations:
4. Other

Family set up:

Family income and source of income:

Family's living conditions:

Family's housing conditions:

Circumstances of leaving the family/family's version:

Family contact and relations with the person upon departure:

Problems during the person's absence:

Does the family agree for the person to return to the family:

What could the family offer to the person if he/she returned:

Family's assistance needs to support the person in the family:

Community possibilities to support the person upon his/her return:

Potential risks to the safety of the person and family if the person returns / what the community thinks (family, law enforcement agencies) about the trafficker/s' location and threat:

To what extent the person's needs and desires will be met upon his/her return to the family:

Sources of assistance the person can turn to for assistance upon his/her return:

Conclusions of the assessment on the safety and viability of the return:

1. Premises where the person wishes to return to are safe and appropriate/ can meet the person's needs for safety and protection
2. Premises where the person wishes to return are unsafe and/or inappropriate/ can meet the person's needs for safety and protection

Suggestions of the evaluator on the arrangement of the return, rehabilitation, and reintegration of the person.

Attached documents: authorization by the parent/legal guardian for the assisted return of the child

Name, family name, and signature of the assessor

Name, family name, and signature of the Director