

Unified Standard Operating Procedures for Transnational Case Management

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Based on the Annex to bi-national Protocols for the protection of victims and potential victims of trafficking with a special focus on children

Albania, Kosovo, Montenegro and Macedonia*

* A Working Group has been constituted in Macedonia in order to evaluate the endorsement of the Unified Standard Operating Procedures and expected to do so in September 2018.

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Disclaimer

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List of Acronyms

CoE	Council of Europe
COO	Country of Origin
COD/T	Country of Destination or Transit
ISF	INTERIM SECURITY FACILITY
IO	International Organisation
ONAC	Office of National National Anti-Trafficking Coordinator
MLSW	Ministry of Labor and Social Welfare
NCATS	National Coalition of Anti/trafficking Shelters
NGO	Non-governmental Organisation
NRM	National Referral Mechanism
SOP	Standard Operating Procedures
TDH	Terre des hommes
TIP	Trafficking in Persons
UN	United Nations
UASC	Unaccompanied and Separated Children

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User's Guide



Foreword

The Balkans is a region of origin, transit and destination for women, men and children in search of work and better livelihood perspectives, who are at risk of trafficking and exploitation due to a complex web of interlinked social, economic as well as cultural factors. The phenomenon of trafficking is reported to be of both internal, and cross-border/regional nature.

The Governments of Albania, Kosovo, Macedonia, Montenegro have made significant efforts and demonstrated progress in criminalization of trafficking and the prosecution of traffickers in the region. However victims' identification and assistance remain under-considered aspects of the anti-trafficking response in Southeast Europe. The numbers of officially recognized and assisted victims have remained relatively low throughout the last years. In 2017, such number ranged from 105 victims identified in Albania and 32 in Kosovo, to 6 identified in Macedonia (99 potential victims of trafficking) and 1 in Montenegro (and 1 potential victim of trafficking)¹. And yet one way to break the vicious circle of trafficking is to ensure continuum between identification and support that goes beyond short-term assistance to victims and invest in their longer-term socio-economic inclusion and a healthy family and social environment.

Albanian children, mainly from the Roma and Egyptian community are often forced to beg or carry out other forms of forced labor such as the selling goods by the roadside. Some Albanian children are sent abroad to countries like Turkey to perform seasonal work. NGOs report an increase in the number of men being trafficked for the purpose of slavery or forced labour – in 2013 there were 14 male victims identified, this rose to 17 in 2014, and 22 the following year.

Albanian victims are subjected to trafficking for sexual exploitation throughout Europe, especially in Kosovo, Greece, Italy, and the United Kingdom. Albania is also growing in importance as a route through which Middle Eastern, Central Asian, and African migrants reach Western Europe.

A US State Department report has recognised an improvement in Albania's record in bringing traffickers to justice; however, it highlighted a number of areas in which the country falls below international standards when it comes to prosecuting criminals, including the continued failure of police to "identify trafficking victims among individuals involved in forced prostitution or domestic servitude."

The former Yugoslav Republic of Macedonia" continues to be a country of origin, transit and destination of victims of TIP. According to statistical data provided by the national authorities, 33 victims of THB were formally identified during the period 2013 to 2016, of whom 21 were children (in 2013: six adult and nine child victims; in 2014: two adult and six child victims; in 2015: one adult and three child victims; in 2016: three adult and three child victims). All but one of the victims were female. About half of the identified victims were nationals of "the former Yugoslav Republic of Macedonia", trafficked either transnationally (the main countries of destination

¹ U.S. Department of State, "Trafficking in Persons Report" (June 2018), country narratives for Albania, Kosovo, Macedonia and Montenegro.

being France, Switzerland, Croatia and Italy) or within the country. There were 15 victims of internal trafficking. The foreign victims originated from Albania, Bosnia and Herzegovina, Serbia, Kosovo* and Romania. The main form of exploitation was sexual, followed by trafficking for the purpose of forced marriage (10), forced labour (3), exploitation of begging (1), or a combination of exploitative purposes².

In Montenegro 15 victims of trafficking in persons were identified over a 4-years period (2012 – 2015; nine in 2012, one in 2013, two in 2014, and three in 2015). All victims were female; eight of them were children. Ten of the identified victims were Montenegrin citizens or internally displaced persons from Kosovo with Montenegrin residence; seven of them were trafficked within Montenegro and three to Serbia. The other five victims were foreign citizens trafficked to Montenegro (two from Bosnia and Herzegovina, two from “the former Yugoslav Republic of Macedonia” and one from Kosovo). Eight victims were subjected to sexual exploitation, four to forced marriage and three to forced begging; one of the victims was also exploited for the purpose of domestic servitude. There have been no identified cases of THB for the purpose of labour exploitation, despite concerns around the situation of seasonal workers from neighbouring countries who are employed in the tourism and construction sectors. In Montenegro, a person remains a “potential” victim of trafficking until there is a final conviction for a THB offence. However, unlike the situation at the time of the first evaluation by GRETA, the above-mentioned figures of identified victims include also persons for whom there were reasonable grounds to believe that they are victims of trafficking, including those identified by centres for social work³.

In Kosovo, the government identified 32 trafficking victims in 2017. Of these, 18 were subjected to sex trafficking, seven to forced labor, three to forced begging, and four to “slavery and servitude” (26 were subjected to sex trafficking, nine to forced labor, and one victim to “slavery and servitude” in 2016); 19 were children (18 in 2016); 29 were female and three were male (34 females and two males in 2016); and 25 were from Kosovo, five from Albania, one from the Philippines, and one from Moldova⁴.

In this efforts, the Government of Albania, Kosovo and Montenegro have endorsed the Standard Operating Procedures (SOPs) for Transnational Case Management for the protection of victims, potential victims of trafficking with a special focus on children, endorsement that was done in a trilateral meeting between the National Anti-trafficking Coordinators of the three countries held in Budva, Montenegro on the 31st of October – 2nd of November 2016.

In order for this endorsed transnational case management mechanism to be fully functional, the present User Guide has been developed as a tool to create a common understanding and to guide the correct use of USOPs forms between the respective countries, i.e. government officials, international organizations, and NGOs in order to respond to the learning needs of professionals in the region.

² Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by “the former Yugoslav Republic of Macedonia” second evaluation round adopted 24 November 2017

³ Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Montenegro second evaluation round, adopted 8 July 2016

⁴ U.S. Department of State, “Trafficking in Persons Report” (June 2018), country narratives for Albania, Kosovo, Macedonia and Montenegro.

Such initiative is developed in the framework of the Project: Improving provision of services and awareness to combat trafficking in Persons in the Balkans, Albania, Macedonia, Montenegro, Kosovo, funded by the United States Department of State through the Office to Monitor and Combat Trafficking in Persons (J/TiP) program. This project aims to strengthen the transnational collaboration between the four countries of the project in identifying and assisting victims/potential victims of trafficking with a special focus on children. The project is a joint effort of Terre des Hommes Mission in Albania & Kosovo with six local partners in the four countries of intervention: The Initiative for Social Change – ARSIS and Different & Equal in Albania; Association for action against violence and trafficking in human beings – Open Gate in Macedonia; SOS Hotline for Women and Children Victims of Violence Niksic in Montenegro; Shpresë dhe Shtëpitë e Fëmijëve and The Center for Protection of Victims and Prevention of Trafficking in Human Beings in Kosovo.

It aims to strengthen the capacities of service providers and governmental institutions to ensure provision of comprehensive services to victims of TIP in four (4) countries of the Balkan region. The project will ensure that (i) Victims and potential victims of TiP in the Balkans have access to national and transnational coordinated and comprehensive services, and (ii) Potential victims of TIP and targeted public in the Balkans are better informed about human trafficking.

Introduction

In the framework of establishing functional transnational cooperation mechanisms to identify, protect and report trafficked persons and potential trafficked persons, this User's Guide aims to enable the implementation of the Unified Standard Operating Procedures (USOPs) for Transnational Case Management across the four countries and secure all parties' unified information exchange for effective implementation of existing bilateral protocols in place, for the identification, protection and voluntary assisted return of victims, potential victims of trafficking and in particular of children at risk of trafficking.

The USOPs between Albania, Kosovo and Montenegro have been developed through a joint work of the working groups established in each country. These working groups were composed of representatives from ONAC offices, Border Management Police Officers, Prosecution, Ministries of Social Affairs and experts from international and national non-governmental organizations.⁵ In December 2016, the National Anti-Trafficking Coordinators of the three countries endorsed the USOPs for Transnational Case Management.

Since the endorsement of the USOPs, these procedures have been barely implemented. Organizations report only one case for which such procedures have been applied. Hence, while this manual provides guidelines for implementation of these new USOPs for Transnational Case Management, stakeholders should continue to use existing internal official standards in provision of services to the P/VOTs and the expertise of NGOs, IOs, and government official in implementing country Standard Operating Procedure.

In 2018, Macedonia joined the process. Protocols on anti-trafficking cooperation have been signed between Macedonia and Albania and Macedonia and Kosovo, and a third one is in the process of signature with Montenegro.

In this context, this User's Guide is elaborated in order to facilitate the implementation of the unified information exchange for transnational case management in the form of USOPs. The user's guide provides a step-by-step guidance to anti-trafficking stakeholders and professionals involved during the exchange of information among parties.

For the drafting of the User's Guide, Terre des Hommes contracted an international expert who based her work on desk review of the endorsed USOPs, as well as other relevant documents and consultation processes on identification, assessment and transnational case management of potential/victims of trafficking. In particular, the main documents consulted were: the Annex to the Protocols signed between Albania, Kosovo, Macedonia and Montenegro on cooperation in combating trafficking in persons as well as the Protocols signed, the National Referral Mechanisms (NRM) of each country, country reports on Trafficking in Persons situation, and Council of Europe Convention on Action against Trafficking in Human Beings and its Explanatory

⁵ The drafting and endorsement of the USOPs was supported by Mario project – Protect Children on the Move (www.marioproject.org) implemented by Terre des hommes Albania and Kosovo and Save the Children Albania CO.

Report. Valuable contribution has been provided in the working meetings with participants of Terre des Hommes and the meeting with Different and Equal non-governmental organization, as well as the input provided during the Regional Training celebrated in Skopje in July 2018, in which participated representatives of state and non-state institutions of the four countries.

The first and second parts of this Guide are focused on general considerations and target groups and definitions according to the USOPs. The third part is an overview on transnational case management systems. The fourth part is summary of the roles and responsibilities of the three main players tasked for the implementation of the USOPs. The fifth part, which is the main body of the document, explains the structure of the USOPs and how each of the 10 forms fit in the transnational case management process. For each form, there is a comprehensive explanation, as well as indications on how to complete them. Finally, the last section is on monitoring and follow up of the USOPs.

1. General Considerations

The *Unified Standard Operating Procedures (USOPs) for unified information exchange for Transnational Case Management for the protection of victims, potential victims of trafficking and those at risk, with a special focus on children* have been endorsed with the aim to enhance identification, notification, referral, cooperation in proceedings and voluntary return of victims and potential victims of trafficking. As stipulated in the Protocols to which such USOPs have been annexed, the goal is to secure all parties' unified information exchange in their application. Provided that the States have signed the Protocols, the USOPs are binding for each of the countries that have or will endorse them.

The Protocols signed by Albania, Kosovo, Montenegro and Macedonia, are the following:

Protocol "On Intensifying the Cooperation in the Fight Against Human Trafficking and for the Improvement of Identification, Notification, Referral and Assisted Voluntary Return of Victims and Potential Victims of Trafficking, Specially Children in Addition to the Agreement between Council of Minister of the Republic of **Albania** and the Government of the Republic of **Kosovo** " On the Trans-border Police Cooperation", Law no.10 212, date 21.1.2010" (2012)⁶,

Additional Protocol between the Ministry of Internal Affairs of the Republic of **Albania** and Secretariat General of the Government of **Montenegro**, "On Intensifying of the Cooperation in the Fight Against Human Trafficking and for the Improvement of Identification, Notification, Referral and Assisted Voluntary Return of Victims and Potential Victims of Trafficking" (2014)⁷

Protocol Between Ministry of Interior of the Republic of **Kosovo**, National Coordinator's Office for Fight Against Trafficking in Human Beings and Secretariat General of the Government of **Montenegro**, Office for Fight Against Trafficking in Human Beings, "On Cooperation in Combating Trafficking in Human Beings" (2014)⁸

On the Ratification of the "Agreement between the Government of Republic of **Macedonia** and the Council of Ministers of the Republic of **Albania** for cooperation in combating terrorism, organized crime, illicit trafficking of narcotic, psychotropic substances and their precursor, illicit migration and other illicit activities" signed on June 17th, 2004, entered into force on may 20th, 2005.

⁶ GRETA Group of Experts on Action against Trafficking in Human Beings, Report on the compliance of Kosovo with the standards of the Council of Europe Convention on Action against Trafficking in Human Beings (2015), available at: <https://rm.coe.int/16806454cc>

⁷ GRETA Group of Experts on Action against Trafficking in Human Beings, Report Concerning the Implementation of of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania, Second evaluation round, pg. 37, (2016) available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168065bf87>

⁸ GRETA Group of Experts on Action against Trafficking in Human Beings, Report on the compliance of Kosovo with the standards of the Council of Europe Convention on Action against Trafficking in Human Beings (2015), available at: <https://rm.coe.int/16806454cc>

Additional Protocol on intensifying the cooperation in the Fight Against Human Trafficking across borders and on intensifying of Identification, Notification, Referral and Return of the victims, in fulfilment to the agreement between the Government of the Republic of **Macedonia** and the Council of Ministers of the Republic of **Albania** for the “cooperation in combating terrorism, organized crime, illicit trafficking of narcotic, psychotropic substances and their precursor, illicit migration and other illicit activities, dated March 14th, 2007.

A Protocol on Cooperation on Anti-Trafficking is in the process to be signed by Macedonia and Montenegro.

The present User’s Guide aims to strengthen cooperation between the competent state authorities as well as those of civil society, involved in the response to protection of victims and potential victims of trafficking with a special focus on children and in particular:

- Intensify exchange of information, cooperation and mutual assistance between the countries’ authorities, and NGO and International Organization’ experts regarding identification, referral, protection and cooperation in proceedings and voluntary return of victims and potential victims of trafficking with a special focus on children.
- Improve coordination between the National Coordinators Offices for fight against trafficking in human beings in the four countries.
- Carry out joint actions for the implementation of the transnational mechanism and against human trafficking.
- Exchange positive experiences and, coordinate practices, procedures and work methodology in the fight against human trafficking.

The **exchange of information**, including the use of forms part of the procedure, shall take place immediately or within the deadlines indicated and in accordance with the national and international legislation⁹. The forms include all necessary data to enable identification, referral, resettlement, assisted voluntary return and protection in the best interest of the victim/potential victim of trafficking or person at risk of trafficking. Exchange of information, shall be considered confidential and will be used only by the appointed responsible authorities assigned for the implementation of the USOPs, in full accordance with their national legislation and the international standards.

The **communication** between the assigned/tasked authorities (contact points) for the implementation of the procedures, will be carried out in English language or in any other language as agreed among them.

⁹ Especially in the Convention of the United Nations against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Council of Europe convention on Action Against Trafficking in Human Beings, Convention on the Rights of the Child and the Optional Protocol on the Children Sale, Pornography and Prostitution, the national legislation and the agreements signed between the countries on cooperation in organized crime cases and international acts and documents relating to Human Trafficking.

2. Target Groups and Definitions

The categories subject of the Unified Standard Operating Procedures are:

1. Victim of trafficking/trafficked person and presumed victims of trafficking
2. Adults at risk of trafficking
3. Children at risk of trafficking.

The definitions of each category as well as other terms used for the USOPs, have been provided in the Annex to the three anti-trafficking Protocols between Albania, Kosovo and Montenegro, as follows:

“Child” refers to any person under 18 years of age.

“Protocol targeted/ committed categories” refer to victims of trafficking, presumed victims of trafficking, and “at risk of trafficking ” referring to children and adults who are eligible for special protection under legislation on social or foreigners’ protection or other legislation in force in each party. It includes at minimum adults who live outside their country of origin and who:

1. Have mental and physical disabilities/different abilities
2. Have been previously identified as victims of trafficking

It includes at minimum children who live outside their country of origin and who:

1. Are unaccompanied or separated minors;
2. Have mental and physical disabilities/different abilities;
3. Are living on the streets with or without their parents;
4. Are presumed kidnapped or are reported kidnapped children;
5. Are gone missing;
6. Are married / cohabitate under the legal age for marriage;
7. Are children of victims of trafficking;
8. Have history of abuse and /or neglect;
9. Children whose parents’ movements and stay is irregular.

“Protocols’ Responsible Authorities” refer to: Ministry of Interior- The Office of the National Coordinator For the fight against Trafficking in Human Beings of the Republic of Kosovo, Secretariat General of the Government of Montenegro – Office for Fight Against Trafficking in Human Beings, Ministry of Internal Affairs - The Office of the National Coordinator For the fight against Trafficking in Human Beings of the Republic of Albania.

“The Protocols’ Contact Points” refer to the persons assigned as such by the Protocols’ Responsible Authorities.

“Case manager” refers to the professional assigned to assist the person subject of protocol with functions as stipulated in the domestic legislation. The case manager provides the Contact Points with the necessary information and documentation required for exchange with the other party and participates in the decision making process.

“Case Communication Package” refers to 10 standard obligatory forms and their standard attachments, included in this document, through which the Contact Points ensure that the cases belonging to the Protocol targeted/ committed categories are handled/ managed in conformity with the Protocols.

“Information prior to obtaining consent for sharing information” includes information provided to the person directly, through his guardian or through the case manager in simple and understandable language and without causing further harm on the categorization that the authorities make for his/ her situation, rights arising from this categorization, value and purpose of issuing the permit for sharing personal information, information that should be shared, the principle of sharing “to the extent necessary to protect the person”, measures and responsibilities for sharing and storing information, legal obligations of institutions for information sharing, the actions that will be carried out to keep the person informed of the effects of information sharing.

“Opening of the case”: refers to the time and quality point in which the Contact Points in the country of origin, destination or transit initiate a communication with the other party Contact Points on an individual or individuals either presumed or identified as belonging to the Protocol “targeted/committed categories”. In terms of the “Case Communication Package”, it coincides with the submission of Form1 or Form 2 of the package.

“Closing of the case”: refers to the time and quality point in which the Contact Points in the country to which the person has returned or stayed due to implementation of the Protocol (s) concludes that he/she: a) belongs no longer to the “targeted categories”, b) has received all the assistance he / she is eligible for from both parties under the Protocol. In terms of the “Case Communication Package”, it coincides with the submission of Form 10.

“Cases’ Register” refers to a register created and maintained by the Contact Points in each country / party in which they register important information regarding the communication on the cases such as case number, identity information (name surname, date of birth, place of birth), dates of exchanging information, forms used, case managers, guardians appointed etc..

“Case file/ dossier” refers to the files the case managers create and maintain for each case.

“Date of submission of the information”: refers to the working date in which the information in the required form is sent by the Contact Point.

“Date of reception of the information”: refers to the working date in which the information in the required form is received by the Contact Point.

“Trafficking in Human Beings” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

- a) The consent of a victim of “trafficking in human beings” to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- b) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in human beings” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- c) “Child” shall mean any person under eighteen years of age;¹⁰

“Victim of trafficking” shall mean any natural person who is subject to trafficking in human beings as stipulated in article 4/ e of Council of Europe Convention on Action against Trafficking in Human Beings.

“Presumed victim of trafficking” refers to any person who qualifies as such under the domestic legislation in each country taking into consideration the application of international legislation the countries adhere to.

“Unaccompanied children/ called unaccompanied minors” refers to any person under 18 years of age outside of their country of origin who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.

“Separated children” refers to any person under 18 years of age outside of their country of origin, who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members

“Legal Guardian”: refers to individuals that have legal authority to care for another person assigned in accordance with the parties’ domestic legislation.

“Meeting of the Authorities on the decision regarding the return, stay or resettlement” is meeting(s) organized by the Contact Points of the country of destination or transit to take a decision regarding the stay, the return or resettlement of the person subject to the Protocol / and assign tasks and steps following the decision. The Contact Point of the country of destination or transit decides on the participation and calls these meetings. Participants in this meeting shall be the case manager and representatives of the institutions and agencies involved in the protection.

“Meeting of the Authorities for organizing the reception” is meeting(s) organized by the Contact Point of the country of origin for organizing reception of the person to be returned, assigns tasks for the preparation of the reception, including the necessary documentation (e.g. parental authorizations). The Contact Point of the country of origin decides on the participation and calls these meetings. Participants in this meeting shall be the representatives from the border, and from other institutions or agencies that will deal with protection upon return.

¹⁰ Council of Europe Convention on Action against Trafficking in Human Beings.

3. Transnational Case-Management System with Special Focus on Children

A transnational **case management system** enables all concerned actors to detect and identify *victims, potential victims of trafficking and persons at risk*, to assess their individual situation, and to provide support in a coordinated fashion.

Besides law enforcement and crime investigation aspects, international coordination and cooperation in protecting *victims, potential victims of trafficking and persons at risk, including children on the move* is needed, to ensure a continuum of protection in migration situations at transnational level, and to develop adequate prevention as well as (re)integration strategies.

Elements embedded in transnational cooperation to protect persons at risk should include, as a priority:

- Establishing **effective channels for communication and information exchange** among countries of origin, transit and destination, particularly concerning family investigation procedures and service provision. With regard to the latter, common tools and methodologies should be used to support information exchanges with a view to ensure a harmonized and comparable data collection and ensure the integrity of data collected.
- Appointing a **National Central Authority** with an *exclusive* mandate to ensure international coordination and dispatch of all information requests coming from other countries in transnational protection cases. Its mandate should also comprise the duty to liaise with competent authorities able to provide the information required and ensure continuum of care and protection at national level.
- Ensuring that both short-term measures and long-term decisions to integrate or return the child/adult to its country of origin can be subject to an **effective judicial review** and that children/adults are informed about this possibility in a language and format they can understand, along with other minimum standards of protection, such as child-centered interviews, in line with the national legal framework. The paramount role of adequately trained guardians in all decision-making process should be recognized in both law and practice, and properly resourced at national level.
- Establishing **clear referral procedures** among countries, to be applied to all adults and children on the move (not only to some sub-groups, typically child victims of trafficking);
- Ensuring **lasting political and financial support** to the coordinating entities, and an adequate monitoring system to ensure oversight and accountability;

The high mobility and fluxes of migration requires increased transnational collaboration to ensure that persons at risk or further more victims or potential victims of trafficking are effectively protected and have their best interests upheld in all civil, administrative and criminal procedures concerning them. Such cooperation should ensure that adequate and timely responses are enacted at all stages of the movement.

Bilateral and regional coordination efforts which involve joint case management in terms of sharing information, coordinating assistance, monitoring progress etc. have proven to be successful in preventing exploitation and in supporting children's/adult's (re)integration through better decision making.

Especially when processes involve children the efforts should be in international coordination between countries of origin and destination that are not governed by cumbersome procedures not necessarily designed for the purpose of transnational case management, and applied on an ad hoc basis. It shouldn't result in lengthy procedures focusing on preparing for the return of the child/adult rather than on gathering relevant information to inform the decision-making process making sure that the best interests of the child is given primary consideration.

4. Roles and Responsibilities of Actors Involved

As established in the USOPs, a Contact Point will be assigned in each country, and will be responsible for completing, sending and receiving, the forms. The Contact Points will be supplied with information and required attachments from case managers and national structures in their countries.

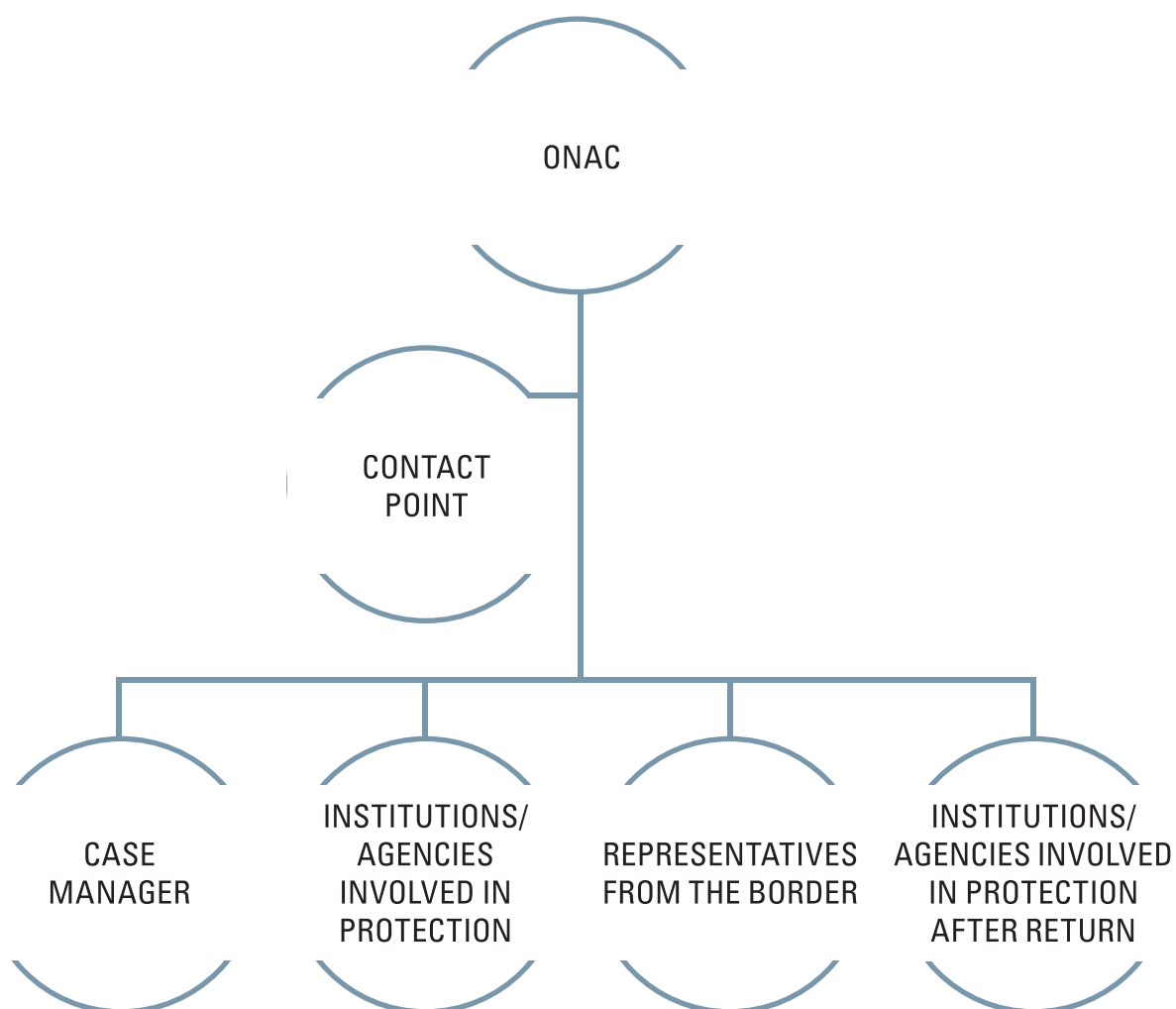


Figure 1. Hierarchy of authorities involved. Source: elaborated by the author.

Furthermore, the USOPs establish the following roles and responsibilities for the three main actors for the implementation of the procedures, which are Office of the National Coordinator for the fight against Trafficking in Human Beings, contact points and case managers. These are:

1. Office of the National Coordinator for the fight against Trafficking in Human Beings
 - Responsible authority for the Protocols.
 - Assigns a Contact Point.
 - May get information from the structures that the adult person or minor and is in the other party's territory and might belong to the categories in focus of protocols – informs Contact Point to initiate USOPs immediately.
2. Contact Points
 - Assigned for the communication between countries, by implementing the USOPs (it is expectable for this process to include adequate training). He/she is responsible for filling out/ completing, sending and receiving the forms, according to the timeframes established.
 - Ensures that the cases belonging to the Protocol targeted/ committed categories are handled/ managed. He/she will be supplied with information and required attachments from case managers and structures in their countries.
 - Assigns a case manager for each case.
 - Opens and closes the case (see section on "Definitions" regarding opening and closing of the case).
 - Creates and maintains a Cases' Register and coordinated with other designated migrant, child protection, TIP and data tracking system.
 - Submits information to the Contact Point of the other country/party.
 - Receives information from the Contact Point of the other country/party.
 - Organizes the "meeting[s] of the Authorities on the decision regarding the return, stay or resettlement", assigns tasks and steps following the decision, decides on the participants and calls these meetings.
 - Organizes the "meeting[s] of the Authorities for organizing the reception", assigns tasks for the preparation of the reception, decides on the participants and calls these meetings.
3. Case manager
 - Assigned to assist the persons subject of protocol with functions as stipulated in the domestic legislation.
 - Provides the Contact Points with the necessary information and documentation required for exchange with the other party and participates in the decision making process.
 - Liase with the responsible authorities for national procedures to be respected and implemented, especially those in cases of children (such as appointment of a guardian).
 - Ensures that "Information prior to obtaining consent for sharing information" is provided to the person directly by him/her or through his guardian, in simple and understandable language and without causing further harm, as established in USOPs (please see section on Definitions on this issue).
 - Creates and maintains "Case file/dossier" for each case.

5. Structure of the Usops and Implementation Package

The USOPs are organized in 10 procedural steps that can be divided in 5 key stages:

- 1. Identification/prevention:** during this phase, the country of origin and the country of destination or transit, exchange information in order to identify and/or prevent a situation of trafficking, presumed trafficking or at risk of trafficking; this phase is especially important as it instigates the measures to prevent the use of forced labor or child labor in violation of international standards, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting. This step is managed according to the USOPs.
- 2. Assessment and planning of assistance:** needs assessment is carried out in country of origin and destination/transit, in order to evaluate the socio economic situation and risk analysis of the case and support from family and institutions. This step is managed according to the national SOPs.
- 3. Decision-making:** a decision is taken by the country of destination/transit on the return and a statement is given by the person concerned on his/her stay, return or resettlement. This step is managed according to the national SOPs.
- 4. Organization of return:** planning of return is carried out, including safety measures and logistics. Assessment will be done according to the established NRM procedures. This step is managed according to the USOPs.
- 5. Participatory evaluation:** assessment of situation on the return process or integration process of the person of concern. This step is managed according to the USOPs.

The completing of the form and exchange of information through the forms “should not be considered as a mechanical process for the sake of fulfilling the obligation of the Protocol(s) but as documentation of the real steps to assist the person subject of the protocol in accordance with their rights and needs”¹¹.

As summarized in the procedural chart below, for each step, the submission of a specific form is required. On the left side, are shown the forms to be submitted by the Contact Point of the country of origin and on the right side, those to be submitted by the country of destination/transit, indicating to which country the form shall be sent. The grey colour boxes show the procedural steps and the main information to be gathered before starting to complete the Form itself.

¹¹ Annex to Protocols, part III: Case Communication Package.

Right next to the box indicating the form number, the circles indicate the timeframes established: in red for children and in orange for adults. The timeframes shall be read as follows:

- “0” stands for as soon as the responsible authorities/Contact Points gets information from the structures that the adult or minor is in the other party’s territory and might belong to the categories in focus of protocols.
- “48 h” stands for up to 48 hours from receipt of previous form.
- “7d” stands for up to 7 working days from receipt of previous form.
- “30d” stands for 30 days from the receipt of the previous form.
- “F6” indicates that deadlines are established in Form 6.
- “-30d” stands for 30 days maximum prior to return of the case.
- “6m” stands for 6 months after the return/ore decision to stay/or after resettlement of the case.

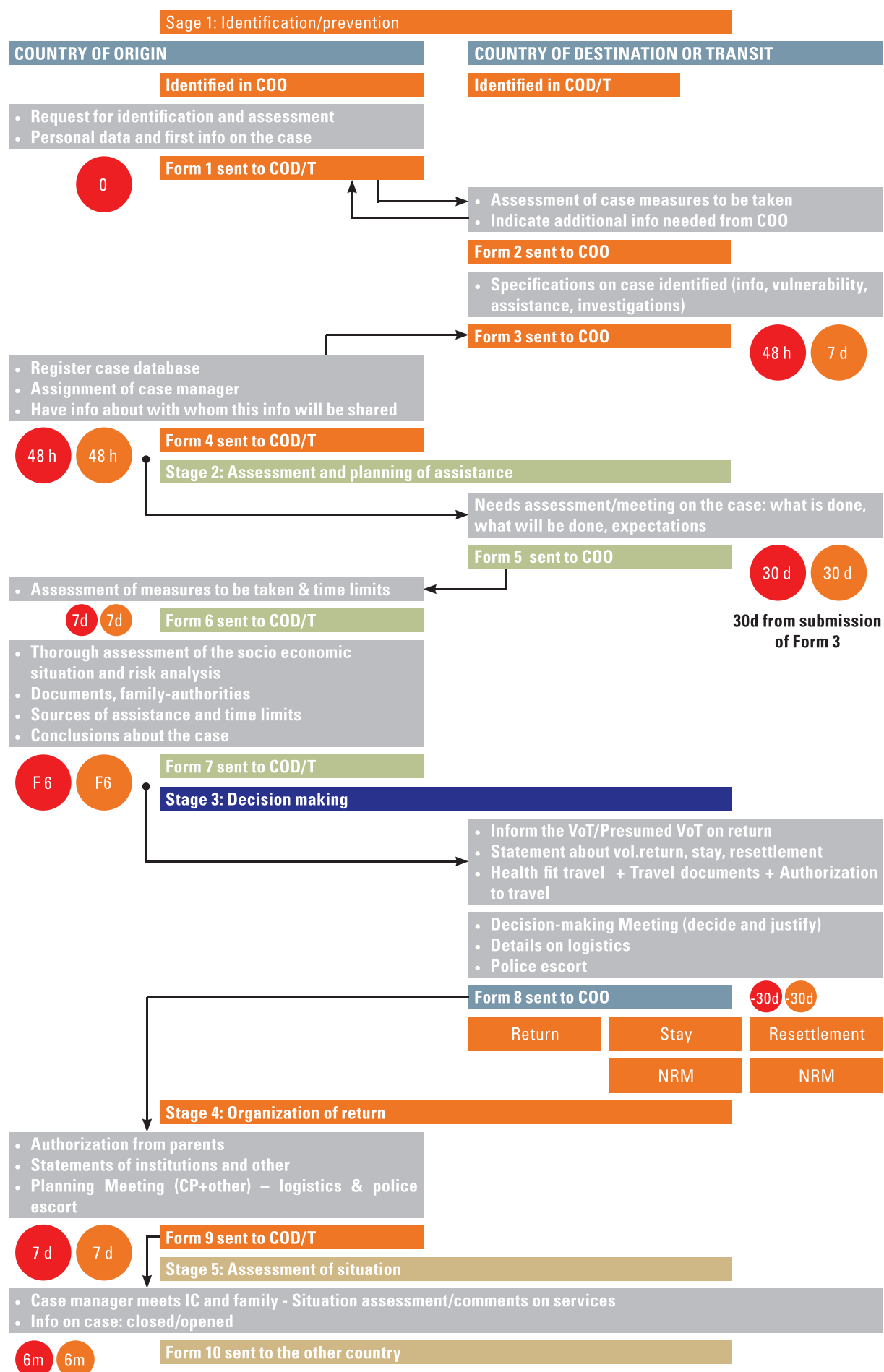


Figura 2. Rrjedha e PSUV-ve dhe afatet kohore. Burimi: elaboruar nga autori.

Form 1

<i>Title:</i>	<i>“Request for the identification and assessment of the situation of persons from targeted categories who are considered to be in the destination or transit country”</i>
<i>To be sent by:</i>	<i>Contact point of the country of origin</i>
<i>Deadline:</i>	<i>Immediately.</i>

The goals of this communication form are as follows:

- a)** To prevent any possible exploitation of the person in the country of destination or transit;
- b)** To help the identification of the person in the destination or transit country;
- c)** To increase active response in the system/National Referral Mechanisms the parties have for the identification of trafficking cases.

As established in the endorsed USOPs, “Form 1 in particular is intended as a preventive measure. Countries of origin have the responsibility to prevent movements for trafficking purposes or that might end up as trafficking while countries of destination or transit have the responsibility to proactively identify the individuals regardless whether they get or do not get indications from country of origin”¹².

This Form No. 1 should be submitted by the Contact Point of the country of origin to the Contact Point of the country of destination/transit.

Given that personal and confidential information is provided in this form, it is highlighted that all forms and communication between countries shall be submitted through the contact points assigned responsible for completing, sending and receiving the forms.

As soon as the Contact Point in the country of origin, gets information from the structures that the adult person or minor is in the other party’s territory and might belong to the target groups of the signed Protocols, the Contact Point, shall complete and send Form 1 to the Contact Point in the country of destination/transit. No documents attached have been required.

In this Form, the Contact Point shall indicate the reason for submitting a request (there is a case of victim of trafficking, potential victim of trafficking or other at risk of trafficking). If available, it shall also include information on the possible residence of the person in the destination country, the persons who (it is considered that), accompany him/her and relationships with them, the border crossing point/zone and the approximate border crossing time and finally, supposed information on person’s situation and health conditions.

According to the USOPs, Form no. 1 shall be submitted as soon as the responsible authority or the Contact Point gets information from the structures that the adult or minor is in the other party’s territory and might belong to the categories in focus of protocols.

¹² Annex to Protocols, Part III: Case Communication Package.

Once the Form has been sent, an answer of the receiving country is expected. If the case refers to a minor, the answer shall be sent within 48 hours and if the case is an adult, within seven (7) working days. Response shall be made using Form no. 2.

Remember

- Once informed on the case, the Contact Point or the responsible authority shall act immediately and pro-actively in order to gather all information available.
- Form 1 serves to alert on situation of trafficking or at risk of trafficking.
- If no feedback has been received as per the deadlines, a reminder shall be sent to the respective Contact Point and to the Office of the National Anti-Trafficking Coordinator.

Goals: a) To prevent any possible exploitation of the person in the COD/T; b) To help the identification of the person in the COD/T; c) To increase active response in the system/National Referral Mechanisms the parties have for the identification of trafficking cases.

To be submitted by Contact Point of the COO.

Form no 1

Deadline: as soon as the Contact Point receives information from the structures that adult or minor is in the other party's territory and might belong to the categories in focus of protocols

Request for the identification and assessment of the situation of persons from targeted categories who are considered to be in the destination or transit country

The date of the submission of request _____ This is the working date in which the information is sent by the Contact Point of COO to the COD/T.

Register no given to the request _____ Number of Form 3 as an official document. Each country has its own system for that – this is not the case register number.

Name and surname of the person for whom the request is made

Provide complete answers.
When information is unknown, fill "unknown"

Person victim/presumed victim of trafficking or at risk of trafficking

Person's age (date of birth) _____ Specify if data is proven by a valid identification document

Gender _____

Place of birth _____

Citizenship _____ Specify if data is proven by a valid identification document

The last place of residence in the country of origin _____

The reason for submitting a request		
The person is not in the country of origin but it is considered to be in the destination country as:	Victim of trafficking <input type="checkbox"/>	Specifikoni "në rrezik" Adults: 1. Have mental and physical disabilities/different abilities; or 2. Have been previously identified as victims of trafficking. Children who live outside their COO and who: 1. Are unaccompanied or separated minors; 2. Have mental and physical disabilities/different abilities; 3. Are living on the streets with or without their parents; 4. Are presumed kidnapped or are reported kidnapped children; 5. Are gone missing; 6. Are married / cohabitate under the legal age for marriage; 7. Are children of victims of trafficking; 8. Have history of abuse and /or neglect; 9. Children whose parents' movements and stay is irregular.
	Potential Victim of trafficking <input type="checkbox"/>	
	OTHER AT RISK <input type="checkbox"/>	
	Terms are explained in section "Definitions". Mark by cheking the squares.	

The possible residence of the person in the destination country (if there are available information)

Provide available information on location of the person of concern.

The persons who, it is considered that, accompany him/her and relationships with them

Personal data, information on relationships, any additional information that facilitates identification and location of this person.

The border crossing point/ zone and the approximate border crossing time

Available information on the time and name of the border corssing point/zone; information shall be confirmed with border police

Supposed

Health condition includes physical and mental health. This information is important in order to indicate any urgent measures that shall be taken.

Form 2

Title:	<i>"Reply to the request for identification/ Reply to Form no 1"</i>
To be sent by:	<i>Contact point of the country of destination/transit</i>
Deadline:	<i>48 hours for minors; up to 7 working days for adults</i>

The goals of this communication form are as follows:

- a)** To confirm that Form No. 1 has been received;
- b)** To inform the Contact Point of the COO that measures will be taken to verify/ensure that the person is not in the situation he/she is suspected to be.

This Form will also provide the tool for the COD/T to request additional specific information needed in order to initiate the procedures for the case.

Form no. 2 shall be completed and sent by the Contact Point of the destination or transit country.

In order to fulfil the goals for which Form no. 2 is needed, the Contact Point of the COD/T will present available additional information obtained by the national structures in COD/T.

Additionally, the Contact Point shall explain the measures that will be taken in order to verify the situation and ensure that the person is not in the situation he/she is suspected to be. Such measures could be for risk assessment, identification, prevention, rescue, protection, assistance, legal custodian and others. The work for such measures will be organized and carried out in line with the national formal systems and mechanisms for the identification of victims, presumed victims of trafficking and persons at risk, as stipulated in the respective legislations of each country. If additional information from the country of origin is necessary, these needs will be explained in point 2 of the Form 2.

When the case referred is that of a minor, submission of Form no. 2 shall be made within 48 hours. When the case is that of an adult, the Contact Point in the COD/T, shall send Form no. 2 within seven (7) working days from the receipt of Form No. 1. No attachments have been required.

In case the person is not found, information on measures or action taken and the results shall be informed to the country of origin through Form 2. As soon as the person is identified/detected (including cases when such identification is done past deadlines), the USOPs shall be re-activated and the Contact Point shall proceed with Form 3.

Once the form has been sent, the Contact Point of the COO needs no reply. It is still the authorities in the COD/T that will continue working on the case and reflect progress in Form no. 3 (please see below).

Remember

- Once you receive Form 1, National Referral Mechanism shall be immediately activated. The respective structures are expected to take measures to investigate and proactively prevent the situation in which the person of concern is supposed to be: trafficking or at risk of trafficking.
- Immediate measures shall be taken; these measures will be summarized and informed through Form 2 to the COO.

Goals: 1) To confirm that Form No. 1 has been received; 2) To inform the Contact Point of the COO that measures will be taken to verify/ensure that the person is not in the situation he/she is suspected to be
To be submitted by Contact Point of the COO/T

Deadline:
48 hours for minors;
up to 7 working days for adults

Form no 2

Reply to the request for identification/ Reply to Form no 1

Name and surname of the person for whom the reply is made _____
Name and family name of the case: victim/presumed victim of trafficking or at risk of trafficking

Register no given to the reply _____
Number of Form 3 as an official document. Each country has its own system for that. – this is not the case register number.

Referred to Form no 1 with register no _____ Date _____
Data provided in Form 1

Date when the response was made _____
Data when Form 2 is sent.

1. Summary of the information obtained by the destination or transit country on the case

In this section information is required in two parts:

Part one: summary of the information obtained by the destination or Transit country on the case.

Part two: indicate measures taken in COD/T in order to verify the situation and ensure that the person is not in the situation he/she is suspected to be. For example: verification of border crossing of the person of concern to COD/T, identification of the person reorted as victim/presumed victim or at risk of trafficking, rescue operations, etc.

The need for additional information from the country of origin/the country that has made the request

In this section, the Contact Point of the COD/T indicates the type of information needed from the COO. For instance, additional personal data of the person concerned or the trafficker(s), pictures of the person(s), information on health conditions, etc. Such measures could be for risk assessment, identification, prevention, rescue, protection, assistance, legal custodian and others.

Form 3

Title:	<i>“Notification on the identification”</i>
To be sent by:	<i>Contact point of the country of destination/transit</i>
Deadline:	<i>Immediately in case of children or maximum 48 hours when not working days; up to 7 days from the identification for adults</i>

This Form is used as a continuation of the procedures when country of origin has informed through Form 1, after Form 2 has been sent by Contact Point of country of destination or transit. In a different situation, when the case is identified in country of destination/transit, the Contact Point of this country uses Form 3 directly.

The goals of this communication form are as follows:

- a)** To inform the country of origin on identification of a minor or adult belonging to any of the categories subject of the USOPs
- b)** To give detailed specifications regarding trafficking or vulnerabilities of the case, i.e. risks of trafficking
- c)** To provide information on the assistance offered by the destination or transit country
- d)** To inform on the investigations of the criminal acts

Identification of the case will be according to the national legislation framework, applying the best standards and bearing always in mind the best interest of the victim/presumed victim of trafficking.

In section A of the Form, specific information will be provided regarding trafficking situation and this includes: relationship with the recruiter, country of recruitment, forms of exploitation, relationship with the exploiter, methods of exploitation, country of exploitation. Additionally, specific information is required for cases in risk of trafficking, and this includes: current situation for which he/she is considered at risk (see definition of “Protocol targeted/committed categories”)¹³, form of abuse or neglect, mental or physical disabilities/different abilities, form of vulnerability or poverty, lack of or relationship with the accompanying adult in case of children.

In section B of the form, information is required regarding the types of assistance provided to the case (in line with the National Referral Mechanism): appointment of the Custodian or Case manager, safe shelter, health care, care related to the use and abuse with psychotropic substances, care related to the economic situation and legal assistance (legal representation). Under the category “other”, information such as security related assistance and other types of assistance not named on the list should be included.

In section B, there is a second table in which shall be described the type of risk and source of information. In line with the international and national standards of the countries, the risk

¹³ Children or adults who are eligible for special protection under legislation on social or foreigners’ protection or other legislation in force in each party. The information required may include information on mental and physical disabilities/different abilities in case of adults, and in case of children, the following: situation of unaccompanied or separated children mental and physical disabilities/different abilities, living in the streets with or without parents, presumed kidnapped or reported kidnapped, missing, married/cohabitate under the legal age of marriage, children of victims of trafficking, history of abuse and/or neglect, parents are in a situation of irregular stay or movement

assessment shall include health and safety risks for the victims. This information is relevant because it allows the COO to evaluate the conditions and the procedures in case voluntary return takes place, given that some of those risks may constitute a direct threat to the life of the person. Moreover, there might be a need for continuous medical assistance or other care or need for support upon return, or other joint actions for providing for the safety and well-being of the trafficked person or presumed victim of trafficking or person at risk of trafficking, particularly the possibility of contact by the recruiter or the trafficker.

In case is a minors, submission of Form no. 3 shall be done immediately from the identification moment. When identification is done in not working days, such submission shall be done within 48 hours.

In case of adults, Form no. 3 shall be submitted by the Contact Point of the country of destination/transit and sent to the Contact Point of the COO not later than seven (7) days from the identification moment. No attachments have been required for Form no. 3.

Form no.3 should also provide information about the investigation of criminal acts. The specifics of information shall be provided in accordance with the national legislative and institutional framework, provided that there might be sensitive information which should not be shared without the authorization of the respective responsible authorities for that.

Once Form no. 3 has been sent, the receiving COO shall respond within 48 hours, using Form no. 4.

Remember

- Immediate action shall be taken to inform COO on the case of a minor or adult identified in situation of trafficking, presumed or at risk.
- Information shall be made without putting at risk the minor or adult victim/ presumed victim/at risk of trafficking and in accordance with the national legislation and NRM.
- Information on on-going criminal investigation shall be provided in full compliance with the national framework of the COD/T.
- A risk assessment shall be carried out before submitting Form 3, in order to have comprehensive information on the case.
- In cases detected in COD/T, the Contact Point of this country starts the communication process by using Form 3.

Goals: a) To inform the COO on identification of a minor or adult victim/presumed victim/at risk of trafficking; b) To give detailed specifications regarding trafficking or vulnerabilities of the case, i.e. risks of trafficking; c) To provide information on the assistance offered by the COD/T; d) To inform on the investigations of the criminal acts
To be submitted by Contact Point of COD/T

Form no 3

Children:
Immediately or
maximum 48 hrs. when
not working days; **Adults:**
up to 7 days from the
identification

Notification on the identification

The date of the submission of the notification _____ Date when Form 3 is sent _____

Register no given to the notification _____ Number of Form 3 as an official document. Each country has its own system for that. – this is not the case register number.

Name and surname of the person for whom the notification is made _____ Full name and family name _____

Person's age (date of birth) _____ Specify if data is proven by a valid identification document _____

Gender _____ Specify if data is proven by a valid identification document _____

Place of birth _____ Specify if data is proven by a valid identification document _____

Citizenship _____

The last place of residence in the country of origin _____
Provide all informatio available, address and explanations in order for the place to be traceable. For instance: city/town, name of Street, house/building and apartment number, other reference buildings in the surroundings, etc.

A. Categorization until the moment of notification

Category	Age
Victim of Trafficking <input type="checkbox"/>	Minor <input type="checkbox"/>
Potential/ presumed victim of Trafficking <input type="checkbox"/>	Adult <input type="checkbox"/>
"At risk of trafficking" <input type="checkbox"/>	
SPECIFY: Terms are explained in section "Definitions". It is required to mark by cheking the squares.	Terms are explained in section "Definitions". It is required to mark by cheking the squares.

Specifications regarding trafficking

Specify	
Relationship with the recruiter, Specify	Information on the recruiter includes the relationship between the person of concern and the recruiter.
Country of recruitment, Specify	Data on the recrutement and methods used for the recrutement, the recruiter(s), time and age of the case at the time of the recrutement.
Form of exploitation, Specify	See forms of exploitation as explained in section "Definitions" or make use the national legislation to specify them.

Relationship with the exploiter, Specify	Any formal or informal relationship shall be informed. If contradictory information is provided, or there are doubts on the vericity of such information, this shall be specified in this section.
Methods of exploitation, Specify	See methods of exploitation as explained in section "Definitions" or use the national legislation to specify them.
Country of exploitation, Specify	It is important to indicate if the person was exploited in other countries (not only in COD/T), including COO. For each country, specify forms and methods of exploitation and relationship with the exploiter(s)

Specifications regarding "At risk of trafficking"

See situations considered "at risk of trafficking" in section "Definitions". Additionally, specifications shall be made regarding: current situation for which he/she is considered at risk (see definition of "Protocol targeted/committed categories"), form of abuse or neglect, mental or physical disabilities/different abilities, form of vulnerability or poverty, lack of or relationship with the accompanying adult in case of children

B. The assistance that is provided by the destination or transit country

Is the person being assisted by the institutions of the destination country? YES ☐ No ☐

Check the box if "yes" or "no"

If Yes, who is the Case Manager? _____

Name and surname of the appointed Case Manager	
Types of assistance	Describe
The appointment of the Custodian or Case Manager	Name and surname, title and institution he/she represents and contact information.
Safe shelter	Brief information is required, without giving details on the location or what entity manages the shelter.
Health Care	Brief information is required, without giving details on health situation, in order to respect confidentiality.
Care related to the e and abuse with psychotropic substances	Brief information is required, without giving details on this issue, in order to respect confidentiality and if an investigation is in process.
Care related to the economic situation	Information on type of support (financial, in kind, in services) provided to the person of concern in COD/T.
Legal assistance (legal representation)	Assistance provided and specification if it was pro bono or the person had her/his resources.
Other	Types of assistance provided in COD/T but not mentioned above, such as security related assistance or any other type of assistance.

Type of risk / Source	Describe
Indicate the type of risk (such as health, safety, etc.), the source for such risk.	This information is relevant because it allows the COO to evaluate the conditions and the procedures in case voluntary return takes place, given that some of those risks may constitute a direct threat to the life of the person. Moreover, there might be a need for continuous medical assistance or other need for support upon return, or other joint actions for providing for the safety and well-being of the trafficked person or presumed victim of trafficking or person at risk of trafficking, particularly the possibility of contact by the recruiter or the trafficker. Sources of information might be indicated, providing a first assesment on probability and level of risk.

Investigation of criminal acts: YES ☐ NO ☐ Check the box if "yes" or "no"

Specifications

- The specifics of information shall be provided in accordance with the national legislative and institutional framework, provided that there might be sensitive information which should not be shared without the authorization of the respective responsible authorities for that.

Form 4

<i>Title:</i>	<i>"Confirmation of the receipt of notification"</i>
<i>To be sent by:</i>	<i>Contact point of the country of origin</i>
<i>Deadline:</i>	<i>Up to 48 hours from the receipt of Form 3</i>

The goals of this communication form are as follows:

- a) To confirm receipt of Form 3.
- b) To confirm the opening of a file and insertion of the case into the database.
- c) To inform on the person assigned to coordinate actions concerning the case
- d) To inform with whom in the country of origin data will be shared.

Form no. 4 shall be completed by the Contact Point of the country of origin and it will serve for the Contact Point of the COO to confirm receipt of the information provided in Form no. 3, provide information on the file number of the case as well as institution and name of the Case manager responsible to coordinate the actions concerning the case. All communication between parties shall be maintained between the Contact Points. As already explained in the sections above, the case manager is a different person from the Contact Point: he/she is the professional assigned to assist the victim or presumed victim of trafficking as established in the domestic legislation and he/she "provides the Contact Points with the necessary information and documentation required for exchange with the other party and participates in the decision making process".

In this Form, the Contact Point of the country of origin requests the authorities in the country of destination/transit, to inform the persons that are on the focus of the Protocol, on the specific institutions with which the information received in Form No. 3 "Notification on the identification" will be shared for assistance purposes.

Form no. 4 shall be submitted within 48 hours from the receipt of Form 3; no attachments have been required. Once this form has been sent, the reply from the Contact Point of the COD/T is expected using Form no.5.

Remember

- Before completing/submitting Form 4, Case must be registered using "Cases' Register" created and maintained by the Contact Points in each country.
- Before completing Form 4, make sure a case manager has been appointed and case has been properly registered in country's database.
- Form 4 is a very brief information note.

Goals: a) To confirm receipt of Form 3; b) To confirm the opening of a file and insertion of the case into the database; c) To inform on the person assigned to coordinate actions concerning the case; d) To inform with whom in the COO data will be shared
To be submitted by Contact Point of the COO

Deadline:
Up to 48 hours from
the receipt of Form 3

Form no 4

Confirmation of the receipt of notification

The date of the submission of confirmation _____ Date when Form 4 is being submitted _____

Register no given to the confirmation _____
Number of Form 3 as an official document. Each country has its own system for that. – this is not the case register number.

Name and surname of the person for whom the confirmation is made _____

I confirm receipt of notification on _____ (date)
Of the person/case victim/presumed victim/at risk of trafficking

I confirm that for this case has been opened a file no. _____ and the assigned person responsible to coordinate the actions concerning the case is (case manager) is _____

File number is the number given to the case.
Case manager is the person appointed responsible to coordinate the actions concerning the case. See section "Definitions"

I confirm that the information about the case taken from Form no 3 and those that will be taken afterwards will be stored on the database _____ that is administered by _____

This is the case register required for each country. Please see section on "Definitions" on the case register

Based on information taken by Notification we suggest that the person/case should be informed that for assistance purposes the Contact Point will be sharing the information with:

In this section, the Contact Point shall provide data of the persons with whom they will be sharing information for assistance purposes. These persons can be from family or institutions in the COO. The person that will share information will be Contact Point or the legal guardian in cases of minors.

Form 5

<i>Title:</i>	<i>“Early assessment and Planning of Assistance in country of destination/ transit”</i>
<i>To be sent by:</i>	<i>Contact Point of the country of destination/transit</i>
<i>Deadline:</i>	<i>7-30 days from the identification</i>

The goals of this communication form are as follows:

- a)** To inform on the early evaluation plan of assistance and measures taken by the country of destination or transit;
- b)** To inform steps and measures that will be taken by country of destination/ transit;
- c)** To put forward expectations regarding the measures that country of origin should take to support assistance in country of destination / transit

This Form shall be completed by the Contact Point of the country of destination/transit.

The planning of assistance shall be done in order to “assist victims in their physical, psychological and social recovery” and the respective information shall be provided organized in six specific areas: (1) Safe and suitable shelter; (2) Health; (3) Legal status and access to justice; (4) Education; (5) Social Protection; (6) Security issues. A brief explanation of each area is done using as reference the Council of Europe Convention on Action against Trafficking in Human Beings and its Explanatory Report and other documents of reference.

Safe and suitable shelters shall have “standards of living capable of ensuring [the subsistence of victims/presumed victims of trafficking], through such measures as: appropriate and secure accommodation, psychological and material assistance” (art. 12 par. 1(a) CoE Convention).

Health covers psychical and mental aspects as well as use of psychoactive substances. Additionally, it is important to add that emergency medical treatment might be required (art. 12 par. 1(b) CoE Convention). Countries of destination or transit, shall “provide necessary medical or other assistance to victims lawfully resident within its territory who do not have adequate resources and need such help (art. 12 par. 1(b) CoE Convention); therefore, such information shall be included when informing on issues related to health care.

Legal status and access to justice shall include information to legal advice, legal aid¹⁴ or any other sort of advice or counselling, “in particular as regards their legal rights and the services available to them, in a language that they can understand” (art. 12, par. 1(d), CoE Convention). Parties shall provide “assistance to enable their rights and interests to be presented and considered at appropriate stages of criminal proceedings against offenders” (art. 12, par. 1(e), CoE Convention). The right to legal assistance and to free legal aid shall be provided under the conditions provided by the national law, including the right of victims to compensation from the perpetrators (art. 16, par. 2 and par. 3, CoE Convention).

¹⁴ Free legal advice and representation shall be provided where the victim does not have sufficient financial resources (see Article 15(3) to (6) of Directive 2005/85/EC).

Language aid is to be provided to victims when appropriate and it is not limited to the right to an interpreter in judicial proceedings (art. 12, par. 1(c), CoE Convention), as it is “an essential measure for guaranteeing access to rights, which is a prerequisite for access to justice” (Explanatory Report of CoE Convention, par. 158).

The CoE Convention recognises the right to access to education for children (art. 12, par. 1(f)). Additionally, education for third-country nationals will be provided in accordance with the domestic legislation (art. 12, par. 4, CoE Convention).

Social Protection refers to measures that intend to restore or respect the social rights of the persons concerned. In particular, the CoE Convention highlights: social recovery (art. 12 par. 1, CoE Convention), social assistance and social integration (art. 15, CoE Convention). Such measures aim at strengthening victims or presumed victims of trafficking who are in a vulnerable situation, and thus avoiding the risk of their re-victimisation and re-trafficking.

In a definition given by the International Policy Centre for Inclusive Growth (IPC-IG), “Social protection encompasses a set of actions financed by the State with the aim to:

1. *support individuals and families in dealing with vulnerabilities throughout their lifecycle;*
2. *help especially the poor and vulnerable groups to become more resilient against crises and shocks;*
3. *favour social inclusion and support families, particularly the most vulnerable to poverty, in building up their human and social capital through income and consumption smoothing and ensuring their access to basic goods and services; and*
4. *stimulate productive inclusion through the development of capabilities, skills, rights and opportunities for the poor, marginalized and excluded groups, as well as low income workers from the formal sector in order to guarantee that everyone benefits from the economic growth process and becomes engaged in it.*

Social protection is an important policy tool to tackle social exclusion, inequality and poverty and to foster inclusive growth. It encompasses social insurance, social assistance as well as labour market and employment policies.”¹⁵

In the countries party of the protocol, the States offer social protection services complemented by outside resources and implemented by non-governmental organizations. According to the Trafficking in Persons Report of the U.S. Department of State, 2018, the following social protection services for victims/potential victims of trafficking and persons at risk:

Albania:

NGO-run shelters operated under financial constraints and relied on outside sources for operating costs; government financial mechanisms intended to partially fund these shelters remained complicated. The four shelters comprised the National Coalition of Anti-trafficking Shelters (NCATS) and victims who required services not available in one shelter were referred to another shelter within the coalition. The NCATS provided assistance to

¹⁵ International Policy Centre for Inclusive Growth (IPC-IG), available at: www.ipc-undp.org/social-protection-site

trafficking victims, including food, counselling, legal assistance, medical care, educational services, employment services, assistance to victims' children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care; however, the government offered limited reintegration support and did not provide funding for reintegration services.

Kosovo:

The government licensed and partially funded two NGO-run shelters to provide services to trafficking victims, along with the state-run Interim Security Facility (ISF). These shelters provided legal assistance, medical and psychological services, counselling, education, recreational services, and other rehabilitative support. Victims also had access to nine Ministry of Labor and Social Welfare (MLSW) care facilities but the government did not have a care facility in the country's four northern municipalities. ISF temporarily accommodated trafficking victims assessed as high risk. [...] The two NGO-run shelters provided support services to victims assessed as low- to medium-risk; one of these NGO-run shelters was solely for children. Observers reported reintegration programs faced limited success due to a lack of resources and high unemployment.

Montenegro:

The government-funded NGO-run shelter provided specialized services for trafficking victims, including vocational training and medical, psycho-social, legal, and reintegration assistance. The shelter could accommodate adult male, adult female, and child victims in separate living quarters in the shelter. [...] The Ministry of Labor and Social Welfare (MLSW) operated local and social welfare centers and two regional institutions, which provided general services for victims of abuse, including trafficking victims. Although MLSW did not provide specialized services for trafficking victims, MLSW could provide separate facilities for males and females.

Macedonia:

The government and NGOs provided potential victims and officially recognized victims with protection and assistance, including food, clothing, medical assistance, psycho-social support, rehabilitation, and reintegration services. MLSP-run social service centers also employed specialized staff and provided psycho-social support and reintegration assistance, including education and job placement. However, potential trafficking victims did not have access to the government-run shelter and its support services until officially recognized by the government and GRETA reported officially recognized victims did not receive any formal notification, which hindered their entitlement to free medical and legal assistance. Specialized assistance was not available for male victims and observers reported only one forced labor victim ever received reintegration support. The government operated a shelter for trafficking victims and a transit center for irregular migrants that offered separate facilities for foreign potential victims of trafficking; both facilities could house male, female, and child victims. [...] The government did not award grants to NGOs in 2016 or 2017; NGOs reported their reliance on these grants forced them to reduce services to victims. Observers reported the government relied heavily on funding from the international community and on NGOs to provide assistance.

Security issues shall consider any threats or risks to life, liberty or safety that might be present for a victim or presumed victim of trafficking (particularly including the risk of being in contact with the trafficker or recruiter, and also risks that could be generated by the return of the child/adult to the country of origin. The assessment of needs identified on security issues for the case of children, is crucial, provided that “Child victims shall not be returned to a State, if there is indication, following a risk and security assessment, that such return would not be in the best interests of the child” (art. 12 of the CoE Convention).

For each of the above six areas, information shall be provided in case of special needs of persons in a vulnerable position and the rights of children. According to art. 12 of the CoE Convention, “... each Party shall ensure that services are provided on a consensual and informed basis, taking due account of the special needs of persons in a vulnerable position and the rights of children in terms of accommodation, education and appropriate health care”.

The submission of Form no. 5 shall be done in a timeframe from seven (7) to maximum thirty (30) days from the submission of identification Form no. 3. No attachment has been required for Form no. 5.

Once this form has been sent, an answer is expected from the Contact Point of the country of origin, using Form no. 6.

Remember

- Identification of needs and assistance/actions to be taken shall be in accordance with the NRM and international standards.
- Quality of information to be provided is key for the current identification of needs as well as future coordination with the COO in order to continue responding to the needs identified if return takes place.
- The Case Manager shall coordinate with all the structures involved and gather information and reflect it in Form 5, in order for the Contact Point to submit it accordingly and within the deadlines established.
- The person concerned (victim/presumed victim or person at risk of trafficking) shall be informed on the information exchange, as per Form 4.

Goals: a) To inform on the early evaluation plan of assistance and measures taken by the COD/T; b) To inform steps and measures that will be taken by COD/T; c) To put forward expectations regarding the measures the country of origin should take to support assistance in COD/T
To be submitted by Contact Point in Country of Destination or Transit.

Deadline:
 7-30 days from the identification (submission of Form 3)

Formulari nr. 5

Early assessment and Planning of Assistance in Country of Destination or Transit

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected** _____

Register Number no given to the Form _____ **Each country has its own system for that – this is not the Case Register number** _____

Name and surname of the person for whom the Assessment and Planning is made
 _____ **Name of the person victim/presumed victim/at risk of trafficking** _____

1. Safe and suitable shelter

1.1. Description of the need identified in the destination/transit country/identified problems

Information on the needs regarding shelter problems, such as lack of accomodation, safe accomodation and other type of assistance needed, in order to have a safe and suitable shelter. These are problems identified in COD/T and refer to situation of the case in the COD/T and in the COO.

1.2. The measures undertaken by the destination/transit country to provide a safe shelter

No	Undertaken measure/ actions	Undertaken by	Result
Short phrases are expected to describe the measures or actions taken in COD/T to provide a safe and suitable shelter, the institution that has taken such measures as well as the results obtained. Provide information separately for each measure or action undertaken.			

1.3. The foreseen steps to provide a safe shelter in the destination/ transit country and the need for support from the country of origin

No	Measure/actions that will be undertaken and time limits	Undertaken by	The expectations from the country of origin concerning safe and suitable shelter during the time of stay in the destination / transit country
Indicate the type of support needed by the COO concerning shelter issues in COD/T, as well as the expected authorities that can undertake such measures. This information has to be clear and reasoned, because based on it, the authorities in teh COO will make a decisión on the measures/actions they can take.			

2. Health

2.1. Description of the need identified in the destination/transit country/identified problems

Information on the needs regarding psychical and mental aspects, as well as use of psychoactive substances.
These are problems identified in COD/T and refer to situation of the case in the COD/T and in the COO. This information is important when for instance, continuity of treatment is needed in COO or other information is needed such as history of health condition of the case, etc.

2.2. The measures undertaken by the destination/ transit country to ensure health care

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Describe using short phrases the measures or actions taken in COD/T to ensure health care, as well as the institution that has undertaken such measures. Numerate each action or measures separately.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

2.3. The use and abuse with psychoactive substances

2.3.1. Description of the need identified in the destination/ transit country/identified problems

Information on the needs regarding use and abuse with psychoactive substances, for instance, treatments, detoxification, withdrawal abstinence or specialized accommodation facilities.

2.3.2. The measures undertaken by the destination/ transit country to ensure detoxification, withdrawal abstinence

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Describe using short phrases, the measures or actions taken in COD/T to ensure detoxification, withdrawal abstinence, as well as the institution that has undertaken each measure/action. Numerate each action or measures separately.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

3. Legal status and access to justice (including the right not to be punished and the right to compensation)

3.1. Description of the need identified in the destination/transit country/identified problems

Describe the needs identified in the COD/T regarding legal status and access to justice, including issues such as legal advice needed, legal aid or counselling, language aid, etc.

3.2. The measures undertaken by the destination/ transit country

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Describe using short phrases each of the measures or actions taken in COD/T regarding the legal staufs and Access to justice of the person concerned, as well as the institution that has undertaken each measure/action. Numerate each action or measures separately. Regarding Access to justice, include measures regarding the right no to be punished and the right to compensation.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

4. EDUCATION

4.1. Description of the need identified in the destination/transit country/identified problems

This section is particularly important for cases of children victims/presumed victims/at risk of trafficking. Education needs will be identified in accordance with the domestic legislation (NRM), in order for the countries to take the necessary measures/actions. This information is also important for the COO to assess measures or actions to be taken when/if return takes place.

4.2. The measures undertaken by the destination/ transit country

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Describe using short phrases each of the measures or actions taken in COD/T regarding education (formal and informal), as well as the institution that has undertaken each measure/action. Numerate each action or measure separately.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

5. SOCIAL PROTECTION

5.1. Description of the need identified in the destination/transit country/identified problems

Describe needs identified regarding social protection. Such needs will be identified in accordance with the domestic legislation (NRM), in order for the countries to take the necessary measures/actions. Such needs shall focus on the social rights of the person concerned: social assistance, social integration, vulnerabilities, basic goods and services, development of capabilities, skills, rights and opportunities, employment, etc. This information is also important for the COO to assess measures or actions to be taken when/if return takes place.
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5.2. The measures undertaken by the destination/ transit country

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Short phrases are expected to describe each of the measures or actions taken in COD/T regarding social protection as well as the institution. Numerate each action or measure separately.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

6. Security Issues

6.1. Description of the need identified in the destination/transit country/identified problems

Describe needs identified regarding security, such as risks to life, liberty or safety, risks of re-trafficking or reprisals. Such needs will be identified in accordance with the domestic legislation (NRM). Specific attention shall be paid in case of children, provided that family members might be involved in situations of trafficking or at risk of trafficking. This information is also important for the COO to assess measures or actions to be taken when/if return takes place.
--

6.2. The measures undertaken by the destination/ transit country

No	Undertaken measure/ actions	Undertaken by	Results and expectations from country of origin
	Shortly describe each of the measures or actions taken in COD/T regarding security issues as well as the institution. Numerate each action or measure separately.		Describe shortly the results obtained for each of the measures or actions taken in COD/T, as well as the expectations from COO, if that is the case.

Form 6

Title:	<i>"The first reply/ the first confirmation of country of origin in relation to Form no 5"</i>
To be sent by:	<i>Contact point of the country of origin</i>
Deadline:	<i>Within 7 days from receipt of Form 5</i>

The goal of this communication form is:

- To inform the country of destination on steps that will be taken in support of assistance in country of destination and time frame of sending the requested documents/ information.

The Contact point of the country of origin shall submit this Form within seven (7) days from receipt of Form 5. No attachments have been required for Form no. 6.

In this form, the country of origin will validate and provide information on each aspect of the assistance needs previously identified by the country of destination or transit. This process will enable for each country to complete a thorough assessment of the case, based on which the return of the victim or potential victim will be decided or take place.

The Contact Point of the country of origin has to describe the measures that will be undertaken by the COO (information provided in Form no. 5). Additionally, it will describe the actions that will be able to undertake, as well as the possible time limits to meeting the expectations. *For each action, such as send documents, establish contacts, make verifications, the Contact Point of the COO will inform on the time limits set, which will be used for the planning of assistance (Form 7, see below).*

Once Form no. 6 has been sent by the Contact Point of the COO, no answer is expected from the Contact Point of the COD/T. It is the Contact Point of the COO that will continue the process of information using Form no. 7, within the time limits provided in Form 6.

Remember

- At this point of the procedures, the authorities in the COO will validate and provide information on each aspect of the assistance needs previously identified by the COD/T.
- Shall information be not clear, a direct communication with Contact Point of COD/T will be established in order to clarify/complement the information provided.
- Information in Form 6 shall be previously discussed and confirmed with the respective structures in the COO and in accordance with the domestic legislation/ NRM.
- Time limits are important to be included provided that based on those, work will be organized in COO (Form 7 to be submitted by COO).

Goal: To inform the country of destination on steps that will be taken in support of assistance in country of destination and time frame of sending the requested documents/information

To be submitted by Contact Point of COO

Deadline:
within 7 days from receipt of Form 5.

Form no 6

The first reply/ the first confirmation of country of origin in relation to Form no 5

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected**

Register Number no given to the confirmation _____ **Each country has its own register – this is not the Case Register number.**

Name and surname of the person for whom the confirmation is made _____
Name of the person victim/presumed victim/at risk of trafficking

Text
In response to expectations referred in Form no 5, we confirm that the measures that will be undertaken by us will be:

Aspects of the assistance	The measure that is expected to be undertaken by us In this column, shall be recorded the information sent in Form 5 by COD/T	The actions that will be undertaken by us This columns refers to COO's assesment / answers regarding those actions that will be undertaken. This info might be below or above expectations sent by COD/T sent in Form 5.	The possible time limits to meet the expectations (send documents, establish contacts, make verifications) In this column it will be indicated the possible time limits to be respected by COO's authorities, on which the Contact Point will follow up through Form 7.
Safe and suitable shelter			
Health Care			
Care related to the use and abuse with substances			
Care related to legal status and access to justice			
Care related to education status			
Care related to physical security			
Prevention of repeated victimization, abuse including monitoring and on-going work with the family or an individual to prevent revictimization			
The decision making on return/stay/transfer			
Other			

Form 7

<i>Title:</i>	<i>"The second reply of country of origin to Form no 5"</i>
<i>To be sent by:</i>	<i>Contact Point of the country of origin</i>
<i>Deadline:</i>	<i>Within time limits provided in Form 6.</i>

The goal of this communication form is as follows:

- To inform the country of the destination on the assessment conducted in the country of origin

The work for Form no. 7 is essential to reflect the advanced assessment of the socio-economic situation and risk analysis for evaluation of the case, taking into consideration the best interest of the person subject to this protocol.

In section A of Form no. 7, the Contact Point shall enlist the documents provided by the country of origin, following form no. 6. This may include documents that provide information on any aspects of the assistance (shelter, health, etc.), information on contacts or verifications. Such information might include verifications on educations status of the victim or presumed victim, family situation, health care institutions, etc.

In section B, point 1.1. Form no. 7, detailed information shall be provided regarding the family situation and its position to satisfy the needs of the person concerned. Specific information is required to be provided for each type of need. Additionally, in section 1.2, there is the list of type of needs for which the authorities can undertake specific measures. For each measure, information is required in relation to the source of assistance, specifics and application of time limits.

Based on these two points 1.1. and 1.2., the authorities will be able to share their conclusion on the positive or negative stance of parents, family members/custodians regarding the return to the family, as well as provide other alternatives to custodianship. This information will be reflected in points 2 and 3, under section B of Form no. 7. In cases for which institutional residential alternatives are to be considered, the authority will indicate the categories of persons that are assisted in such institutions (minors or adults), the name of the institution, location, how to address the needs and the time limits of the assistance. Moreover, in point 4 of section B, it will also be shared the positive or negative stance of parents, family members/custodians regarding the staying of the person in residential/alternative care.

As a final point and based on the comprehensive information and assessments, the Contact Point will inform the final conclusion on the economic situation and risk analysis for evaluation of the case.

Form no. 7 shall be submitted within the time limits provided in Form 6. No attachments have been considered necessary.

Remember

- Comprehensive assessment shall be done by taking into consideration the situation of the family and the situation of institutions to respond to the needs identified.
- The information provided in Form 7 is fundamental for the case and the authorities to consider the possibility of return to the COO.

Goal: To inform the country of the destination on the assessment conducted in the COO.

To be submitted by Contact Point of COO.

Form no 7

Deadline:
within the time limits
provided in Form 6

The second reply of country of origin to Form no 5

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected**

Register Number no given to the Form _____ **Each country has its own register. – this is not the Case Register number.**

Name and surname of the person for whom the Form is filled out and submitted
_____ **Name of the person victim/presumed victim/at risk of trafficking** _____

A. Documents provided by the country of origin following Form 6:

_____ **Enlist the documents provided by the country of origin, following form no. 6. This may include documents that provide information on any aspects of the assistance (shelter, health, etc.), information on contacts or verifications.** _____

B. Summary of the assessment of the socio-economic situation/ Risk analysis for evaluation of the case, taking into consideration best interest of the child

1. After the return to the family of origin

1.1. The family is in this position to satisfy the needs of the person:

Type of needs	Needs are expected to be satisfied by the family In this column, just tick the box "yes" or "no"	Specifications In this column, provide specific information on each type of needs, describing if the family is in a position to satisfy the needs of the person.
The need for shelter	YES <input type="checkbox"/> No <input type="checkbox"/>	
The need for health care	YES <input type="checkbox"/> No <input type="checkbox"/>	
	YES <input type="checkbox"/> No <input type="checkbox"/>	
	YES <input type="checkbox"/> No <input type="checkbox"/>	
The need to stop the use and abuse with psychoactive substances	YES <input type="checkbox"/> No <input type="checkbox"/>	
Need for education	YES <input type="checkbox"/> No <input type="checkbox"/>	
Need for social protection	YES <input type="checkbox"/> No <input type="checkbox"/>	
Need for legal assistance	YES <input type="checkbox"/> No <input type="checkbox"/>	
Need for security measures	YES <input type="checkbox"/> No <input type="checkbox"/>	
	YES <input type="checkbox"/> No <input type="checkbox"/>	
Other needs	YES <input type="checkbox"/> No <input type="checkbox"/>	

1.2. The measures that can be undertaken by the authorities to satisfy family needs are:

Type of needs	Source of assistance In this column, indicate the source of assistance for each measure that can be undertaken by the authorities to satisfy family needs (what will be provided and which institution will provide it).	Specific and application time limits In this column, explain the type of assistance that can be provided and the time limits.
The need for shelter		
The need for health care		
The need to stop the use and abuse with psychoactive substances		
Need for education		
Need for social protection		
Need for legal assistance		
Need for security measures		
Other needs		

2. The stance of parents, family members/custodians on return to the family is

POSITIVE ☐ NEGATIVE ☐

Based on the information provided above, tick the box.

3. Other alternatives to custodianship:

IN A FAMILY ☐

OUT OF A FAMILY ☐

CUSTODIAN'S NAME

Based on the information provided above, indicate other alternatives to custodianship, if this is the case. If a custodian is appointed, his/her name shall be provided.

3.1. The family of the relative candidate for support is in this position as regards the issue of satisfying needs:

POSITIVE ☐ NEGATIVE ☐

Based on the information provided above, the authority shall be pronounced by ticking the box.

4. Institutional residential alternatives are:

The categories of persons that are assisted: Minors
Adults

Refers to the category of persons that are assisted in the institutional residential alternatives.

The name of the institution	Location Refers to the location, does not require address or specific information on the institution. For instance, city or district is sufficient.	How to address the needs How the institution is expected to address the needs of the case.	The time limits of the assistance Time limits applied for assistance provided by the institution.
Institution 1			
Institution 2			

The stance of parents, family members/custodians on staying of the person in residential/ alternative care is

POSITIVE ☐ NEGATIVE ☐

Based on the information provided above, tick the box.

Final Conclusion

Based on the comprehensive information and assessments, this final conclusion shall be on the economic situation and risk analysis for evaluation of the case, taking always into consideration best interest of the person subject of the protocol.

Form 8

Title:	<i>“The information about arrangements made for the assisted voluntary return by the destination/transit country”</i>
To be sent by:	<i>Contact Point of the country of destination/transit</i>
Deadline:	<i>30 days maximum prior to return.</i>

The goals of this communication form are as follows:

- a)** To inform the country of origin on the decision made regarding return/stay resettlement
- b)** To provide return details of the decision
- c)** To provide the declaration of return made by the victim/presumed victim

This Form no. 8 shall be submitted by the Contact Point of the country of destination/transit.

In the first part of Form no. 8, the Contact Point will include information on the decision making meeting regarding return/stay resettlement: date and list of participant institutions and names of representatives, summary of discussions held in the meeting and justification of the decision. The Contact Point will also enlist suggestions about the assistance that should be offered on the arrival and after the arrival of the case.

Details on the organized return shall be provided. These include: expected date and time of return, the expected border crossing point, means of transport, accompanying persons if accompanied, contact details/telephone number of the person who'll travel, and contact details of the person who will accompany the victim or presumed victim of trafficking.

In those cases for which police escort has been considered necessary, measures to provide such escort shall be also provided, as described in the form.

To this Form, the authority will attach the following documents: (1) Statement about voluntary return/stay/transfer (8A); (2) Assessment of the health “Fit for travel” prior to the departure; (3) Copy of the identification/travel document; (4) Copy of the authorization/permission given to the legal representative and any other documentations that might deem necessary.

The “Statement about voluntary return/stay/transfer” (Annex A/8), is a declaration of the victim or presumed victim of trafficking.

In cases of adults, he/she will state: if rights have been respected prior to the decision on return; if he/she has been informed about the readiness of the institutions in COO to implement assistance plan and how does he/she considers the return to the COO; if he/she has been invited to the decision making meeting; if he has been informed that he/she can stay in the destination or transit country and the reasons for that; if he/she has been informed that he/she might be transferred to a third country and reasons for that. Taking into account such information, the adult declarant will finalize his/her statement indicating (1) if he/she agrees to any option (go back to the COO, stay in the destination country or to resettle in a third country, (2) if he/she wants to be received and to have contact with authorities in the COO after return or (3) if he/she does not want to go back to the COO.

In cases of minors, there are two columns for the statement: one of the minor declarant, and one of the parent's/custodian's column. The minor declarant will state: if he/she has been informed by the authorities on the assessment of social and economic situation of the family and the readiness of the institutions to provide assistance; and how does he/she considers the return, based on such assessment; if he/she has been informed by the authorities on the reasons based on which he/she can stay in the destination/transit country; if he/she has been informed by the authorities on reasons based on which he/she can be transferred to a third country. Finally, the child declarant will conclude by stating: (1) if he/she agrees to any option (go back to the COO, stay in the destination country or to resettle in a third country), (2) if he/she does not want to go back to the COO.

The parent/custodian of the minor states: if the right of a social and economic assessment prior to a decision on return has been respected; that he/she has been informed on the socio-economic situations of the family and the readiness of the institutions in the country of origin to implement assistance plan and return to country of origin; if he/she has participated in meetings on behalf of the child; if he/she has been informed on the possibilities/reasons for which the child can stay in the destination/transit country or transfer to a third country. Lastly, the parent/custodian will declare if the child under custody (1) wants to go back to the COO, stay in the destination country or to resettle in a third country or (2) does not want to go back to his/her country of origin.

Form no. 8 shall be submitted not later than thirty (30) days prior to return.

Once Form no. 8 has been sent by the Contact Point of the COD/T, an answer is expected by the Contact Point of the COO, within seven (7) days. Response shall be made using Form no. 9.

Remember

- A decision making meeting on return of the person shall be called by the Contact Point of the COD/T, in which shall participate Case Manager and representatives of institutions and agencies.
- The person of concern shall be informed on the decisions of the meeting and make a declaration on stay, return or resettlement to a third country. Once the person of concern has declared, the authorities will finalize the decision.
- In all decisions taken, shall prevail the best interest of the child.
- The declarant shall be informed in a language and format he/she understands.

Goals: a) To inform the COO on the decision made regarding return/stay resettlement; b) To provide return details of the decision; c) To provide the declaration of return made by the victim/presumed victim/person at risk

To be submitted by Contact Point of COD/T.

Deadline:

30 days maximum prior to return (return date provided in previous forms)

Form no 8

The information about arrangements made for the assisted voluntary return by the destination/transit country

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected**

Register Number no given to the Form _____ **Each country has its own register – this is not the Case Register number.**

Name and surname of the person for whom the information is given
_____ **Name of the person victim/presumed victim/at risk of trafficking.**

Text

The date of decision making meeting regarding return/stay resettlement
_____ **Indicate date. USOPs establish that such meeting shall be called and organized by the Contact Point of the COD/T**

The institutions that have participated in the meeting

Institution, name and surname

1. _____ **Indicate name and institution of participants in the decision making meeting.**
2. _____ **USOPs establish that participants in this meeting shall be the case manager and representatives of the institutions and agencies involved in the protection.**
3. _____

Summary of discussions held in the meeting on return or stay and organization of return

_____ **Make a summary of the discusión held and the decisión taken.**
_____ **USOPs establish that such meeting shall be organized by the Contact Point of COD/T in order to take a decisión regarding the stay, the return or resettlement of the person concerned and assign tasks and steps following the decisión.**

Justification of the decision

_____ **Make a summary of the justification of the decision taken.**

Suggestions about the assistance that should be offered on the arrival and after the arrival

_____ **Indicate recommendations regarding assistance, based on the information the case manager or the other structures have on the case.**

Expected date and time of return _____ **Indicate date and hour of return.**

The expected border crossing point _____ **Indicate name of the border crossing point.**

Means of transport: _____ **Indicate means of transport that will be used.**

Accompanying persons, if accompanied _____ **Indicate name and institution that he/she represents.**

Contact details/telephone number of the person who'll travel _____

_____ **Indicate these contact details of the person of concern, if he/she agrees to do so.** _____

Contact details of the person who will accompany him/her _____

_____ **Indicate these contact details of the person that will accompany the person of concern.** _____

Measures to provide police escort if it is considered necessary to have escort _____

Attached to this document:

- ☐ Statement about voluntary return/stay/transfer;
- ☐ Assessment of the health "Fit for travel" prior to the departure
- ☐ Copy of the identification/travel document;
- ☐ Copy of the authorization/permission given to the legal representative (to be discussed);
- ☐ other

Tick the box if documents indicated are attached, specify if other documents have been attached, not included on the list.

Annex 8/A

Make sure the declarant is clear about the goal of this document and its content in a language he/she understands.

Statement about voluntary return/stay/transfer (resettlement)

I (name, parent's name, surname) _____ Date of birth _____ Place of birth _____
_____ today, on _____ in (country) _____

I (name, parent's name, surname) _____ Date of birth _____
Place of birth _____ parent/ temporary custodian / case manager (name, father's name, surname) _____ Date of birth _____ Place of birth _____
_____ today, on _____ in (country) _____

State that:

The column of the adult declarant	The column of the minor declarant	Parent's/Custodian's column
<input type="checkbox"/> All my rights have been respected prior to the decision on my return Tick the box only if in agreement.	<input type="checkbox"/> I have been informed by the authorities that in my country has been made an assessment of social and economic situation of the family and the readiness of the institutions to provide m assistance Tick the box only if in agreement.	<input type="checkbox"/> It has been respected my right and the right of the person/minor who is under my custody that prior to the decision on his/her return, the authorities in his/her country of origin should make an assessment of social and economic situation of he family and the readiness of the institutions of the country of origin to implement the assistance plan Tick the box only if in agreement.

<p><input type="checkbox"/> I have been informed about the readiness of the institutions in my country of origin to implement the assistance plan and as a result my return to the country of origin is:</p> <p>-----</p> <p>Tick the box only if in agreement. If so, indicate return is safe, unsafe, suitable, not-suitable, etc. (any other considerations).</p>	<p><input type="checkbox"/> I have been informed that, based on the assessment, it has resulted that the return to my country of origin is:</p> <p>-----</p> <p>Tick the box only if in agreement. If so, indicate return is safe, unsafe, suitable, not-suitable, etc. (any other considerations).</p>	<p><input type="checkbox"/> I have been informed about the assessment of the social and economic situation made by the authorities in the country of origin that includes the assessment of the situation of the family and the readiness of the institutions in the country of origin to implement assistance plan for child/person under my custody and as a result his/her return to the country of origin is</p> <p>-----</p> <p>Tick the box only if in agreement. If so, indicate return is safe, unsafe, suitable, not-suitable, etc. (any other considerations).</p>
<p><input type="checkbox"/> The authorities of destination/transit country have invited me to the meeting on date to decide on my return to the country of origin or my stay in the destination/transit country</p> <p>Tick the box only if in agreement.</p>		<p><input type="checkbox"/> The authorities of destination/transit country have invited me to participate in the meeting on behalf of the child under my custody on ... date to decide on his/her return to the country of origin or his/her stay in the destination/transit country</p> <p>Tick the box only if in agreement.</p>
<p><input type="checkbox"/> I have been informed by the authorities that I can stay in the destination/transit country because</p> <p>-----</p> <p>Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the stay in the COD/T (to the knowledge of the declarant).</p>	<p><input type="checkbox"/> I have been informed by the authorities that I can stay in the destination/transit country because</p> <p>-----</p> <p>Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the stay in the COD/T (to the knowledge of the declarant).</p>	<p><input type="checkbox"/> I have been informed by the authorities that the person/child under my custody can stay in the destination/transit country because</p> <p>-----</p> <p>Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the stay in the COD/T (to the knowledge of the declarant).</p>

<input type="checkbox"/> I have been informed by the authorities that I might be transferred to a third country because <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the transfer to a third country (to the knowledge of the declarant). </div>	<input type="checkbox"/> I have been informed by the authorities that I might be transferred to a third country because <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the transfer to a third country (to the knowledge of the declarant). </div>	<input type="checkbox"/> I have been informed by the authorities that the person under my custody might be transferred to a third country because <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. If so, provide the reasons based on which the authorities consider the transfer to a third country (to the knowledge of the declarant). </div>
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Taking into account that what has been mentioned above I state that

The column of the adult declarant	The column of the minor declarant	Parent's/Custodian's column
<input type="checkbox"/> I want to go back to my country of origin/to stay in the destination/to resettle in a third country <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. </div>	<input type="checkbox"/> I want to go back to my country of origin/to stay in the destination/to resettle in a third country <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. </div>	<input type="checkbox"/> The child under my custody wants to go back to his/her country of origin /to stay in the destination/to resettle in a third country <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. </div>
<input type="checkbox"/> I want to be received and to have contact with authorities in the country of origin after my return <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. </div>		
<input type="checkbox"/> I do not want to go back to my country of origin <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. Check there is no contradictory statement. </div>	<input type="checkbox"/> I do not want to go back to my country of origin <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. Check there is no contradictory statement. </div>	<input type="checkbox"/> The person under my custody doesn't want to go back to his/her country of origin <div style="border: 1px solid orange; padding: 5px;"> Tick the box only if in agreement. Check there is no contradictory statement. </div>

Name, surname and signature of the adult declarant _____

Name, surname and signature of the minor declarant _____

Name, surname and signature of parent/custodian/case manager _____

Form 9

<i>Title:</i>	<i>"Information about arrangements of country of origin for reception of the assisted voluntary return"</i>
<i>To be sent by:</i>	<i>Contact Point of the country of origin</i>
<i>Deadline:</i>	<i>7 days.</i>

The goals of this communication form are as follows:

- a)** To inform the country of destination or transit on the meeting for organizing the receipt
- b)** To provide information on persons who will wait/receive the victim or presumed victim of trafficking
- c)** To provide documents that authorize travel and ensure proper immediate accommodation

The *Contact Point* of the country of origin should fill out and submit this form to the country of destination/transit.

Upon receipt of Form 8, the *Contact Point* shall call a meeting for the organization of the reception, in order to assess the proposed travel date by the country of destination/transit (form no. 8), determine the institutions or persons that will wait for the victim or presumed victim and the measures to be undertaken in case of need to provide escort.

The outcome of this meeting will be reflected in Form no. 9, including date and names of the participants.

An authorization of the parent/custodian for the travel of the minor on fixed date is required to be attached, as well as a statement of the institution that will immediately accommodate the person concerned in such institution. Other documents may be attached, depending on the case and the situation.

Form no. 9 shall be submitted within seven (7) days from the moment when Form 8 has been received.

Once Form no. 9 has been submitted by the *Contact Point*, a situation report is expected using format no. 10, 6 months after the moment the person has been returned, has stayed in the COD/T or has been resettled.

Remember

- The Contact Point of the COO shall call a "meeting on reception of the person of concern". In this meeting shall participate case manager and representatives of institutions and agencies.
- For children: the family members or the custodian of the person of concern shall be informed accordingly and provide an authorization for the travel of the minor on fixed date. Authorization shall be submitted as an attachment to Form 9.
- For children: in all decisions taken, shall prevail the best interest of the child.
- Statements of the institutions on accommodation shall be made in writing and submitted as an attachment to Form 9.

Goals: a) To inform the country of destination or transit on the meeting for organizing the receipt; b) To provide information on persons who will wait/receive the victim or presumed victim of trafficking; c) To provide documents that authorize travel and ensure proper immediate accommodation.

To be submitted by Contact Point of the COO

Deadline:
7 days

Form no 9

Information about arrangements of country of origin for reception of the assisted voluntary return

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected** _____

Register Number no given to the Form _____ **Each country has its own register. – this is not the Case Register number.** _____

Name and surname of the person for whom the information is provided
_____ **Name of the person victim/presumed victim/at risk of trafficking** _____

Text

The date of the meeting called by the Contact Point for the organization of reception
_____ **Such meeting shall be called and organized by teh Contact Point of the COO.** _____

The participants at the meeting concerning organization of reception
_____ **Indicate name and institution of participants in the meeting. Participants in this meeting shall be the case manager and representatives of the institutions and agencies involved in the reception process.** _____

Suggestions about the change of the travel date, if any _____ **Indicate date and hour suggested** _____

Institution/Persons who will wait for him/her _____ **Indicate name and institution that he/she represents.** _____

Contact details/Phone numbers of the persons who will wait for him/her
_____ **Indicate these contact details of the person that will wait for the person of concern at the border.** _____

Undertaken measures to provide escort if it is considered necessary to have escort in the country of origin
_____ **Indicate measures regarding escort for safety reasons or health related reasons.** _____

Attachments/ Annexes

- Authorization of the parent/custodian for the travel of the minor on fixed date;
- Statement of the institution that will accommodate, immediately, the person in the institution
- Other

Tick the box or add title of other documents provided.

Form 10

<i>Title:</i>	<i>"Report on assessment of the situation after the return/stay/resettlement"</i>
<i>To be sent by:</i>	<i>Contact Point of the country of origin</i>
<i>Deadline:</i>	<i>6 months after the return/or decision to stay or after resettled.</i>

The goal of this communication form is:

- To provide information on the well-being of the person after return or stay/resettled

In cases when return has taken place, this Form no. 10 shall be submitted by the country of origin.

In cases of victims or presumed victims of trafficking that have not returned, Form no. 10 shall be submitted by the Contact Point of the country where the person stayed and sent to the country of origin.

In cases of resettlement, the Contact Point of the resettlement country shall submit Form no. 10 to the contact points of the country of origin and country of destination/transit.

The assessment of the situation shall be made by the case manager, as specified in the protocol and applying the national established procedures for adults and children. The Contact point shall specify through Form no. 10, if the victim or presumed victim was present during the assessment and if she/he has migrated. A simple "yes" or "no" is required to indicate if the victim or presumed victim of trafficking is again into the category of persons that are on the focus of the Protocol.

The report shall take into consideration the assessment of the situation of the person: it includes assessment and specifications on safe and suitable shelter aspects, health care, use and abuse of psychoactive substances, security aspects, education and any other aspects relevant to the situation of the case. Additionally, it will reflect the comments that the person or the family have made regarding the assistance provided by the destination or transit country and the assistance provided by the country of origin. This report is of particular importance as it is a form of participatory process on case management, evaluation expectations to elicit information in order to adequately assess impact, relevance and sustainability.

Some of the questions to be asked to victim/potential victims of trafficking or persons at risk of trafficking are:

- What was the quality of services received prior to return (and from whom) (particularly voluntariness of return and counselling)?
- What was the quality of services received during and after return (and from whom), particularly psychosocial support, vocational training and job placement?
- What challenges were faced in reintegration? Where there any services they expected to receive but did not?
- What services or support do you consider most important and why?

- What would you recommend to do better in terms of information and support prior and after return?
- Were there any security incidents during or after return process?

Based on the collected information, the authority will finally denote if the case can be considered close or still opened.

According to the Annex to the Protocols, a case is considered closed when: a) belongs no longer to the categories of the Protocols; b) received all assistance by both countries.

Form no. 10 shall be submitted after 6 months after the return/or decision to stay/or after resettled. No attachments are required.

Remember

- This is an important participatory assessment on the case management, in order to assess impact, relevance and sustainability.
- If the case is considered “opened”, the National Referral Mechanism of the country shall be activated.
- Comments gathered shall be accompanied with documents and pictures, if that is the case, in order to support the statements recorded.

Goal: a) To provide information on the well-being of the person after return or stay/resettled; b) To provide information on the well-being of the person after return or stay/resettled
To be submitted by the Contact Point of the Country of residence of the person of concern.

Deadline:
 6 months after the return, or decisión to stay or after resettled

Form no 10

Report on assessment of the situation after the return/stay/resettlement

The date of the submission of the Form _____ **Deadlines established in USOPs shall be respected** _____

Register No. given to the Form _____ **Each country has its own register. – this is not the Case Register number.**

Name and surname of the person for whom the information is provided
 _____ **Name of the person victim/presumed victim/at risk of trafficking** _____

Text

The assessment was made on _____ **date** _____ in _____ **location** _____
 by _____ **Name, surname, title and institution of the person that has conducted the assessment.**

The person was present during the assessment: Yes ☐ No ☐ **Tick the box**

If not, has the person migrated? Yes ☐ No ☐

Is the person again into the category of persons that are on the focus of protocol? Yes ☐ No ☐

The result of the assessment is that the situation of the person is:

Aspects of the situation	Assessment	Specifications
Safe and suitable shelter	Overall assessment of the situation, using short phrases.	Explained information for each aspect of the situation.
Health		
The use and abuse of psychoactive substances		
Security		
Education		
Other:		

The person or the family made these comments on the assistance provided by the destination or transit country

Reflect the comments that the person or the family have made regarding the assistance provided by the destination or transit country, focusing on issues regarding rights respected and assistance provided, in order to assess impact, relevance and sustainability.

The person or the family made these comments on the assistance provided by the country of origin

Reflect the comments that the person or the family have made regarding the assistance provided by COO (if she/he returned), focusing on issues regarding rights respected and assistance provided, in order to assess impact, relevance and sustainability.

- Some of the questions to be asked to victim/potential victims of trafficking or persons at risk of trafficking are:
- What was the quality of services received prior to return (and from whom), particularly voluntariness of return and counselling?
 - What was the quality of services received during and after return (and from whom), particularly psychosocial support, vocational training and job placement?
 - What challenges were faced in reintegration? Were there any services they expected to receive but did not?
 - What services or support do you consider most important and why?
 - What would you recommend to do better in terms of information and support prior and after return?
 - Were there any security incidents during or after return process?

According to the collected information the case can be considered:

Closed

Case is closed when: a) it belongs no longer to the categories of the Protocol; b) received all assistance by both countries.

Still open

6. Monitoring and Follow up of the USOPS

The competent authorities for monitoring the implementation of the Protocols are the Offices of the National Anti-Trafficking Coordinators. Additionally, the Protocols establish that the competent authorities for the implementation of the Protocols are: Ministries of Interior – Police Directorates, Prosecutor Office's, Administration for Inspection Affairs, ministries of Labor and Social Welfare of the countries and the NGOs dealing with the protection of victims of human trafficking¹⁶.

Countries are required to appoint contact persons in the respective Responsible Authorities to administer and monitor the cooperation in the ways set forth in the endorsed USOPs, and, when necessary, to assist in resolving specific cases or issues.

There has been no procedure established for the monitoring of the USOPs, such as indicators, periodical meetings of the focal points and the institutions involved in the implementation of the USOPs. The representatives in the Regional Workshop celebrated in Skopje in July 2018 have recommended a yearly meeting¹⁷. According to the Protocols, the authorities might also decide to carry out other planned meetings or activities, as needed, for the solution of operational issues, specific cases or problems that are related to trafficking in persons or to identification, referral, assisted voluntary return of victims or potential victims of trafficking with a special focus on children. In order to fully comply, a common work plan between the four countries is recommended in order to follow up and monitor the implementation of the USOPs.

¹⁶ Protocol between Kosovo and Montenegro, article 3, Additional Protocol between Macedonia and Albania, article 5, Protocol between Albania and Montenegro, article 4.

¹⁷ Regional Workshop organized in Skopje in July 2018, in the framework of the project "Improving provision of services and awareness to combat Trafficking in Persons in the Balkans, Albania, Macedonia, Montenegro, Kosovo", project leader Terre des hommes.

Training Module



Introduction

Welcome to the Trainer's Module "Unified Standard Operating Procedures for transnational cooperation on case management, - Albania, Kosovo, Montenegro and Macedonia - based on the Annex to bi-national Protocols for the protection of victims and potential victims of trafficking with a special focus on children" for Albania, Kosovo, Montenegro and Macedonia.

This Training Module has been developed in the framework of the project "Improving provision of services and awareness to combat trafficking in Persons in the Balkans, Albania, Macedonia, Montenegro, Kosovo", funded by the U.S. Department of State through the J/TiP program. This project aims to strengthen the transnational collaboration between the four countries of the project in identifying and assisting victims/potential victims of trafficking with a special focus on children. Nevertheless, as we all know, the phenomenon of trafficking is reported to be of both internal, and cross-border/regional nature. The project is a joint effort of Terre des Hommes Mission in Albania & Kosovo with six local partners in the four countries of intervention: The Initiative for Social Change – ARSIS and Different & Equal in Albania; Association for action against violence and trafficking in human beings – Open Gate in Macedonia; SOS Hotline for Women and Children Victims of Violence Niksic in Montenegro; Shpresë dhe Shtëpitë e Fëmijëve and The Center for Protection of Victims and Prevention of Trafficking in Human Beings (PVPT) in Kosovo.

This Training Module is a facilitator's practical tool in order to successfully train on the correct understanding and implementation of the Unified Standard Operating Procedures (USOPs) in Albania, Kosovo, Montenegro and Macedonia. This training manual shall be used together with the User's Guide for the implementation of the USOPs, which provides detailed information and a step-by-step guidance regarding the implementation of the USOPs and the use of communication forms from 1 to 10. The USOPs are organized in 10 procedural steps. For each step, a communication form shall be used in order to communicate information to the other State/party.

The target group for the trainings are state and non-state anti-trafficking stakeholders and professionals involved during the exchange of information among parties: Offices of Anti-trafficking National Coordinators, Contact Points assigned for the implementation of the USOPs, potential case managers, as well as state authorities and NGOs directly involved in identification, assistance, protection and referral of transnational cases of victims of trafficking, potential victims of trafficking and persons at risk of trafficking.

A message to the facilitator:

1. This training module is a facilitator's *guide*, which provides this: guidance. Provided that the training will be organized in four different countries, therefore in four different institutional and cultural contexts, the facilitator shall make all necessary adaptations in order to make his/her training a success.

2. This training module does not repeat information already provided in the User's Guide mentioned above or in the Annex to the Protocols; therefore, you should familiarize yourself thoroughly with these two texts.
3. It is important that you organize your training sessions based on the participant's needs and profiles. For that, you may particularly consider the recommendations provided in the section below "Preparation for the Training".
4. The target group for the trainings is a "mixed" profiles group. Therefore, you shall make the necessary modifications regarding the content (agenda), timings, methodology and materials. However, it is essential to follow the logic of the training: from theory to application. It means that during training, participants shall be challenged to apply the USOPs (the 10 forms) through exercise, case studies or role-play, in order to incite implementation in their day-to-day work with transnational cases.
5. If you elaborate new methodologies and training materials (hand-outs, visual aids, case studies, etc.), please make sure that you make them available by sending them to: alb.office@tdh.ch.
6. Last but not least, this document does not provide explanatory information on anti-trafficking related issues, USOPs or national legislative and institutional frameworks, assuming the as a facilitator, you are experienced in the anti-trafficking field and therefore, able to elaborate such information.

1. Preparation for the Training

For the preparation of the training in advance, start with a review of this training module and the materials recommended in order to come up with a detailed training plan fit to the profile of participants and training needs in your country's context.

Once you have this first information at hand, you may continue working on the specific materials needed for the training, using the information provided in this training module, in the User's Guidelines for the Unified SOPs and any other materials you may consider appropriate.

You may want to consider:

- Who will be trainers, facilitators and support staff? Any additional resources needed?
- How will be the participants "recruited"?
- Are there any institutional and cultural sensitivity or others to take into account?
- Is the training space appropriate and does it allow for interaction, building on skills and expertise of participants?
- How will you evaluate the training and conduct follow-up?

Although you might be responsible for conducting the training, you may want to involve other facilitators and keynote speakers for the training. That could be for the opening of the training, but also during the two-day sessions. In inter-institutional events, normally, there is a positive approach for the leading state institutions or for the implementation partners of the project in the framework the training is taking place, to assign representatives for opening remarks and other presentations and to support with staff and logistic issues. This information will be needed in order to work on the agenda together with the actors involved and to coordinate for a successful organization and implementation of the training plan, for a timely and correct "recruitment" of the participants, respect of diversities and sensitivities of the participants, and to insure greater chance of buy-in from key stakeholders.

Regarding the training space, make sure the location is favourable in terms of transport for the participants to reach, neutrality (make sure participants will be comfortable in case the training venue will be in an institutional building), and a space that provides adequate setting in function of the activities planned for the training (group activities, etc.).

Include in your training plan:

- Arrange communication and meetings with key actors to discuss planning and expected outcomes of the training
- Information on audience's profile and number of participants
- Review Training Module and make the necessary adjustments, incorporating the national legislation and the national SOPs
- Information on location, dates and timetable
- Organize coffee breaks and meals for the training days
- Organize trips and materials prior training days

- Materials checklist
- Training preparation checklist: registration/sign-up sheets, agenda, presentations, evaluations (pre and post evaluation, daily evaluations), handout packages for the facilitator and for the participants and certificates for the participants.

See Annex 1 Training Preparation and Material Checklist

2. Purpose of the Training

This training intends that the participants acquire theoretical, practical and affective tools, in order to respond to transnational cases applying the correct approaches, principles and knowledge, and demonstrate commitment in individual or collective actions that demand intervention against cases of trafficking.

A combination of the following is the target group recommended for the training:

- Offices of Anti-trafficking National Coordinators
- Contact Points assigned for the implementation of the USOPs
- Potential case managers
- Representatives of state authorities and NGOs directly involved in identification, assistance, protection and referral of transnational cases of victims of trafficking, potential victims of trafficking and persons at risk of trafficking
- Focal points of law enforcement and crime investigation structures
- Border authorities and other institutions involved in the return procedures or readmission procedures for victims of trafficking, potential victims or persons at risk of trafficking according to the definitions provided in the USOPs.

In order to effectively implement the USOPs, it is recommended to broaden participants' knowledge about the complex problem of trafficking in persons (elements that characterize it, purposes, modus operandi, causes, consequences, etc.), explain the rank of cooperation agreements signed between countries and the relationship with domestic legal and institutional framework.

At the end of the training, the participants, according to their respective competences, will be able to implement the procedures established through the USOPs for transnational cooperation and case management.

Skills to be developed in during the training:

Dimension	Levels	Elementary	Basic	Advanced
Sensitivity		Raise awareness about the USOPs of for transnational cooperation and case management.	Raise awareness of the need to provide effective responses through the USOPs of for transnational cooperation and case management.	Commit to implement the USOPs of for transnational cooperation and case management
Theoretical (Knowledge)		Become familiar with the USOPs of for transnational cooperation and case management	Broadening knowledge about the USOPs of for transnational cooperation and case management (bilateral instruments, definitions, procedures, etc.)	Critically analyse the complexity of transnational cases, communication packages and comprehensive protection of victims or presumed victims of trafficking.
Practice (Abilities)		Differentiate the issue of trafficking in other crimes and human rights violations and the procedures to be applied.	Manage the legal instruments related to cases of human trafficking, as well as the principles of human rights.	Practice a comprehensive and coordinated response to cases of trafficking in persons, applying the approaches, principles and acquired knowledge.

3. Training Structure

The training information package will focus on the following areas:

1. Conceptual framework on trafficking in persons, with special focus on transnational cases and on children: elements that define trafficking, stages, modus operandi, purposes, causes and consequences
2. National and international framework, bilateral instruments and protocols, policies against trafficking in persons
3. Institutional response against cases of trafficking in persons: prevention, identification, investigation, protection and assistance to victims and presumed victims
4. Implementation of the USOPs: Context, challenges and opportunities
5. From knowledge to action: Roadmap of the Unified SOPs, procedural and institutional aspects, use of forms, coordination and cooperation

4. Methodology and Evaluation

The methodology of the course shall combine presentations, discussion groups of specific cases and suggested readings, as well as discussion among state actors that allow deepening on the specifics for the implementation of the USOPs. Critical reflection and analysis of the issues raised shall be constantly motivated.

Given that the participants are expected to be professionals working on topics related to the training, the facilitator might consider encouraging work and debate based on their experiences, perceptions, knowledge and practice, which will constitute an important input for the development of each topic. Likewise, a participatory training space and audience engagement shall be promoted, in order to boost collective construction of new knowledge applied to our reality.

It is recommended to use case studies and role-plays in order to work with the 10 forms of the USOPS, for a better understanding and preparation for use in the future. Detailed information on the methodology and elements of case study are explained in Annex 3 of this Training Module.

At the beginning of the course a pre-test will be applied in order to know the initial knowledge of each participant and a post-test at the very end, in order to know changes in knowledge after the training. A sample of the pre and post-test is attached. The trainer shall make the necessary adjustment for the training he/she is preparing. Additionally, a first evaluation is recommended, at the end of the first training day, in an opened, informal and safe discussion in order to measure their satisfaction with the content and methodology applied as well as to feature any concerns. The format of the final evaluation form will be provided by Terre des Hommes in order to be unified for all trainings in the four countries.

As a final remark, it is important to add that the actors involved shall consider a periodical follow up of the implementation of the protocols, as a way of measurement.

5. Recommended Documents to Work with

- Annex to the Protocols on anti-trafficking cooperation between Albania, Kosovo, Montenegro: The Unified Standard Operating Procedures (2016)
- User's Guidelines for Unified Standard Operating Procedures for Transnational Cooperation On Case Management, Terre des Hommes (2018).
- Protocol "On Intensifying the Cooperation in the Fight Against Human Trafficking and for the Improvement of Identification, Notification, Referral and Assisted Voluntary Return of Victims and Potential Victims of Trafficking, Specially Children in Addition to the Agreement between Council of Minister of the Republic of **Albania** and the Government of the Republic of **Kosovo** " On the Trans-border Police Cooperation", Law no.10 212, date 21.1.2010" (2012)¹⁸,
- Additional Protocol between the Ministry of Internal Affairs of the Republic of **Albania** and Secretariat General of the Government of **Montenegro**, "On Intensifying of the Cooperation in the Fight Against Human Trafficking and for the Improvement of Identification, Notification, Referral and Assisted Voluntary Return of Victims and Potential Victims of Trafficking" (2014)¹⁹
- Protocol Between Ministry of Interior of the Republic of **Kosovo**, National Coordinator's Office for Fight Against Trafficking in Human Beings and Secretariat General of the Government of **Montenegro**, Office for Fight Against Trafficking in Human Beings, "On Cooperation in Combating Trafficking in Human Beings" (2014)²⁰
- On the Ratification of the "Agreement between the Government of Republic of **Macedonia** and the Council of Ministers of the Republic of **Albania** for cooperation in combating terrorism, organized crime, illicit trafficking of narcotic, psychotropic substances and their precursor, illicit migration and other illicit activities" signed on June 17th, 2004, entered into force on may 20th, 2005.
- Additional Protocol on intensifying the cooperation in the Fight Against Human Trafficking across borders and on intensifying of Identification, Notification, Referral and Return of the victims, in fulfilment to the agreement between the Government of the Republic of **Macedonia** and the Council of Ministers of the Republic of **Albania** for the "cooperation in combating terrorism, organized crime, illicit trafficking of narcotic, psychotropic substances and their precursor, illicit migration and other illicit activities, dated March 14th, 2007.

¹⁸ <https://rm.coe.int/16806454cc>

¹⁹ pg.37 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168065bf87>

²⁰ <https://rm.coe.int/16806454cc>

6. Further Reading

- National Referral Mechanism/Standard Operating Procedures for the country where the training is being developed.
- National Action Plan/Strategy and for the country where the training is being developed.
- National reports on anti-trafficking efforts and results in the country where the training is being developed.
- U.S. Department TIP Report for four countries, available at <https://www.state.gov/j/tip/rls/tiprpt/2018>
- GRETA experts' report for four countries, available at <https://www.coe.int/en/web/anti-human-trafficking/greta>

ANNEX 1

Training preparation and material checklist

TRAINING PREPARATION		CHECK BOX
Identify possible participants for the training, and select based on established criteria and coordination with key actors.		
Meet with the key stakeholders to discuss interest and possible plans for training		
Identify training venue/or visit if venue previously selected		
Coordinate “recruitment” of participants		
Prepare presentations, videos and other resources		
Test computer, projector, audio equipment and screen before Day 1		
Organize coffee breaks and meals for the two days		
Review agenda and coordinate collaborators for the training		
Materials	Quantity	Check box
Flip chart		
Cards and materials for working groups		
Markers	10-15 (depending on use)	
Pens for participants		
Tapes, paper scotch		
Certificates for participants		
Projector		
Computer		
Speakers (if needed)		
Training preparation checklist	Quantity	Check box
Registration/sign-in sheet	1	
Participant agenda	No. of participants	
Pre-test	No. of participants	
Post-test	No. of participants	
End-of-training evaluation	No. of participants	
Hand-outs	No. of participants	
Certificates for participants	No. of participants	

Annex 2

Facilitator's agenda

This is a sample agenda, which indicates: timing, item, components, materials needed.

DAY 1

- 09:30** **Introduction**
[Facilitator's(s) name]
- 09:45** **Conceptual framework** on trafficking in persons, with special focus on transnational cases and on children: elements that define trafficking, stages, modus operandi, purposes, causes and consequences of human trafficking
[Facilitator's name]
[Methodology]
[Materials needed]
- 10:30** *Coffee break*
- 11:00** Continuation of previous session.
- 12:00** **National and international framework**, bilateral instruments and protocols, policies against trafficking in persons
Institutional response against cases of trafficking in persons: prevention, identification, investigation, protection and assistance to victims and presumed victims of trafficking
[Facilitator's name]
[Methodology]
[Materials needed]
- 13:00** *Lunch break*
- 14:30** **Implementation of the USOPs:** Context, challenges and opportunities
[Facilitator's name]
[Methodology]
[Materials needed]
- 15:30** **From knowledge to action:** Roadmap of the Unified SOPs, procedural and institutional aspects, use of forms, coordination and cooperation. Differentiation and links between national and transnational SOPs.
[Facilitator's name]
[Methodology]
[Materials needed]
- 16:30** **Wrap up Day 1**

DAY 2

09:00	Summary of Day 1
09:30	Procedural steps and use of forms Explanation of forms 1- 4 Working groups. [Materials needed]
<i>10:30</i>	<i>Coffee break</i>
11:00	Explanation of forms 5-7 Continuation in working groups
<i>13:00</i>	<i>Lunch break</i>
14:30	Explanation of forms 8-10 Continuation in working groups.
15:30	Presentation of results
16:30	Discussion and wrap up Day 2.
17:00	Evaluation and post-tests.

ANNEX 3

Elements of case studies

Case studies will be designed according to the context of each single country. In this annex we will provide examples for the case studies that can be used, but trainers can elaborate other similar cases.

Participants will be divided in groups. Each group will be composed of two teams, one in the position of Country of Origin (COO) and the other in the position of Country of Destination or Transit (COD/T). Each group will have one Contact Point, one Case Manager, and one victim/presumed victim of trafficking. At the end, one representative from each group will present the process carried out and discuss on questions and doubts. Their roles are as follows:

Contact Point:

- In the role of the Contact Point as per the definition established in the USOPs.
- Facilitates the discussion in the working groups
- Makes sure debate is focused procedures to be followed for information exchange between countries
- Highlights the preparatory procedures/work needed previous to the submission of forms
- Asks the Case Manager to complement with additional information as needed.

Case Manager:

- In the role of the Contact Point as per the definition established in the USOPs.
- Uses his/her personal knowledge on trafficking cases to complement with additional information on the case. Such information is provided progressively, as the group proceeds with the questions and the submission of forms.

Participants:

- Will be divided in COO and COD, in order to simplify the structures and make better use of the “communication package” (10 forms/procedural steps).
- Participants will use the 10 forms as needed, in order to proceed with the case, implementing the information exchange package.

Rapporteur:

- There will be one rapporteur per country
- Make a presentation of 10 min. in the plenary, a summary of the process carried out. The presentation will include the following aspects: clarity about procedures, difficulties when information was obtained or exchanged, and quality of answers provided to the questions.

Victim of trafficking:

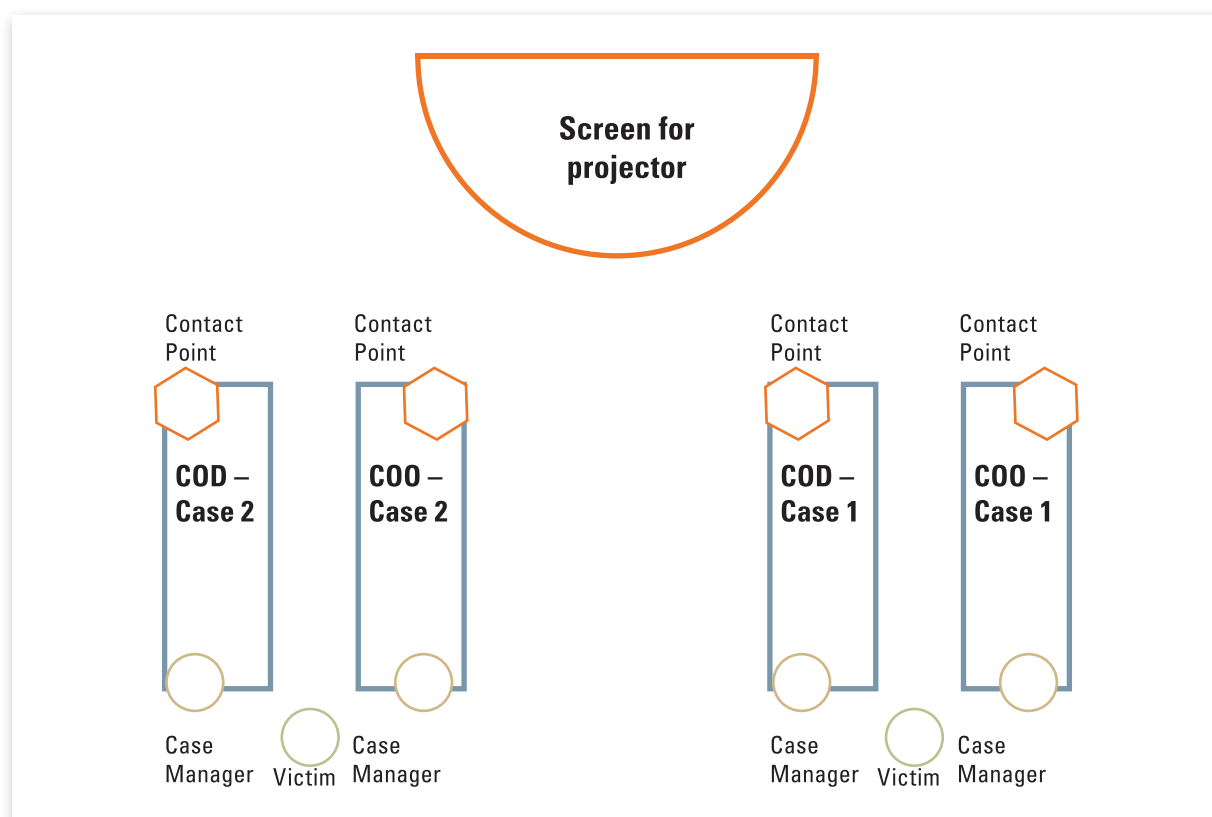
- One person will be in the role of the victim or presumed victim of trafficking.
- He/she will analyse the process from his/her perspective and share this analysis in plenary after the discussions.
- During the procedures, he/she will strictly remain in her role as victim or potential victim and interact with the officials (participant) in that capacity.

It is recommended to start the process at a given procedural step and its corresponding form. For instance, the case study-role play may start with Form no. 1 for one group, and form no. 3 for the other group, so that the participants have plenty of time to work on forms from 1 to 4. In order to make sure that the first information is correctly presented it is also recommended, that the trainer uses the forms explained in the User's Guidelines as reference.

Each group of forms (see proposed Agenda in Annex 2) will be presented and explained before the work starts in groups. The facilitator may choose to provide completed form each time the working group sessions start: forms 1-4, forms 5-7 and forms 8-10.

Setting and logistics:

- Tables shall be organized in a way that allow for participants to be working together. For instance, each country in one table. A computer shall be available for each group in order to complete the forms and exchange information via email.



Case Study "Altin"

Altin is 22 years old and was born in Albania.

Altin works in construction. For most of his life, he lived in a village near the border with Macedonia.

Unable to find a decent job, he started looking for other opportunities. After contacting some people he had been recommended, he was finally offered a contract without having to deal with any bureaucratic procedures, to which he agreed, and departed from his village.

When he arrived at the workplace in a city in Macedonia, he discovered that the accommodation was terrible and that he had to work more hours than indicated in the contract. After a month, Altin demanded the agreed monthly salary, but the employer with different pretexts postponed the payment every day. Since he did not have a work permit, Altin did not dare to tell the police about the case. However, he managed to talk to his family.

The family has contacted the authorities in Albania and reported the case, indicating the name of the city, a photo of Altin and other information that the authorities have been asking.

Form 1 has been sent to Macedonia – a completed form will be handed over from the facilitator to the participants. Participants shall continue the process.

Case Study "Tina"

A non-governmental organization in Kosovo has identified a presumed victim of trafficking.

Tina is 19 years old and comes from Montenegro. She is Romani and her family sold her to Kosovo where she has been living for the last months in a forced domestic servitude situation and begging in the streets.

She is under constant physical and mental abuse and has nowhere to turn to for help. Her parents did not support her when she called and asked for help to end this marriage. She recently called and talked to her mother again, but her parents are very reluctant to take her back.

Tina is confused, afraid and unable to take a decision on next steps, but the only solution she sees is to go back somewhere in Montenegro or somewhere else.

In the street, she was contacted by the NGO who has offered her assistance.

At present, Tina is in a safe shelter and has asked for help to go back to Montenegro. She has been cooperative and has given a statement to the authorities.

Form 3 has been sent to Montenegro – a completed form will be handed over from the facilitator to the participants. Participants shall continue the process.

ANNEX 4

Pre and post test form

Name and family name of participant (optional): _____

In boxes on this answer-sheet please indicate true or false:

		Correct answers
1. The Unified SOPs are procedures that ensure that all cases identified are successfully assisted to return to their country of origin.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>
2. The 10 standard forms of the Unified SOPs-communication package serve as a battery of instruments that can be used all or some, as needed, depending on the specifics and the individual situation of each case.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input checked="" type="checkbox"/> False <input type="checkbox"/>
3. A contact point shall be appointed in each country in order to ensure a correct communication between the state authorities of each country: complete, send, and receive the forms, while the case manager shall be assigned to assist the persons subject of protocol.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input checked="" type="checkbox"/> False <input type="checkbox"/>
4. The Unified SOPs do not apply in case of children living on the streets with their parents.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>
5. "Opening the case" refers to the time and quality point in which the Contact Points register the case in the respective registers of each country.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>
6. The Unified SOPs refer to victims and presumed victims of trafficking, and "at risk of trafficking" referring to children and also to adults who are eligible for special protection under legislation on social or foreigner's protection or other legislation in force in each country.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input checked="" type="checkbox"/> False <input type="checkbox"/>
7. Form 2 "Reply to the request for identification/Reply to Form no. 1" is an answer to Form no. 1, for COD/T to recognize receipt of Form no. 1. and furthermore to inform the COO on measures that will be taken to verify or ensure that the person is not in the situation he/she is suspected to be.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input checked="" type="checkbox"/> False <input type="checkbox"/>
8. The early assessment and planning of assistance in Country of Origin will be done in coordination between the case managers in each country, with the participation of state and non-state institutions.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>

9. Form 5 “Early assessment and Planning of Assistance in Country of Destination or Transit” summarizes: (1) the description of the needs identified, (2) the measures that will be taken in the COD/T (3) the results and expectations from Country of Origin.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input checked="" type="checkbox"/> False <input type="checkbox"/>
10. Once the COO of origin has confirmed (through Form on “Information about the arrangements of country of origin for reception of the assisted voluntary return”), the COD/T will send information on the return details, provide the declaration of return made by the victim/presumed victim, and other assessments as required in the respective forms.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>
11. Once the victim has declared that he/she wants to go back to her COO and to have contact with the authorities in the COO after his/her return, the case manager or the contact person in the COO will organize a meeting for the organization of reception, of the assisted voluntary return.	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>
12. As stipulated in the Unified SOPs, the Contact Points are responsible for the implementation and the follow up of the procedures and for the monitoring of such procedures according to the 10 procedural steps (forms).	True <input type="checkbox"/> False <input type="checkbox"/>	True <input type="checkbox"/> False <input checked="" type="checkbox"/>

